The introduction of "anti-racist legislation" in the Greek legal order: Political strategies, legalised violence and the formal protection of gender identity.

Roussa Kasapidou *

Abstract

The present article follows the introduction of the much-contested "anti-racist legislation" during a particularly dark era of governance in Greece. Within a context of deepening crisis, absolute legitimation of state racism and institutional violence against the nation's racial, gender, religious and sexual Others, the politico-legal choice of a right-wing government to go through with this reform appears paradoxical at first glance. Even more so, the introduction of gender identity among the protected characteristics seems at odds not only with governmental actions that have directly targeted trans individuals but also with the overall gender-normative imperative of the law and the hostile institutional atmosphere that mirrors and reproduces it. In view of this seemingly paradoxical legislative choice, queried here is the concrete work performed by the "anti-racist law" reform in the context in which it unfolded. Utilising a broader problematisation of any legal regime's authority to justify its own violence, it is suggested that a closer reading of the conditions under which the reform took place brings into light its instrumentalisation, during that era, to legitimise systemic racism and institutional gender/sexual violence materialised through operations against marginalised populations.

Key words: Hate crime, racist crime, Greece, gender identity, Greek Law 4285/2014, transphobia

* Independent researcher. Email roussanw@hotmail.com

Introduction

Political theorist, Paisley Currah (2013), in his work within the area of Trans studies, has contended that a critical understanding of LGBTI-related legislation commands its contextualisation within different state projects or state-level goals enabled by its introduction. Currah rightfully argues that the legal management of gender and sexual identities by the state might take different, often contradictory, forms "which reflect different state projects - recognition, security, surveillance, distribution, reproduction" (Currah 2013: 5). This type of reading of the law, instead of relying on the legislator's statement about what the law *does*, seeks an understanding of the work that is performed on different levels by the introduction of "progressive" legislation within specific socio-political surroundings. In keeping with this point, the present article sets out to re-read a much-contested legal reform within the Greek legal order in proximity to the historico-political context that produced it and, more importantly, with regards to the particular work it performed.

Specifically, the article explores the conditions and dominant discourses surrounding the introduction of the "anti-racist legislation" (Law 4139/2013 and later Law 4285/2014), which refers to crimes motivated by the (perceived) characteristics of the victim including race, colour, genealogical background, national or ethnic origin, religion, sexual orientation, gender identity and disability (art. 1 Law 4285/2014). In Greek legislation the terms "hate motivated crime" and later "racist crime" or "crime with racist characteristics" (omitting the affective element of hate on the part of the perpetrator and focusing on the characteristics of the victim) have been used in place of the term "hate crime" that is used internationally. Although, the term "hate crime" does exist in Greek legal theory, it is often replaced with the term "racist crime" both in legislative texts (such as the ones studied here) and the public debates on the issue (Papanikolaou 2016: 1729). Accordingly, the police office responsible to receive hate crime complaints is called Department to Combat Racist

Violence and the legislation discussed here is known to the public as the "anti-racist bill/law."[1]

This legislation was delivered during a period wherein (state) racist discourses and the systematic targeting of the nation's racial, gender, religious and sexual Others were instrumental tools of governance (Athanasiou 2012; Filippidis 2018). In order to grasp the material and affective components underlying this contradiction, the legislation is framed within the socio-political context of the Greek crisis and its management. The governing regime[2] that enacted the formal protection of marginalised identities can be seen, in the following analysis, to have enforced, at the exact same time, a set of hostile political imperatives that commanded the social and material annihilation of specific populations. This paradoxical condition and its subtler nuances are also discussed in relation to the introduction of gender identity as grounds for protection for the first time. Drawing from my research on gender variance and trans identities in the Greek legal order (Kasapidou 2017, 2020), in this article I examine the role of this protection that appears ambiguous when placed in a context of strict ethno-sexual hierarchies, as well as systemic and systematic racialised and gendered violence.

In view of this, the article allows the space for uncomfortable yet legitimate questions to be raised regarding the conditions under which political forces that institutionally embraced and relied upon racist, sexist and homo/transphobic hostility and violence introduced this legislation not *against* but *as part of* the strategic precarisation of populations on a state and suprastate level. It traces the reform's particular workings, pointing towards a critical

[1] This echoes the common, yet highly problematic, practice in Greek political culture to use "racism" "as a superordinate or 'umbrella' concept that includes 'homophobic' and 'transphobic' but also 'misogynist,' 'ageist,' 'ableist,' and class- or status- based prejudice, discrimination, and oppression, in addition of course, to that based on 'race' or 'ethnicity'" (Carastathis 2018b: 265; Riedel 2009). This way, not only all other discriminatory practices are hidden but, more importantly, the term "racism" is completely relativised and deprived of its particular content and history. Throughout the article, I maintain the problematic terms "racist crime" and "anti-racist legislation" that have been used by the legislator and have dominated the public debate. I chose to use these terms because I am referring to a specific law and not the concept of hate crime overall but, nonetheless, I do so using the terms in quotation marks to remind the reader of their problematic conceptualisation that is meant to include all recognised discriminatory practices. The term "hate crime" will be used when referring to the general legal concept and not to article 81A of the Greek Criminal Code.

[2] The governing coalition of Antonis Samaras was formed in 2012 after Nea Dimokratia could not secure the necessary majority to form a single-party government. With the collaboration of PASOK and the Democratic Left (*DIM.AR*) a coalition government was formed and stayed in power until 2015.

reading of the "anti-racist legislation" as a means to re-name and re-legitimise the intensifying Greek (and European) state racism and institutional violence through an instrumentalisation of the concept and rhetorics of "racist crime".

The End of the World as We Know it

More than a decade since the financial crisis of 2008-2009 and its aftermath, it has become rather tiresome to try capturing the Greek crisis in a few words, whether for academic or other reasons. What is crucial for, even vaguely, comprehending this period is that the term "crisis" has come to include, other than the financial crisis itself, the devastating effects of the management of the crisis and, eventually, more than one crisis (the debt crisis, the "refugee crisis", the legitimation crisis of political parties and so on).[3] A few of the instances marking the last decade are the collapse of the decades long political regime, the IMF intervention, dramatic austerisation, multiplying percentages of unemployment, thousands of unaccounted for deaths along the country's borders, militarised police operations against *anomie*, a surge in racist violence and the election of the neo-Nazi Golden Dawn party in the Parliament. Greek commentators have repeatedly noted that, as impressive as the quantitative and statistical representation of the last decade of austerity might be, it proves insufficient to describe the catholic nature of its political, financial, social and emotional effect on a ground level (Tsilimpounidi 2016: 2; Roufos 2018; Vaiou 2014). With capital destruction climbing to levels equal to those faced by European countries after World War II and no part of life in Greece left untouched by the shifting conditions, the crisis early on "forcefully illustrated how it would shake to the ground our world as we knew it" (Brekke, Filippidis & Vradis 2018: 13; Roufos 2018).

[3] For critical accounts of different periods and aspects of the Greek crisis see: Vradis & Dalakoglou (eds.) 2011; Athanasiou 2012; Kaika 2012; Athanasiou & Tsimouris (eds.) 2013; Tsilimpounidi & Walsh (eds.) 2014; Brekke, Dalakoglou, Filippidis & Vradis (eds.) 2014; Leontidou 2014; Bratsis 2016; Tsilimpounidi 2016; Dalakoglou & Agelopoulos (eds.) 2018; Roufos 2018; Brekke, Filippidis & Vradis 2018.

By 2010, the first *memorandum*[4] had been signed and, while the crisis was deepening, the period 2008-2012 was also marked by the rise of social movements that were resisting austerity and cultivating a radical culture of political organisation (Bratsis 2010; Vradis & Dalakoglou 2011; Arampatzi & Nicholls 2012; Leontidou 2012; Tsilimpounidi & Walsh 2014; Athanasiou 2014). Following the polymorphous political mobilisations that made Greece a focus point for the European and global Left, a new dogma of public order and security started materialising through extreme policing techniques and militarised repressive operations (Dalakoglou 2013; Kotouza 2018; Filippidis 2018). The perpetually re-constructed *state of emergency* became the discursive vehicle for the introduction of the dogma of "zero tolerance" that became central in the dismantling of political movements, the battling of civil disobedience, the securitisation of public space and the biopolitical management of migrant populations (Athanasiou 2012; Filippidis 2018). This new national narrative eventually shaped into a set of discourses and ideological apparatuses that, in turn, materialised in various settings. That is, more than a fiscal impasse and an occasion for structural reform, the crisis became a political paradigm and an ideological framework that drastically reconfigured socio-political conditions (Athanasiou 2012; Brekke, Filippidis & Vradis 2018).

Other than state policing and anti-migrant operations, 2012 brought an amplification of street-level racist violence but also a broad legitimisation of its mainstream political expression. Golden Dawn was elected in the parliament and went from a small, militaristic, neo-Nazi faction to being recognised as a socially accepted power of parliamentary and street-level politics (Dalakoglou 2013; Ellinas 2013; Athanasiou 2014; Psarras 2015). The increasing flows of people arriving along the south and east borders of the country were used as pretext for the transformation of an openly anti-migrant sentiment into everyday

[4] The term "memorandum" refers to the adjustment programme documents (Memorandum of Understanding, MoU) signed by Greek governments as part of the bailout loans and financial support by the European Commission, European Central Bank and International Monetary Fund (altogether known to the Greek public as the *Troika*). Within the crisis lexicon, the term "memorandum" has become a metonym for harsh austerity measures. Along this axis, political powers have been conceptualised as "pro-memorandum" and "anti-memorandum" depending on their stance towards European Institutions' terms of negotiation concerning the Greek debt and structural reform.

violence.[5] During 2012-2014 and building upon the previous year's violent legacy,[6] paramilitary groups of Golden Dawn patrolled specific areas of Athens. This routine included "cleansing" neighbourhoods of migrants, destroying non-Greek-owned shops, raiding houses and unofficial mosques, terrorising migrants through violent – sometimes even lethal – assaults (Human Rights Watch 2012; Dalakoglou 2013, Jail Golden Dawn 2014a; Carastathis 2015, Brekke 2018).[7] At the same time, the state launched a series of anti-migrant operations with the largest one being the – staggering in its size and violence – operation "Xenios Zeus" that will be further discussed later (Filippidis 2018).

Right-wing street-level and institutional racist violence on such a massive scale were legitimised through a variety of overlapping discourses concerning internal and external threats to the state's sovereignty and the nation's health and homogeneity (Athanasiou 2012). As feminist and other critiques have demonstrated, such violence and precarity were distributed along (among others) the axes of race, gender, sexuality and national belonging, thus, producing intersections of intensified vulnerability (Athanasiou 2012, 2014; Vaiou 2014, 2016; Carastathis 2015; 2018a; Tsilimpounidi 2016; Filippidis 2018). Racist, sexist and

[5] That is not to say that racist ideologies and violence did not exist before the crisis in Greece. Carastathis (2015) notes that analyses which establish a cause-and-effect relationship between the crisis and racist imperatives tend to ignore not only the nationalist project that has constructed the Greek nation *as* homogenous during the twentieth century (Rasku 2007: 43; Fokas 2008: 12; Roudometof 2011: 97) but also the contemporary legacies of racism within Greek society. Such examples are the racism against migrants since the early 1990s along with their systematic exploitation (including the sexual exploitation of women migrants from CEE and later African countries), the rampant anti-Albanian discourses and violence, as well as the socially legitimised anti-Roma stance (Carastathis 2015: 81). Nonetheless, the new ideological elements of the crisis political vocabulary and the rapid increase of violence on the streets can be said to mark a paradigm shift within Greek racist legacies.

[6] In the spring of 2011 an anti-migrant pogrom broke out in the Athens city centre. This violent outbreak followed the murder of a Greek citizen during an armed robbery and consisted of several days of mob attacks against migrants by Golden Dawn battalions (including some of the later to be parliamentarians) and other citizens, leaving one dead and more than 120 injured (Mac Con Uladh 2014; Jail Golden Dawn 2014a). After five years, the entire case concerning those days was dropped and no one was accused of any crime (Jail Golden Dawn 2016).

[7] The project "X them out! A black map of Athens" (created by the Rosa Luxemburg Foundation-Office in Greece and the NGO HumanRights360) has generated an interactive map of Athens wherein X marks the spot of racist attacks, whose brief description is accompanied by illustrations of the incident designed by visual artists collaborating with the project. Although the project can "visualise just a small part of this 'topography of violence'" the stories and images succeed in transmitting part of the affective imprint of the rise of fascist violence in the city (valtousX website). Furthermore, "Simeio," an initiative for the study of the extreme right wing, offers a calendar that marks such actions both on the institutional terrain and in the public space (simeio website). As noted above, these records are indicative since there is no way one could chart this kind of diffused violence in its entirety.

homo/transphobic rhetorics and practices flourished while their relationship with the crisis was presented as causal, transferring the responsibility to those who were deemed as a threat to the national body (Athanasiou 2012; Carastathis 2015). Moral panics and hostile discourses towards racial and gender "Others" became entangled with the technocratic crisis management in ideological formations that legitimised the "reinvigorated routine of national masculinity" as a means of protection and resistance against internal and external threats (Athanasiou 2012: 38; Carastathis 2015; Papanikolaou 2018).

At the same time, the conditions of existence of LGBTI+ and queer politics started changing at an accelerated pace. That is, simultaneously with the unfolding of the crisis and the rapid worsening of material conditions, ran a parallel process of LGBTI+ visibility in new terms (Papanikolaou 2018). While the political generation of LGBTI+ and queer groups of the period 2000-2010 was characterised by the effort to claim legitimisation and space within social movements and the public sphere, these dynamics gradually started changing alongside the shifts in broader political dynamics (Marinoudi 2017). The eruption of social movements and, later on, the emergence of NGOs and other civil society actors, partly due to the "humanitarian crisis," were rapidly transforming LGBTI+ politics and its place in the national political agenda. Moreover, new digital media platforms and the international cultural and political currency of LGBTI+ and queer identities had opened up a vast horizon of possibilities. In this time of proliferation of NGOs on a national level (Theofilopoulos 2018), the transnational mobilisation of policy-oriented Greek LGBTI+ groups and the channelling of funds and institutional support towards LGBTI+ issues on a European level formed a new political terrain.[8] The gradual inclusion of some LGBTI+ issues in the parliamentary political agenda was to a large degree enabled by the European institutional common ground of perceiving LGBTI-related legislation as a mark of "progress" and an obligation for states that are (or want to become) European (Kulpa [2011] 2016; Stychin 2003; Binnie 2004; Kahlina 2015).[9] Overall, other than the space that was being established

[8] Reports on the issues of LGBTI+ discrimination had already started to be commissioned and published by European institutions (such as the European Union Agency for Fundamental Rights) reporting the lack of any infrastructure, research or legislation in Greece (Hatzopoulos 2007, 2010; Pavlou 2009).

[9] In recent years, for countries on the margins of Europe, the adoption of gender equality legislation, and more recently LGBTI+ rights, has been one of the ways of establishing themselves as "civilised", meaning European,

through political action and social presence, LGBTI+ groups started to claim a new role as lobbying agents within law-making procedures taking the first steps into a more professionalised kind of politics.

This means that in a complex collusion of socio-political currents, LGBTI+ politics slowly started to be institutionalised and included in the mainstream political and legislative arena while, at the exact same time, the grim political conditions were becoming fertile ground for a revitalisation of gendered violence and a renewed investment in gender hierarchies that contested the articulation of LGBTI+, queer and feminist politics (Athanasiou 2012; Vaiou 2016; Papanikolaou 2018).[10] Dimitris Papanikolaou situates this collusion within a global fragmented tale of "progress" in which LGBTI+ legislation and recognition are granted "yet, in a parallel development, and often in the very same 'locations', homophobic, ethnophallocentric and homonationalist apparatuses work to undo, sometimes in spectacular ways, these achievements" (Papanikolaou 2018: 170). It is precisely the recognition of such a "parallel development" that demands a critical reading of the law; that is, an interrogation of the work performed along and through the introduction of a piece of "progressive" legislation, such as the legislation against "racist crime," in the specific historico-political context that enabled and enclosed it. But first, let us trace how this reform came to be and what it pertained to.

states (Stychin 2003; Binnie 2004). This has created a complex weaving between gender/sexual rights and Europeanisation/modernisation discourses and the state-specific historicities of such discourses (Kulpa & Mizielińska (eds.) [2011] 2016; Kahlina 2015; Bilić (ed.) 2016).

[10] An exemplary moment was the violent protests of 2012 against a Greek production of Terence McNally's theatre play *Corpus Christi*, wherein Jesus and his students are depicted as homosexuals. The play was repeatedly protested and, on the scheduled premiere, the theatre (*Chytirion*) was besieged by Orthodox Christians and Golden Dawn members (including some of its main Parliamentarians). The mob verbally and physically assaulted the crew as well as the audience and those who had showed up in solidarity with the attacked, while the riot police that had been positioned outside the theatre were characteristically apathetic (Baboulias 2012; Ekathimerini 2012). Based on the fact that the director, Laertis Vassileiou, was of mixed (Greek and Albanian) origin, the attackers' discourses gravitated towards anti-homosexual and anti-Albanian hatred, creating an explosive amalgam of ethnophallocentric discourse that reeked of sexual violence and death (Papanikolaou 2013; 2019; Carastathis 2015). After two scheduled premieres being protested and with the director and crew receiving threats against their life and their families, the play was cancelled. The director was repeatedly threatened, followed and, in 2014, assaulted, to the extent that he was forced to permanently leave the country as it became impossible for him to live and work in Greece (Dimokidis 2020).

