Exploring the Boundaries of Legal Rights for Improving LGBTQIA+ People's Safety: towards a Transformative Justice Approach

A case study of Belgium

Lisa Van Gorp

Master of Science in Social Studies of Gender

Department of Sociology

Supervisor: Shai Mulinari

16th of May 2024

Abstract

Belgium is celebrated for its progressive LGBTI legislation, ranking second on the ILGA index. At the same time Belgian LGBTQIA+ people experience alarmingly high rates of violence and fear. This thesis examines two competing narratives about the relationship between LGBTI legislation and LGBTQIA+ experiences of safety: (1) 'LGBTQIA+ safety requires state protection'; and (2) 'LGBTQIA+ safety requires transformative justice'. Using data from the EU LGBTI II survey conducted by the FRA (2023), this study reveals that robust LGBTI legislation does not necessarily translate to increased safety for LGBTQIA+ individuals. Consequently, homonationalist discourses that uniformly celebrate Belgium as LGBTI-friendly should be reconsidered in favour of a transformative justice approach that addresses systemic inequalities. Hierarchical multiple regression analysis indicates that endo-trans* and intersex individuals, as well as LGBTQIA+ persons who belong to ethnic, disability, or other minorities, and those who are younger, face financial or housing difficulties, and live in urban areas, have higher odds of experiencing physical and sexual attacks and harassment. Additionally, cis-endo-lesbians have higher odds of experiencing fear when holding hands with a same-sex partner, and cis-endo-gay men are more likely to avoid certain locations due to fear of attack or harassment. Thematic analysis of interviews with experts in LGBTQIA+ policymaking and advocacy further highlights that policymakers might predominantly adhere to the narrative of state protection, while advocates lean towards transformative justice. This discrepancy suggests that current policies may overlook approaches that go beyond state recognition. This research underscores the need for a paradigm shift towards transformative justice to better address and mitigate the experiences of violence and fear within the LGBTQIA+ community in Belgium.

Keywords: LGBTI legislation, LGBTQIA+ safety, legal rights discourse, transformative justice, homonationalism, homonormativity, mixed methods

(Wordcount: 21996)

Popular science summary

Belgium, often applauded for its progressive stance on LGBTI rights, presents a paradox: despite robust legal protections, LGBTQIA+ individuals face disproportionately high rates of violence and fear. This thesis tries to understand this discrepancy through the lens of two different understandings of how to improve LGBTQIA+ safety: one advocating for state protection, and the other championing transformative justice that addresses systemic inequalities.

Following the first understanding of safety, we would assume that in countries with better LGBTI legislation, LGBTQIA+ people experience less violence. However, I find only a weak relationship between how many LGBTQIA+ people experience discrimination and harassment and how robust a countries LGBTI legislation is. Moreover, I find that Belgian LGTQIA+ people experience more violence and fear compared to the European average, despite Belgium having some of the most progressive LGBTI legislation in Europe.

Following the second understanding of safety, we would assume that violence does not affect all LGBTQIA+ people equally, but that people who face more systemic inequality will face more violence. Indeed, I find that trans* and intersex people have higher odds of experiencing physical and sexual attack and harassment, as do LGBTQIA+ people who are part of an ethnic, disability or other minority, and LGBTQIA+ people who are younger, face financial or housing difficulties, and live in urban areas. I also find that lesbians, who are not trans or intersex, have higher odds of experiencing fear when holding hands with a same-sex partner, and that gay men, who are not trans or intersex, have the highest odds of avoiding certain locations due to fear of attack or harassment based on their LGBTI identity. This suggests that the groups who are most scared of violence are not the same as those who experience it most.

I interviewed one LGBTQIA+ policymaker and one LGBTQIA+ advocate to know which of these two understandings of safety is most present when they talk about Belgium. I found that the policymaker, who works for the state, more often

advocated for state protection, while the advocate, working for a non-profit organization, more often advocated for transformative justice. The state-oriented focus of the policymaker might lead current policies to overlook approaches that go beyond legislative action. Seeing that my findings are more supportive of the second understanding of safety, I argue that to improve safety for all LGBTQIA+ people, we should not only focus on improving LGBTI legislation, but we should also address systemic inequality by for example tackling gender-binary norms, fighting racism and ableism and addressing poverty. Only then can Belgium truly become a safe place for LGBTQIA+ people.

Table of Contents

Table of tables

Table of figures

1. **Introduction**

Belgium stands out internationally as a beacon of progressiveness in the realm of LGBTI[1] rights. In honour of pride week, the official @belgium Instagram page posted "Belgium is proud. Proud to celebrate more than 20 years of same-sex marriage. Proud to rank 2nd in the ILGA-Europe Rainbow Index" (Belgium, 2024). On the same day vrtnws, the Flemish public broadcaster's news service, headlined "More than half of LGBTQ people in Belgium dare not walk down the street hand-in-hand, 1 in 7 has actually been attacked in recent years [my translation]" (Grommen, 2024) reporting on recent findings of the EU Agency for Fundamental Rights (FRA). How is it possible that in a country that is internationally applauded for its LGBTQIA+ friendliness, LGBTQIA+ people still face so much violence? And more importantly, how can we address this violence? In this thesis I will argue that legal rights alone do not make a country a safe space, but that if Belgium is to address the violence faced by LGBTQIA+ people, particularly by those facing most marginalization, it will have to focus on transformative justice approaches to safety that address structural inequality and centre the experiences of marginalised people.

1.1 **Background and relevance**

The relationship between LGBTI legislation and LGBTQIA+ safety is a topic of much theoretical debate, but there is little empirical research into this relation. I wish to contribute to these theoretical discussions by providing an analysis of how two opposing narratives about safety - (1) 'LGBTQIA+ safety requires state protection'; and (2) 'LGBTQIA+ safety requires transformative justice' – match the experiences of LGBTQIA+ people. Following these two narratives, I will look into the relationship between LGBTI legislation and safety experiences of

---

[1] Throughout this thesis, I will use the term LGBTQIA+ (lesbian, gay, bisexual, transgender, queer, intersex, asexual, and other identities not encompassed in the acronym) when referring to individuals who identify with diverse sexual orientations, gender identities and variations in sex characteristics. In reference to Belgian legislation, I will use the term LGBTI, as the legislation focusses on lesbian, gay, bisexual, transgender and intersex people, while often leaving out non-binary people, genderfluid people, and asexual people among others, which I will discuss in more detail in the theoretical frame of this thesis. When referencing specific policies, research, or organizations, I will adopt the terminology they use, including LGBTI, LGBTI+, LGBTQ, LGBTQ+, and queer.

LGBTQIA+ people; and into the heterogeneity of experiences of violence among Belgian LGBTQIA+ people. Although there is some Belgian literature that explores how different LGBTQIA+ people are affected by violence to differing degrees, this research is sometimes contradictory, often focusses only on Flanders (excluding Wallonia), and overlooks some factors that I deem interesting, such as the intersection with disability and housing difficulties. Having gained a better understanding of these two narratives, I will analyse how they are being used by LGBTQIA+ policymakers and advocates when talking about LGBTQIA+ safety in Belgium. So doing, I want to understand how these narratives inform proposed solutions to violence faced by LGBTQIA+ people.

While statistical methods might not be the most typical choice within sociological feminist research, I think that it is important that our understandings of issues such as violence are informed by a wide variety of experiences. Statistical data offers a panoramic view of the prevalence and patterns of violence experienced by LGBTQIA+ individuals across different demographics and regions within Belgium. This way, I hope to identify systemic patterns and structural inequalities that contribute to the perpetuation of violence against LGBTQIA+ individuals. I chose to complement this quantitative approach with two qualitative expert interviews, to gain a richer understanding of the two narratives and their prevalence within advocacy and policymaking.

I chose to focus on Belgium, because Belgium is proposed as a particularly interesting country within the literature seeing that despite its LGBTQ-friendly reputation, and legal support of LGBTQIA+ people, harassment and violence targeting LGBTQIA+ occurs frequently (Verhoeven et al., 2023). Next to this substantive reason, there is also the more practical reason that I grew up in Belgium, am familiar with the context, and speak Dutch and French, allowing me to engage with local literature and interview experts in their native tongue.

1.2 **Research question**

This thesis tries to answer to research questions: (1) 'How do LGBTQIA+ people's experiences match narratives of LGBTQIA+ safety as requiring state protection versus transformative justice?'; and (2) **'**How are these narratives utilized by LGBTQIA+ policymakers and advocates?'.

I divided the first research question into two hypotheses following the logic of the two narratives, namely: (1.1) 'LGBTQIA+ individuals living in countries with more robust LGBTI legislation will experience more safety.'; and (1.2) 'Differences in gender identity, sexual orientation, intersex status, minority status and socio-demographic background contribute to differences in experiences of safety among Belgian LGTBQIA+ individuals.'.

The first research question (1) delves into the efficacy of different approaches to promoting LGBTQIA+ safety, while the second question (2) is about the usage of these approaches within LGBTQIA+ policymaking and advocacy. The first hypothesis (1.1) tests the narrative that LGBTQIA+ safety requires state protection by examining the relationship between LGBTI legislation and experiences of safety across European countries. The second hypothesis (1.2) tests the narrative that LGBTQIA+ safety requires transformative justice by examining the relationship between systemic inequality and experiences of safety within Belgium.

Figure 1: overview of thesis structure
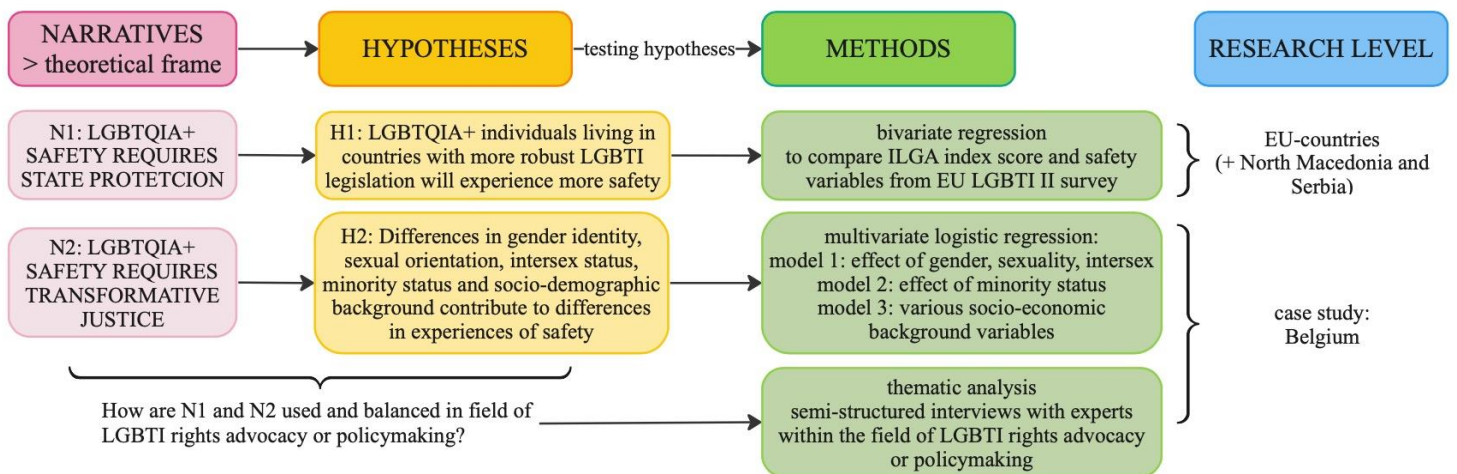
1.1 **Structure of the thesis**

I will start by providing more information about Belgium as a case study, by giving a brief overview of Belgian LGBTI legislation and Belgian attitudes towards LGBTQIA+ people. Then I will discuss the existing literature and how it relates to my two research questions and hypotheses. Subsequently, I will delve deeper into the theoretical discussions that inform the two narratives that I am analysing. I will explain how through a homonationalist rhetoric a 'uniformly LGBTI-friendly' Belgian nation is contrasted with 'uniformly LGBTI-unfriendly' Muslim migrants and Central/Eastern-European others. I will critique the idea that Belgium is 'uniformly LGBTI-friendly' by explaining how legal rights often fail to the systems of oppression that cause LGBTQIA+ people's marginalization, but rather they categorize LGBTQIA+ people following homonormative logics. I will conclude this theoretical overview by arguing argue for a transformative approach to justice as described by Dean Spade (2015) that understands violence to be a result of systemic oppression and is led by the most marginalized populations. Then I will give an overview of the different data and methods that I will be using and present the results of my different analyses. Finally, I will relate my findings to the literature and theory that I have discussed and formulate a conclusion for how to address violence faced by LGBTQIA+ people.

2. Background on Belgium as case-study

Belgium is internationally regarded and positions itself as a particularly safe space for LGBTI people (Bomans, 2022; Eeckhout & Paternotte, 2011; Verhoeven et al., 2023). In the 2021-2025 federal actionplan 'for a LGBTQI-Friendly Belgium' Alexander De Croo, Belgium's current prime minister, is quoted saying "Love is love. Belgium has always been a pioneer in the area of LGBTI+-laws. Almost 20 years ago we introduced gay marriage. And in other areas too we are leading. That openness is deeply engraved in our society." [my translation from Dutch]. This LGB(TI)-friendly self-understanding is shared in the media by politicians from all over the political spectrum, referencing Belgium's progressive LGB(TI) legislation as well as a wide LGB(TI) acceptance among the general population (Bomans, 2022; Verhoeven et al., 2023).