"Racist Crime"

It was within the above-described turbulent era of violence, precarity and dispossession, but also intense socio-political mobilisation, that a reform of the Greek "anti-racist legislation" was initiated. In 2011 and with anti-migrant violence on the rise, the Racist Violence Recording Network (RVRN) was founded as an initiative of the National Commission for Human Rights and the UNHCR-Greece with the participation of various NGOs and other institutions.[11] Furthermore, by 2012, the mainly right-wing governing coalition was faced with international pressures concerning the rise of Golden Dawn and the unprecedented surge of violence that was bringing negative attention from international press and European institutions.[12] In response, the government attempted to strengthen the legal framework concerning the criminal prosecution of hate crimes. Specifically, Law 4139/2013 amended article 79 of the Criminal Code according to which the commission of crimes motivated by hate towards specific characteristics constituted aggravating circumstances and, under the amended provision, the threatened penalties could not be suspended (Fountedaki 2014). It is worth noting that the term "gender identity" (*ταυτότητα φύλου*), as such, was introduced for the first time in the Greek legal order as a protected characteristic

[11] The rise of racist violence during this era is noted in the first annual reports of the RVRN (e.g. RVRN 2013) as well as the 2013 report of the Commissioner for Human Rights of the Council of Europe, Nils Muižnieks [CommDH(2013)6: 6-8]. Nonetheless, this estimation is not based on statistical evidence *per se* as there is no official data recording hate crimes prior to this period. Any quantification of this rise, based on the existing data, cannot even approximate a statistical depiction of reality, as Greece is among the European countries that least keep and publish such official data (FRA 2012). For example, for the year 2012, the RVRN (2013) recorded 154 incidents of discriminatory violence; a number that, of course, cannot mirror the erupting violence of that period, which I will try to convey in more detail in the next part of the article. Furthermore, once it is taken into account that police officers are involved in a significant percentage of such incidents (Papanikolaou 2016: 1750-1753), the under-recording appears rather self-explanatory. In their analysis of the legislative framework, both Pelagia Papanikolaou (2016) and Anastasia Chalkia (2016), offer a comprehensive breakdown of how limited the reported data is and what it consists of. Moreover, as Papanikolaou (2016) rightfully notes, due to the lack of a central, comprehensive system of recording hate crimes, the actors that collect and publish data apply methods that differ depending largely on their political stance (Papanikolaou 2016: 1753).

[12] See for example the 2012 BBC article, 'Greece Wrestles with Rise in Hate Crime' (Shevchenko & Athanasoulia 2012); the 2012 New York Times article, 'Greece's Epidemic of Racist Attacks' (Cosse 2012) and the 99-page report of Human Rights Watch, *Hate on the Streets: Xenophobic Violence in Greece* (Human Rights Watch 2012).

under this law, initiating, at least in theory, a different era regarding the legal protection of trans individuals.[13]

Following the passage of Law 4139/2013, the undisrupted increase in violent attacks (including stabbings, arsons, etc.) towards marginalised groups amplified the international outcry over the lack of prosecution of such attacks and, especially, of the activities of Golden Dawn. In January 2013, the murder of Shehzad Luqman, who was targeted on his way to work by supporters of Golden Dawn due to his migrant origin, brought some publicity to the reality of – usually unresolved and often unprosecuted – murders of migrants in Athens during that period (Jail Golden Dawn 2013; Enet English 2014; Jail Golden Dawn n.d.). Following the murder of Luqman and its aftermath, the Department to Combat Racist Violence was established within the Hellenic Police as well as a hotline for complaints. Only a few months later, the murder of anti-fascist rapper Pavlos Fyssas by a Golden Dawn supporter shook public opinion once more (Jail Golden Dawn 2015). The murder of a Greek citizen and a militant anti-fascist resonated differently with social and political actors compared to years of anti-migrant violence, mobilising more intense protests on a national and international level (Carastathis 2015).

This moment was the turning point at which the Minister of Public Order and Citizen Protection (N. Dendias) forwarded to the public prosecutor a file including several cases of similar attacks which implicated Golden Dawn members, thus instigating the criminal investigation that led to the arrest of the party's MPs for organised criminal activity (Psarras 2015). Even after the initiation of the monumental judicial process against Golden Dawn in 2013,[14] the further strengthening of the legal framework against "racist crime" remained a strongly articulated demand of international actors as well as the national left-wing

[13] The two preexisting provisions (Law 3896/2010 for sex equality in matters of employment and Law 344/1976 as amended by 2503/1997 regarding the amendment of the birth register) used the term "sex-change" to approximate a definition of the characteristic or identity protected by the law. Even though the original English text of the 2006/54/EC Directive (recital 3), which was adopted through Law 3896/2010, used the term "gender reassignment", in Greek it had been translated as "sex-change" (*αλλαγή φύλου/allagi fylou*).

[14] The entire process including the trial lasted up to October of 2020 when the courts found several members and leaders of the party guilty of the formation of a criminal organisation and separately for several assaults with weapons, manslaughters and other crimes (Jail Golden Dawn 2014b; Psarras 2015; Golden Dawn Watch n.d.; Ekathimerini 2020; Papadopoulou 2020; Kampagiannis 2020).

forces.[15] Therefore, the government was forced to renegotiate the introduction of what was widely known as the "anti-racist bill" (*αντιρατσιστικό νομοσχέδιο*) that had already been postponed in the past. The public debate concerning the "anti-racist legislation" was, since the beginning, a battlefield and the political crisis woven around it was so severe that its introduction to the Parliament for voting was postponed several times, extending the entire procedure over more than two years (Meliggonis 2013; Kitsantonis 2013; Sotiropoulos 2014).

The public debate concerning the "anti-racist bill" was largely formed around the resistance on the part of Golden Dawn and other conservative forces (Zoulas 2014). Other than the overall anti-migrant stance of several political forces, two of the main points of conflict around which the political opposition to the bill was framed were the intention to supposedly protect homosexuality (by including sexual orientation and gender identity in the protected characteristics) and the criminalisation of the denial of the Holocaust, war crimes and genocide – specifically whether particular historical instances of mass violence that have been recognised by the Greek Parliament as genocides (such as the systematic killing and exile of Christian populations by the Ottoman Empire) would be considered as legally recognised genocides and thus protected under the purview of this law. Hence, racist, homophobic, anti-Turkish and anti-Semitic discourses simultaneously flooded the public debate over the suggested legislation, adding to the systematic and systemic violence of this period. Finally, the bill passed after intensifying political pressure and only in the aftermath of a government scandal including the ruling party (Nea Dimokratia) and Golden Dawn members, which basically exemplified the deep political ties between the two parties and several of their members (Psarras 2015: 33).[16]

[15] See for example the 2013 Guardian article, 'Greek Coalition in Crisis Talks over Anti-Racism Bill' (Smith 2013); the 2013 Economist article, 'The Greek Far Right. Racist Dilemmas: Greece Needs a More Robust Anti-Racism Law' (The Economist 2013) and the 2013 report of the Commissioner for Human Rights of the Council of Europe, Nils Muižnieks, following his visit to Greece from 28 January to 1 February 2013 [CommDH(2013)6].

[16] The "Baltakos scandal" consisted in the public disclosure of secret communications concerning Golden Dawn's prosecution between the General Secretary of the Government, Panayiotis Baltakos, who was forced to step down, and leading Golden Dawn member Ilias Kasidiaris (Psarras 2015: 33). For details and transcript of the published video, see Mac Con Uladh 2014.

The resulting law, Law 4285/2014, was adopted in order to transpose the European Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law. It replaced article 79 of the Criminal Code with article 81A, thus providing a new legislative framework wherein "racist crime"[17] constitutes a crime of its own (hence the separate article) instead of just an aggravating circumstance (Voulgaris 2015; Symeonidou-Kastanidou 2016; Chalkia 2016). The revised provision rendered more severe minimum penalties for what are characterised as "racist crimes" while maintaining sexual orientation and gender identity among the protected grounds. Moreover, article 1 of the same law criminalised incitement to acts of discrimination, hatred or violence (but not hate speech *per se*), an issue that has given rise to debates concerning free speech.[18] Law 4285/2014 also provided for the liability of legal persons or groups of persons, thus providing legal protection from unities such as political parties (article 5) as well as threatening harsher penalties in cases of such crimes committed by public officials or employees (article 1). That was considered important to the extent that the public comments that fall under the purview of this provision were often made on the part of politicians and clerics (ECRI 2015).[19]

Overall, the introduction of the new legislation against "racist crimes" touched upon the very heart of the on-going political conflicts within Greek society and was placed at centre stage of the national political agenda from the outset of its negotiation. More importantly it posed, in the clearest of ways, questions concerning the way "progressive" legislation should be read in specific historico-political settings. In this direction, the next part will exemplify some of the ways the political imperatives of the specific regime crystallised on the ground through various state apparatuses and ideological discourses. By analysing concrete instances of governance, it will sketch out the state agenda of that time and the centrality of racist and sexist violence within it, thus marking the choice of that particular government to fortify the legislation against "racist crime" as paradoxical at first glance. In

[17] Law 4356/2015 amended this article using the term "crime with racist characteristics" and replacing the subjective ground of hate, included in Law 4285/2014, with the choice of the victim according to certain characteristics. Recently the threatened penalties for such crimes were somewhat lowered by Law 4619/2019.

[18] See Smith 2014.

[19] For such institutional "hate-speech" during this period see ECRI 2015: 17-22.

this sense, the following section is a rather significant parenthesis that serves to demonstrate what kind of political forces introduced this legislation into the Greek legal order and why that raises legitimate questions. It serves, that is, to complicate and ground, politically and even affectively, the analysis of "anti-racist legislation" within its context and to start drawing lines between hostile political imperatives, racialised as well as gendered violence and "progressive" legislation.

In Parenthesis

> *Can we read the workings of social power precisely in the delimitation of the field of such objects, objects marked by death? And is this part of the irreality, the melancholic aggression and the desire to vanquish, that characterizes the public response to the death of many of those considered "socially dead," who die from AIDS? Gay people, prostitutes, drug users, among others? If they are dying or already dead, let us vanquish them again. And can the sense of "triumph" be won precisely through a practice of social differentiation in which one achieves and maintains "social existence" only by the production and maintenance of those socially dead? (Butler 1997: 27).*

In 2012 and during a period of intense political instability in Greece, the provisional coalition government of Nea Dimokratia/PASOK/LAOS launched a series of nightmarish "cleansing" operations against the "infectious" bodies of racial/gender/sexual/national Others under the orders of the Minister of Health, Andreas Loverdos (Mavroudi 2013). Loverdos, a Constitutional Law expert himself, as Minister of Health had been strategically fleshing out for months the figure of the "illegal immigrant" as a threat to public health, infamously known in public opinion as a "hygienic bomb" (Filippidis 2018: 79-82). Furthermore, the Minister of Health had gone one step further in gendering this discourse by declaring, against all statistical evidence, that female migrant sex-workers of African origin were spreading HIV within Greek society and should thus be deported (Athanasiou 2012: 31, Mavroudi 2013). As Filippidis notes:

> *(…) using the safeguards offered to him by the dominant patriarchal meanings he utilised the field of female sex work in particular in order to construct the image of a biological enemy within; to construct, in other words, only one of the crucial "testing grounds" upon which the reconstruction of national unity would be attempted during that difficult time of crisis – and the nation-rebuilding this required. (Filippidis 2018: 82)*

After cultivating for several months racially oriented fear in its purest form (that which involves physically invasive and biologically infectious Others), Loverdos, in a joint press conference with the Minister of Public Order, Michalis Chrysohoidis, announced the compulsory hygienic examination of migrant populations following all possible procedural and discursive routes that could imply urgency (Filippidis 2018: 82-83). Sowing panic and reaping legitimation, Loverdos introduced on the same day the notorious Public Health Decree 39A, which included provisions introducing forceful hygienic controls on migrant populations, the construction of migrant detention camps, health requirements for private houses used by migrants, a health certificate issued for migrants and other similar regulations.[20]

This became the legal ground for the collaboration of public health and police authorities in a medico-legal mechanism of population control that expanded from detention centres along the territorial borders of the country to the very centre of Athens and all the way into the supposedly private space of migrant residences (Filippidis 2018). Moreover, it became an additional political ground for the intensification of racialised daily violence and the fortification of (state and other) discourses of racism in its primordial form, that of biology. Through this nosology lexicon, that is, through "the return to the political anatomy of the body: the governing of the body in danger and the governing of the dangerous body", medicalised racism and the overall medicalisation of the crisis itself were established as a dominant governance paradigm (Athanasiou 2012: 45).

[20] Public Health Decree 39A was repealed in 2013, only to be reinstated later in the same year until 2015, when it was abolished again.

Having set the ground for the exemplary "biological enemy within", that is, female, African, allegedly seropositive sex-workers, Loverdos orchestrated in the eyes of the public the worst-case scenario for the national body (Filippidis 2018: 82). A few days before the crucial national elections of 2012, in a police-hygienic operation that came in waves, hundreds of female alleged sex-workers were rounded up on the streets of Athens and forcibly tested for HIV (Mavroudi 2013). Held under gruesome conditions, the women were tested (using what is called "rapid tests") without or against their consent in various locations such as vans or police cells. The outcome was blurted out to them in the presence of the police or by the police themselves (Mavroudi 2013).[21] Those found seropositive were arrested and prosecuted under the charges of illegal prostitution and serial grievous bodily harm with intent, combined with serial attempts of the same act; a felony charge that led to their pre-trial imprisonment without any evidence other than seropositivity, which can hence be claimed to have been openly criminalised (Mavroudi 2013; Gkresta & Mireanu 2016). The state prosecutor, in collaboration with the Hellenic Centre for Disease Control and Prevention (*ΚΕΕΛΠΝΟ*), ordered the publication of their photographs and personal information in the name of the Greek family and public health and, more specifically, to "protect the Greek family men" who might have been in contact with them (Psarra 2012a; Athanasiou 2012; Mavroudi 2013; Gkresta & Mireanu 2016).

In a general atmosphere of emergency, the Minister announced to the Greek society the verification of his gruesome prophecy:

> *The hygienic bomb of AIDS in no longer confined within the foreigners' ghetto as was the case until recently, it has now escaped the ghetto. Me personally but also all the competent authorities have tried hard to prevent this, to not allow it to escape. That is why I kept shouting during the last months: don't sleep with illegally prostituted [sic] foreigners (Loverdos quoted in Karlatira 2012).*

After every sweep, the photographs of the newly arrested women would be displayed in the media in an atmosphere of cultivated "terror" along with hotline numbers available for the

[21] Of course, the entire procedure of non-confidentiality or the performance of medical acts in police stations goes against all relevant protocols (Georgiou in Mavroudi 2013).

"Greek family men" who were the imaginary collective victim of the crime for which the women were being persecuted.[22] The media led an extreme ethico-hygienic panic campaign using the mugshots of the women, who found themselves at the centre of an emblematic moment of biopolitical regulation through a race- and gender-informed nosology (Athanasiou 2012).[23]

In reality, none of the seropositive women arrested in the whole series of operations was of African origin but the majority were Greek nationals and often users of intravenous illegal substances (Mavroudi 2013). Filippidis (2018) notes:

> *However, behind these imaginative spatial-ideological constructions of Loverdos we have to discern the facts and insist on two critical points. Firstly, on the fact that if something should undoubtedly concern us about its horrific extent that is none other than the promotion of sexism as the basic condition of public discourse and, after all, of politics itself. Secondly, on the very turn of the operation in question that would categorically contradict the minister, proving that his statements were not characterised by any prophetic quality; to the contrary, they were meticulously constructing a field of police-political intervention, attempting to pathologise a priori the presence of migrants in Greece. (Filippidis 2018: 85)*

Indeed, the racist and anti-migrant elements of this debate were not in any way mitigated by the fact that the hypothesis of the Minister about African seropositive sex-workers was actually disproved by the outcome of the operation. On the contrary, the entire operation

[22] Thousands of calls flooded the lines from worried customers who had paid a little extra (for example 10 instead of 5 euros) for unprotected sex with the women they recognised in the media, while it was clear that "the health of these women themselves was of no concern at any point" (Gkresta & Mireanu 2016).