In terms of legal rights, Belgium indeed has a relatively long history of LGB(TI) progressiveness. Its strong legal framework puts Belgium in second place on ILGA's (international lesbian, gay, bisexual, trans and intersex association) 2023 Rainbow Europe Map and Index[2]. This index "ranks all 49 European countries on a scale between 0% (gross violations of human rights, discrimination) and 100% (respect of human rights, full equality)" (ILGA-Europe, 2023a). The countries are ranked "on the basis of laws and policies that have a direct impact on the LGBTI people's human rights" (ILGA-Europe, 2023a). In 2023, Belgium scored 77%, awarding it a shared second place with Denmark, behind Malta who scored 90% (ILGA-Europe, 2023b)

2.1 Belgian political structure

To understand the Belgian LGBTI legislative landscape, one needs a brief introduction to Belgium's political structure. Belgium is a relatively small Western European country that is divided into three highly autonomous regions: the Flemish region in the north; the Walloon region in the south; and the Brussels-capital

---

[2] I will from here on refer to this index as 'ILGA index'

Region. Flanders is mostly Dutch-speaking; Wallonia mainly French-speaking, with a German minority; and Brussels, although located within Flanders, is mostly French-speaking. Politically, Belgium has one federal government, three regional governments (for the three regions) and three community governments (Flemish, Walloon, and German-speaking). This political division means that legislative and policy decisions are divided between the federal, regional and communitarian jurisdiction. For example, anti-discrimination laws are a federal matter, but equal opportunities are a communitarian matter.

This also means that there is no unified Belgian LGBTQIA+ movement. There are three big LGBTQIA+ organisations in every region: Çavaria in Flanders; Fédération Prisme in Wallonia; and RainbowHouse in Brussels. These three organisations are advocacy/lobby organisations, as well as umbrella organisations for a big variety of smaller organisations that have more specific target audiences and different goals. All three organisations rely mostly on government, not private, funding, but as this funding falls under communitarian jurisdiction it varies a lot between the organisations. Çavaria receives most government funding and has done so for a much longer time then the other two regional organisations. As a result, it had much more political influence, much earlier on (Eeckhout, 2016, pp. 18–19).

2.1 LGBTI legislation: Belgium, a queer utopia?

In the following four sections (3.2.1 – 3.2.4), I will give an overview of the Belgian landscape in terms of LGBTI legislation and briefly discuss the historical development of some important Belgian LGBTI laws that contribute to Belgium ranking second place on the ILGA index.

2.1.1 Marriage equality & parental rights

In 2001, Belgium enacted a law on statutory cohabitation, which allowed two unmarried cohabitants to declare their statutory cohabitation, regardless of their sex or gender. Two years later, in 2003, Belgium opened up marriage to include same-sex partners (Borghs & Eeckhout, 2010, p. 5,7). Belgium was the second country in the world to do so, after only the Netherlands. Joint adoption and second-parent adoption by same sex people was legalised in 2006 (ILGA-Europe, 2024). Since

2007, medically assisted insemination is legal for same sex-couples and singles. Since 2018 the sex of the parent is no longer used in birth certificates (ILGA-Europe, 2024).

2.1.1 Anti-discrimination legislation

In 2003, Belgium adopted its first anti-discrimination law, building on the 1981 'Anti-racism law' and the 1999 'Gender law'. This anti-discrimination law aims to prevent and combat discrimination in various areas of public life, including employment, education, housing, healthcare, and access to goods and services. The law prohibits discrimination on the basis of several protected characteristics, including sexual orientation and sex, alongside for example age, religion and disability. It establishes mechanisms for individuals to file complaints of discrimination and seek legal recourse. This includes procedures for investigation, mediation, and adjudication of discrimination cases by relevant authorities. Penalties for violating the anti-discrimination law can include fines and other sanctions, depending on the severity of the discrimination and the circumstances of the case. Additionally, the law requires employers, service providers, and other entities to take proactive measures to prevent discrimination and promote equality (Borghs & Eeckhout, 2010, p. 7).

In 2014 the 'Gender law', aimed at preventing and combatting discrimination on the basis of gender, was amended to include 'gender identity' and 'gender expression' and it was amended once more in 2020 to include 'sexual characteristics' as a protected ground of discrimination (ILGA-Europe, 2024). The first amendment served to protect trans*[3] individuals from discrimination and the second to also protect intersex[4] individuals. When hate crime or hate speech are

---

[3] I use trans* as an umbrella term to encompass a diverse range of gender identities and expressions that do not align with the sex assigned at birth. I include the asterisk (*) to represent additional identities beyond transgender, such as non-binary, genderqueer, agender and genderfluid. When citing authors talking about transgender people specifically, I will not use the asterisk.

[4] Intersex is a general term used for a variety of conditions in which a person is born with a sexual anatomy that doesn't fit typical definitions of male or female. The opposite is called endosex.

committed with a discriminatory motive on the basis of any of the above-mentioned protected grounds, that is deemed an aggravating factor (ILGA-Europe, 2024).

2.1.1 Legal gender recognition

Furthermore, there exist legal measures and administrative procedures for gender recognition since 2007, including the change of one's legal first name and sex-marker, now defined as 'gender marker'. Since 2017 this process of gender recognition is self-determined and no longer requires compulsory medical/surgical intervention, sterilisation or divorce. It is however (at the moment of writing) only possible to choose between the 'F' or 'M' gender-marker and the first name has to align with the gender on someone's identity documents, which excludes non-binary individuals and individuals with a more fluid gender-identity (Meier & Motmans, 2020, p. 245). Since 2023 this administrative procedure has been simplified and it is possible to change ones registered gender and name multiple times. However, the gender-marker can only be changed once a child has turned 16 and until they are 18 only with parental and psychiatric consent (not in the form of a diagnosis, but as a testament to their ability to give informed consent). Hormone therapy (consisting of puberty inhibitors and/or administration of gender-affirming hormones) is allowed as early as the onset of puberty after approval by an expert team. Gender-confirming surgeries are allowed from the age of 18 (Institute for the equality of women and men, n.d.).

2.1.1 Intersex bodily integrity

Another area in which there is still room for legal improvement is intersex bodily integrity. There is no prohibition of medical intervention before a child is able to give informed consent. In 2021, the Belgian House of Representatives unanimously adopted the "Resolution for recognizing the right to bodily integrity of intersex minors", but a framework to recognize this right still has to be put in place. Furthermore, there is no universality of prohibition of medical interventions, no effective monitoring mechanism, and no access to justice or reparations for victims (ILGA-Europe, 2024).

2.2 Attitudes towards LGBTQIA+ people

Belgian attitude research indicates a complexity within attitudes towards LGBTQIA+ people rather, than a uniformly tolerant population.

According to Pickery and Noppe (2017), 89% of Flemish people agree that 'homosexuals should be able to live their life as they want' [my translation] and 80% thinks that 'same-sex partners should be able to get married' [my translation]. While this seems to indicate a general tolerance of homosexuality, at the same time, 25% thinks that 'there is too much attention on homosexuality' [my translation] and 30% thinks that 'all the attention gets annoying' [my translation]. Furthermore, 18% disagrees that 'homosexual women and men should have the same adoption rights as heterosexual couples' [my translation]. Finally, 28% finds it 'offensive when two men kiss in public' [my translation] while 21% finds it offensive when two women do so´ (Pickery & Noppe, 2017). It seems that while Flemings may be accepting of homosexuality in theory, this is less the case when they are confronted with it in practise.

Similarly, in a 2016 study by Noppe, 60% of Flemish people 'find it important when meeting someone to know whether they are male or female' [my translation], 9%: 'would break a friendship if a friend would want to adjust their sex' [my translation], and 57% thinks that trans people 'should pay for medical transition by themselves' [my translation] (Noppe, 2016). Additionally, in a study by van Ditzhuijzen and Motmans (2020) 12% of Flemings agree that 'there is something wrong with people who do not feel male or female' [my translation]. 7.3% of Flemish people agree with the statement 'I would rather not interact with people who are intersex' [my translation]. Similarly, 14.2% agrees that 'attention for intersex people is a fashion trend' [my translation]. Finally, 16.3% agrees that 'when the sex characteristics of a baby are not clearly male or female, this should be adjusted with surgery' [my translation] (van Ditzhuijzen & Motmans, 2020). These findings suggests that trans, gender non-conforming and intersex people are not fully accepted by a significant portion of Flemings.

According to the 2023 Eurobarometer, 75% of Belgians are comfortable with the idea of having a lesbian, gay, or bisexual individual in the highest elected political position, surpassing the European average of 68% (European Comission, 2023). Similarly, 62% of Belgians would feel at ease if this position were held by a transgender or intersex person, compared to 58% of Europeans. Furthermore, 67% of Belgians would support their child being in a same-sex relationship, which is higher than the European average of 59%. However, only 48% would be comfortable if their child were dating a transgender or intersex person, aligning with the European average. Regarding education, 71% of Belgians agree that sexual orientation information should be included in school curriculum, in line with the European average. Similarly, 68% believe multiple gender identities, including being transgender, should be addressed in educational materials, also matching the European average (European Comission, 2023).

When it comes to rights, a majority of Belgians, 77%, advocate for equal rights for lesbian, gay, and bisexual individuals, including marriage, adoption, and parental rights, compared to 69% of Europeans. Similarly, 72% believe transgender people should have the same rights, contrasting with 64% of Europeans. Belgians also exhibit broad acceptance of same-sex relationships, with 80% seeing nothing wrong with them, compared to 74% of Europeans. Additionally, 79% support the legalization of same-sex marriages across Europe, surpassing the European average of 72%. Finally, 70% of Belgians support transgender individuals' ability to change their civil documents to reflect their gender identity, exceeding the European average of 62% (European Comission, 2023).

Overall, Belgium consistently demonstrates higher levels of acceptance compared to the European average, though it falls behind countries such as the Netherlands, Sweden, Denmark, and Spain, that show much higher levels of tolerance on most items (European Comission, 2023). Notably, acceptance tends to be higher for sexual minorities than for transgender and intersex individuals, both in Belgium and across Europe.

There seems to be a lack of data on attitudes of Walloon people, though according to a comparative study by Meeusen et al. (2017), compared to Walloons, Flemings feel slightly more positive towards homosexuals, while both feel more positively towards homosexuals, than to members of the other regional group, Jewish people, and immigrants.

3. Literature review: LGBTQIA+ safety

3.1 LGBTI legislation and LGBTQIA+ experiences of violence

Whether LGBTQIA+ safety requires state protection has been a subject of considerable theoretical discussion, which I will expand upon in the theoretical framework (for example: Eeckhout & Paternotte, 2011; Spade, 2015; Wekker, 2016). However, empirical studies examining the relationship between LGBTI legislation and LGBTQIA+ experiences of safety are relatively scarce. I found one study by Smith and Chew (2021) who conducted a longitudinal analysis examining the impact of legal and social changes on the lives of American LGBTQIA+ survivors of sexual violence, by comparing experiences in 2013 and 2018. Their study revealed a somewhat more accepting environment for LGBTQIA+ survivors, though substantial room for improvement persists (Smith & Chew, 2021).

Other studies have explored the relationship between LGBTI legislation and societal attitudes towards LGBTQIA+ individuals, specifically between same-sex marriage laws and attitudes towards homosexuality (Hooghe & Meeusen, 2013), between LGBTI legislation and discrimination report rates, specifically in the workplace (Fric, 2019), and between LGBTI legislation and disclosure behaviour of sexual minorities (Katz, 2021). All three studies employ a cross-national analysis, source their data on LGBTQIA+ experiences from the FRA LGBTI I survey, and operationalise LGBTI legislation using the ILGA index. This is done either by dividing countries into groups with similar legislation (Hooghe, Meeusen, 2013), or by integrating ILGA index scores directly into the FRA dataset (Fric, 2019, Katz, 2021). The results of these studies differ. Hooghe and

Meeusen (2013) conclude that prejudice against homosexuality are significantly lower in countries that recognize same-sex marriage, and Katz (2021) finds that governmental support correlates indirectly and positively with disclosing one's sexuality, mediated by the perceived effectiveness of government actions against intolerance towards LGBTI individuals. Conversely, Fric (2019) finds that gay men are less inclined to report discrimination incidents in countries with more extensive anti-discrimination laws. This literature does not give a uniform indication of whether LGBTQIA+ individuals living in countries with more robust LGBTI legislation will indeed experience more safety.

3.2 LGBTQIA+ people's experiences of violence: Belgium a site of violence?

Despite Belgium's extensive LGBTI legislation, Belgian LGBTQIA+ individuals still experience high numbers of violence. In the 'Genoeg, Enough, Assez study' (2023) 93.1% of Flemish LGBTI respondents reported having experienced verbal or psychological violence at least once in the two years prior to the study. Of this percentage, 92.6% attributed such violence to their sexual orientation, gender identity, and/or intersex experience. Additionally, 36.5% reported experiencing some form of physical violence, with 53.8% attributing it to their LGBTI identity, 64.5% reported experiencing sexual violence, with 67.4% attributing it to their LGBTI identity, and 27.2% reported facing material violence (destruction of property), with 31.9% attributing it to their LGBTI identity (Burgwal et al., 2023).

Moreover, Belgians belonging to a sexual minority (sexual orientation, gender identity, and/or being intersex) report experiencing more sexual violence than heterosexual respondents, and those part of multiple minorities report even more (De Schrijver et al., 2022). In 2022, out of the 7310 reports made at UNIA (Interfederal Centre for Equal Opportunities and Opposition to Racism) 137 were related to sexual orientation. Out of the 1046 reports made at IGVM in 2022, 114 were related to being transgender (IGVM, 2022).

As far as I am aware there is no similar data specifically about Walloon LGBTQIA+ people's experiences with violence. This lack of data is an issue that is noted by for example Mathieu et al. (2020).