[23] Most of the women remained in prison for several months although none of their alleged clients had come forward to press charges. All the women suffered great consequences in mental and physical health as well as a complete annihilation of their (and their families') social status in public and especially in their places of origin (Mavroudi 2013). The authorities maintained that they acted in full compliance with the law and did not violate any person's rights, thus, dismissing the complaint filed on behalf of some of the persecuted women. By 2016, all of them were pronounced innocent in court. Unfortunately, four of the women were not alive to witness the trial (Vovou 2016). Two of the women, Maria and Katerina, committed suicide (Protovoulia Allileggyis Diokomenon Orothetikon Gynaikon 2013; Mpotsi 2014; Vovou 2014). Katerina's father had lost his job and had attempted suicide himself in the aftermath of the events. Katerina before her suicide had written in an announcement concerning their case that "the damage that was done to us will follow us and our children forever" (quoted in Vovou 2014).

was considered a success, leading to the re-election of Nea Dimokratia and, specifically, of the politicians involved. Namely, this operation formed part of the Greek State's "continuous war on undocumented immigration" (Gkresta & Mireanu 2016: 228) in which "these particular women lent momentarily their face to the necessary, in view of the elections, internal enemy" (Psarra 2012b). The seropositive persecuted women became the metonym of the infectious Other for the Greek state, media and society who were invested in their social death (Athanasiou 2012).

As mentioned earlier, the "triumph" of this operation on the communicational front assisted in the re-election of the politicians involved and, most importantly, of Nea Dimokratia who, relying on the social acceptance of its anti-migrant agenda, formed a new coalition government (Nea Dimokratia, PASOK and the Democratic Left) and, only a couple of months later, launched one of the most massive operations of population control in modern Greek history. This pogrom-like operation, officially named *Xenios Zeus* (Hospitable Zeus), was initiated in August 2012 and amounted (among other things) to a series of police raids in public and private spaces (including houses) that radically changed Athens as a city. The extent of the operation itself is difficult to conceive:

> *Until February 23, 2013, which was also the last time when the Greek police published the number of detentions as part of the operation in question, 84,792 migrants had been officially detained. The police announcements were no meretricious exaggeration. The "Xenios Zeus" operation continued in central parts of Athens for almost two years, having led to the arrest of 5,611 migrants in total who "did not meet the legal criteria for their stay in the country" (Filippidis 2018: 86).*

During that period, Athens became an atrocity playground for the Hellenic Police which, along with Golden Dawn battalions, indulged in a racist power trip that included racial profiling, physical violence, torture, disappearances, extortion, illegal detention and other

similar practices (Human Rights Watch 2012; Human Rights Watch 2013; Amnesty International 2013; Crisis-scape website; Simeio website; valtousX website).[24]

Although the operation was targeted towards migrant populations, the normalisation of this control regime, as shown by the persecution of the seropositive women, was largely invested in "(re)constructing national identity and national integrity" against and through all Others in racial, gender, sexual, religious and other terms (Filippidis 2018: 79; Athanasiou 2012). In this sense, the concept of the *enemy within* was broadened in order to "include all vulnerable social groups (migrant men/women, homeless men/women, drug users, trans people, male sex-workers, female sex-workers), as it [was] exemplified by the mass arrests taking place on an almost daily basis" (Protovoulia Allileggyis Diokomenon Orothetikon Gynaikon 2012). What becomes clear is that whether in the case of the persecuted seropositive women in Athens or in the case of the Xenios Zeus operation, the construction of Other bodies as infectious and, thus, dangerous for the national body, legitimised (and was legitimised by) state practices that were informed and relied upon discourses of racist, sexist and heteronormative dominance. In that context, as it has been demonstrated, the "anti-racist legislation" was introduced by and within an institutional order wherein nosological discourses, state racism and gender abjection were clearly crucial instruments of governance, that is, not only for the ideological re-legitimisation of national(ist) values and state sovereignty but also for managing populations and distributing socio-fiscal precarity (Athanasiou 2012: 31).

In other words, this section goes to show precisely which government, and in which historical moment, graced (even unenthusiastically) vulnerable groups with legal protection against "racist crimes" and why that raises various questions. One of the issues I want to pursue here pertains to the introduction of gender identity among the protected characteristics and the manner in which such a gesture can (or cannot) resonate with the conditions of transphobia and hetero-sexist violence within the national context. Specifically, I want to explore the juxtaposition between the legislative enunciation of

[24] Additionally, for police violence in Greece see indicatively the Amnesty International report "Police Violence in Greece: Not Just 'Isolated Incidents'" (Eur 25/005/2012) and the article "The Killing of Zak: The Astonishing Violence and Impunity of Greek Police" (Alevizopoulou & Zenakos 2018).

gender identity protection and the strict gender normative imperative of the Greek institutional order; an imperative that might be crystallised in concrete institutional actions but is equally present even when not explicitly evoked, thus creating an environment that is overall inhospitable.

Protecting Gender Identity

In a context of intensifying violence, the "anti-racist legislation" was picked up, soon after its enactment, by LGBTI+ lobbying groups in an attempt to produce litigation concerning high publicity cases of homophobic and transphobic speech. To that end, various activists and NGOs attempted to use the new provisions to mobilise judicially against state and para-state actors, mainly on the grounds of public incitement of hatred and violence (Dimitras 2017). Moreover, the introduction of structures for reporting "racist crime" led to a small number of individual complaints for violent attacks and other similar incidents (RVRN 2013, 2014).[25] The judicial outcome of such cases was usually disappointing, as described in the joint submission made to the prosecutor of the highest Greek court (*Areios Pagos*) by the Greek Helsinki Monitor (GHM), Athens Pride and Thessaloniki Pride, arguing a systematic lack of prosecution of homophobic crimes regardless of the existing legislation (Dimitras 2017).[26] The GHM, the Minority Rights Group-Greece (MRG-G) and the Coordinated Organisations and Communities for Roma Human Rights in Greece (SOKADRE), in a submission to the European Commission against Racism and Intolerance (ECRI), made similar arguments about the non-application of the "anti-racist legislation" regarding various

[25] Soon after the establishment of the Racist Violence Monitor Network, LGBTI+ groups with legal status joined it in an attempt to produce, for the first time, official recordings of homophobic and transphobic violence. Moreover, in light of the lack of official reporting protocols, the NGO Colour Youth – Athens LGBTQ Youth Community launched in 2014 the programme "Tell Us" (*Pes to s' emas/Πες το σ' εμάς*), which aims to record incidents of violence and/or discrimination based on gender identity, gender expression and/or sexual orientation and provide professional and educational services (Theofilopoulos 2015).

[26] The joint document also makes a distinction between secular officials, on the one hand, who (even if rarely) might be prosecuted for their public racist statements, and religious officials, on the other hand, who systematically cultivated anti-homosexual, anti-trans, anti-migrant and anti-Semitic sentiment without legal consequences, until then, even though numerous complaints had been filed against them (Dimitras 2017). It would be as late as 2019 before a high-ranking cleric would be found guilty by the Greek courts under the legislation discussed for the "public incitement of violence or hatred" through his homophobic public statements (Rigopoulos 2019).

affected groups (Tsarnas 2017). Both documents include incidents wherein Orthodox Church representatives, politicians, the Hellenic Police, prosecuting authorities and other institutions (civil courts among them) have engaged in behaviour that was blatantly in violation of the "anti-racist legislation". Nonetheless, most of these cases either failed to be prosecuted or their prosecution was discontinued ("archived") by the authorities, or they were dismissed in court.[27]

What is epitomised by the cases included in these documents is something that can be considered common knowledge, especially among marginalised groups in Greece. That is, that state and para-state actors have a central role in establishing and perpetuating racialised and gendered violence and hostility within Greek society, a fact that is turned on its head by the logic of the discussed legislation, which relies on state institutions for countering the violence they exemplify. Wendy Brown's (1995) analysis in *States of Injury* echoes here to the extent that she has insightfully traced the processes of de-politicisation and individualisation that allow (neo)liberal states to appear as defenders of injured individuals against social injustices, which nonetheless are a *sine qua non* for the very existence and flourishing of these states.[28] In this sense, focusing on interpersonal violence and directing blame for gender related violence onto "bad" individuals who, in turn, are punished by neutral state mechanisms, works to obscure their own role in the perpetuation of this very violence. Indeed, critical approaches to hate crime legislation and other similar legal concepts have pointed out that the investment in punitive mechanisms and the focus solely on interpersonal harm does not work towards undoing social injustices and

[27] In the last years there has been an increase in the rate of complaints and prosecuted cases, but these figures remain extremely low (Dimitras 2019). Moreover, it should be noted that, as the Greek Helsinki Monitor [GHM] itself notes, "GHM is the plaintiff in the vast majority of those cases, hence responsible for the 'explosion' in the figures since 2017" (Dimitras 2019: para 3).

[28] Wendy Brown's (1995) critique in *States of Injury* has been crucial in underlining some of the insidious workings of rights within neoliberal capitalist states. Brown employs a post-Marxist feminist analysis, drawing insights from Nietzsche and Foucault's writings, to rework Marx's critique of rights. She presents a set of paradoxes inherent within rights, not arguing against rights themselves but posing a series of critical questions regarding their depoliticising, individualising and regulatory potential. To that end, Brown does not argue against rights politics but she stresses that "rights must not be confused with equality nor legal recognition with emancipation" (Brown 1995: 133). Even though Brown states that a position for or against rights themselves, as trans-historical concepts, cannot stand on its own, it has been argued that her analysis, insightful as it might be, fails to commit to this call for specificity and delivers a unilateral critique that ignores "the most radically transformative and creative moments" of identity-based movements (Duggan 2003: 79).

challenging the broader socio-political conditions that encourage and enable the violence addressed by such legislation (Conrad 2012; Spade [2009] 2015; Lamble 2013; Boukli & Renz 2018).

Although these critiques of the effectiveness of hate crime laws are pertinent and the politico-legal debates they stem from are crucial, my aim here is not to critique the concept of hate crime in principle. Neither is it to re-state the above-mentioned rightful complaints about the lack of application and effectiveness of this specific law within the Greek legal order. Somewhere between those lines of critique, I want to follow the threads that connect concrete judicial practices, dominant ideological imperatives and political strategies as they are showcased in this reform. To that end, insights from my empirical research are summoned here to serve as a departing point to further nuance our understanding of the way this legislative framework intertwines with complex political processes in the core of neoliberal ideological constructions.

The research from which the present article draws revolved around the various entanglements, impasses and strategies *vis-à-vis* gender variance and the law within the Greek legal order (Kasapidou 2017, 2020).[29] For the empirical part of this research, I conducted a small number of interviews with trans individuals focusing on their interaction with the law and the ways in which the Greek legal order can be navigated.[30] Discussing the effects of this specific piece of legislation with my interlocutors, we engaged with the concept of legal protection from "racist crime" and specifically from its transphobic aspect.

[29] Until very recently, Greek legal theory has not engaged, with rare exceptions (Papazisi 2000), with the concept of gender identity as such; meaning within a frame of rights. During the last few years, and especially after the introduction of Law 4491/2017 On Gender Identity, the concept of gender identity is becoming a focus-point an increasing number of legal scholars and advocates (Papazisi 2014; Chamtzoudis 2015; Theofilopoulos 2016; Kotzabasi 2017; Kounougeri-Manoledaki 2017; Leleki 2017; Kaiafa-Gbadi *et al* (eds.) 2017; Pantelidou 2018; Papadopoulou 2018; Peraki 2017; Tsirou 2019). Still, this body of work significantly differs from the – mainly Euro-American – legacies of trans legal theory that have emerged from within or in close proximity with trans communities and activism (Currah 1997, 2009; Currah & Minter 2000; Whittle 2002; Sharpe 2002, 2018; Currah, Juang & Minter (eds.) 2006; Spade 2008, [2009] 2015; Aizura 2012).

[30] I conducted ten interviews in 2017 with seven trans individuals and three legal professionals. Four of the trans individuals I had interviewed also in 2014, a fact that provided our discussion with a lot more depth. The small number of in-depth interviews tied in with the modular research design of my PhD project ("Reserving the right to be complex: Gender variance and trans identities in the Greek legal order"), which was not meant to be ethnography or an extensive empirical study, and also included archival research and analysis of legal texts, as well as discourse analysis of other (mostly official) texts (Kasapidou 2020).

What seemed to be a common ground was that there is undeniably *something* produced, even if only on a symbolic level, by having your identity enunciated by the legislator and protected, even if only on a theoretical level, by the law. The very recent memory of homophobic (let alone transphobic) violence not existing as a legally intelligible concept in Greece speaks volumes to the effects of complete legal and official illegitimacy (Boukli 2009). At the same time, the conviction that state authorities are fundamentally hostile, hence making this concept of legal protection unfeasible, was equally common ground. Our discussions thus kept going around in circles, not so much reaching a definite conclusion but more furthering an aporetic engagement with a legal framework whose role seemed rather ambiguous.

Responding to my questions whether they have or would consider utilising such a law and how they appraise its effects, my interlocutors kept going back and forth in describing the "anti-racist law", on one hand, as necessary and potentially effective in altering (even if slightly) social conditions ("a tool" or in another case "a window") and, one the other hand, as futile or even decorative ("a law like a piece of jewellery, an earring") (Kasapidou 2020: 229-232). Contemplating the potential of such recognition on a social, penal and even affective level, our discussions led us to engage with the law's *politics of hope*, as Beger describes it, and to entertain the promise of the law to "teach the nation respect, forcing them to acknowledge and protect individual expression" (Beger [2004] 2009: 113). This engagement, nonetheless, was always momentary and self-refuting. It persisted in valuing the law and undermining it at the same time. What is important here is not to read this ambivalence as an expression of personal indecisiveness but as an accurate understanding of the paradox that is the accelerated granting of minority rights in a (neo)liberal reality of normalised violence, precarity and injustice (Papanikolaou 2018).

Within this ambivalent engagement what also emerged was a plethora of obstacles and parameters (such as the restricted access of the most vulnerable populations to such legal remedies) to be taken into account when faced with structural and systemic inequalities and their supposedly straightforward legal solutions (Spade [2009] 2015; Beger [2004] 2009). This, of course, ties in with the empirically well-grounded suspicion against the "inexplicable" gesture of the government to formally grant protection to groups of people

that were, at the same time, systematically marginalised by it. Particularly, the scepticism towards state institutions, police and judicial authorities, which have a long legacy of enforcing their ethno-sexual imperatives by any means necessary, can be read, in the light of the previous sections, as an intimate knowledge of how "economies of hostility"[31] work on an everyday level (Carastathis 2015; 2018b). Another example of such knowledge can be found in one of these discussions wherein one of my interlocutors hinted towards a schema within which the *victims* protected by the "anti-racist legislation" not only need to be recognised as protection-worthy (rights-bearing, legally legible and law-abiding citizens) but also as socially respectable, as "proper" citizens. The picture she painted marks the intertwining of transphobia, (trans)misogyny, racism and perceived respectability. Although such an intertwining can be easily fathomed within the socio-political terrain described earlier in the article, let us make some connections more concrete here.

In the summer of 2012, during the nightmarish police operations against alleged sex workers described in the previous section, several trans women perceived as sex workers were detained in the centre of Athens and forcibly tested for HIV in a gender-normative conceptual framework of moral-hygienic abjection (Greek Transgender Support Association 2012). As none of them was found to be seropositive, they were released and did not suffer the full extent of social and legal annihilation reserved for the seropositive women. With this legacy and within a similar context of urban cleansing, in May of 2013, more trans women – perceived without any proof to be sex-workers – were targeted and detained on different occasions in the city of Thessaloniki (Greek Transgender Support Association 2013a, 2013b; Galanou 2013). As made clear by the reply of the Minister of Citizen Protection, Nikos Dendias, to three related parliamentary questions (Parliamentary questions no 11381/4.6.2013, 11551/6.6.2013 and 11530/6.6.2013), the targeting of these women was part of a police "Special Operational Action Plan" of the public authorities (Document No 7017/4/16499). This plan aimed to "improve the image" of some areas of the city and "tackle, among others, prostitution and exploitation of the sexual life of socially and

[31] In an article about austerity and racialised gendered violence in crises, Carastathis uses "hostility" as a concept to describe an affective economy organised not necessarily only by hate and physical violence but also by "more mundane affects" (Carastathis 2015: 109). This economy of hostility is not only misunderstood but also re-legitimised by obscuring "more mundane" affects and their catholic presence.

economically vulnerable individuals, to enhance citizens' feeling of safety and to improve the image of the above mentioned areas" (Dendias quoted in TGEU 2013). This statement, which was repeatedly protested by various political agents, confirmed the obvious; that these women were "persecuted and prosecuted by governmental authorities on the basis of their gender identity", which was implicitly considered in itself proof of illegal sex-work and, thus, indirectly criminalised (Bouklis 2013).

This operation continued throughout the summer of 2013 with police harassment and hours-long detention becoming a daily routine for many trans women in Thessaloniki, some of which were repeatedly picked up and mistreated. With the support of the Greek Transgender Support Association and after the reaction of several political collectivities, NGOs and other actors, some of the women decided to file a group lawsuit based on their targeting and mistreatment (Greek Transgender Support Association 2015). A separate but related lawsuit regarding her own mistreatment was filed by the lawyer representing them, who, during one of the arbitrary detentions was repeatedly denied contact with her client and was finally illegally held as well (Greek Transgender Support Association 2017). In 2015 both lawsuits were discontinued as, after a Sworn Administrative Inquiry, the public prosecutor of Thessaloniki considered the entire operation to have been properly conducted (Greek Transgender Support Association 2015).[32] This is indicative of the perpetuation of the aforementioned "economies of hostility" (Carastathis 2015) by legal actors on an institutional level. Certainly it was Minister Dendias who, as a politician, provided the discursive and political framework for this operation, but as will become obvious, judicial authorities play an equally crucial part in the cultivation of institutional hostility and the safeguarding of ethno-sexual imperatives.[33]

[32] The Thessaloniki Court of First Instance, after discontinuing the case, partly accepted a damages claim of 5,000.00 euros plus court expenses in favour of the policeman who locked the lawyer in the cell (Greek Transgender Support Association 2017). Following this turn of events, one of the women, along with the lawyer who was arbitrarily detained, appealed to the European Court of Human Rights where their case in pending (*Koutra and Katzaki v. Greece*, Application 459/16).

[33] There are many other practices that can exemplify the way judicial actors often contribute to the perpetuation of a hostile institutional environment, such as the resistance to applying the "anti-racist legislation" in general and even more so against police officers (a judicial pattern for which Greece has been repeatedly condemned in a series of rulings delivered by the ECtHR, Papanikolaou 2016: 1744-1746). Another example is the flawed application, on both a judicial and a low-level bureaucratic scale, of Law 4491/2017 on

Let us recall here that, as noted earlier, gender identity had been introduced as a ground for protection from "racist crime" under the Greek Penal Code with Law 4139/2013. Its passage took place in March 2013, that is, just two months before the operation in Thessaloniki commenced. Undoubtedly, this operation and its judicial handling constituted a direct targeting of individuals on the grounds of gender identity by the very authorities enunciating the prohibition of targeting individuals on the grounds of gender identity. The point here is not to exclaim in the face of such a paradox, but to return to what has already become obvious in the discussion of Xenios Zeus and the HIV-related raids: that the intensification of gendered and racialised hierarchies have been instrumental to the materialisation of state projects such as, in this case, crisis management, austerity politics and nation (re)building – not so much, as Anna Carastathis notes, as a causal relationship within which Greece became racist and ethno-phallocentric *due to* the crisis, but as a way to secure the politics of repression and austerity through and along the political and affective economies of race and gender hierarchies (Carastathis 2015).

It is equally crucial to perceive these instances of institutional transphobia as part of an overall *atmosphere* within which transness exists in the Greek institutional context, rather than as spatio-temporally confined eruptions within an otherwise non-transhpobic environment (Carastathis 2018a). As striking as these events might appear, framing them as disruptive and, in this sense, disconnected from – or even *contra* – the Greek legal order might prove misleading and in a sense complicit in allowing their socio-political backdrop to present as somehow neutral; in a sense, to disappear. Sara Ahmed (2012), in her work on racism in institutional life, engages with the "labor in attending to what recedes from view" and, in that sense, makes visible what is ever-present for some but unacknowledged by others; ever-present for some also *because* it is unacknowledged by others (Ahmed 2012: 14). Ahmed, in reference to institutionalised racism, describes whiteness as a kind of surrounding, something that is just around, but also, following Frantz Fanon, she conceptualises racism as "an atmosphere around a black body" (Ahmed 2014). "An atmosphere", Ahmed tells us, "can be how a body is stopped, how some are barred from

gender identity recognition (e.g. at least one year after its implementation several judges would conduct hearings for the amendment of legal gender publicly, in overcrowded courtrooms, even though the law clearly demands private hearing in the judge's chambers, Galanou 2018).

entry or stopped from staying" and in that sense is a strategy for socially (and institutionally) imposing who is unwanted, not necessarily by declaring so, but nonetheless by making inhibiting a space unbearable or simply more difficult (Ahmed 2014). Ahmed's (2012, 2014) argument is not employed here to achieve a race-gender analogy but to offer a way of fathoming the qualities that compose an *a priori* non-hospitable (or even unbearable) environment for some while making it appear neutral, or even hospitable, for others. Her methodological grace in describing *what recedes from view* allows (at least an attempt) to grasp the atmospheric qualities that render the Greek institutional order deeply and inherently homo/transphobic as well as racist and sexist regardless of its unenthusiastic legislative declarations of the opposite.

Understanding transphobia and gendered violence as a kind of surrounding provides a framework within which ambivalence towards a narrower conceptualisation of these notions and their materialisation should not just be expected but also welcomed. Regarding violence specifically, Carastathis (2018a), drawing from feminist of colour and transfeminist theories, establishes an understanding of homo/transphobic violence in modern Greece as atmospheric. According to Carastathis, the dominant model of engagement with gender-related violence is based on a perception of violence as constituted by events or incidents with clear spatio-temporal limits that allow us to map out the experience of violence by describing, charting and condemning such events (Carastathis 2018a). This way, violence is reduced to the exceptionality of the event which constitutes a "dysfunctional exception" that disrupts a smooth and non-violent normality (Carastathis 2018a: 6). This conceptualisation, even when it implies or recognises the ever-presence of violence, does so in quantitative terms that suggest this ever-presence is the sum of increasing numbers of such incidents. Nonetheless, as Carastathis notes, the difference between understanding violence as incidental or atmospheric is more than a matter of proportions. The difference between the two approaches is that "the dominant, incidental approach treats gendered violence in epidemiological terms as outbursts of a disease, within a social body that is, besides that, healthy" (Carastathis 2018a: 9). Although Carastathis makes this point with broader epistemological – and not specifically legal – convictions in mind, it is valuable in

the process of conceptualising the Greek legal order as an inherently and pervasively gender-normative environment.

In one of his 1977-78 lectures at the College de France, Michel Foucault, suggests – tracing this critique back to Kelsenian thought – that there is a fundamental relationship between law and the norm that underlies it (Foucault 2003: 55). Departing from the position that "every system of law is related to a system of norms", Foucault argues that the law refers to a set of norms, to which it offers a kind of codification (Foucault 2003: 55). Indeed, mirroring and reproducing the canon of Helleno-Orthodoxy,[34] which constitutes the backbone of the Greek national identity, the Greek legal order bears deep within it the interconnection of gender/sexual normativity with national belonging, reproductive futurity and xenophobic (as well as Islamophobic) sentiment. Traditionally, throughout the core texts of Greek Civil and Penal Law, gender variance as well as sexuality (as a whole but even more so practices that are not included in reproductive heterosexuality), have been faced with an inherent "negativism" (Vitoros 2008). This has provided a historical legal basis for the fusion of moral, natural and legal "deviation" within the Greek legal tradition (Vitoros 2008; Apostolidou 2014). Regardless of the increasing number of legislative texts that adopt the lexicon against discrimination, this is a legal culture riddled with strict hierarchies (in national, sexual, gender, religious and other terms) and an institutional environment built to host the "Greek Family Man" and his heirs.[35] In this environment, a wall of institutional hostility or non-legibility is raised against all Others (Ahmed 2012). For that matter, the legal silences and "gaps" should not be conceptualised as mere absence of framework but as silences dense with meaning and normative power that convey, as well as deep-seated

[34] The notion of Helleno-Orthodoxy addresses the fundamental agony (traced back to the establishment of the modern Greek state) of a national(ist) identity built on a sense of (non-)belonging in the "East" and "West" imaginary simultaneously (Rasku 2007; Stavrakakis 2003; Carastathis 2014). It serves to compose a national narration aligned with the liminal position of Greece and appeals to anti-Turkish, Islamophobic and anti-migrant rhetorics concerning threats from the "East" as well as tensions created around processes of Europeanisation and the perceived cultural and financial threats from the "West" (Varikas 1993). Helleno-Orthodoxy is formed, thus, as a mythical trail that provides continuity granting the national subject with the Hellenist heritage attributed to ancient Greece and the Orthodox values as well as the conflicting cultural elements that compose Greek tradition (Rasku, 2007; Fokas 2008; Roudometof 2011).

[35] A fact exemplified in the discussions that led to the rejection of the reform of article 5 of the Greek Constitution to explicitly include sexual orientation and gender identity as grounds protected by the Constitution itself (Papanagiotou 2020).

nationalism, "an evident presence of institutional homophobia" as well as sexism and transphobia (Kantsa & Chalkidou 2014: 97; Chalkidou 2020).

Furthermore, as feminist legal scholar Giwta Kravaritou notes, the gender imperative of the law is not necessarily expressed in the provisions *about* gender but "even more so in what the law 'thinks' on a deeper level" (Kravaritou 1996: 144). Gender and sexual (as well as other) norms are reflected and reproduced from judicial discourses on every level even when, or especially when, gender and sexuality are not the subject in hand. Indeed, the gendering, racialisation and class stratification of a legal order does not rely solely on provisions that directly refer to such social hierarchies (Spade [2009] 2015: 59). Rather it relies upon provisions, underlying principles and structures that mobilise ideas about nationality, race, gender and sexuality to sustain or create, for example, "a general policy or program that may not explicitly target a group on its face, but that still accomplishes its racist/sexist purpose" (Spade [2009] 2015: 59). In this sense, the gendered norms that underlie the Greek legal system are present even if not explicitly invoked. This weaving of gender and sexual norms in the core of law implicitly genders its body and is distilled within state apparatuses and carried through all aspects of institutional life up to the last tentacle of administrative authority.[36] Hence, understanding who this legal order is hospitable for poses no riddle for anyone who has navigated legal and administrative apparatuses as a

[36] As state-individual interaction is governed by numerous "intertwined and sprawling apparatuses" such as "legislatures, courts, departments, agencies, elected officials, political appointees, public servants, constitutions, laws, regulations, administrative rules, and informal norms and practices" (Currah 2014: 198) the safeguarding of the gender imperative of the legal order often takes place in ground-level practices, regardless of constitutional principles and European institutions' declarations. In the specific context, the ambiguity and lack of protocols and infrastructure concerning trans legal issues and their administrative management, as well as the central position of informal or "irregular" practices (Rozakou 2017) within Greek administrative mechanisms, have created a terrain of arbitrary power for low-level employees wherein the fate of trans claims often relies on the random, the individual, the unpredictable. In this sense, homo/transphobia can emerge as truly atmospheric, not just on a legislative level wherein legal gender imperatives are reflected in laws and policies, or on a judicial level through hostile judicial practices (see footnotes 32-33), but also on a level of legal daily reality and casual interaction with individual service providers, state functionaries and low-level bureaucrats. That said, as I found during my PhD research, especially in areas of complete lack of legislation and valid information on legal issues of gender non-conformity, unpredictability made this terrain a two-way street wherein legal reality unfolded in the realm of individual agency, survival tactics and uncharted routes (Kasapidou 2020: 252-262).

citizen, legal professional[37] or litigant who does not represent the primordial national subject in *his* ideal form.

Returning to some of the incidents discussed above, bearing such an understanding of the Greek institutional order in mind, it is not surprising that police officers and judicial employees persecuted trans women without any grounds other than their gender identity. Or, to go even further back, that migrant women, seropositive women, sex-workers and illegal substances users would be physically and socially annihilated by the state, through judicial and police mechanisms. These mechanisms have been designed precisely to do so, and appear to function infinitely less awkwardly in this role compared to when they are called on to protect "racist crime" complainants. What appears surprising, at least at a first glance, is the reform of the penal consequences of "racist crime" by Law 4139/2013 (expanding protection for the first time to gender identity) and even more so, the introduction of the "anti-racist law" Law 4285/2014, during the very same period that these operations were at their peak. In the following part of the text, the aporia concerning the introduction of "anti-racist legislation" in that particular context is negotiated not in contradiction but as part of these state projects and the discourses that enabled their legitimation.

"Racism is an Enemy of All of Us"[38]

Having entertained to some extent the difficult question of what work this legislation claimed to perform and whether it did so, what emerges is a set of even more uncomfortable questions. As noted, the "anti-racist legislation" was repeatedly evoked after

[37] Although the first woman lawyer in Greece was registered in the Athens Bar Association in 1925, Greek legal theory and practice remained, for decades, almost exclusively male. Even throughout the last part of the century, while feminist – and later LGBTI+ – legal theory and jurisprudence were radically influencing the legal paradigm in Euro-American legal orders, within Greek legal theory there was a notable absence of such critique (Rethymniotaki *et al* 2015 : 10, 12; Tsoukala 2007). A rare exception was the Women's Studies Group of the Aristotle University of Thessaloniki (1983-2003) whose work both within and outside academia was very important (Mihopoulou 2006; Tsoukala 2007). Although the group embraced interdisciplinarity and later on included members from different fields, all its founding members were alumni of the Law School, which remained its base until the end (Mihopoulou 2006).

[38] Comment of the Government of Greece on CommDH(2013)6: 2.

its introduction only to be faced with institutional resistance. The fact that the governing authorities had no intention of enforcing such a law combined with the political imperatives of the government agenda described earlier in the article, pose the following questions: since obviously it was not the protection of marginalised populations, what was then enabled in that particular context through the introduction of this legislation? That is, what were the stakes involved in introducing such legislation for a government which dealt so much pain and violence across the axis of ethno-sexual belonging and whose own members openly opposed the "anti-racist bill" on several occasions, thus repeatedly blocking its passage (Meliggonis 2013; Sotiropoulos 2014)?

The thread of those questions is not hard to follow once we have situated this legal reform within broader state and supra-state projects and in close proximity to some of the major political recalibrations of its era. Just a glance at the media articles and reports that have been cited throughout this article makes clear that the discussion concerning "racist crimes" and their penal handling was openly centred, both on a national and international level, around Golden Dawn's politics and their social impact. It is against the backdrop of Golden Dawn's "irrational" and erupting racist violence, that the Greek state would redefine its own system(at)ic racist practices and its organised violent operations as necessary and "justifiable coercion" within a state of emergency (Butler 2016). This would prove a very effective strategy; one that, although neither invented nor exclusively encountered in that instance, surely fitted perfectly the context in hand. Let us turn to a government document in order to grasp the way this gesture of re-signification practically functioned.

In 2013, the Commissioner for Human Rights of the Council of Europe issued a report sketching out a grim picture of raging street-level as well as institutional racist violence, especially within the aforementioned anti-migrant operations such as Xenios Zeus (CommDH[2013]6). The government issued a response to this report in the form of a document from which it is difficult to isolate a single quotation, as its entire body is a blatant distortion of reality, attempting to present a false image not only of government and

state authorities but also of Greek society itself.[39] The government reply, among other things, asserts the following:

> *The Prime Minister and the Minister of Citizen Protection have never expressed views implying a racist or xenophobic attitude to migrants. Such an attitude is foreign to their political culture and, in general, to the Government's approach. At the same time, words or phrases taken out of context risk producing false impressions, generating unfair criticism and blurring the overall picture. The Prime Minister's statement about the "recuperation" of the city centres from illegal immigrants should simply be seen as an expression of the Government's firm will to effectively enforce the rule of law in the centre of the capital. This (…) will deprive any self-styled "protectors of the law" of the tools they use in order to impose their ugly theory and practices. (…) In a nutshell, racism is an enemy of all of us and we are all on the same page on this. Similarly, the use of the terms "invasion" or "bomb" by the Minister of Citizen Protection in referring to the huge presence of hundreds of thousands of illegal immigrants in the country should better be seen as only a dramatic depiction of the country's reality (Comment of the Government of Greece on CommDH(2013)6: 2).*

This excerpt refers to specific government representatives' statements mentioned in the Commissioner's reports (CommDH[2013]6: 8). Those statements were some of the most

[39] Building upon the stereotype that Greek people are hospitable, hence cannot be racist, the government claims that the rise of Golden Dawn in the polls and its entry into the Parliament do not reflect a rise of racism in Greek society but its growing frustration; an argument, unfortunately, not unheard of. This is a stereotype that circulates widely within Greek society and across the political spectrum, wherein Greek people are imagined as not xenophobic, not only due to their supposed hospitality, but also due to a lack of racist legacies that might appear more common in other European countries, as well as the migrant past of many Greek populations coming from Ottoman territories (who did actually face resistance from native Greek populations) and, more recently, the economic migration of the 1960s *from* Greece to Northern Europe and North America. Of course, just a glance at the history of the modern Greek state reveals that the reason behind the lack of common racist legacies with many European states was the forced ethno-religious homogeneity within the Greek territory during the previous century (Rasku 2007: 43). In other words, Greek society did not lack racism, it lacked foreigners. When the 1990s brought sudden and increased migration from Albania, CEE countries and later various African and Asian countries, Greek society exemplified its hospitality with raging racism, violence and extreme exploitation (Lawrence 2005; Karydis 2016; Golfinopoulos 2007; Lefkaditou 2017). Last, let us not forget that Greece *does share* with other European countries the legacy of anti-Semitism which, despite having resulted in the annihilation of Jewish communities across the Greek territory during WW2 (Apostolou 2000; Kavala 2015; Margaritis 2005), is systematically forgotten, underplayed or side-stepped in the debates about modern Greek history and Greek society's supposed "hospitality".

notorious crystallisations of the state discourses that accompanied the militarised operations against migrant populations and had generated strong political reactions within social movements for their blatant racism and xenophobia. More importantly, it juxtaposes those operations with the actions of Golden Dawn's para-state militia who are implicitly referred to as "self-styled 'protectors of the law'". And by juxtaposing the "meticulous and patient pogrom" that Xenios Zeus was (Filippidis 2018: 86) with the eruptive, lethal violence of Golden Dawn's battalions, the government graces us here with valuable knowledge. That is, it exemplifies the way that hostile political imperatives can be materialised *through* the mobilisation of discourses that oppose those very imperatives and, more specifically, the way a racist, sexist, homo/transphobic regime can introduce an "anti-racist law" and still make it work in its favour.