Although all LGBTQIA+ people face a heightened risk of violence, the specific types and levels of violence experienced vary among different sub-groups of LGBTQIA+ people. I will first discuss how in the literature these experiences differ based on sexual orientation, gender identity and/ or being intersex, secondly, I will focus on differences based on minority status, and thirdly, I will focus on differences based on socio-demographic characteristics.

3.2.1 Differences based on sexual orientation, gender identity and/ or being intersex

According to Burgwal et al. (2023) homosexual men, bi+ people, and genderqueer people experienced significantly more physical violence compared to lesbian and asexual people (homosexual 38.6%, lesbian 25.6%; bi+ 43.1%; asexual 25%; genderqueer 51.6%). This effect remained significant when controlling for background variables. With all background variables considered, they found no significant differences in the prevalence of verbal and or psychological violence, sexual violence and material violence between sexual orientation groups and gender groups. Since there was only a small sample of intersex respondents Burgwal et al. (2023) were unable to compare the prevalence of violence between intersex and endosex people. Nonetheless 100% of the intersex people in their sample reported experiencing verbal and or psychological violence (N=27), 40% reported experiencing physical violence (N=20), 81.3% reported experiencing sexual violence (N=16), and 26.7% reported experiencing material violence (N=15). (Burgwal et al.) These high numbers are echoed by van Lisdonk (2014) who finds that intersex people report high levels of verbal and psychological violence.

D'haese et al. (2014) found that Flemish homosexual and bisexual men experience significantly more physical (34.7%), sexual (44.9%) and material violence (24.2%) compared to lesbian and bisexual women (respectively: 24.3%; 33.9%; and 16.9%). They also found that gender non-conforming (described by others as too-boyish or

too-girly) LGB+ individuals experienced more violence than gender-conforming LGB+ individuals. On the other hand, De Schrijver et al. (2022) found that self-identifying as LGB+ and being eded female at birth increased the odds of sexual victimization within the general Belgian population.

Motmans et al. (2015) found that Belgian trans women experience more verbal/psychological (81.5%), physical (31.7%), sexual (38%) and material violence (20.8%), compared to trans men (respectively: 69.6%; 18.5%; 11.8%; and 10%). They also found that trans individuals with a lower subjective passability (they think they can be recognized as being transgender) experience more verbal and sexual violence.

3.2.2 Differences based on ethnic, religious and disability minority status

Burgwal et al. (2023) found that Flemish LGBTQIA+ individuals who are part of an ethnic minority experience more physical violence because of their LGBTQIA+ identity, while those who are religious (not necessarily part of a religious minority) experience more material violence attributed to their LGBTQIA+ identity. De Schrijver et al. (2022) found no significant relationship between identifying with a minority group because of religion or life philosophy, skin colour, or ethnicity ('cultural minority') and exposure to sexual victimization. They did, however, find that respondents who belong to a total of at least two minority groups (sexual and gender minority; cultural minority; other minority), had a higher risk of experiencing sexual violence.

A specific focus on LGBTQIA+ individuals with a disability is often lacking within Belgian research, though De Schrijver et al. (2022) found that Belgians who indicated belonging to a minority group because of a disability, age, or another characteristic ('other minority') had a higher risk of sexual victimization. Turning to international research, Leonard & Mann (2018) found that LGBTI Australians with disabilities were more likely to have experienced harassment or violence in the preceding year compared to those without (46% vs. 33%). Similarly, in a survey of sexual minority women in the US, those with disabilities faced a higher

prevalence of discrimination compared to those without disabilities (Eliason et al., 2015). They were more likely to be insulted or called names (49% vs. 22%) and be treated by others with a sense of superiority (73% vs. 54%). Likewise, the 2015 US Transgender Survey highlighted that transgender adults with disabilities were more susceptible to discrimination and violence compared to the overall respondent group (69% vs 58%). They also reported higher instances of sexual assault (61% vs. 47%) and police mistreatment (68% vs. 58%) compared to those without disabilities (James et al., 2016).

3.2.3 Differences based on socio-demographic characteristics

Burgwal et al. (2023) found that Flemish LGBTQIA+ individuals who were younger, had more financial difficulties and who avoided expressing their sexuality or gender identity openly out of fear for negative reactions reported experiencing significantly more verbal/psychological, physical, and sexual violence. Material violence was reported significantly more often by respondents with more financial difficulties. At the same time, they found that older respondents report experiencing more material violence because of their LGBTQIA+ identity.

Motmans et al (2015) found no significant differences in the prevalence of violence against Belgian trans individuals based on whether they have a partner, their age, or their educational level. They did find that trans individuals who were unemployed, experienced long-term illness or work invalidity more often reported experiencing verbal/psychological, physical and, material violence, compared to those who were working.

Buysse et al. (2013) found that 27% of Flemish LGB+ individuals experienced at least one form of sexual transgressive violence before the age of 18, compared to 15% who experienced at least one form of sexual transgressive violence after the age of 18. Within the general population these numbers are lower, respectively 16.6% before 18 and 8,1% after. De Schrijver et al. (2022) found that perceiving one's financial situation as difficult was a strong predicator of sexual victimization. They also found that being younger increases the odds of sexual victimization.

The literature clearly indicates that Belgian LGBTQIA+ people are not safe from violence. Moreover, it is also clear that different types of violence affect different Belgian LGBTQIA+ people to differing degrees, but the literature does not always agree on which groups of LGBTQIA+ people face the highest threat of violence. For example, there seems to be disagreement on whether gay and bisexual men (Burgwal et al., 2023, D'haese et al 2014) or lesbian and bisexual women (De Schrijver et al. 2022) face more sexual and physical violence, and on whether trans men (De Schrijver et al. 2022) or trans women (Motmans et al.) experience more sexual and physical violence. Only Burgwal et al. indicate that ethnic and religious minorities report increased physical and material violence, respectively, as a result of their LGBTQIA+ identity, and a focus on disability minorities is often lacking. Finally, younger LGBTQIA+ individuals (Burgwal et al. 2023, Buysse et al. 2013, De Schrijver et al. 2022) and LGBTQIA+ individuals with financial difficulties (Burgwal et al. 2023, De Schrijver et al., 2022) or who are unemployed (Motmans et al., 2015) experience more verbal/psychological, physical, and sexual or material violence.

3.3 Different discursive strategies to LGTBQIA+ safety

Discursive analyses comparing state/rights focussed and transformative approaches to LGBTQIA safety/ justice in Belgium focus mostly on political rhetoric, popular media, and newspapers (Bomans, 2022; Bracke, 2012; Dhoest, 2020, 2021; Vanlee, 2019; Verhoeven et al., 2023), or on lived experiences of LGBTQIA+ people (van den Brandt, 2016, 2018).

Egner (2019) analyses how these narratives are utilized by LGBTQIA+ advocates by comparing five American LGBTQIA/disability intersectional social movement organizations and their discursive positionings as either hegemonic, stressing sameness to dominant group, or queer, stressing difference. By analysing their webpages, she finds that organisations are more likely to use queer discourse if they are inclusive of a wide range of marginalized identities, while they are more likely to use hegemonic discourse if they are more affluent, organized, and exclusive (Egner, 2019).

Similarly, Alm (2021) delves into the historical continuity of narratives regarding the state's role in discussions surrounding trans* rights within the Swedish context. Employing Dean Spade's (2015) theoretical framework, she examines the tension between liberal rights discourses, focused on assimilation or regulation, and transformative politics that want restorative justice (Alm, 2021, pp. 213-214). Alm observes that Swedish trans* organizations often critique state violence and question legal reforms and individual rights as tools for addressing injustice, while simultaneously maintaining a state-oriented approach by engaging with politicians and bureaucrats to bring about social change. She concludes that while Spade's argument that radical social justice efforts cannot be achieved through reformist strategies, only through transformative approaches that challenge institutionalized systems of oppression, has merit, it becomes problematic when applied universally to understand activist organizing in contexts that differ from the US, particularly in contexts where organizations rely on government funding instead of private funding (Alm, 2021).

Following this international literature, we might assume that the usage of a state/rights focussed versus a more transformative justice focussed narrative by advocates and policymakers depends on the levels of inclusivity and privilege/exclusivity of their organisations (Egner, 2019). Moreover, we should keep in mind that organisations can seek transformative justice through state-oriented approaches (Alm, 2021).

4. **Theoretical Frame: Defining LGBTQIA+ safety**

To gain a better understanding of LGBTQIA+ safety, we might want to start by defining 'safety'. According to the Oxford English Dictionary, 'safety' means: "The state of being protected from or guarded against hurt or injury; freedom from danger." Although at first this might seem like a straightforward definition, when thinking more critically some key questions emerge: What do we understand by 'hurt or injury' and 'danger'? How should one be 'protected' or 'guarded'? and Who is responsible for such 'protecting' or 'guarding'? Within this theoretical overview, I will present two narratives within which an answer is formed to those questions. I will call these two narratives: (1) 'LGBTQIA+ safety requires state protection'; and (2) 'LGBTQIA+ safety requires transformative justice'.

The first narrative takes a legal rights approach to safety and assumes that LGBTQIA+ people are safe when a country protects them. I will discuss the prevalence of such a narrative within Belgian politics and media and argue that such a narrative leads to the assumption that Belgium is safe because Belgium protects LGBTQIA+ individuals legally. I will also discuss how within this narrative Belgium and Belgians are understood as 'safe' and contrasted to 'unsafe' others.

The second narrative builds on trans* scholar Dean Spade's community-centred approach to addressing harm and violence, which he terms 'transformative justice'. It critiques the first narrative by questioning which types of action and which types of people are privileged by a focus on legal rights. Transformative justice involves actively working to transform the conditions that give rise to harm in the first place, recognizing the interconnectedness of systems of oppression and seeking to address the root causes of harm and violence. Given this framework, I argue that it is central to focus on the heterogeneity of LGBTQIA+ peoples' experiences of safety.

I think that distinguishing between these two narratives is important as they present different approaches to combatting violence which include or exclude different LGBTQIA+ people. However, these narratives are by no means mutually exclusive.

4.1 **Narrative 1: Safety requires state protection**

In a legal rights discourse, it is assumed that the implementation of policies promoting assimilation and legal equality will result in a more inclusive and less violent society. Within this framework, the focus is primarily on enacting laws and regulations that prohibit discrimination and provide legal protections for marginalized groups, including LGBTQIA+ individuals. The premise is that by formalizing rights and protections into law, society will be compelled to recognize and respect the dignity and autonomy of all its members.

Proponents of this approach often cite legal victories as evidence of progress towards LGBTQIA+ equality, pointing to legislative milestones such as marriage equality, anti-discrimination laws, and gender recognition statutes. As Belgium has a relatively extensive array of legal rights ensuring the formal equality of LGBT(QIA+) people, there is often an assumption that the goals of the Belgian LGBTQIA+ movement have been largely achieved (Wekker, 2016, p. 113). This assumption is explicitly present in a leaked e-mail from Theo Francken, a politician form N-VA, the centre right Flemish nationalist party: "The [homosexual, lesbian, bi] movement has already won everything (marriage, adoption, anti-discrimination law, . . .). What else do they want? They have at least the same rights as you or I." (Theo Francken, 2007 in Bomans, 2022, p. 245). Assuming that the goals of the LGB(TQIA+) movement have been met might make it harder for LGBTQIA+ people who experience discrimination, harassment or attack because of their sexual orientation, gender identity, or sexual characteristics to speak up about their experiences.

4.1.1 Homonationalism

Legal protections are often a source of national pride (Bomans, 2022). This is reflected in the quote of the prime minister, Alexander De Croo, cited in the 'Belgium as a case study' section above. In that quote, he points to Belgium's role as historical pioneer in the development LGTBQ-rights ("Belgium has always been a pioneer in the area of LGBTI+-laws.") and he links this to values such as openness and progressiveness, which he relates to the identity of Belgian society ("That

openness is deeply engraved in our society"). This kind of identity claim can be understood as homonationalism. Homonationalism, coined by queer scholar Jasbir Puar (2007), describes the phenomenon of a nation positioning itself as a 'good country' based on its LGTBQ-policies. The 'uniformly LGBTQ-friendly in-group' is contrasted with a 'uniformly homo/ transphobic other'. This positioning can be directed in two ways (that are far from mutually exclusive): being a 'good' country in relation to other 'bad' countries and having 'good' state values in relation to the – perceived – 'bad' values of minority groups within the country (Puar, 2007). Within the rhetoric of homonationalism, these two kinds of 'bad others' threaten the queer utopian status of the country form outside and/or from within (Puar, 2007). In the following two sections (1.2.1 and 1.2.2), I will discuss these two ways of relating to a defined 'bad' other in general and applied to the case of Belgium.

4.1.1.1   *Muslim Other*

A first group that is commonly othered, particularly but not exclusively within right wing political discourses, is the migrant, specifically Muslim migrant, population. The argument goes that while Belgian citizens are very accepting of LGB(TI) rights, Muslims are not. For example, in the above-mentioned leaked e-mail, Theo Francken continues his argument about the LGB movements' goals having been achieved with stating: "The fact that gay people are increasingly harassed, for example in Brussels, has everything to do with the high number of Muslims and little Moroccan bastards and has nothing to do with us, and then [LGB people] vote for the socialists . . . (Ironic, but what could be their next demand? All Muslims expelled from Brussels?! Now that would be funny ;-)" (Theo Francken, 2007 in Bomans, 2022, p. 245). Sarah Bracke (2012) traces the evolution of rescue narratives in the Netherlands from 'saving women' to 'saving the gays'. She argues that the 'multiculturalism is bad for women' argument is extended to include 'multiculturalism is bad for gays'. This framing portrays Islam as a 'backward culture' that is incompatible with the 'tolerant West' because Islam is portrayed as threatening the rights and safety of women and gay individuals (Bracke, 2012).

Gloria Wekker argues that within such a rhetoric, "the homosexual other is white; the racial other is straight." (Wekker, 2009, p. 116). As such, ethnicity/religion and sexuality are constructed as an impossible intersection: the racialized other can only be a perpetrator and never a victim of homo/transphobic violence. She argues that this is reflected within Dutch LGBT policy which lacks an intersectional analysis because equality with white cis-hetero counterparts is deemed more important than acknowledging diversity among LGBTQIA+ people (Wekker, 2016, p. 125). Nella van den Brandt (2018) argues that because of this dominant understanding in which ethnicity/religion and sexuality necessarily clash, the experiences and identifications of people who identity as LGBTQIA+, and are part of ethnic, cultural, and/ or religious minorities become illegible. When "proper gayness seems associated with whiteness, masculinity, a stable sexual identity, secularity, public visibility and consumerist life-styles", (van den Brandt, 2016, p. 47) individuals who do not fit into this narrow definition face erasure and marginalization within both LGBTQIA+ communities and broader society.

As argued by Alexander Dhoest (2020), N-VA, the centre right Flemish nationalist party, and Vlaams Belang, the extreme right Flemish nationalist party, only mention LBGT rights when 'defending them' in relation to Islam (Dhoest, 2020, p. 161). Theo Francken for example, who I cited in the leaked email above, has previously written negatively about queer masculinities longing for a time when 'men were *real* men' (Bomans, 2020, p. 245). While explicit homonationalism is most common within right wing political discourses, more subtle forms are also presented by journalists reporting on news events. In his study of Flemish News articles, Dhoest finds that Islam and sexuality are only reported on in relation to homophobia (Dhoest, 2020, p. 164). This, he argues, is reflected in the 2018 Action Plan against discrimination and violence towards LGBTI persons, occasioned by Zuhal Demir (N-VA) who at the time was Belgian Secretary of state and Equal Opportunities. The plan outlines several measures aimed at fostering broader acceptance of LGBTI people within 'the Muslim community' but does not include any measure focussed on a diverse or intersectional understanding of sex, gender and sexuality (Dhoest, 2020, p. 161).

Central and Eastern European other

A second group that is commonly referred to as a homo/transphobic other, especially within traditional media, is the 'non-West' (Dhoest, 2021). Whole countries (for example Russia, Poland, Hungary) or even whole regions (for example the Middle East, Africa) are referred to as 'barbaric' in relation to their acceptance of LGBTQ minorities. Jasbir Puar argues that "gay and lesbian subjects have become a barometer by which the right to and capacity for national sovereignty is evaluated" (Puar, 2013, p336). Rahul Rao argues a prime visualization of this barometer is the ILGA Rainbow Map where states are colour-coded and ranked reinstating Western and Northern Europe as the epitome of progress (Rao, 2014, p. 170). On the European map, Central and Eastern Europe are depicted as lagging behind, reinforcing a narrative of Western superiority (Dhoest, 2021, p. 620). Just as 'the Muslim other', Flemish media portray Russia, Central, and Eastern Europe as homogenous and uniformly homophobic entities. This uniformly homophobic depiction is again contrasted with the portrayal of Belgium as a uniformly LGBTI-tolerant nation.

Emma Verhoeven, Alexander Dhoest and Steve Paulussen point out that even after the murder of David Polfliet, a Belgian gay man, mainstream media referred to Belgium as an exceptionally LGBTI-tolerant country. They find that mainstream media often frame the tragedy as "unbelievable" due to Belgium's LGBTI tolerance, contrasting it with countries known for intolerance. One interviewer for example asked: 'Were you surprised that this happened in Belgium? We expect deadly violence aimed at gays in, say, Chechnya' (Tielens, 2021 in Verhoeven et al., 2020, p. 76). This portrayal maintains Belgium's image as LGBTI-friendly, despite the incident, by referencing countries where such violence is expected.

Such violence can only be portrayed as 'unbelievable' in Belgium if one assumes that LGBTI-legislation is what makes a country LGBTQIA+ friendly. Yet Belgian attitude research indicates that Belgians can hardly be called 'uniformly tolerant' (Ditzhuijzen & Motmans, 2020; European Comission, 2023; Noppe, 2016; Pickery & Noppe, 2017). Moreover, if we focus on the experiences of Belgian LGBTI

people, the picture looks rather bleak (Verhoeven et al., 2023). As discussed above in the review of literature on Belgian LGBTQIA+ individuals' experiences with violence, Belgian LGBTQIA+ individuals report alarmingly high rates of violence (Burgwal et al., 2023). As Gloria Wekker argues, the self-congratulatory tone can only be sustained if we privilege legislation, rights, and policies over actual living conditions (Wekker, 2016, p. 113). This raises the question: if Belgium has such progressive LGBTI legislation, and perceives itself to be LGBTI-friendly, why do Belgian LGBTQIA+ people still face such high rates of violence? Let us turn to a queer critique of a legal rights approach to understand why formal equality and state protection do not suffice to ensure safety for LGBTQIA+ people.

4.2 Narrative 2: Safety requires transformative justice

In 'Suffering the Paradoxes of Rights' (2002) Wendy Brown argues that legal systems do not abolish, but merely regulate the regimes that cause subordination and oppression. She argues that although legal rights might weaken the subordination and violence that women or marginalized groups face under patriarchal dominance, for example by legally protecting them from discrimination, harassment, or attack, "they vanquish neither the regime nor its mechanisms of reproduction" (Brown, 2002, p. 422). Like a band-aid, that helps to stop the bleeding, but does not address the cause of the bleeding.

4.2.1 Categorization versus recognition

In regulating the regimes of oppression, legal rights produce stratifying categories, such as sex, gender or sexuality (Spade, 2015, p. 21). This is the paradox of rights that Wendy Brown (2002) refers to: for a right to address the suffering of a specific group, that right needs to be specific about the group it addresses. For example, if policies don't acknowledge racial dynamics within the LGBTQ+ community, particularly the privilege that white gay individuals may have over others, these policies will fail to challenge or dismantle these racial power relations (Wekker, 2016, p. 125). However, when rights specifically address a certain group, they inherently involve a representation of that group. This representation is constructed

within the prevailing discourses of society, which often contribute to, or are at the core of the oppression or marginalization of that group (Wekker, 2016).

As an example of this paradox, let us consider the Belgian 'trans law'. Petra Meier and Joz Motmans (2020) trace its evolution and the ideologies of sex and gender that are institutionalized through it. Belgium adapted its first 'trans law' in 2007, making it possible for trans* people to officially change their legal first name and sex, but only if they "showcased a constant and irreversible inner conviction of belonging to the sex other than the one stated in their birth certificate" (Meier & Motmans, 2020, p. 244). To be able to legally change their first name and sex marker, the individual had to undergo hormone replacement therapy and sex reassignment surgery (Meier & Motmans, 2020, p. 244). In the new transgender law of 2017, all medical conditions were dropped and replaced by a declaration filed by the applicant. But the law only allows individuals to change their gender marker or name once, and only offers the options 'F' and 'M' (Meier & Motmans, 2020, p. 244). A trans* individual is accepted and protected as a 'good trans* individual' as long as their gender identity is constant and binary. The law thus marginalizes and excludes trans* individuals with a more fluid or non-binary experience of gender (Meier & Motmans, 2020, p. 245). Three major Belgian LGBTQ+ organisations (Çavaria, RainbowHouse, and Genres Pluriels) filed a partial annihilation request to the Belgian Constitutional court arguing that the law discriminates against non-binary and gender fluid people, which the court agreed with, ruling that applicants should be able to change their gender registration more than once, and that there should either be a third option for non-binary people or that the gender registration system should be abolished all together (Meier & Motmans, 2020, p. 245). Since October 2023 applicants are able to change their gender registration multiple times, but the parliament has not yet come to a consensus about how to make their gender registration system inclusive towards non-binary individuals.

As Judith Butler (2006) explains in their lecture 'Performativity, precarity and sexual politics', political subjects do not exist outside the law, but are created by

those laws. Thus, the definition of who qualifies as a subject of recognition, for example whose gender can be identified within the law, is not fixed, it does not rest on some apolitical truth about sex or gender, but rather it is a product of power dynamics within legislative frameworks, it is a product of discourses about gender (Butler, 2006, p. 3). When these discourses about gender rest on heteronormativity[5], non-binary, gender-fluid, and gender-non-conforming individuals become "illegible subjects" because they "do not sufficiently conform to the norms that confer recognizability on subjects" (Butler, 2006, p. 3).

4.2.2 Equality and assimilation versus diversity and transformation

Gloria Wekker comments on the Dutch gay movement that it "has from its inception been more interested in equality: equal rights, gay marriage, the right to adopt children, the right to copious consumption of all manner of material goods, and has pursued a more assimilationist agenda with the social, political, and cultural powers that be" (Wekker, 2016, p. 115). She argues that, as the Dutch gay movement is mostly made up of white men, the movement prioritizes reaching equality with their straight counterparts over advocating for diverse sexualities. She discusses this divergence mostly in terms of cultural difference in the understanding of sexuality, but her argument can also be extrapolated to more fluid and non-conforming understandings of sexuality.

Dean Spade asserts that in the American context, the sixties and seventies saw a push for radical change, with strong social justice movements demanding the redistribution of resources and fundamental societal transformation. However, Spade argues, the rise of neoliberalism shifted the focus towards achieving assimilation and equality with non-LGBTQ counterparts within existing frameworks (Spade, 2015, pp. 28, 30). As more transformative social movements were institutionalized into non-profit organizations led by white gay people with

---

[5] My understanding of heteronormativity builds on Judith Butlers understanding of the heterosexual matrix and as such it understands heteronormativity not only in relation to sexuality, as in women are expected to date men and vice versa, but also in relation to sex and gender, as in women are expected to behave in opposite ways of men, and female bodies are understood as opposite to male bodies (Butler, 2006)

class and educational privilege, low-income people, people of colour, and transgender people and their struggles were marginalized (Spade, 2015, pp. 29, 30). He observes that lesbian and gay rights politics have prioritized formal legal equality and single-issue politics, often adopting divisive framings of concepts like "family" and "law and order" within white supremacist, nationalist, and homonormative contexts (Spade, 2015, p. 138). The idea of equality has increasingly become synonymous with assimilation into dominant societal norms, rather than challenging and dismantling those norms altogether. He says: "We are invited to demand that trans people are "human" when "human" is still defined through colonial norms of race, gender, ability, and immigration status that actually limit the invitation to a very small part of the trans population" (Spade, 2015, p. 137).

In describing the Belgian landscape of LGBTQ organizations, Bart Eeckhout notes that in the 1990s the Flemish LGB[6] movement, at the time the most professional and influential Belgian LGBTQ advocacy organization, was made up of mostly white and middle-class LGB people and had "effectively managed to swallow up the more radical activist groups which used to be around as well" (Eeckhout, 2016, p. 17). Due to its homogeneity the movement could easily reach consensus and could prioritize normalization and assimilation with straight white middle class counterparts (Eeckhout, 2016, p. 17). Furthermore, since Belgian LGBTQ organizations are dependent on state-funding, the movement had to focus on "those projects it is able to sell to politicians and government administrations" (Eeckhout, 2016, p. 19). This also means that the government had significant influence over the moment and its activities (Wekker, 2016, p. 113).

One such assimilationist demand of the Flemish LGB movement was the opening up of civil marriage to same sex couples. By prioritizing this demand, the Flemish LGB movement prioritized equality with their straight counterparts above demands

---

[6] At the time, the Flemish umbrella organisation that is now knows as Çavaria was called 'de Holebifederatie'. 'Holebi' is a widely used Dutch term that refers to homosexuals, lesbians and bisexuals.

to recognize diverse sexual and gendered identities and lifestyles, a strategy preferred by the Francophone left (Eeckhout, 2016, p. 16) As argued by queer scholars, same-sex marriage reinscribes marriage as the correct mode of citizenship. Through including LGB people in marriage legislation "it naturalizes the stable, monogamous couple-form as the ideal-type of families we choose'" (Bell & Binnie, 2004, p. 449). And as such, LGB individuals that adhere to that norm are protected as 'good homosexuals', while those who build relationships in different, more fluid or less binary ways are excluded as 'bad homosexuals' (Bell & Binnie, 2004, p. 453). Thus, when a movement focusses their efforts on challenging the legal rights around marriage, certain ways of living and behaving that are closer to heteronormativity are reinstated as desirable, while others are pushed further to the margins (Bell & Binnie, 2004, p. 452).

4.2.3   Homonormativity

This focus on assimilation into heteronormativity, where fixed and binary understandings of gender, sex and sexuality are foregrounded is described by Lisa Duggan as '(new) homonormativity'. She coins this term in relation to the neoliberal politics of the IGF (the Independent Gay forum, an organization that wants to 'forge a gay mainstream') and describes it as: "a politics that does not contest dominant heteronormative assumptions and institutions, but upholds and sustains them, while promising the possibility of a demobilized gay constituency and a privatized, depoliticized gay culture anchored in domesticity and consumption." (Duggan, 2003, p. 50). It has since become a popular term when discussing the privileging of certain narratives and understandings of gender, sex and sexuality above others. Homonormativity indicates a hierarchy among LGBTI people where those whose identities and lifestyles are closer to the hetero-norm are discursively and materialistically privileged. As discussed above: the opening of civil marriage privileges homosexuals who engage in long-term monogamous relationships over those who engage in short-term polyamorous relationships, or don't engage in relationships at all; and the Belgian trans* law privileges trans* individuals who have a fixed and binary gender identity over those with a fluid and

non-conforming gender identity. The less legible someone's identity is within a heteronormative discursive system, the further marginalized it is. Think for example about the lack in legislation protecting intersex bodily integrity, indicating the notion that if a body cannot be read as male or female it should medically be altered to fit a binary sex division.