It is through the re-naming practice seen above, through such a spectacular exercise in inverting reality, that everything described in the previous sections can be understood as ideologically neutral state operations which were aimed at providing rational solutions to practical issues. Even though the violence of Golden Dawn has been enabled by decades-long state racism (Emmanouilidis & Koukoutsaki 2013), as well as by deep ties between the extreme right-wing and other institutional political forces,[40] after the "anti-racist legislation" reform and the criminal prosecution of Golden Dawn, this violence was presented as the opposite of state rationalism. Indeed, the government discursively framed the "anti-racist legislation" as a struggle against specific forms of violence that were defined *as* racist violence. And in doing so it reserved for itself the right to establish certain actions a*nd them alone* as racist and violent. Walter Benjamin's problematisation of legal violence comes to mind here, calling us to consider the ways in which the law legitimises its own violence, thus allowing its character as violent to recede from view (Benjamin [1920] 1979). Judith Butler notes that "in Benjamin's view, legal violence regularly renames its own violent character as justifiable coercion or legitimate force, but these terms sanitise the violence at issue" (Butler 2016: 40.48). That is, by conceptualising "racist crime" and racialised violence as either the purview of Golden Dawn's militia or an individual irrational behaviour, the

[40] Such ties exist not only with the Hellenic Police and the Greek Orthodox Church but also with parliamentary parties and especially with Nea Dimokratia, who were in power at the time (Psarras 2015: 33-34).

Greek state re-conceptualises its own racist violence as *non*-racist and *non*-violent. Moreover, it achieves a legitimation of its extended punitive function, which was fortified in the process of prosecuting Golden Dawn as a supposedly agreed upon limit for democratic tolerance, but is ultimately also employed against all socio-political actors that are (or will be) declared as illegal or dangerous by the state (Koukoutsaki 2013).

It is only within such a framework that one can come to terms with the surge of state-sanctioned gendered and racialised violence in parallel with legal "victories" such as the legal protection against "racist crime." And it is only within such a framework that we can fathom the formal protection from transphobic violence which is established *simultaneously* with the persecution of trans women, migrants and sex-workers – that is, by the exact same regime that arbitrarily hunted down, detained and harassed trans women "to enhance citizens' feeling of safety and to improve the image" of certain areas in Thessaloniki, and by the same regime that materialised the nightmarish HIV witch-hunt against sex-workers and illegal substances users in Athens (Dendias quoted in TGEU 2013; Mavroudi 2013). Using the tautological formula traced in Benjamin's analysis, according to which legal violence is legitimised *because* it is legal, the Greek government "outlawed" Golden Dawn's racism and violence *as* "racist crime" while re-establishing its own practices of racialised and gendered violence as legal, thus legitimate, and, thus, non-racist and non-violent.

These incidents and the era that enclosed them have allowed us to reflect upon a specific legal reform and the conditions that enabled it. Nonetheless, as stated earlier, there is no claim of exceptionality in the political strategies discussed and their use by that particular government in that particular period. Without having to look very far, as these lines were being written, another Nea Dimokratia government applauded the conviction of Golden Dawn members by the Greek courts as, in the Prime Minister's words, "a victory of democracy" against racism and "the end of a traumatic circle for the country's public life" (Mitsotakis 2020). At the exact same time, the government has been escalating the "war on migrants" through both legal (e.g. new legislation and policies) and illegal (e.g. increasing numbers of "pushbacks" along the borders, slow death conditions in detention camps) means (Amnesty International 2019; Human Rights Watch 2020a, 2020b; Border Violence Monitoring Group 2020; Dimitras 2020). The same government that celebrated the "victory

of democracy", with the pretext of the Covid-19 outbreak and following the example of many other states (Amnesty International 2020a), has been increasingly imposing a regulatory regime wherein normalised police violence and repression, not only against social movements but life itself, has become a structural element of this new era of governance (Amnesty International 2020b; Pietromarchi 2020; Crimethinc 2020a, 2020b; Athanasiadis 2020; Konstantopoulos 2020; Filippidis 2020). In fact, under the prism of the non-exceptionality of such political manoeuvres, another take on the international aspects of the "anti-racist law" debate is also tempting. That is, the international articles and reports that have been cited throughout this article (see footnotes 12, 15, 18) which epitomise the criticism by the representatives of European institutions of the Greek state's inability to battle racialised violence and institutional racism, could be read within a similar schema of self-justificatory authority and re-naming function.

The abundance of European institutions' reports and articles frowning upon the increase of hate-crime, racist violence and xenophobic rhetoric in Greece during that period, carefully side-stepped the wider framework that dictated and encompassed the strengthening of border militarisation, the creation of detention camps and the mass police operations in Greek cities. For example, the Commissioner stated in his aforementioned report:

> *The Commissioner urges the authorities to put an end to the practice of ethnic profiling by the police, reportedly widely used concerning Roma and as part of the "Xenios Zeus" police operation under which the legal status of migrants is verified. Racial profiling is discriminatory and seriously undermines confidence in the police among the social groups targeted. Drawing on ECRI's General Policy Recommendation N° 11 on combating racism and racial discrimination in policing, the authorities are invited to introduce in the law enforcement rules a "reasonable suspicion standard", whereby powers relating to control, surveillance or investigation activities can only be exercised on the basis of a suspicion that is founded on objective criteria (CommDH(2013)6: 28).*

In other words, the problem with the operation Xenios Zeus was to be found in its flawed execution, as it appears that there are more correct and "objective" ways of recognising individuals on the street *as* foreigners, massively detaining populations, classifying them as

legal or illegal and accordingly deciding on their detention/deportation/relocation, etc. The militarisation of European borders and the securitisation of cities as a political project in itself, along with the xenophobic discourses that enabled it, recede from view here. Regardless of this procedural sensitivity, it was the European Union that funded operation Xenios Zeus and it was a European political intervention which established the presence of FRONTEX on Greek borders (resulting in hundreds of deaths) and which progressively, through the sealing of borders along the Balkan route, trapped thousands of people in slow death conditions on the Greek periphery and in detention camps (Human Rights Watch 2011; Martin 2013; Amnesty International 2014, Carastathis 2015). As Carastathis notes, it is the EU "which funds the Greek state's immigration practices – enforcement, detention and deportation even as the European Court of Human Rights denounces them" (Carastasthis 2015: 78). That is not to say that the Hellenic Police and other institutional agents do not demonstrate unapologetic cruelty. But even without this aspect, these operations would still be founded upon racist imperatives and the forceful materialisation of the "fortress Europe" dogma that categorically deals in racialised violence and death.

Although the existence of the EU, as we know it, is inextricably linked to racialised violence, at the same time, the investment in its depiction as defender and provider of human rights resulted in its condemnation of the increasing racist violence in Greece. As hinted at earlier, the international political pressure was of crucial importance for the unwilling introduction of "anti-racist legislation" by the Nea Dimokratia governing coalition. Indeed, at that particular moment in European politics and with feverish negotiations concerning Greece's financial support unfolding, we do not have to dig very deep to see why negative attention from European institutions could not be ignored by any government. During the public debate concerning this reform, which had already been attempted by previous governments, representatives of European institutions repeatedly called on the Greek state to "do more" in order to combat racist violence within its territory.[41] In these gestures, the European Union's legal violence, which materialised in Greece in both migrant population

[41] Such examples are the Human Rights Commissioner's Nils Muižnieks report on the situation in Greece (CommDH(2013)6), the Human Rights Watch submission to the United Nations Committee against Torture (Human Rights Watch 2014) as well as the repeated visits by the European Home Affairs Commissioner Cecilia Malmstrom (Dabilis 2013; Ekathimerini 2013).

management and the enforcement of austerity politics, re-legitimised itself through the concern to combat "racist crime" as the *true* form of racism and violence. Thus, the reform of the "anti-racist legislation" established on both national and European communicational fronts that European political forces and states strive against racism and xenophobia *while* racist and xenophobic political projects were being intensified.

Closing

Throughout this article, I have attempted to trace the less obvious work performed by the "anti- racist legislation" within exemplary moments of Greek and European neoliberal racist politics. Situating the reform within a context of hostile ideological imperatives that materialised through state operations targeting marginalised populations, a set of questions emerged concerning the introduction of this legislation overall and the inclusion, for the first time, of gender identity among the protected characteristics. The formal declaration of legal protection was juxtaposed not only with the aforementioned militarised operations, which have relied upon gendered hierarchies, social abjection and legalised violence, but also with the overall atmosphere of the Greek institutional order. This juxtaposition was enabled by utilising feminist conceptualisations of gendered violence in Greece as atmospheric, thus avoiding the misrepresentation of whatever lies beyond concrete isolatable incidents *as* a non-violent/racist/transphobic reality (Carastathis 2018a). The argument was also furthered by a conceptualisation of the Greek legal order as inherently gendered and selectively hospitable only for those whom it was designed to facilitate in terms of ethno-religious and national belonging. Through this prism and under the regime of crisis management by a right-wing government, which largely relied on rhetorics of national and ethno-sexual purity, the workings of the legislation against "racist crime" emerged as ambiguous.

Trying to account for the seemingly inexplicable coincidence of formal legal protection and system(at)ic annihilation of the nation's Others, I have argued that precisely through the investment in a (legal and political) lexicon that formally prohibits specific forms of discrimination, racism and violence, an entire set of practices and imperatives were re-

conceptualised and legitimised as non-racist and non-violent. Following Benjamin's thought on the tautological formula that legitimises legal violence (because it is legal), it was suggested that both the Greek state's massive operations against the country's ethno-sexual Others and the materialisation of the European imperatives of "fortress Europe" relied heavily on the process of re-naming their own racist violence as justifiable coercion. The Greek government, by using a conceptualisation of Golden Dawn's practices as the sole definition of racist and overall discriminatory violence, constructed an image of irrational, hate-instigated, neo-Nazi racism *as* racism, thus, re-naming its own calculated institutional racism and violence *as* non-racist and non-violent. In other words, in the process of the systematic ethno-sexual persecution and systemic cruelty of that era, the "anti-racist legislation" was utilised, in an insidious way, against the marginalised populations it was supposedly designed to protect.

As shown earlier, at least until 2017, the "anti-racist" legal framework was spectacularly underused and even resisted by the prosecuting authorities (Dimitras 2017; Tsarnas 2017). During the last couple of years there has been an increase in its use and even some high-profile litigation produced (Dimitras 2019). Whether this litigation will live up to the expectations of the rationale of hate crime and anti-discrimination law "to teach the nation respect" is another conversation that far exceeds the scope of this article (Beger [2004] 2009: 113). It has not been the goal of the article to appraise the usefulness of such a framework or to measure the extent and correctness of its application in the specific context, even if such data was indeed evoked. Neither has it been its goal to attempt an overall critique of hate crime or LGBTI+ rights as concepts within the context of neoliberal states in a globalised capitalist world. The present analysis has unfolded in areas that these debates cross but also, in a way, sunder. Through concrete accounts regarding the law's introduction and application (how, when and by whom was it introduced, how and to what extent was it applied and in parallel with which specific operations) the threads were followed to a discussion regarding the political work that was performed by this reform on a macro level. In that particular instance, the legislation was instrumental for the legitimation of governmental politics that dealt racialised and gendered violence. That is not to suggest that we should reject in principle formal protection against discrimination and violence. This was never the point of this article as stated in the beginning. The point of this article and the

conclusions it draws is to contribute towards the demystification of such legal protection by regimes that categorically rely upon the very principles such laws claim to combat. It is also to serve as a reminder to persistently allow our understanding of LGBTI-related legal developments to be engrafted with uncomfortable questions regarding the complex political junctures in which they are situated.

This article opened by narrating the end of an era in Greece. As historical time is becoming increasingly condensed, it closes with everyone's eyes on the dawning of the new and incomputable post-pandemic reality. In this accelerating time, in these previously unfathomable conditions of our (not equally) shared bio-political dystopia, we will have to make sense of new and old political apparatuses, government strategies and legal reforms. As Europe and its states are increasingly abandoning the pretexts of their supposed humanitarian core, the stakes of such politico-legal manoeuvres are becoming higher. Here, on Europe's border and periphery, the formal protection of migrants from neo-Nazis and traffickers coincides with daily push-backs by the coastguard and massive entrapment in slow death conditions along the Greek borders. The formal protection of marginalised groups coincides with institutional hostility and legal violence against them. Lately, even the formal protection of our health coincides with increased surveillance, police violence and the deprivation of the right to protest. In this context, let us bear in mind the connections, such as the ones made in the article, between "progressive" legislation, state violence and the strategic precarisation of populations on a state and suprastate level. Let us stay with these connections' potential for articulating a political critique of the law and be reminded that "in addition to its legitimacy, the state achieves a good deal of its power through its devious claims to resolve the very inequalities that it actually entrenches by depoliticizing" (Brown 1995: 109). At the end of the day, if nothing else, let us remain suspicious and critical towards legal "progress" that coincides with so much institutional hostility, legalised violence and normalised death.

Acknowledgements

I am indebted to Stephen Whittle and Kay Lalor for their help and support during my PhD project at MMU from which this article is drawn. Also, I want to thank Aspa Chalkidou and Christos Filippidis for the discussions and their advice on this article. Last, I am grateful to the two anonymous reviewers for their supportive feedback.

Bibliography

Ahmed, S. (2012) *On being included: Racism and diversity in institutional life*. Durham NC: Duke University Press.

Ahmed, S. (2014) 'Atmospheric walls.' *Feminist Killjoys*. 15 September. [Accessed 3 January 2020] https://feministkilljoys.com/2014/09/15/atmospheric-walls/

Aizura, A.Z. (2012) 'Transnational transgender rights and immigration law.' *In* Finn Enke, A. (ed.) *Transfeminist perspectives in and beyond transgender and gender studies*. Philadelphia: Temple University Press, pp. 133-151.

Alevizopoulou, M. & Zenakos, A. (2018) 'The killing of Zak: the astonishing violence and impunity of Greek police.' *Open Democracy*. 31 October. [Accessed 3 January 2020] https://www.opendemocracy.net/en/can-europe-make-it/killing-of-zak-astonishing-violence-and-/

Amnesty International (2012) *Police violence in Greece: Not just 'isolated incidents'*. London: Amnesty International, Index: EUR 25/005/2012 [Accessed 3 January 2020] https://www.amnesty.org/download/Documents/20000/eur250052012en.pdf

Amnesty International (2013) 'Submission to the European Commission Against Racism and Intolerance on Greece.' Index: EUR 25/018/2013. [Accessed 3 January 2020] https://www.amnesty.org/download/Documents/12000/eur250182013en.pdf

Amnesty International (2014) *The human cost of fortress Europe: Human rights violations against migrants and refugees at Europe's borders*. London: Amnesty International, Index: EUR 05/001/2014 [Accessed 3 January 2020] https://www.amnesty.org/download/Documents/8000/eur050012014en.pdf

Amnesty International (2019) 'Greece: Proposed bill on asylum downgrades EU and international law standards on refugees protection.' Index: EUR 25/1278/2019. [Accessed 7 January 2021] https://www.amnesty.org/download/Documents/EUR2512782019ENGLISH.pdf

Amnesty International (2020a) *COVID-19 crackdowns: Police abuse and the global*

pandemic. London: Amnesty International, Index: ACT 30/3443/2020. [Accessed 7 January 2021] https://www.amnesty.org/download/Documents/ACT3034432020ENGLISH.PDF

Amnesty International (2020b) 'Ελλάδα: Υψώστε τη φωνή σας και ζητήστε τον τερματισμό της αστυνομικής βιας και ατιμωρησίας' ('Greece: Raise your voices and ask for the termination of police violence and impunity'). Amnesty International website 7 December. [Accessed 7 January 2021] https://www.amnesty.gr/action/petitions/23927/ellada-ypsoste-ti-foni-sas-kai-zitiste-ton-termatismo-tis-astynomikis-vias

Apostolidou, A. (2014) 'Θρησκεία και ανδρική ομοερωτική επιθυμία στην Ελλάδα.' ('Religion and male homosexual desire in Greece'). *In* Fellas, K., Kapsou, M. and Epaminonda, E. (eds.) *Σεξουαλικότητες: Απόψεις, μελέτες και βιώματα στον Κυπριακό και Ελλαδικό χώρο* (*Sexualities: Views, studies and experiences in Cypriot and Greek territory*). Athens: Polychromos Planitis, pp. 233-258.

Apostolou, A. (2000) '"The Exception of Salonika": Bystanders and collaborators in Northern Greece.' *Holocaust and Genocide Studies* 14(2), pp. 165–196.

Arampatzi, A. & Nicholls, W.J. (2012) 'The urban roots of anti-neoliberal social movements: The case of Athens, Greece.' *Environment and Planning* 44(11), pp. 2591–2610.