4.2.4 Towards transformative justice

If a legal-rights framing of LGBTQIA+ safety requires the homonormative categorization and assimilation of LGBTQIA+ people into heteronormative structures, while sustaining a homonationalist rhetoric that glorifies Belgium and demonizes Muslims and Central/Eastern Europeans, then what are the alternatives for promoting inclusive LGBTQIA+ safety?

In his book 'Normal life: Administrative violence, critical trans politics and the limits of law' (2015), Dean Spade advocates for a radical reimagining of social structures and the redistribution of resources to challenge the underlying structures of power and oppression. He argues that violence is not caused by "bad people who need to be punished", but rather it is caused by "abusive and exploitative power relations produced through systematic racism, sexism, transphobia, colonialism, ableism, poverty and criminalization" (Spade, 2015, p. 122).

Violence thus not only affects marginalized LGTBQIA+ people disproportionately because they are often excluded within legislation, but also because legislation in itself is insufficient in addressing violence when the root causes of violence are oppressive societal structures. Therefore, he argues that to increase safety and prevent harm we should not rely on the legal frameworks that perpetuate systemic inequalities and reinforce oppressive structures, but rather we should build participatory bottom-up resistance that centres questions of survival and distribution and will not compromise the well-being of the most vulnerable members of society (Spade, 2015, p. 138). Crucially, Spade emphasizes that such work should be led by the most marginalized populations, as social justice is not achieved through top-down mechanisms but rather through grassroots efforts that

prioritize the voices and needs of those most impacted by systemic injustices (Spade, 2015 p. 137).

5. Methods

5.1 Study Design

This thesis uses a mixed methods approach to explore two main things: first, how the experiences of LGBTQIA+ individuals relate to two different narratives, tested empirically using survey data and statistical methods; and second, how experts use these narratives, examined through a thematic analysis of the narratives used by experts when discussing LGBTQIA+ safety.

The scope differs in different parts of my analysis. While in the first hypothesis (1.1) I am interested in the effect of differences in LGBTI legislation *between* countries, in the second hypothesis (1.2) I am interested in the effect of systemic inequalities *within* a country. Therefore, the first part of the statistical analysis compares LGBTQIA+ safety experiences cross-nationally in Europe, and the second part focusses on individual level differences within Belgian LGBTQIA+ experiences. I chose to focus on Belgium, among other reasons explained in the introduction, because Belgium emerges as a particularly interesting case within the cross-national comparison. The interviews were also carried out in Belgium, allowing for an in-depth exploration of how narratives about LGBTQIA+ safety, are constructed and employed within the specific Belgian context.

5.2 Statistical analysis

To formulate an answer to my first research question: 'How do LGBTQIA+ people's experiences match narratives of LGBTQIA+ safety as requiring state protection versus transformative justice?' I analysed European LGBTI individual's experiences of violence and its threat as self-reported in the EU LGBTI II survey (FRA, 2021).

5.2.1 Data and Sample

The EU LGBTI II survey is a web-administered survey conducted by the European Union Agency for Fundamental Rights (FRA) (FRA, 2021). The survey was open between 27 May and 22 July 2019 and collected valid responses from 139 799 respondents from the European Union (EU) Member States, North Macedonia and Serbia, 2715 of those lived in Belgium. They defined the research population as follows:

- "people who identify themselves under the umbrella terms lesbian, gay, bisexual, transgender or inter-sex (allowing for sub-categories in the trans group, such as trans woman, trans man, non-binary, cross- dressing woman, cross-dressing man, genderqueer, gender-fluid, agender or polygender);
- people who are at least 15 years old.
- people who have lived in their current country for at least 1 year and whose current country is an EU Member State, Serbia or North Macedonia (regardless of residency or citizenship)" (FRA, 2020, p. 8)

The respondents were not collected randomly but consist only of those who have access to internet, were aware of the existence of the survey and chose to complete the survey (p11). This opt-in design poses some challenges to the statistical representativeness of the data, as it may introduce biases based on self-selection and non-random participation. Nonetheless the FRA focused on recruitment strategies that would attract 'hard to reach' sub-groups (for example older LGBTI people and lower income-level LGBTI people) and sub-groups which they expected would be under-represented (trans* people, intersex people, bisexual people, lesbian women, refugees and immigrants and minorities: ethnic, religious and disability) both on and offline. Moreover, because of its online opt-in design, it was able to reach such a big sample (FRA, 2020).

More than half (54%) of the survey respondents successfully completed the entire questionnaire. Many of those that did not complete the questionnaire did not meet the eligibility criteria, dropped out in the section focused on discrimination or

paused the survey to complete it at a later time, in which case their incomplete responses were categorized as non-responses.

5.2.2 Variables

5.2.2.1 *Safety experiences*

There are various variables that ask about respondents' experiences with safety and discrimination. The main themes of these questions are discrimination, physical or sexual attack, harassment, fear of holding hands with a same-sex partner in public and avoidance of locations out of fear for being harassed or attacked. For many of these topics the questionnaire makes a distinction between having experienced it for any reason, having experienced it because respondents are from a specific LGBTI category and having experienced it because one is part of a minority group other than that of their assigned respondent category (for an explanation of how they were assigned, see 'Variables – Demographic and socioeconomic variables' section). To limit the number of analyses and ensure sufficiently sized samples, I chose to always just include the first and broadest question on the topic.

I chose to use the following questions as operationalizations of safety experiences:

- "During the last 12 months, have you personally felt discriminated against because of being [RESPONDENT CATEGORY] in any of the following situations:
    A. When looking for a job
    B. At work
    C. When looking for a house or apartment to rent or buy (by people working in a public or private housing agency, by a landlord)
    D. By healthcare or social services personnel (e.g. a receptionist, nurse or doctor, a social worker)
    E. By school/ university personnel. This could have happened to you as a student or as a parent.
    F. At a café, restaurant, bar or nightclub
    G. At a shop
    H. When showing your ID or any official document that identifies your sex"

For each situation, respondents could answer "yes", "no" or "not applicable".

- "In the last 5 years, how many times have you been physically or sexually attacked at home or elsewhere (street, on public transport, at your workplace, etc.) for any reason?
  - never; once; twice; 3-5 times; 6-10 times; all of the time; don't know; prefer not to say. "
- "In the last 5 years, has somebody done any of the following things to you for any reason?
  - A. Made offensive or threatening comments to you in person such as insulting you or calling you names
  - B. Threatened with violence in person
  - C. Made offensive or threatening gestures or stared at you inappropriately
  - D. Loitered, waited for you or deliberately followed you in a threatening way
  - E. Sent you emails or text messages that were offensive or threatening
  - F. Posted offensive or threatening comments about you on the internet, for example on Facebook or Twitter
  - G. None of the above happened to me"

For each experience of harassment, respondents could answer "yes" or "no".

- "Do you avoid holding hands in public with a same-sex partner for fear of being assaulted threatened or harassed?
  - never; rarely; often; not applicable; don't know."
- "Do you avoid certain places or locations for fear of being assaulted threatened or harassed because you are [RESPONDENT CATEGORY]?
  - never; rarely; often; don't know."

I recoded all of these into dummy items, as I am interested in whether someone experienced violence at all, rather than how often or in how many different situations. For the items on discrimination and on harassment I assigned '1' in case a respondent answered "yes" on at least one of sub-items and '0' in case they answered "no" or "not applicable" to all of them. For the items on physical or sexual attack, holding hands and avoiding locations I assigned '0' in case they responded "never" and '1' if they answered any of the other options. If they answered "prefer not to say" on the physical or sexual attack question, I treated it as 'missing'. I also assigned 'missing' if respondents answered "not applicable" on the holding hands

question, which means that only respondents who have had a same-sex partner are included.

5.2.2.2   *Country level legal rights*

The first sub-question (1.1) concerns country differences in LGBTI legislation. To operationalize differences in LGBTI legislation across countries, I used the ILGA Rainbow Europe Index (ILGA-Europe, 2018). This index assigns countries a score out of hundred based on how well their legal and policy framework aligns with ILGA's indexes. As the survey data that I use was collected in the spring and summer of 2019, I used the 2018 ILGA index scores. Laws and policies that were only enacted after the responses were gathered, could not have had an impact on the respondents' experiences.

To include the index in the survey data, I created a new variable where I recoded the 'country of residence' variable into the 2018 ILGA index score of that country. While safety experiences are not limited to the country respondents reside in, for example if they experienced harassment abroad, and legal rights and policies also exist on local, regional, and supranational levels, I still think it makes sense to operationalize LGBTI legal rights and policies on a national level to test country differences.

To get an idea of whether the ILGA score reflects how respondents feel about their country in terms of LGBTI protections, I included the variable:

- "Do you think the government in {COUNTRY} combats effectively prejudice and intolerance against LGBTI people?"
    - yes definitely; yes probably; no probably not; no definitely not; don't know

As with the variables pertaining to experiences of safety, I recoded it into a dummy variable. If a respondent answered "yes definitely" or "yes probably" they were assigned '1', if they answered "no probably not" or "no definitely not" they were assigned '0'. If they answered "don't know' they were treated as missing.

5.2.2.3 *Individual-level variables*

The second sub-question (1.2) assesses whether individual-level characteristics contribute to differences in safety experiences. To operationalize differences in gender identity, sexual orientation and intersex status I used the variable:

- 'Respondent category'

The FRA survey divides respondents into different categories based on their answers on questions about their current gender identity, their sexual orientation, and their intersex status. If a person reported being intersex, they are assigned to the 'intersex' category, regardless of their other answers. If a person identified as a trans woman, trans man, cross-dressing woman, cross-dressing man, non-binary, genderqueer, agender, polygender, gender-fluid, or responded not knowing their current gender identity or having a gender identity other than cis man or cis woman, they are assigned to the 'trans' category, irrespective of their sexuality. The remaining respondents, who all identified as cis-gender and as endosex, are grouped into 'lesbian', 'gay', 'bisexual male' and 'bisexual female'.

Although it would be very interesting to look at the intersecting effect of gender identity, sexual orientation, and intersex-status, for example how being an intersex trans* lesbian impacts your chances of having experienced physical or sexual attack, this would not yield significant results given the sample size of some groups would be too small. Furthermore, if you were to consider gender identity, sexual orientation, and intersex-status as three separate variables, these would be highly interdependent for some answer options. As the population of the survey only consists of LGBTI people, a respondent identifying as straight must be intersex or trans*, and a respondent identifying as a cis-woman/-man must be gay/lesbian, bisexual or intersex. Therefore, I have decided, as was done by other researchers using the same dataset, to stick to the 'respondent category' variable (Bayrakdar & King, 2023).

To operationalize differences in minority status I used the variables:

- 'Ethnic minority'

- 'Religious minority'
- 'Disability minority'
- 'Other minority'

For each variable, respondents could answer "yes" or "no". In my regression analysis, the reference group is always those that are not part of that specific minority, rather than someone that is not a part of any minority, as people can be part of multiple minorities. All these minority traits are self-identified, and the FRA did not provide any clarification on their interpretation. Thus, we are unable to discern how respondents understand these categories. For example, we don't know if neurodivergent respondents would classify themselves as being part of a 'disability minority'. As such we also don't know what respondents understand by 'other minority'.

- 'How old are you?'
- 'Are you a citizen of {COUNTRY}?'
  - 'yes', 'no'
- 'What is the highest level of education you have completed?'
  - no formal education; primary education; lower secondary education; upper secondary education; post-secondary education; bachelor level; master level; doctoral researcher
- 'Thinking of your household's total income, is your household able to make ends meet?'
  - great difficulty; difficulty; some difficulty; fairly easily; easily
- 'Have you ever experienced any of the following housing difficulties?'
  - A. 'Yes, I had to stay with friends or relatives temporarily'
  - B. 'Yes, I had to stay in emergency or other temporary accommodation'
  - C. 'Yes, I had to stay in a place not intended as a permanent home'
  - D. 'Yes, I had to 'sleep rough' or sleep in a public space'
  - E. 'No'
- 'Where do you currently live?'
  - 'Urban', 'Rural'

I treated age as a continuous variable and citizenship as a dummy. I grouped the education variables two by two, creating four categories with a bigger sample. I recoded ability to make ends meet by grouping 'great difficulty' and 'difficulty'

into 'difficult to make ends meet', 'some difficulty' into 'okay to make ends meet, and 'fairly easily' and 'easily' into 'easy to make ends meet'. I treated experience of housing difficulties as a dummy where 'no' resulted in a '0' and all other answers in a '1'. I also treated urban/ rural designation as a dummy with 'urban' as 0 and 'rural' as 1.

5.2.3 Structure of the analysis

5.2.3.1 *Differences in LGTBQIA+ experiences between European countries*

To test whether country differences in LGBTI legislation contribute to differences in LGBTQIA+ safety experiences, I conducted a Pearson correlation analysis between the ILGA index and the proportions of respondents reporting not having experienced safety infringements or concerns and perceiving their government as effective in protecting LGBTI people. Additionally, I created six scatterplots to visually depict these correlations. Finally, I compared the proportions of respondents reporting not having experienced safety infringements or concerns and perceiving their government as effective in protecting LGBTI people across European countries using a heatmap, to visualize differences between countries and between different items.

5.2.3.2 *Differences in LGBTQIA+ experiences within Belgium*

To test the second hypothesis, namely that individual characteristics contribute to differences in safety experiences, I performed a hierarchical multiple logistic regression. In a first model, I considered the effect of gender, sexuality and intersex-status. In a second model, I also considered the effect of being an ethnic, religious, disability or other minority. In a third model, I added various socio-economic background variables, namely: age, citizenship status, highest level of education, ability to make ends meet, housing difficulties and urbanity. In this hierarchical logistic regression model the odds ratios represent the odds of an event occurring in one group compared to another group. If the odds ratio equals 1, there is no difference between the odds of an event occurring in one compared to the other group. If the odds ratio is greater than 1 the odds is higher in comparator group, and

if it is smaller than 1 the odds is higher in the reference group. If the 95% confidence interval includes 1, the odds ratio is not statistically significant, that is, there are no conclusive differences between groups.

5.3 **Thematic analysis of semi-structured interviews**

To formulate an answer to my second research question: **'**How are these narratives utilized by LGBTQIA+ policymakers and advocates<u>?</u>' I conducted two semi-structured interviews with Belgian experts within the field of LGBTI rights advocacy or policymaking.

5.3.1 Participants

I selected the interviewees based on their expertise and involvement in initiatives related to LGBTI rights and safety. Interviewees were recruited through targeted outreach to relevant organizations and government agencies. I sent out 30 emails and managed to set up an interview with 2 experts. One expert who works as a political advisor for the secretary of state, responsible for gender equality, equal opportunities and diversity, who I will refer to with the pseudonym Amélie, and one expert working in a Flemish LGBTI+ umbrella organisation, who I will refer to as Emma.

I would have preferred doing at least one more interview, preferably with someone working in a smaller Walloon organisation, but encountered difficulty in finding interviewees. Many organisations responded to my e-mail saying that they get many requests from students and don't have the capacity to accept all of them. One organisation for example answered "Thanks for reaching to us. You wouldn't believe how many requests of interview for doctorate and master thesis we receive on this mailbox! We are very busy running this place so we can't accept every request.". Other organisations explicitly write on their website that they do not have the time and resources to help students and researchers. I had managed to set up an interview with someone working in a Walloon LGBTI organisation but she cancelled last minute as she had just had a team meeting where she was given a new dossier which required all her attention.

5.3.2 Data Collection

I conducted the interviews over video conference, as we were in different countries. The interviews were semi-structured, generally following the interview guide, which can be found in appendix one. Each interview lasted approximately an hour and was audio-recorded with interviewees' consent. Additionally, I took detailed notes during the interviews to supplement the audio recordings, capturing nuances, non-verbal cues, and contextual information that may not have been fully captured in the recordings alone. The interview with Amélie was conducted in English, while the interview with Emma was conducted in Dutch, as these were the languages that both interviewees preferred.

5.3.3 Data Analysis

I transcribed the audio recordings of the interviews verbatim. I conducted a thematic content analysis of the interview data, to uncover how interviewees relate to the two overarching narratives analysed throughout this thesis: (1) LGBTQIA+ safety requires state protection and (2) LGBTQIA+ safety requires transformative justice.

I applied thematic coding to identify patterns and themes in interviewees' responses, which involved systematically categorizing parts of the transcript according to the narratives they reflected. For example, instances where interviewees highlighted Belgium's exceptional status compared to other LGBTQIA+ unfriendly countries were coded as adhering to the narrative of LGBTQIA+ safety requiring state protection. Conversely, responses that emphasized structural violence as a determinant of LGBTQIA+ experiences of violence were coded as adhering to the narrative of LGBTQIA+ safety requiring transformative justice.

While I analysed the interviews in English and Dutch respectively, I reported on both interviews in English. I did this translation from Dutch to English myself.

5.4 Ethical Considerations

The experience of violence and or safety is a very sensitive topic, especially when focussing on its interaction with state-violence, structural inequality and

marginalization. Therefore, I chose to build this thesis in a way that would not require me to interview (marginalized) LGBTI people about their experiences with discrimination, violence, and attack. I chose to focus on how the state addresses/ creates violence towards LGBTI people and how this violence and its relationship with the state is understood by those in positions that influence it. By using already collected survey data I could explore (multiply marginalized) LGBTI peoples' experiences of violence on a relatively large scale without having to focus on individual stories, which might have been retraumatising for participants. To add depth to that statistical data, I chose combine the statistical analysis with a thematic analysis of expert interviews, which could grant me insight into the language and rhetoric those experts are using in explaining the relationship between legal rights and LGBTI violence.

Of course, this does not mean that there are no ethical considerations to be made about this project. The statistical data still represents individual experiences of violence and therefore I have tried to represent their stories responsibly and accurately respecting their intent in participating in the survey. I have also tried to be fully transparent of how I analysed this data and how it led me to my conclusions. When interviewing the experts, I ensured I had their informed consent and made it very clear that they could end the interview at any point. I tried to ensure the full anonymity of my interviewees, but as the amount of people working within Belgian LGBTI policymaking and advocacy is quite limited, a person with good knowledge of this field, including co-workers, might still be able to identify the interviewees, which I explained to the interviewees prior to the interviews. As these experts are also people who might have had and most likely heard about traumatizing experiences of violence, I tried to construct my questionnaire in a way that would minimize the potential harm. Thematically analysing the narratives present in their answers means that I was sometimes critical of how they frame LGBTQIA+ safety and the priorities and solutions they propose. When being critical I tried to make sure that I was being so in a way that promotes social justice and advocates for systemic change, rather than in a way that attacks my interviewees or their understandings of these issues personally.

6. Results

6.1 Differences in LGTBQIA+ experiences between European countries

To analyse the first hypothesis: 'LGBTQIA+ individuals living in countries with more robust LGBTI legislation will experience more safety.', let us compare differences in LGTBQIA+ experiences of violence between European countries.

6.1.1 Correlations safety and legal rights

To be able to interpret how the ILGA index impacts the prevalence of different safety items and the perception of government efficiency across Europe, let us first take a look at the percentages of LGBTI Europeans reporting not having experienced different safety items, and perceiving the government effectively combats prejudice and intolerance against LGBTI people, the lowest and highest reported percentages for these items across Europe and the Pearson correlation between these items and the ILGA index.

Table 1: European average, minimum and maximum country percentages of experiences with discrimination, violence, and fear; ILGA index Pearson correlation

	Europe	Min country	Max country	Pearson Correlation: ILGA index X
Not discriminated %	56.8	50.3	67.3	.057 **
Not attacked %	72.0	60	84.2	.335 **
Not harassed %	37.6	29.3	53.6	.022 **
Does not avoid holding hands %	13.8	4.5	26.7	.427 **
Does not avoid locations %	28.3	18.8	48	.212 **
Perception LGBTI prejudice combat effectiveness %	31.3	2.9	82.9	.785 **
ILGA index score	47,4	14	91	

**p<0,01 (2-tailed)

The first thing that can be learned from this table is that, although there is considerable variation between countries in the prevalence of discrimination, attack, and harassment, and in the fear of holding hands or going to certain

locations, these experiences are common among LGBTI people across Europe. While there are significant differences between countries, LGBTI people in every country face a threat of and fear for violence. Thus, while there are notable differences between countries, there is not one country that is completely 'safe' for LGBTI people. Secondly, when examining the effectiveness of government action in combating prejudice and intolerance against LGBTI people, it becomes apparent that there is a significant disparity between the country with the lowest percentage and the country with the highest percentage. The same can be noted about the ILGA index scores.

Thirdly, looking at the correlation between the score a country receives on the ILGA index and the reported percentage of the other items, it becomes clear that a positive linear relationship between LGBTI rights and LGBTI experiences of safety and discrimination should not be assumed. While there is a moderately strong correlation between a country's score on the ILGA index and the reported prevalence of experiences of physical or sexual attack (.335**) , fear of holding hands with a same sex partner (.427**), and avoidance of specific locations for fear of attack or harassment (.212**), there is only a low correlation between a country's index score and the reported experience of discrimination (.057**) and harassment (.022**). The strongest correlation exists between a country's score on the ILGA index and the amount of people who report thinking their government effectively combats prejudice and intolerance against LGBTI people (.785**).

Figure 2: Scatterplot ILGA index and country percentages did not experience discrimination in the past 12 months
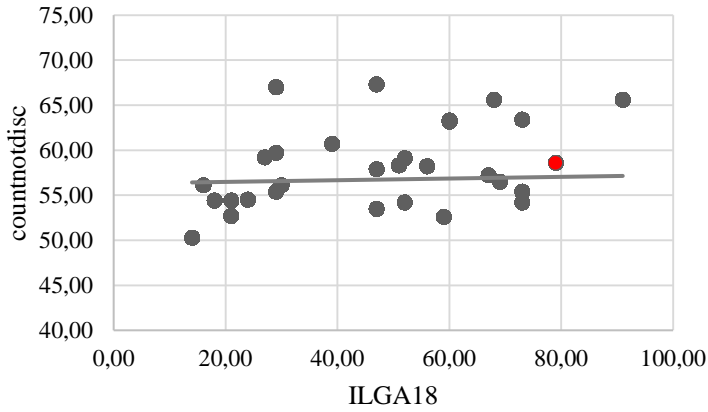
Figure 3: Scatterplot ILGA index and country percentages did not experience physical or sexual attack in the past 5 years
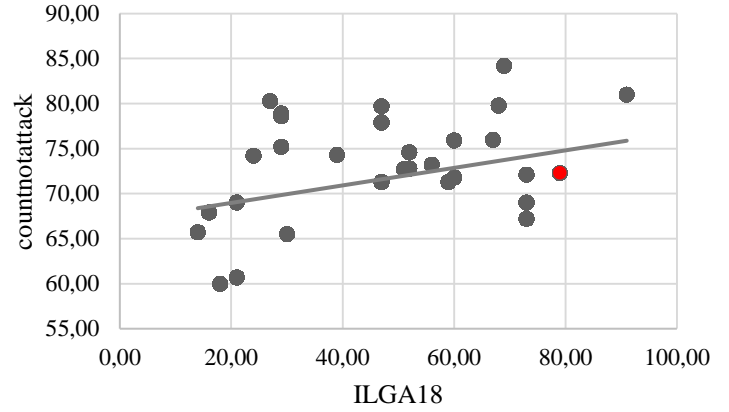
Figure 4: Scatterplot ILGA index and country percentages did not experience harassment in the past 5 years
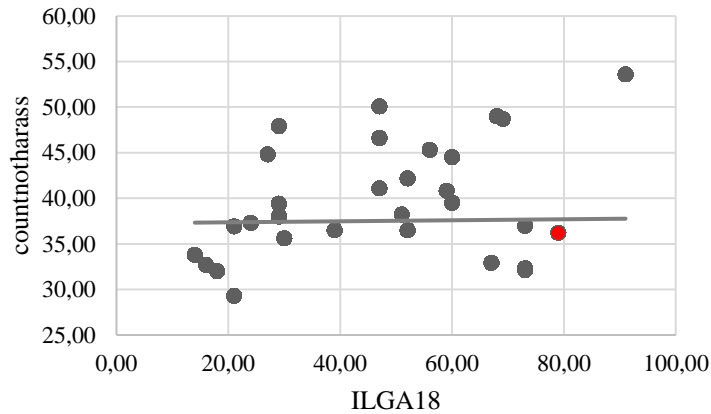
Figure 5: Scatterplot ILGA index and country percentages do not avoiding holding hands with same-sex partner for fear of being assaulted, threatened, or harassed
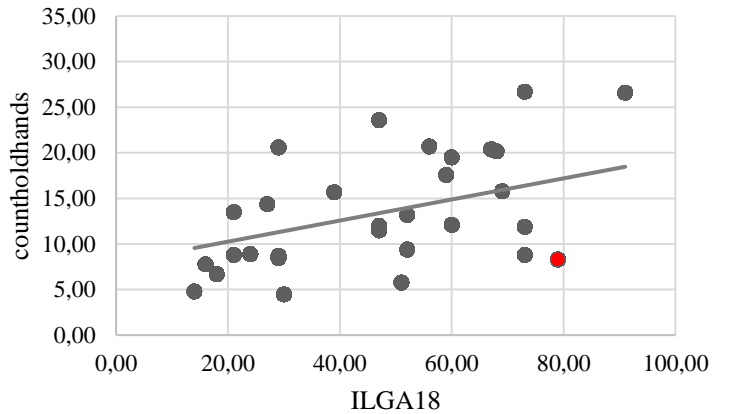
Figure 6: Scatterplot ILGA index and country percentages do not avoid locations out of fear for being assaulted, threatened, or harassed because of LGBTI identity
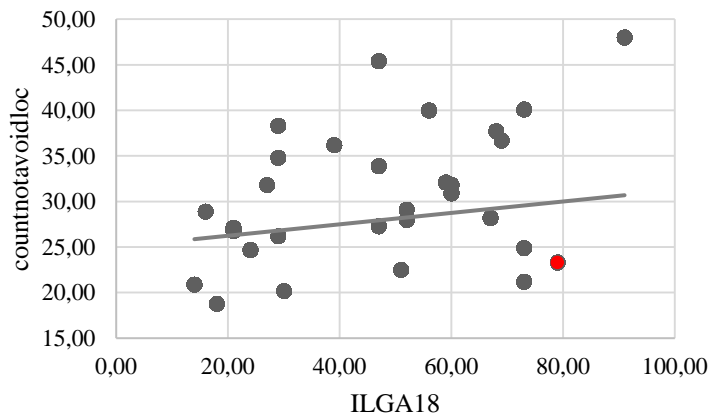
Figure 7: Scatterplot ILGA index and country percentages think their government effectively combats prejudice and intolerance against LGBTI people
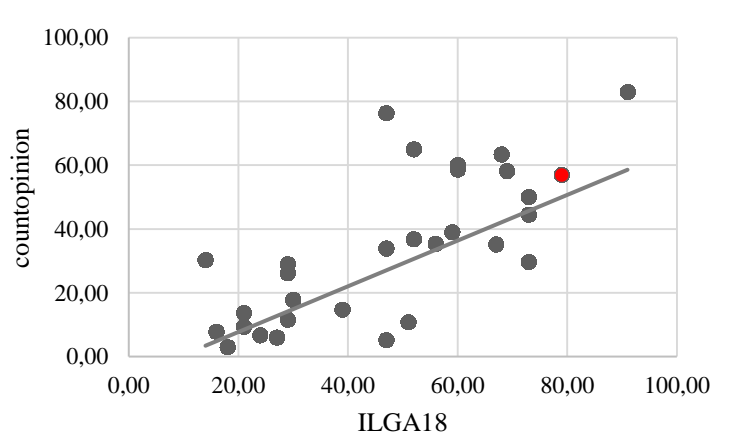
6.1.1 Scatterplots

The scatterplots in figure 2 to 7 give more insight into the relationships between the ILGA index and the various safety and government perception items. As the correlations between the ILGA index and discriminations (2) and harassment (4) are low, the data is very scattered. While we can see a clearer relationship for physical or sexual attack (3), fear of holding hands (5), and avoidance of specific locations for fear of attack or harassment (6), there is still a lot of data that is poorly predicted by the regression line. As the correlation between the ILGA index and perceptions of government effectiveness (7) is strongest, we can see that the data aligns most closely to the regression line.