Athanasiadis, I. (2020) 'In Pandemic-Era Greece, Fighting for Control of the Square.' *Balkan Insight* 14 May. [Accessed 7 January 2021] https://balkaninsight.com/2020/05/14/in-pandemic-era-greece-fighting-for-control-of-the-square/

Athanasiou, A. (2012) *Η κρίση ως 'έκτακτη ανάγκη': Κριτικές και αντιστάσεις (The crisis as a 'state of emergency': Critiques and resistances.)* Athens: Savvalas.

Athanasiou, A. (2014) 'Precarious intensities: Gendered bodies in the streets and squares of Greece.' *Signs: Journal of Women in Culture and Society* 40(1), pp. 1-9.

Athanasiou, A. & Tsimouris, G. (eds.) (2013) 'Special issue: Migration, gender and precarious subjectivities in the era of crisis.' *The Greek Review of Social Research* 140-141 (B'-C').

Baboulias, Y. (2012) 'Greece, in 2012: Fascists beating up people while the police look on.' *The Guardian* 12 October. [Accessed 7 January 2021] https://www.theguardian.com/commentisfree/2012/oct/12/greece-fascists-beating-people-police

Beger, N.J. [2004] (2009) *Tensions in the struggle for sexual minority rights in Europe: Que(e)rying political practices*. Manchester: Manchester University Press.

Benjamin, W. [1920] (1979) 'Critique of Violence.' *In* Demetz, P. (ed.) *Reflections: Essays, aphorisms, autobiographical writings*. New York: Harcourt Brace Jovanovich, pp. 227-300.

Bilić, B. (ed.) (2016) *LGBT activism and Europeanisation in the (post-)Yugoslav space: On the rainbow way to Europe*. London: Palgrave Macmillan.

Binnie, J. (2004) *The globalization of sexuality*. London: SAGE.

Border Violence Monitoring Group (2020) *The black book of pushbacks*. Brussels: The Left in the European Parliament. [Accessed 7 January 2021] https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:3f809f15-bada-4d3f-adab-f14d9489275a

Boukli, A. & Renz, F. (2018) 'Gender murder: Anti-trans rhetoric, Zemia, and Telemorphosis.' *In* Boukli, A. & Kotze, J (eds.) *Zemiology: Reconnecting Crime and Social Harm. Critical Criminological Perspectives*. Basingstoke: Palgrave Macmillan, pp. 145–164.

Boukli, P.S. (2009) 'Ομοφοβική βία...' ('Homophobic violence...') *Crime vs Social Control* 19 September. [Accessed 3 January 2021] https://crimevssocialcontrol.blogspot.com/2009/09/blog-post_19.html

Bouklis, P.S. (2013) 'Transphobia.' *Critical Legal Thinking* 22 August. [Accessed 3 January 2021] http://criticallegalthinking.com/2013/08/22/transphobia/

Bratsis, P. (2010) 'Legitimation crisis and the Greek explosion.' *International Journal of Urban and Regional Research* 34(1), pp. 190-196

Bratsis, P. (2016) 'The Greek crisis as concrete universal: On the impossibility of reform and the impasse of subjectivity.' *Situations* VI(1 & 2), pp. 69-84.

Brekke, J.K. (2018) 'Mapping racist violence.' *In* Brekke, J. K., Filippidis, C. and Vradis, A. (eds.) *Athens and the war on public space: Tracing a city in crisis.* Goleta, CA: Punctum Books, pp. 103-108.

Brekke, J.K., Dalakoglou, D., Filippidis, C. & Vradis, A. (eds.) (2014) *Crisis-scapes: Athens and beyond*. Athens: Synthesi.

Brekke, J.K., Filippidis, C. & Vradis, A. (eds.) (2018) *Athens and the war on public space: Tracing a city in crisis.* Goleta, CA: Punctum Books.

Brown, W. (1995) *States of injury: Power and freedom in late modernity*. Princeton, N.J: Princeton University Press.

Butler, J. (1997) *The psychic life of power: Theories in subjection*. Stanford: Stanford University Press.

Butler, J. (2016) 'Legal violence: An ethical and political critique'. *YaleUniversity.* 30 June [Accessed 3 January 2021]. https://www.youtube.com/watch?v=coBcQajx18I

Carastathis, A. (2014) 'Is Hellenism an Orientalism? Reflections on the boundaries of 'Europe' in an age of austerity.' *Australian Critical Race and Whiteness Studies Journal* 10(1), pp. 1–17.

Carastathis, A. (2015) 'The politics of austerity and the affective economy of hostility: Racialised gendered violence and crises of belonging in Greece.' *Feminist Review* 109, pp. 73-95.

Carastathis, A. (2018a) 'Η ατμοσφαιρικότητα της βίας υπο συνθήκες συνυφασμένων κρίσεων' ('The atmosphericity of violence in times of intersecting crises'). *Φεμινιστιφά*, 1, pp. 6-15.

Carastathis, A. (2018b) '"Gender is the first terrorist": Homophobic and transphobic violence in Greece.' *Frontiers* 39(2), pp. 265-296.

Chalkia, A. (2016) *'*Όψεις των εγκλημάτων μίσους στην Ελλάδα και προτάσεις για την αντιμετώπισή τους' ('Aspects of hate crime in Greece and suggestions to combat them'). *In* Gasparinatou, M. (ed.*) Έγκλημα και ποινική καταστολή σε εποχή κρίσης. Τιμητικός τόμος για τον καθηγητή Νέστορα Κουράκη, Τόμος Α' (Essays in honor of Professor Dr. Nestor Courakis, Volume I).* Athens: Sakkoulas, pp. 1694-1722.

Chalkidou, A. (2020) 'Vanilla democracy: Sexuality, parenthood, and kinship in Greece.' *Sexualities* (Advance online). https://doi.org/10.1177/1363460720978611

Chamtzoudis, N. (2015) *Η νομική προστασία του σεξουαλικού προσανατολισμού και της ταυτότητας φύλου: καταπολεμώντας τις διακρίσεις, τα εγκλήματα μίσους και τη ρητορική μίσους (The legal protection of sexual orientation and gender identity: Fighting discrimination, hate crimes and hate speech).* Athens: Colour Youth.

Conrad, R. (ed.) (2012) *Against equality: Prisons will not protect you*. Oakland, CA: AK Press.

Cosse, E. (2012) 'Greece's epidemic of racist attacks.' *The New York Times* 27 January [Accessed 3 January 2020] https://www.nytimes.com/2012/01/27/opinion/greeces-epidemic-of-racist-attacks.html

Crimethinc (2020a) 'Greece: Repression and resistance during the pandemic.' *CrimethInc* 15 May [Accessed 7 January 2021] https://crimethinc.com/2020/05/15/greece-repression-and-resistance-during-the-pandemic

Crimethinc (2020b) 'Greece: New Democracy and pandemic opportunism.' *CrimethInc* 1 December [Accessed 7 January 2021] https://crimethinc.com/2020/12/01/greece-new-democracy-and-pandemic-opportunism-the-lockdown-resumes

Crisis-scape website [Accessed 2 January 2021] http://map.crisis-scape.net/

Currah, P. (1997) 'Defending genders: Sex and gender non-conformity in the civil rights strategies of sexual minorities.' *Hastings Law Journal* 48(6), pp. 13-63.

Currah, P. (2009) 'The transgender rights imaginary.' *In* Fineman, M.A., Jackson, J.E. & Romero, A.P. (eds.) *Feminist and queer legal theory: Intimate encounters, uncomfortable conversations*. Farnham: Ashgate, pp. 245-258.

Currah, P. (2013) 'Homonationalism, state rationalities, and sex contradictions.' *Theory & Event* 16(1).

Currah, P. (2014) 'The state.' *TSQ: Transgender Studies Quarterly* 1(1-2), pp. 197-200.

Currah, P. & Minter, S. (2000) 'Unprincipled exclusions: The struggle for legislative and judicial protections for transgendered people.' *William and Mary Journal of Women and the Law* 7(1), pp. 37-66.

Currah, P., Juang, R.M. & Minter, S. (eds.) (2006) *Transgender rights.* Minneapolis: University of Minnesota Press.

Dabilis, A. (2013) 'Racism bill will go to parliament'. *Greek Reporter* 28 May [Accessed 3 January 2021] https://greece.greekreporter.com/2013/05/28/eu-pushes-greece-on-racism-bill/

Dalakoglou, D. (2013) '"From the bottom of the Aegean sea" to Golden Dawn: Security, xenophobia, and the politics of hate in Greece.' *Studies in Ethnicity and Nationalism* 13(3), pp. 514-522.

Dalakoglou, D. & Agelopoulos, G. (eds.) (2018) *Critical times in Greece: Anthropological engagements with the crisis.* New York: Routledge.

Dimitras, P. (2017) 'Διάβημα σε Εισαγγελία Αρείου Πάγου για δίωξη ομοερωτοφοβίας – Άρνηση συνάντησης από Υπουργείο Δικαιοσύνης' ('Démarche to the Areios Pagos Prosecution regarding homophobia prosecution – Meeting refused by Ministry of Justice'). *Racist Crimes Watch* 5 June [Accessed 3 January 2021] https://racistcrimeswatch.wordpress.com/2017/06/05/1-312/

Dimitras, P. (2019) 'Prosecution of racist crimes in Greece 2015-2019.' *Racist Crimes Watch* 19 October [Accessed 3 January 2021] https://racistcrimeswatch.wordpress.com/2019/10/19/1-908/

Dimitras, P. (2020) 'European Parliament calls for independent investigations of pushbacks and border shootings in Aegean and Evros [and links to related GHM complaints].' *Racist Crimes Watch* 17 September [Accessed 7 January 2021] https://racistcrimeswatch.wordpress.com/2020/09/17/1-1058/

Dimokidis, A. (2020) '8 χρόνια μετά το Χυτήριο, τι απέγινε ο Λαέρτης Βασιλείου; Γενναίοι άνθρωποι θυμούνται και μιλούν για το τώρα' ('8 years after Chyirio, what has happened with Laertis Vasileiou? Brave people remember and speak out about the present'). *Lifo* 24 October [Accessed 7 January 2021] https://mikropragmata.lifo.gr/zoi/8-chronia-meta-to-chytirio-ti-apegine-o-laertis-vasileiou-gennaioi-anthropoi-thymountai-kai-miloun-gia-to-tora/

Duggan, L. (2003) *The twilight of equality? Neoliberalism, cultural politics, and the attack on democracy*. Boston: Beacon Press.

ECRI - European Commission against Racism and Intolerance (2015) *Report on Greece (fifth monitoring cycle)*, CRI(2015)1, 24 February 2015 [Accessed 2 January 2021] https://rm.coe.int/fifth-report-on-greece/16808b5796

Ekathimerini (2012) 'Protest by Golden Dawn, religious groups cancels theater premiere.' *Ekathimerini* 12 October [Accessed 7 January 2021] https://www.ekathimerini.com/145367/article/ekathimerini/news/protest-by-golden-dawn-religious-groups-cancels-theater-premiere

Ekathimerini (2013) 'EU immigration official gives Greece mixed report.' *Ekathimerini* 15 May [Accessed 3 January 2021] http://www.ekathimerini.com/151190/article/ekathimerini/news/eu-immigration-official-gives-greece-mixed-report

Ekathimerini (2020) 'Greek court imprisons far-right Golden Dawn party leadership.' *Ekathimerini* 22 October [Accessed 7 January 2021] https://www.ekathimerini.com/258377/gallery/ekathimerini/news/greek-court-imprisons-far-right-golden-dawn-party-leadership

Ellinas, A. (2013) 'The rise of Golden Dawn: The new face of the far right in Greece.' *South European Society and Politics* 18(4), pp. 543–565.

Emmanouilidis, M. & Koukoutsaki, A. (2013) *Χρυσή Αυγή και στρατηγικές διαχείρισης της κρίσης (Golden Dawn and strategies for the management of the crisis).* Athens: Futura.

Enet English (2014) 'Pair get life for Pakistani worker's murder.' *Enet English* 16 April [Accessed 7 January 2021] http://www.enetenglish.gr/?i=news.en.article&id=1860

Filippidis, C. (2018) 'Biopolitical narratives against a white background: Medical police as city cartographer.' *In* Brekke, J.K., Filippidis, C. & Vradis, A. (eds.) *Athens and the war on public space: Tracing a city in crisis.* Goleta, CA: Punctum Books, pp. 53-102.

Filippidis, C. (2020) *«Είμαστε σε πόλεμο με έναν αόρατο εχθρο»: Πανδημία, βιοπολιτική και αντιεξέγερση ("We are at war with an invisible enemy": Pandemic, biopolitics and counterinsurgency)*. Athens: Futura.

Fokas, E. (2008) 'A new role for the Church? Reassessing the place of religion in the Greek public sphere.' Hellenic Observatory Papers on Greece and Southeast Europe (GreeSE) Paper No 17. London: The Hellenic Observatory.

Foucault, M. [1999] (2003) *Abnormal: Lectures at the Collège de France 1974-1975*. New York: Picador.

Fountedaki, P. (2014) 'Νομικός πολιτισμός και αντιρατσιστικός νόμος: Από την ιδιοτυπία των ΗΠΑ και το βρετανικό πρότυπο στην ελληνική οπτική' ('Legal culture and antiracist law: From the particularity of the USA and the British model to the Greek perspective'). Paper presented at the 13th National Roundtable against Discrimination. Hall of the Technical Chamber of Greece, Athens, 15 December.

FRA – European Union Agency for Fundamental Rights (2012) *Making hate crime visible in the European Union: Acknowledging victims' rights*. Luxembourg: Publications Office of the European Union.

Galanou, M. (2013) 'Όταν τα τρανς άτομα προσάγονται, «για να βελτιωθεί η εικόνα της πόλης»' ('When trans people are rounded up, "in order to improve the image of the city"'). *LEFT.gr* 18 July [Accessed 7 January 2021] https://left.gr/news/otan-ta-trans-atoma-prosagontai-gia-na-veltiothei-i-eikona-tis-polis

Galanou, M. (2018) 'Ένας χρόνος εφαρμογης της νομοθεσίας για τη νομική αναγνώριση της ταυτότητας φύλου' ('A year's application of the legislation for the legal recognition of gender identity'). *T-ZINE: Digital Journal of Trans* News* 10 October [Accessed 14 December 2019] http://t-zine.gr/enas-chronos-efarmogis-tis-nomothesias-gia-ti-nomiki-anagnorisi-tis-taftotitas-fylou/

Gkresta, M. & Mireanu, M. (2016) 'Social control and security in times of crisis: The criminalization of the seropositive women in Greece.' *Radical Criminology* 6, pp. 209-245.

Golden Dawn Watch (n.d.) 'The trial: Documentation and monitoring.' *Golden Dawn Watch*. [Accessed 7 January 2021] https://goldendawnwatch.org/?page_id=420&lang=en

Golfinopoulos, G. (2007) *'«Έλληνας ποτέ...» Αλβανοί και ελληνικός τύπος τη νύχτα της 4ης Σεπτεμβριου 2004' ('"Never a Greek…" Albanians and Greek press the night of 4 September 2004')*. Ioannina: Isnafi.

Greek Transgender Support Association (2012) 'Προσαγωγές τρανς ατόμων στην επιχείρηση "Ξένιος Ζευς"' ('Round-ups of trans individuals in the operation "Xenios Zeus"'). *Greek Transgender Support Association* 16 August [Accessed 3 January 2021] https://transgendersupportassociation.wordpress.com/2012/08/16/προσαγωγές-τρανς-ατόμων-στην-επιχεί/

Greek Transgender Support Association (2013a) 'Transgender arrests in police crackdowns and unlawful detention of the defenders of their rights in Thessaloniki, Greece.' *Greek Transgender Support Association* 11 June [Accessed 3 January 2021] https://transgendersupportassociation.wordpress.com/2013/06/11/transgender-arrests-in-police-crackdowns-and-unlawful-detention-of-the-defenders-of-their-rights-in-thessaloniki-greece/

Greek Transgender Support Association (2013b) 'Καθήκον κάθε δημοκρατικού ανθρώπου η απερίφραστη καταδίκη και η ανάληψη δράσης για το ρατσιστικό πογκρόμ που υφίστανται τα τρανς άτομα στη Θεσσαλονίκη' ('It is every democratic individual's duty to clearly condemn and assume action regarding the racist pogrom trans person are submitted to in Thessaloniki'). *Greek Transgender Support Association* 19 July [Accessed 3 January 2021] https://transgendersupportassociation.wordpress.com/2013/07/19/δελτιο-τυπου-καθήκον-κάθε-δημοκρατι/

Greek Transgender Support Association (2015) 'G.T.S.A. strongly protests for the archiving of a group-lawsuit because of the pogrom against the trans people in Thessaloniki and the illegal custody of the lawyer who defended their rights.' *Greek Transgender Support Association* 27 February [Accessed 3 January 2021] https://transgendersupportassociation.wordpress.com/2015/03/06/press-release-g-t-s-a-strongly-protests-for-the-archiving-of-a-group-lawsuit-because-of-the-pogrom-against-the-trans-people-in-thessaloniki-and-the-illegal-custody-of-the-lawyer-who-defended-their/

Greek Transgender Support Association (2017) 'Shameful decision by the Greek rule of law: Not only are defenders of human rights not protected, but punished.' *Greek Transgender Support Association* 15 September [Accessed 3 January 2021] https://transgendersupportassociation.wordpress.com/2017/09/15/press-release-shameful-decision-by-the-greek-rule-of-law-not-only-are-defenders-of-human-rights-not-protected-but-punished/

Hatzopoulos, V. (2007) *Legal study on homophobia and discrimination on grounds of sexual orientation in Greece.* EU Fundamental Rights Agency.