The red dots indicate the Belgian percentage. We see that Belgium is above the regression only when considering experiences of discrimination (2) and perceptions of government effectiveness in combatting prejudice and intolerance against LGBTI people (7). Belgium scores slightly below the regression line for experiences of physical or sexual attack (3) and harassment (4). And Belgium scores relatively far below the regression line in terms of fear of holding hands with a same-sex partner (5) and avoiding locations out of fear (6). This means that Belgium has a lower number of LGBTQIA+ people who report not experiencing violence or fear than expected based on their ILGA index score.

6.1.2 Heatmap

Looking at the overall colour distribution, we can indeed see that there is more green at the top and more red at the bottom, but the trend is not uniform, and the colours often vary among safety items within countries. This indicates that the different items don't measure one homogenous safety experience and that the reported rate of experiences of different types of violence vary within countries. LGBTI people in one country might, for example, report experiencing relatively little discrimination while experiencing relatively much harassment. As expected from the correlation and scatterplot the colour scale of column six, representing perceptions about whether the government effectively combats prejudice and intolerance against LGBTI people, corresponds the most to that of the first column.

Table 2: Heatmap of country percentages of respondents that have not experienced different items

ILGA index score	Not discriminated %	Not attacked %	Not harassed %	Does not avoid holding hands %	Does not avoid locations %	Perception LGBTI prejudice combat effectiveness %
91 Malta	65.6%	81.0%	53.6%	26.6%	48.0%	82.9%
79 Belgium	58.6%	72.3%	36.2%	8.3%	23.3%	56.9%
73 Finland	63.4%	67.2%	32.3%	26.7%	40.1%	50.0%
73 France	55.4%	69.0%	37.0%	8.8%	21.2%	29.6%
73 United Kingdom	54.2%	72.1%	32.1%	11.9%	24.9%	44.5%
69 Portugal	56.5%	84.2%	48.7%	15.8%	36.7%	58.1%
68 Denmark	65.6%	79.8%	49.0%	20.2%	37.7%	63.3%
67 Spain	57.2%	76.0%	32.9%	20.4%	28.2%	35.1%
60 Netherlands	63.3%	75.9%	39.5%	12.1%	31.8%	58.6%
60 Sweden	63.2%	71.8%	44.5%	19.5%	30.9%	60.0%
59 Germany	52.6%	71.3%	40.8%	17.6%	32.1%	39.0%
56 Austria	58.2%	73.2%	45.3%	20.7%	40.0%	35.3%
52 Greece	54.2%	74.6%	42.2%	9.4%	28.0%	36.7%
52 Ireland	59.1%	72.8%	36.5%	13.2%	29.1%	64.9%
51 Croatia	58.3%	72.7%	38.2%	5.8%	22.5%	10.8%
48 Slovenia	67.3%	77.9%	46.6%	11.5%	33.9%	33.8%
47 Hungary	53.5%	71.3%	41.1%	12.0%	27.3%	5.1%
47 Luxembourg	57.9%	79.7%	50.1%	23.6%	45.4%	76.3%
39 Estonia	60.7%	74.3%	36.5%	15.7%	36.2%	14.7%
30 Serbia	56.1%	65.5%	35.6%	4.5%	20.2%	17.8%
29 Cyprus	55.4%	78.9%	47.9%	8.5%	34.8%	26.1%
29 Czech Republic	67.0%	78.6%	38.0%	20.6%	38.3%	28.9%
29 Slovakia	59.7%	75.2%	39.4%	8.7%	26.2%	11.6%
27 Italy	59.2%	80.3%	44.8%	14.4%	31.8%	5.9%
24 Bulgaria	54.5%	74.2%	37.3%	8.9%	24.7%	6.6%
21 Lithuania	54.4%	69.0%	36.9%	13.5%	27.1%	13.7%
21 Romania	52.7%	60.7%	29.3%	8.8%	26.8%	9.3%
18 Poland	54.4%	60.0%	32.0%	6.7%	18.8%	2.9%
16 Latvia	56.1%	67.9%	32.7%	7.8%	28.9%	7.7%
14 North Macedonia	50.3%	65.7%	33.8%	4.8%	20.9%	30.2%

This indicates that if a country has a higher ILGA index score, LGBTI respondents seem more likely to think that their government effectively protects them, sometimes irrespective of whether they actually experience more safety.

Focussing on individual countries, Belgium stands out. While taking second place on the ILGA index, Belgium scores relatively poorly on most safety items. Only 8.3% of Belgians are never afraid to hold hands with their same-sex partner, compared to 13.8% of Europeans, and only 23.3% never avoids locations out of fear of attack or harassment compared to 28.3%. The percentages of LGBTI people reporting not having experienced discrimination, not having been attacked and not having experienced harassment are quite similar (respectively 58.6% vs 56.8%; 72.3% vs 72%; and 36.2% vs 37.6). At the same time, many more Belgian LGBTI people think the government effectively combats prejudice and intolerance against LGTBI people (82.9% versus 31.3%).

Similar to Belgium, the United Kingdom, France, and on some items, Finland score relatively poorly on the safety items, but score highly on the ILGA index and highly in terms of trust in the government's effectiveness. The opposite happens in the Czech Republic, Estonia and Italy. While they score relatively well on most safety items, they receive a relatively low ILGA index score, and respondents seem to think quite poorly of their government's effectiveness in protecting them. There are also some countries where one specific item breaks the pattern. Spain scores relatively poorly in terms of harassment and Germany in terms of discrimination, while scoring relatively positively on most other indicators. Portugal scores somewhere in the middle on most items but has the highest relative number of people who have never experienced physical or sexual attack. Further, Finland has the highest relative number of respondents reporting feeling safe to hold hands with their same-sex partner, but scores poorly in terms of harassment. Finally, there are some countries where the different items get a similar relative score, and where that aligns with their ILGA index score, such as Malta, Denmark, the Netherlands, Austria, Ireland, Serbia, Romania, Poland and North Macedonia.

6.2 **Differences in LGTBQIA+ experiences within Belgium**

To analyse the second hypothesis: 'Differences in gender identity, sexual orientation, intersex status, minority status and socio-demographic background contribute to differences in experiences of safety among Belgian LGTBQIA+ individuals.', let us compare differences in LGTBQIA+ experiences of violence within Belgium.

To better interpret the regression analysis that follows, table 4 presents the number of Belgian respondents within each demographic and socioeconomic characteristic that reported having experienced different safety infringements or concerns, as well as the total number of Belgian respondents having experienced the different items, and the total number of Belgian respondents within each sub-group. This table provides a first insight into the uneven distribution of experiences of violence among Belgian LGBTI respondents.

Looking at the bottom row, we see that 27.7% of Belgian respondents report having been sexually or physically attacked at least once in the last 5 years. 63.8% report having faced harassment in at least one of the surveyed situations in the last 5 years. 91.7% report not always feeling safe to hold hands in public with their same-sex partner. And 76.7% report avoiding locations out of fear for attack or harassment because they are LGBTI. Looking at the last column, we see that 11.2% of Belgian respondents identify as lesbian cisgender endosex women. A little over half, namely 51.9% identify as gay cisgender endosex men. Only 1.2% identify as intersex. 9.3% Identify as bisexual cisgender endosex women. 5.0% Identify as bisexual cisgender endosex men. And 15.5% of respondents identify as trans, non-binary, genderqueer, agender, poly-gender, gender-fluid, or having a gender identity other than cis man or cis woman. 11.1% Of Belgian respondents identify as belonging to an ethnic minority, 3.9% to a religious minority, 5.4% to a disability minority and 11.2% to another minority.

Table 3: Number and percentages of respondents in sub-groups that have experienced attack, harassment, being afraid to hold hands and avoid locations

	Attack		Harassment		Hold hands		Avoid locations		Total	
	N	%	N	%	N	%	N	%	N	%
Respondent category										
Lesbian	124	27.0%	312	67.8%	383	90.5%	371	80.7%	460	17.1%
Gay	316	22.7%	793	56.9%	1158	95.2%	1104	79.2%	1394	51.9%
Intersex	21	65.6%	25	75.8%	16	80.0%	16	48.5%	33	1.2%
Bisexual (female)	87	35.1%	182	72.8%	140	93.3%	171	68.7%	250	9.3%
Bisexual (male)	28	21.1%	73	54.9%	89	96.7%	87	65.9%	133	5.0%
Trans	164	39.9%	329	79.1%	201	76.1%	308	74.6%	416	15.5%
Ethnic minority	98	33.2%	196	65.6%	220	92.8%	245	82.8%	299	11.1%
Not an ethnic minority	642	27.0%	1518	63.6%	1767	91.6%	1812	76.0%		
Religious minority	28	26.9%	72	68.6%	74	90.2%	81	77.1%	105	3.9%
Not a religious minority	712	27.7%	1642	63.6%	1913	91.8%	1976	76.7%		
Disability minority	50	35.0%	112	77.2%	1901	91.9%	100	69.0%	145	5.4%
Not a disability minority	690	27.2%	1602	63.0%	86	88.7%	1957	77.2%		
Other minority	104	34.4%	215	71.2%	220	90.2%	245	81.4%	302	11.2%
Not an other minority	636	26.8%	1499	62.9%	1767	91.9%	1812	76.1%		
Age										
15-17	31	30.1%	75	72.1%	51	85.0%	73	70.2%	104	3.9%
18-24	210	33.4%	462	72.8%	401	91.8%	472	74.7%	635	23.6%
25-29	159	34.5%	326	70.6%	338	89.2%	358	77.5%	462	17.2%
30-34	94	25.4%	257	69.3%	299	92.0%	300	81.1%	371	13.8%
35-39	75	25.5%	178	60.3%	247	93.2%	237	80.3%	295	11.0%
40-44	62	26.2%	141	59.5%	195	95.1%	187	78.9%	237	8.8%
45-49	37	21.3%	91	52.3%	134	91.8%	128	73.6%	174	6.5%
50-54	40	19.9%	106	52.7%	156	91.8%	149	74.5%	201	7.5%
55-59	14	12.5%	45	40.2%	95	93.1%	87	77.7%	112	4.2%
60-64	11	25.0%	20	45.5%	36	94.7%	29	65.9%	44	1.6%
65+	7	13.7%	13	25.5%	35	89.7%	37	72.5%	51	1.9%
Not a Belgian citizen	138	24.4%	339	59.7%	455	93.8%	439	77.6%	568	21.1%
Belgian citizen	602	28.5%	1375	64.9%	1532	91.1%	1618	76.5%		
Education level										
Masters or doctoral researcher	272	25.2%	652	60.3%	870	94.1%	822	76.0%	1081	40.2%
Post secondary education	291	28.2%	681	65.7%	780	91.3%	825	79.9%	1036	38.6%
Secondary education	166	31.1%	357	66.5%	320	87.7%	390	72.8%	537	20.0%
Primary or no formal education	11	34.4%	24	75.0%	17	77.3%	20	62.5%	32	1.2%
Ability to make ends meet										
Easy to make ends meet	266	21.6%	706	57.3%	956	93.5%	921	74.8%	1232	45.9%
Okay to make ends meet	359	31.1%	792	68.3%	822	90.7%	900	77.9%	1159	43.1%
Difficult to make ends meet	114	39.6%	212	72.9%	206	88.0%	232	79.7%	291	10.8%
Housing difficulties	164	42.7%	293	75.5%	295	91.9%	322	83.4%	388	14.4%
No housing difficulties	576	25.1%	1421	61.8%	1692	91.7%	1735	75.6%		
Urban	635	28.3%	1455	64.7%	1698	92.3%	1730	77.1%	2248	83.7%
Rural	105	24.1%	259	59.1%	289	88.4%	327	74.7%		
Total	740	27.7%	1714	63.8%	1987	91.7%	2057	76.7%	2686	100.0%

6.2.1 Hierarchical multiple logistic regression models

Let us now turn towards hierarchical multiple logistic regressions of the 4 safety items. Table 5 to 8 represent logistic regression models that predict the odds ratios for having experienced physical or sexual attack based on various background characteristics

Model 0 consists of bivariate logistic regressions where the relationship between each dependent variable and the independent variable are examined separately. The other models build on each other. Model 1 only considers the effect of the LGBTI category to which respondents belong. Model 2 also considers minority status. It examines how the odds ratios of the respondent categories change when minority status is also accounted for, and vice versa. Model 3 includes various demographic and socio-economic characteristics in addition to the LGBTI category and minority status. By controlling for all these factors, model 3 shows us the odds ratios when all dependent variables are considered simultaneously. I will discuss the effects of the different dependent variables across all models to understand similarities and differences across different safety items.