Hatzopoulos, V. (2010) *Legal study on homophobia and discrimination on grounds of sexual orientation and gender identity: Thematic Study – Greece*. Centre for European Constitutional Law and Antigone https://fra.europa.eu/sites/default/files/fra_uploads/1352-lgbt-2010_thematic-study_el.pdf

Human Rights Watch (2011) 'The EU's dirty hands: Frontex involvement in ill-treatment of migrant detainees in Greece.' *Human Rights Watch* 21 September [Accessed 3 January 2021] https://www.hrw.org/report/2011/09/21/eus-dirty-hands/frontex-involvement-ill-treatment-migrant-detainees-greece

Human Rights Watch (2012) *Hate on the streets: Xenophobic violence in Greece.* [Accessed 2 January 2021] https://www.hrw.org/sites/default/files/reports/greece0712ForUpload_0.pdf

Human Rights Watch (2013) *Unwelcome guests: Greek police abuses of migrants in Athens*. [Accessed 2 January 2021] https://www.hrw.org/sites/default/files/reports/greece0613_ForUpload.pdf

Human Rights Watch (2014) 'Greece: Human Rights Watch submission to the United Nations Committee against Torture.' *Human Rights Watch* 3 March [Accessed 3 January 2021] https://www.hrw.org/news/2014/03/24/greece-human-rights-watch-submission-united-nations-committee-against-torture

Human Rights Watch (2020a) 'Greece: Investigate pushbacks, collective expulsions.' *Human Rights Watch* 16 July [Accessed 7 January 2021] https://www.hrw.org/news/2020/07/16/greece-investigate-pushbacks-collective-expulsions

Human Rights Watch (2020b) 'Greece: Island camps not prepared for Covid-19.' *Human Rights Watch* 22 April [Accessed 7 January 2021] https://www.hrw.org/news/2020/04/22/greece-island-camps-not-prepared-covid-19

Jail Golden Dawn (2013) 'Who was Shahzad Luqman.' *Jail Golden Dawn* 16 December [Accessed 7 January 2021] https://jailgoldendawn.com/2013/12/16/who-was-shahzad-luqman/

Jail Golden Dawn (2014a) 'Το χρυσαυγίτικο πογκρόμ τον Μάη του 2011 μετά τη δολοφονία του Μανώλη Καντάρη' ('Golden Dawn's pogrom in May 2011 after the murder of Manolis Kantaris'). *Jail Golden Dawn* 5 May [Accessed 7 January 2021] https://jailgoldendawn.com/2014/05/08/%CF%84%CE%BF-%CF%87%CF%81%CF%85%CF%83%CE%B1%CF%85%CE%B3%CE%AF%CF%84%CE%B9%CE%BA%CE%BF-%CF%80%CE%BF%CE%B3%CE%BA%CF%81%CF%8C%CE%BC-%CF%84%CE%BF%CE%BD-%CE%BC%CE%AC%CE%B7-%CF%84%CE%BF%CF%85-2011-%CE%BC/

Jail Golden Dawn (2014b) 'The 60 case files of the criminal organisation Golden Dawn.' *Jail Golden Dawn* 24 August [Accessed 7 January 2021] https://jailgoldendawn.com/2014/08/24/the-60-case-files-of-the-criminal-organisation-golden-dawn/

Jail Golden Dawn (2015) 'The murder of Pavlos Fyssas: A political anatomy.' *Jail Golden Dawn* 24 September [Accessed 7 January 2021] https://jailgoldendawn.com/2015/09/24/the-murder-of-pavlos-fyssas-a-political-anatomy/

Jail Golden Dawn (2016) '5 χρόνια από το ρατσιστικό πογκρόμ της Χρυσής Αυγής: δήλωση των Θ. Καμπαγιάννη και Κ. Σκαρμέα' ('5 years since the racist pogrom of Golden Dawn: Statement from T. Kampagiannis and K. Skarmeas'). *Jail Golden Dawn* 12 May [Accessed 7 January 2021] https://jailgoldendawn.com/2016/05/12/5-%cf%87%cf%81%cf%8c%ce%bd%ce%b9%ce%b1-%ce%b1%cf%80%cf%8c-%cf%84%ce%bf-%cf%81%ce%b1%cf%84%cf%83%ce%b9%cf%83%cf%84%ce%b9%ce%ba%cf%8c-%cf%80%ce%bf%ce%b3%ce%ba%cf%81%cf%8c%ce%bc-%cf%84%ce%b7%cf%82-%cf%87/

Jail Golden Dawn (n.d.) 'Ανεξιχνίαστες δολοφονίες' ('Unsolved murders'). *Jail Golden Dawn* [Accessed 7 January 2021] https://jailgoldendawn.com/%cf%85%cf%80%ce%bf%ce%b8%ce%ad%cf%83%ce%b5%ce%b9%cf%82/%ce%b1%ce%bd%ce%b5%ce%be%ce%b9%cf%87%ce%bd%ce%af%ce%b1%cf%83%cf%84%ce%b5%cf%82-%ce%b4%ce%bf%ce%bb%ce%bf%cf%86%ce%bf%ce%bd%ce%af%ce%b5%cf%82/

Kahlina, K. (2015) 'Local histories, European LGBT designs: Sexual citizenship, nationalism, and Europeanisation in post-Yugoslav Croatia and Serbia.' *Women's Studies International Forum* 49, pp. 73-83.

Kaiafa-Gbadi M., Kounougeri-Manoledaki, E. & Symeonidou-Kastanidou, E. (eds.) (2017) *Αναγνώριση ταυτότητας φύλου. Ενόψει του Σχεδίου Νόμου της Νομοπαρασκευαστικής Επιτροπής του Υπουργείου Δικαιοσύνης (Gender identity recognition: Considering the bill of the law-drafting Committee of the Ministry of Justice)*. Athens: Sakkoulas Publications.

Kaika, M. (2012) 'The economic crisis seen from the everyday, Europe's nouveau poor and the global affective implications of a "local" debt crisis.' *City* 16(4), pp. 422-430.

Kampagiannis, T. (2020) *Με τις μέλισσες ή με τους λύκους: Αγόρευση στη δίκη της Χρυσής Αυγής (With the bees or with the wolves: Closing argument in Golden Dawn's trial).* Athens: Antipodes.

Kantsa, V. & Chalkidou, A. (2014) 'Doing family "in the space between the laws": Notes on lesbian motherhood in Greece.' *Lamda Nordica* 3-4, pp. 86-108.

Karlatira, P. (2012) '"Υγειονομική βόμβα" οι μολυσμένες με AIDS πόρνες' ('The AIDS-infected prostitutes are a "hygienic bomb".') *Proto Thema* 1 May [Accessed 3 January 2021] https://www.protothema.gr/greece/article/194015/ygeionomikh-bomba-oi-molysmenes-me-aids-pornes/

Karydis, V. (2016) 'Μετανάστες και κοινωνικοί πανικοί στην Ελλάδα' ('Migrants and moral panics in Greece'). *In* Gasparinatou, M. (ed.) *Έγκλημα και ποινική καταστολή σε εποχή κρίσης. Τιμητικός τόμος για τον καθηγητή Νέστορα Κουράκη, Τόμος Α' (Essays in honor of Professor Dr. Nestor Courakis, Volume I).* Athens: Sakkoulas, pp. 1629-1648.

Kasapidou, R. (2017) 'Έμφυλη κατηγοριοποίηση, δικαστική ερμηνεία και επαναπροσδιορισμός φύλου στο ελληνικό νομικό πλαίσιο' ('Gendered categorisation, judicial interpretation and gender reassignment within the Greek legal context'). *Aegean Working Papers in Ethnographic Linguistics (AWPEL)* 1(1), pp. 83-107.

Kasapidou, R. (2020) Reserving the right to be complex: Gender variance and trans identities in the Greek legal order. PhD thesis, Manchester Metropolitan University.

Kavala, M. (2015) Η καταστροφή των Εβραίων της Ελλάδας (1941-1944) (*The destruction of Greek Jews (1941-1944)*). Athens: Syndesmos Ellinikon Akadimaikon Vivliothikon.

Kitsantonis, N. (2013) 'Push for antiracism bill leads to rift in Greek Coalition.' *The New York Times* 29 May [Accessed 3 January 2020] https://www.nytimes.com/2013/05/29/world/europe/greek-coalition-in-rift-over-anti-racism-bill.html

Konstantopoulos, M.A. (2020) '«Στρατιωτικός νόμος» στην καρδιά της Αθήνας' ('"Military law" in the heart of Athens'). *Efsyn* 7 December [Accessed 7 January 2021] https://www.efsyn.gr/ellada/koinonia/271828_stratiotikos-nomos-stin-kardia-tis-athinas

Kotouza, D. (2018) 'Biopolicing the crisis: Gendered and racialised "health threats" and neoliberal govermentality in Greece and beyond.' *In* H. Richter (ed.) *Biopolitical governance: Race, gender and economy*. London: Rowman and Littlefield, pp. 211-234.

Kotzabasi, A. (2017) 'Το φύλο ως στοιχείο της ταυτότητας του προσώπου και το πρόβλημα των διεμφυλικών προσώπων' ('Gender as an element of the person's identity and the problem of transgender persons'). *In* Vrellis, S. (ed.) *Το πρόσωπο και η οικογένεια στο δίκαιο και την κοινωνία (The person and the family in law and in society)*. Athens-Thessaloniki: Sakkoulas, pp. 21-33.

Koukoutsaki, A. (2013) 'Από το κοινωνικό στο ποινικό κράτος. Η Χρυσή Αυγή και οι συμβολικές λειτουργίες των ποινικών θεσμών' ('From social to penal state: Golden Dawn and the symbolic functions of penal institutions'). *In* Emmanouilidis, M. & Koukoutsaki, A. *Χρυσή Αυγή και στρατηγικές διαχείρισης της κρίσης (Golden Dawn and strategies for the management of the crisis).* Athens: Futura, pp. 101-140.

Kounougeri-Manoledaki, E. (2017) 'Το ζήτημα της χειρουργικής και άλλων ιατρικών επεμβάσεων και αγωγών ως προϋποθέσεων για την αναγνώριση της ταυτότητας φύλου' ('The issue of surgical and other medical interventions and treatments as preconditions for the recognition of gender identity'). *Chronika Idiotikou Dikaiou* (ΧρΙΔ) IZ, pp. 561-565.

Kravaritou, G. (1996) *Φύλο και δίκαιο (Gender and the law)*. Athens: Papazisi Publications.

Kulpa, R. [2011] (2016) 'Nations and sexualities – "West" and "East".' *In* Kulpa, R. & Mizielińska, J. (eds.) *De-centring Western sexualities: Central and Eastern European perspectives.* London & New York: Routledge, pp. 43-62.

Kulpa, R. and Mizielińska, J. (eds.) *De-centring Western sexualities: Central and Eastern European perspectives*. London and New York: Routledge.

Lamble, S. (2013) 'Queer investments in punitiveness: Sexual citizenship, social movements and the expanding carceral state.' *In* Haritaworn, J., Kuntsman, A. & Posocco, S. (eds.) *Queer necropolitics*. Abingdon: Routledge, pp. 151-171.

Lawrence C.M. (2005) 'The European Union, immigration and inequality: "Albanian" labor in the political economy of rural Greece.' PhD dissertation, City University of New York, *CUNY Academic Works* http://academicworks.cuny.edu/gc_etds/1753

Lefkaditou, A. (2017) 'Observations on race and racism in Greece.' *Journal of Anthropological Sciences* 95: pp. 329-338.

Leleki, A. (2017) 'Διόρθωση ληξιαρχικής πράξης γέννησης τρανς ατόμων, λόγω «αλλαγής φύλου» χωρίς ιατρικά προαπαιτούμενα – Με αφορμή την ΕιρΑθ 1572/2016' ('Correction of birth registration act, due to "sex-change" without medical preconditions – On the occasion of decision 1572/2016 of the Athens District Court'). *Synigoros* 119, pp. 32.

Leontidou, L. (2012) 'Athens in the Mediterranean "Movement of the Piazzas": Spontaneity in material and virtual public spaces.' *City: Analysis of Urban Trends, Culture, Theory, Policy, Action* 16(3), pp. 299–312.

Leontidou, L. (2014) 'The crisis and its discourses: Quasi-Orientalist attacks on Southern urban spontaneity, informality and joie de vivre.' *City: Analysis of Urban Trends, Culture, Theory, Policy, Action* 18(4–5), pp. 546–557.

Mac Con Uladh, D. (2014) 'Samaras close aide resigns over Golden Dawn contacts'. *Enet English* 2 April [Accessed 3 January 2021] http://www.enetenglish.gr/?i=news.en.politics&id=1839

Margaritis, G. (2005) *Ανεπιθύμητοι συμπατριώτες: Στοιχεία για την καταστροφή των μειονοτήτων στην Ελλάδα – Τσάμηδες, Εβραίοι (Unwanted compatriots: Data for the destruction of minorities in Greece – Chams, Jews)*. Athens: Vivliorama.

Marinoudi, S. (2017) *Η ζωή χωρίς εμένα: Έμφυλα υποκείμενα εντός και εκτός των κινηματικών χώρων (Life without me: Gendered subjects in and out of scenes of the movement).* Athens: Futura.

Martin, M. (2013) 'The rise of xenophobia and the migration crisis in Greece. The Council of Europe's wake-up call: "Europe cannot afford to look away".' *Statewatch* March, No 32572 [Accessed 3 January 2021] http://www.statewatch.org/analyses/no-218-greece-coe.pdf

Mavroudi, Z. (2013) *Ruins: Chronicles of an HIV witch-hunt.* [Accessed 2 January 2021] https://ruins-documentary.com/en/

Meliggonis, G. (2013) 'Συγκρούσεις στρατηγικής με φόντο το αντιρατσιστικό' ('Strategic clashes in view of the antiracist [bill]'). *I Avgi* 26 May [Accessed 3 January 2021] https://www.avgi.gr/article/10842/355082#

Mihopoulou, A.E. (2006) 'The Women's Studies Group at the Aristotle University of Thessaloniki (1983-2003): Aspiring to intervene in the academia and the social environment.' Paper presented at The International Conference on Interdisciplinary Social Sciences, University of the Aegean, Rhodes, Greece, 18-21 July.

Mitsotakis, K. (2020) 'Κυριάκος Μητσοτάκης για την καταδίκη της Χρυσής Αυγής' ('Kyriakos Mitsotakis for the conviction of Golden Dawn'). *Iefimerida news* 7 October [Accessed 3 February 2021] https://www.youtube.com/watch?v=mEgtFAuIw38

Mpotsi, K. (2014) 'Άλλη μια διαπομπευμένη οροθετική λιγότερη' ('One more publicly humiliated seropositive woman less'). *To Mov* 19 November [Accessed 3 January 2021] https://tomov.gr/2014/11/29/alli-mia-diapompeymeni-orothetiki-ligoteri/

Pantelidou, K. (2018) 'Φύλο και έννομες συνέπειες – Κριτικες παρατηρήσεις στο Ν 4491/2017 για τη νομική αναγνώριση ταυτότητας φυλου' ('Gender and legal consequences – Critical notes on Law 4491/2017 for the legal recognition of gender identity'). *Nomiko Vima* (*NoB*), pp. 3.

Papadopoulou, C. (2020) Όρθιος σε δημόσια θέα: Η αγόρευση στη δίκη της Χρυσής Αυγής (*Standing up in public view: The closing argument in Golden Dawn's trial*). Athens: Polis.

Papadopoulou, T.L. (2018) 'Ο σεξουαλικός προσανατολισμός και η ταυτότητα του φύλου στο δίκαιο της Ευρωπαϊκής Ένωσης και στη νομολογία του ΔΕΕ' ('Sexual orientation and gender identity in European Union law and CJEU litigation'). *In* Naskou-Perraki, P., Gaitenides, N. & Katsoulis, S. (eds.) *Ευρωπαϊκές πολιτικές από και προς την προστασία θεμελιωδών δικαιωμάτων (European policies from and for the protection of fundamental rights).* Athens: Sakkoulas Publications, pp. 175-230.

Papanagiotou, A. (2020) 'Οι πολιτικές καταβολές μιας άρνησης: Σχόλιο για τη μη αναθεώρηση του άρθρου 5 § 2 του Συντάγματος' ('The political background of a disavowal: Comments on the rejection of the article 5 § 2 constitutional amendment'). *Feministiqá* 3. https://feministiqa.net/oi-politikes-katavoles-mias-arnisis/

Papanikolaou, D. (2013) 'Ομοφοβία, ρατσισμός και θανατοπολιτική' ('Homophobia, racism and thanatopolitics'). *Avgi* 13 March [Accessed 7 January 2021] https://www.avgi.gr/politiki/44437_omofobia-ratsismos-kai-thanatopolitiki

Papanikolaou, D. (2018) 'Critically queer and haunted: Greek identity, crisiscapes and doing queer history in the present.' *Journal of Greek Media and Culture* 4(2), pp. 167–186.

Papanikolaou, D. (2019) '«Θα πενθούμε πάντα σαν παιδιά...» Ρατσισμός, ομοφοβία και θανατοπολιτική· πάλι' ('"We will always mourn like children…" Racism, homophobia and thanatopolitics; again'). *Feministiqá* 2. http://feministiqa.net/ratsismos-omofovia-thanatopolitiki-pali/

Papanikolaou, P.I. (2016) 'Εγκλήματα μίσους και οικονομική κρίση: Πόσο μαζί και πόσο χωριστά;' ('Hate crime and financial crisis: To what extent together and to what extent apart?'). *In* Gasparinatou, M. (ed.*) Έγκλημα και ποινική καταστολή σε εποχή κρίσης. Τιμητικός τόμος για τον καθηγητή Νέστορα Κουράκη, Τόμος Α' (Essays in honor of Professor Dr. Nestor Courakis, Volume I).* Athens: Sakkoulas, pp. 1723-1758.

Papazisi, T. (2000) 'Διαταραχή γένους: Νομικά προβλήματα του προσώπου' ('Gender disorder: Legal problems of the person'). *Epistemoniki Epeterida Δ.Σ.Θ.* 21, pp. 119-131.

Papazisi, T. (2014) 'Η ταυτότητα κοινωνικού φύλου στη νομοθεσία' ('Gender identity in legislation'). *In* Kanellopoulou-Mpoti, M. and Panagopoulou-Koutnatzi, P. (eds.) *Βιοηθικοί προβληματισμοί (Bioethical questions)*. Athens: Papazisis, pp. 796-811.

Pavlou. M. (2009) *Homophobia in Greece: Country report*. i-RED, Institute for Rights Equality & Diversity [Accessed 2 January 2021] http://www.i-red.eu/resources/publications-files/i-red_homophobia_in_greece2009--6.pdf

Peraki, V. (2017) 'Παρατηρήσεις στην ΕιρΑθ 418/2016' ('Notes on decision 418/2016 of the Athens District Court'). *Nomiko Vima* (*NoB*), pp. 1639.

Pietromarchi, V. (2020) 'Protesters to defy gov't ban on Athens Polytechnic uprising march.' *Aljazeera* 16 November [Accessed 7 January 2021] https://www.aljazeera.com/news/2020/11/16/greek-protests-coronavirus

Protovoulia Allileggyis Diokomenon Orothetikon Gynaikon (Solidarity Initiative for the Persecuted Seropositive Women) (2012) 'Κυνήγι μαγισών στην Αθήνα της οικονομικής κρίσης. Η διαπόμπευση οροθετικών γυναικών και τρανς, χρήστριων και θυμάτων τράφικινγκ' ('Witch-hunt in Athens of financial crisis: The shaming of seropositive women and trans, users and trafficking victims'). *Protovoulia Allileggyis Diokomenon Orothetikon Gynaikon* 27 October [Accessed 3January 2021] https://diokomenesorothetikes.wordpress.com/2012/10/27/%ce%ba%cf%85%ce%bd%ce%ae%ce%b3%ce%b9-%ce%bc%ce%b1%ce%b3%ce%b9%cf%83%cf%8e%ce%bd-%cf%83%cf%84%ce%b7%ce%bd-%ce%b1%ce%b8%ce%ae%ce%bd%ce%b1-%cf%84%ce%b7%cf%82-%ce%bf%ce%b9%ce%ba%ce%bf%ce%bd%ce%bf%ce%bc/

Protovoulia Allileggyis Diokomenon Orothetikon Gynaikon (Solidarity Initiative for the Persecuted Seropositive Women) (2013) 'Αυτοκτονία Μαρίας Θεοδωράκη στις φυλακές' ('Suicide of Maria Theodoraki in prison'). *Protovoulia Allileggyis Diokomenon Orothetikon Gynaikon* 17 April [Accessed 3 January 2021] https://diokomenesorothetikes.wordpress.com/2013/04/17/53/

Psarra, A. (2012a) 'Οι Έλληνες οικογενειάρχες στις κάλπες' ('Greek family men at the ballots'). *Enthemata* 29 April [Accessed 2 January 2021] https://enthemata.wordpress.com/2012/04/29/psarra-5/

Psarra, A. (2012b) 'Οροθετικές γυναίκες ή, μήπως, οροθετικοί λόγοι;' ('Seropositive women or, maybe, seropositive discourses?'). *Enthemata* 3 June [Accessed 2 January 2021] https://enthemata.wordpress.com/2012/06/03/agelica/

Psarras, D. (2015) *Golden Dawn on trial*. Athens: Rosa-Luxemburg-Stiftung.

Rasku, M. (2007). *On the border of East and West: Greek geopolitical narratives.* Jyväskylä: University of Jyväskylä.

Rethymniotaki, E., Maropoulou, M. & Tsakistraki, C. (2015) *Φεμινισμός και Δίκαιο (Feminism and law)*. Athens: Ellinika Akadimaika Syggramata kai Voithimata. http://hdl.handle.net/11419/6177

Riedel, B. (2009) 'Stolen kisses: Homophobia as "racism" in contemporary urban Greece.' *In* Murray, D. (ed.) *Homophobias: Lust and loathing across time and space*. Durham, NC: Duke University Press, pp. 82-102.

Rigopoulos, D. (2019) 'Judicial ruling a victory against hatred.' *Ekathimerini* 31 January [Accessed 7 January 2021] https://www.ekathimerini.com/237175/opinion/ekathimerini/comment/judicial-ruling-a-victory-against-hatred

Roudometof, V. (2011) 'Eastern Orthodox Christianity and the uses of the past in contemporary Greece.' *Religions* 2(2), pp. 95-113.

Roufos, P. (2018) *A happy future is a thing of the past: The Greek crisis and other disasters*. London: Reaktion Books.

Rozakou, K. (2017) 'Non recording the "European refugee crisis" in Greece: Navigating through irregular bureaucracy.' *Focaal—Journal of Global and Historical Anthropology* 77, pp. 36-49.

RVRN (2013) 'Ετήσια έκθεση 2012' ('2012 Annual Report'). *Racist Violence Recording Network* 30 April [Accessed 3 January 2021] http://rvrn.org/2013/04/ετήσια-έκθεση-2012/

RVRN (2014) '2013 Annual report.' *Racist Violence Recording Network* 3 April [Accessed 3 January 2021] http://rvrn.org/2014/04/2013-annual-report/

Sharpe, A. (2002) *Transgender jurisprudence: Dysphoric bodies of law*. London: Cavendish.

Sharpe, A. (2018) *Sexual intimacy and gender identity 'fraud': Reframing the legal and ethical debate.* London: Routledge.

Shevchenko, V. & Athanasoulia, S. (2012) 'Greece wrestles with rise in hate crime.' *BBC* 18 September [Accessed 3 January 2021] https://www.bbc.com/news/world-europe-19606136

Simeio website [Accessed 2 January 2021] https://simeio.org.gr/

Smith, H. (2013) 'Greek coalition in crisis talks over anti-racism bill.' *The Guardian* 27 May [Accessed 3 January 2021] https://www.theguardian.com/world/2013/may/27/greek-coalition-talks-anti-racism-bill

Smith, H. (2014) 'Greek laws 'fall short' as racist and homophobic violence surges.' *The Guardian* 7 September [Accessed 3 January 2021] https://www.theguardian.com/world/2014/sep/07/greek-laws-anti-discrimination-racist-homophobic

Sotiropoulos, V. (2014) 'Η μεγάλη περιπέτεια της αντιρατσιστικής νομοθεσίας΄ ('The long adventure of the antiracist legislation'). *E-Lawyer* 23 August [Accessed 7 January 2021] http://elawyer.blogspot.com/2014/08/blog-post_23.html

Spade, D. (2008) 'Documenting gender.' *Hastings Law Journal* 59(4), pp. 731-841.

Spade, D. [2009] (2015) *Normal life: Administrative violence, critical trans politics, and the limits of law.* 2nd ed. Durham, NC: Duke University Press.

Stavrakakis, Y. (2003) 'Politics and religion: On the "politicization" of Greek church discourse.' *Journal of Modern Greek Studies* 21, pp. 153-181.

Stychin, C. F. (2003) *Governing sexuality: The changing politics of citizenship and law reform*. Oxford: Hart Publishing.

Symeonidou-Kastanidou, E. (2016) 'Η ποινική αντιμετώπιση του ρατσισμού και της ξενοφοβίας στην Ελλάδα' ('The penal handling of racism and xenophobia in Greece'). *In* Gasparinatou, M. (ed.*) Έγκλημα και ποινική καταστολή σε εποχή κρίσης. Τιμητικός τόμος για τον καθηγητή Νέστορα Κουράκη, Τόμος Α' (Essays in honor of Professor Dr. Nestor Courakis, Volume I).* Athens: Sakkoulas, pp. 1649-1682.

TGEU (2013) 'Transgender women detained to "improve city" image of Thessaloniki.' *TGEU* 12 July [Accessed 3 January 2021] https://tgeu.org/tgeu-statement-on-transgender-arrests-to-improve-image-of-thessaloniki/

The Economist (2013) 'The Greek far right. Racist dilemmas: Greece needs a more robust anti-racism law.' *The Economist* 22 June [Accessed 3 January 2021] https://www.economist.com/europe/2013/06/22/racist-dilemmas

Theofilopoulos, T. (2015) *Ομοφοβική, τρανσφοβική βία και διακρίσεις στην Ελλάδα: Έκθεση αποτελεσμάτων Έργου «Πες το σ' εμάς» 01/04/2014 - 30/11/2015 (Homophobic, transphobic violence and discrimination in Greece: Outcome report of the project "Tell us" 01/04/2014-30/11/2015)* Athens: Colour Youth.

Theofilopoulos, T. (2016) 'Ταυτότητα φύλου και πρόσβαση στην αγορά εργασίας' ('Gender identity and access to the employment market'). Paper presented in the conference: Η διάσταση του φύλου στην κοινωνική πολιτική και κοινωνιολογία (The gender aspect in social policy and sociology), Athens, 7 October.

Theofilopoulos, T. (2018) 'Η κοινωνία των πολιτών και οι εχθροί της: Ανθρωπιστικές οργανώσεις και εξτρεμιστική δεξιά στην Ελλάδα της κρίσης' ('Civil society and its enemies: Humanitarian organisations and extreme right-wing in the Greece of crisis'). Paper presented at: The sixth conference of the Hellenic Sociological Society, Charokopeio University, Athens, 29-31 March.

Tsarnas, V. (2017) 'Submission to the European Commission against Racism and Intolerance (ECRI) on Greece by GHM, MRG-G and SOKADRE.' *Greek Helsinki Monitor* 27 February [Accessed 3 January 2021] https://greekhelsinki.wordpress.com/2017/02/27/1-34/

Tsilimpounidi, M. (2016) *Sociology of crisis: Visualising urban austerity*. London: Routledge.

Tsilimpounidi, M. & Walsh, A. (eds.) (2014) *Remapping crisis: A guide to Athens.* London: Zero Books.

Tsirou, S.S. (2019) *Η νομική αναγνώριση της ταυτότητας φύλου (Legal recognition of gender identity)*. Athens: Nominki Bibliothiki.

Tsoukala, P. (2007) 'Gender and the law: Notes for a conversation.' *In* Papageorgiou, G. (ed.) *Gendering transformations (*Conference Proceedings), University of Crete, pp. 327-337.

Vaiou, D. (2014) 'Is the crisis in Athens (also) gendered? Facets of access and (in)visibility in everyday public spaces.' *City: Analysis of Urban Trends, Culture, Theory, Policy, Action* 18(4-5), pp. 533-537.

Vaiou, D. (2016) 'Tracing aspects of the Greek crisis in Athens: Putting women in the picture.' *European Urban and Regional Studies* 23(3), pp. 220-230.

ValtousX website [Accessed 2 January 2021] https://valtousx.gr/en/

Varikas, E. (1993) 'Gender and national identity in *fin de siècle* Greece.' *Gender & History* 5(2), pp. 269-283.

Vitoros, K. (2008) 'Η ελληνική δικαιική αντίληψη για τη σεξουαλικότητα' ('The Greek legal perception of sexuality'). *In* Maropoulou, M. (ed.) *Το φύλο, το σώμα και η έμφυλη διαφορά: Η συνάντηση δικαίου και κοινωνικής προβληματικής (Gender, body and gendered difference: The encounter of law and social problematics)*. Athens: EKPA, pp. 108-128.

Voulgaris, G. (2015) 'Τα εγκλήματα μίσους και η ποινική αντιμετώπισή τους στην Ελλάδα' ('Hate crime and their criminal handling in Greece'). *Poiniki Dikaiosyni* 3, pp. 275-279.

Vovou, S. (2014) 'Άλλη μια διαπομπευμένη οροθετική λιγότερη' ('Another publicly humiliated seropositive woman less'). *To Mov* 19 November [Accessed 3 January 2021] https://tomov.gr/2014/11/29/alli-mia-diapompeymeni-orothetiki-ligoteri/

Vovou, S. (2016) 'Αθώες οι 11 κατηγορούμενες οροθετικές – Οι ένοχοι του εγκλήματος πότε θα τιμωρηθούν;' ('The 11 accused seropositive women were found innocent – When will the guilty parties for this crime pay?'). *To Mov* 16 December [Accessed 3 January 2021] https://tomov.gr/2016/12/16/athoes-oi-11-katigoroymenes-orothetikes-oi-enochoi-egklimatos/

Vradis, A. & Dalakoglou, D. (eds.) (2011) *Revolt and crisis in Greece: Between a present yet to pass and a future still to come*. Oakland, Baltimore, Edinburgh, London & Athens: AK Press & Occupied London.

Whittle, S. (2002) *Respect and equality: Transsexual and transgender rights,* London: Cavendish.

Zoulas, K. (2014) 'Ξαφνικό κώλυμα στον αντιρατσιστικό' ('Sudden obstruction for the antiracist law'). *Kathimerini* 24 August [Accessed 26 September 2018] https://www.kathimerini.gr/780885/article/epikairothta/politikh/3afniko-kwlyma-ston-antiratsistiko

Greek Legislation

Law 344/1976 (GG A΄143/11.6.1976) 'On registration acts.'

Law 2503/1997 (GG A 107/30.5.1997) 'Administration, organisation, staffing of regions amendment of provisions concerning the local government and other provisions.'

Law 3896/2010 (GG A΄207/8.12.2010) 'On the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation – Harmonisation of legislation with Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006.'

Law 4139/2013 (GG A΄74/20.3.2013) 'Narcotic acts and other provisions.'

Law 4285/2014 (GG A 191/10.9.2014) 'Implementing the International Convention on the

Elimination of All Forms of Racial Discrimination (CERD) and Framework Decision 2008/913/JHA.'

Law 4356/2015 (GG A' 181/24.12.2015) 'On the co-habitation contract, exercise of rights, penal and other provisions.'

Law 4491/2017 (GG A 152/13.10.2017) 'Legal recognition of gender identity – National mechanism for the materialisation, monitoring and evaluation of action plans for children's rights and other provisions.'

Law 4619/2019 (GG A' 95/11.06.2019) 'Validation of the Penal Code.'

Public Health Decree 39A/2012 (GG B 1002/02.04.2012) 'Provisions concerning controlling the contagion of infectious diseases.'

Other Official Documents

CommDH(2013)6. Commissioner for Human Rights of the Council of Europe Nils Muižnieks. *Report* issued on 16 April 2013 [Accessed 2 January 2021] https://rm.coe.int/16806db8a8

Comment of the Government of Greece on the report of the Commissioner for Human Rights [Accessed 2 January 2021] https://rm.coe.int/16806db732

Document No 7017/4/16499. Issued on 28.06.2013 and signed by N. Dendias [Accessed 2 January 2020] https://www.hellenicparliament.gr/UserFiles/67715b2c-ec81-4f0c-ad6a-476a34d732bd/8126234.pdf

Parliamentary question no 11381/4.6.2013 [Accessed 2 January 2021] https://www.hellenicparliament.gr/UserFiles/c0d5184d-7550-4265-8e0b-078e1bc7375a/8096751.pdf

Parliamentary question no 11530/6.6.2013 [Accessed 2 January 2021] https://www.hellenicparliament.gr/UserFiles/c0d5184d-7550-4265-8e0b-078e1bc7375a/8100842.pdf

Parliamentary question no 11551/6.6.2013 [Accessed 2 January 2021] https://www.hellenicparliament.gr/UserFiles/c0d5184d-7550-4265-8e0b-078e1bc7375a/8100793.pdf