6.2.1.1 *Odds of experiencing physical or sexual attack*

Table 4 indicates that intersex individuals, endo-trans* individuals and cis-endo-bisexual women all have significantly higher odds of experiencing physical or sexual attack compared to cis-endo-lesbians (respectively, OR=5.16***; OR=1.79***; OR=1.46*). When controlling for minority status, we see that cis-endo-gay men have lower odds than cis-endo-lesbians to have experienced sexual or physical attack (OR=0.78*). When demographic and socio-economic variables are controlled for, the difference in odds for cis-endo-gay men and cis-endo-bisexual women compared to cis-endo-lesbians are no longer statistically significant. The effects of being intersex and endo-trans* decrease but remain significant (OR=4.36***; OR=1.51***).

Table 4:Hierarchical logistic regression of the odds of having experienced physical or sexual attack

	Model 0			Model 1			Model 2			Model 3		
		95% C.I.			95% C.I.			95% C.I.			95% C.I.	
	OR	Lower	Upper	OR	Lower	Upper	OR	Lower	Upper	OR	Lower	Upper
Respondent category (ref: lesbian)												
gay	0.793	0.623	1.009	0.793	0.623	1.009	0.775*	0.608	0.989	0.822	0.642	1.054
intersex	5.158***	2.417	11.007	5.158***	2.417	11.007	5.019***	2.341	10.76	4.356***	1.977	9.601
bisexual (female)	1.46*	1.047	2.035	1.46*	1.047	2.035	1.438*	1.03	2.006	1.294	0.92	1.82
bisexual (male)	0.72	0.453	1.147	0.72	0.453	1.147	0.71	0.445	1.133	0.681	0.423	1.096
trans	1.794***	1.348	2.386	1.794***	1.348	2.386	1.788***	1.339	2.388	1.512**	1.12	2.041
Ethnic minority	1.393*	1.068	1.816				1.532**	1.168	2.009	1.297	0.978	1.72
Religious minority	0.855	0.542	1.347				0.801	0.504	1.272	0.781	0.486	1.254
Disability minority	1.423	0.996	2.031				1.08	0.745	1.566	0.949	0.649	1.387
Other minority	1.442**	1.117	1.861				1.349*	1.04	1.751	1.275	0.975	1.668
Age	0.888***	0.856	0.921							0.903***	0.868	0.94
Citizenship (ref: yes)	0.8*	0.662	0.967							0.909	0.869	1.392
Highest level education (ref: masters or doctoral researcher)												
post secondary education	1.164	0.959	1.412							0.995	0.807	1.228
secondary education	1.337*	1.063	1.681							0.947	0.731	1.227
primary or no formal education	1.552	0.739	3.261							1.008	0.46	2.206
Ability to make ends meet (ref: easily)												
okay	1.637***	1.361	1.968							1.373**	1.126	1.674
difficult	2.374***	1.808	3.118							1.67***	1.231	2.266
Housing difficulties (ref: no)	2.221***	1.777	1.577							1.823***	1.436	2.314
Urban (ref: rural)	1.243	0.979	2.776							1.329*	1.03	1.713
Nagelkerke R square				0.041			0.049			0.090		
N	2672											

*p < 0.05, **p < 0.01, *** p < 0.001.

Data: FRA 2023

We also see that LGBTI individuals who are part of an ethnic or other minority have higher odds of experiencing physical or sexual attack, compared to those who are not (OR=1.39*; OR=1.44**). When controlling for respondent category, the effect of being an ethnic minority becomes bigger, while the effect of being another minority becomes smaller (OR=1.53**; OR=1.35*). When controlling for the other sociodemographic background variables, minority status no longer has a significant effect.

Finally, we see that as an LGBTI person ages, the odds of experiencing physical or sexual attack decrease (OR=0.89***). Those without Belgian citizenship also have less odds of experiencing such attacks compared to those with Belgian citizenship (OR=0.8*). These odds are higher for those with a secondary education compared to those with a master's or doctoral degree (OR=1.337*). The odds are also higher for LGBTI individuals who can make ends meet with some difficulty and even

higher for those who do so with great difficulty (OR=1.64***; OR=2.37***). They are also higher for LGBTI individuals who have faced housing difficulties in the past five years (2.22***). When controlling for all variables, citizenship and highest-level education no longer have a significant effect on the odds of experiencing physical or sexual attack. The effect of age remains mostly the same, while the effects of ability to make ends meet and housing difficulties decrease (OR=0.9***; OR=1.37**; OR=1.6***; OR=1.82***). In this third model, living in an urban area also significantly increases the odds of experiencing sexual or physical attack (OR=1.329*).

Overall, when controlling for all other variables cis-endo-gay men have the lowest odds of experiencing sexual or physical attack while intersex and endo-trans* individuals have higher odds compared to lesbian women. The odds of experiencing sexual or physical attack also increase if one is younger, has financial difficulties, has housing difficulties and lives in an urban area.

6.2.1 Odds of experiencing harassment

Looking at table 5 we see that cis-endo-gay men and cis-endo-bisexual men have significantly lower odds of experiencing harassment while endo-trans* people have significantly higher odds compared to cis-endo-lesbians (OR=0.63***; OR=0.578**; OR=1.78***). Controlling for all other variables slightly changes those effects (OR=0.68***; OR=0.538**; OR=1.417*).

Moreover, LGBTI individuals who are part of a disability or other minority have higher odds of experiencing harassment compared to those who are not (OR=1.96***; OR=1.45**). When controlling for respondent category, being part of a disability minority no longer has a significant effect and the effect of being another minority becomes smaller (OR=1.36*). This remains more or less the same in the final model.

Table 5: Hierarchical logistic regression of the odds of having experienced harassment

	Model 0			Model 1			Model 2			Model 3		
		95% C.I.			95% C.I.			95% C.I.			95% C.I.	
	OR	Lower	Upper	OR	Lower	Upper	OR	Lower	Upper	OR	Lower	Upper
Respondent category (ref: lesbian)												
gay	0.626***	0.5	0.78	0.626***	0.5	0.78	0.625***	0.5	0.782	0.676***	0.536	0.851
intersex	1.482	0.653	3.365	1.482	0.653	3.365	1.374	0.603	3.129	1.252	0.534	2.938
bisexual (female)	1.27	0.903	1.784	1.27	0.903	1.784	1.26	0.895	1.772	1.028	0.724	1.461
bisexual (male)	0.577**	0.389	0.855	0.577**	0.389	0.855	0.571**	0.384	0.847	0.538**	0.357	0.809
trans	1.783***	1.312	2.423	1.783***	1.312	2.423	1.696***	1.245	2.312	1.417*	1.028	1.955
Ethnic minority	1.072	0.828	1.39				1.186	0.911	1.544	0.955	0.723	1.261
Religious minority	1.201	0.781	1.849				1.168	0.753	1.81	1.216	0.773	1.913
Disability minority	1,955***	1.314	2.908				1.496	0.993	2.254	1.4	0.916	2.138
Other minority	1,454**	1.118	1.893				1.361*	1.041	1.78	1.376*	1.042	1.817
Age	0.838***	0.811	0.865							0.848***	0.819	0.878
Citizenship (ref: yes)	0.808*	0.652	1							0.932	0.754	1.153
Highest level education (ref: masters or doctoral researcher)												
post secondary education	1.262	1.058	1.507							1.069	0.88	1.298
secondary education	1.305	1.051	1.621							0.852	0.666	1.091
primary or no formal education	1.974	0.879	4.434							1.186	0.508	2.77
Ability to make ends meet (ref: easily)												
okay	1,608***	1.36	1.901							1.34**	1.115	1.61
difficult	1,999***	1.508	2.651							1.529**	1.116	2.095
Housing difficulties (ref: no)	1,903***	1.488	2.435							1.599***	1.229	2.081
Urban (ref: rural)	1.268*	1.029	1.563							1.411**	1.122	1.774
Nagelkerke R square				0.047			0.052			0.116		
N	2682											

*p < 0.05, **p < 0.01, *** p < 0.001.

Data: FRA 2023

Finally, the odds of experiencing harassment decrease as LGBTI individuals get older (OR=0.84***). Those who are 'okay' to make ends meet have higher odds of experiencing harassment, and these are even higher for who have a difficult time, when comparing with those who can easily make ends meet (OR=1.6***; OR=2***). LGBTI individuals who have faced housing difficulties also have higher odds of experiencing harassment (OR=1.90***). Those living in urban areas, as opposed to rural areas also have higher odds (OR=1.27*). When controlling for all dependent variables citizenship no longer has a significant effect on the odds. The effect of age does not really change, the effect of ability to make ends meet decreases slightly, and so does the effect of having experienced housing difficulties, while the effect of living in an urban, rather than rural area increases (OR=0.85***; OR=1.34**; OR=1.53**; OR=1.6*; OR=1.41**).

In conclusion, when controlling for all other variables cis-endo-gay and cis-endo-bisexual men have the lowest odds of experiencing harassment, while these are the

highest for endo-trans* individuals. Those who are part of another minority, who are younger, who have financial difficulties, have housing difficulties, and live in an urban area also have higher odds of experiencing harassment.

6.2.1.1 *Odds of being afraid to hold hands*

Table 6: Hierarchical logistic regression of the odds of being afraid to hold hands in public with a same-sex partner

	Model 0			Model 1			Model 2			Model 3		
		95% C.I.			95% C.I.			95% C.I.			95% C.I.	
	OR	Lower	Upper	OR	Lower	Upper	OR	Lower	Upper	OR	Lower	Upper
Respondent category (ref: lesbian)												
gay	0.912	0.699	1.188	0.912	0.699	1.188	0.886	0.679	1.156	0.892	0.681	1.169
intersex	0.226***	0.11	0.464	0.226***	0.11	0.464	0.222***	0.107	0.46	0.184***	0.087	0.388
bisexual (female)	0.526***	0.369	0.749	0.526***	0.369	0.749	0.515***	0.361	0.734	0.497**	0.346	0.713
bisexual (male)	0.464***	0.302	0.711	0.464***	0.302	0.711	0.461***	0.3	0.708	0.456***	0.295	0.704
trans	0.699*	0.507	0.963	0.699*	0.507	0.963	0.717*	0.518	0.991	0.673*	0.482	0.939
Ethnic minority	1.565**	1.132	2.163				1.565**	1.129	2.169	1.486*	1.061	2.08
Religious minority	0.918	0.569	1.481				0.958	0.59	1.553	0.96	0.591	1.561
Disability minority	0.645*	0.447	0.929				0.712	0.487	1.039	0.661*	0.449	0.972
Other minority	1.403*	1.033	1.906				1.435*	1.053	1.956	1.391*	1.018	1.902
Age	0.997	0.961	1.034							0.976	0.939	1.014
Citizenship (ref: yes)	0.678	0.452	1.017							0.998	0.784	1.271
Highest level education (ref: masters or doctoral researcher)												
post secondary education	1.256*	1.021	1.544							1.22	0.978	1.521
secondary education	0.842	0.665	1.066							0.814	0.625	1.059
primary or no formal education	0.525	0.253	1.089							0.496	0.233	1.055
Ability to make ends meet (ref: easily)												
okay	1.188	0.983	1.436							1.186	0.967	1.455
difficult	1.324	0.967	1.811							1.381	0.976	1.953
Housing difficulties (ref: no)	1.624***	1.222	2.159							1.65***	1.219	2.233
Urban (ref: rural)	1.145	0.903	1.451							1.039	0.809	1.335
Nagelkerke R square				0.022			0.030			0.049		
N				2677								

*p < 0.05, **p < 0.01, *** p < 0.001.

Data: FRA 2023

Table 6 indicates that intersex individuals, cis-endo-bisexual women, cis-endo-bisexual men, and endo-trans* individuals all have significantly lower odds of being afraid to hold hands in public compared to cis-endo-lesbians (OR=0.23***; OR=0.53***; OR=0.46***; OR=0.70*). When controlling for all variables some of these effects decrease slightly (OR=0.18***; OR=0.50**; OR=0.46***; OR=0.67*).

LGBTI individuals who are part of an ethnic or other minority have higher odds of being afraid to hold hands in public compared to those who are not, while those who are part of a disability minority have lower odds (OR=1.57**; OR=1.4*;

OR=0.65*). When controlling for respondent category, the significant effect for being part of a disability minority disappears. But it reappears in the final model where all dependent variables are controlled for, in this model the change in odds are slightly smaller than in the bivariate model (OR=1.49*; OR=1.39*; OR=0.66*).

Finally, we see that those whose highest education level is post-secondary education have higher odds of being afraid to hold hands in public with their same-sex partner then those who finished a master's or doctoral degree (OR=1.26*). LGBTI individuals who have faced housing difficulties have higher odds than those who did not (OR=1.62***) The effect of education level disappears when controlling for all other variables. Only the experience of housing difficulties remains significant (OR=1.65***).

Overall, cis-endo-lesbians have the highest odds of being afraid to hold hands with their same-sex partner and so do ethnic minorities and those with housing difficulties. Intersex, endo-trans*, and bisexual individuals on the other hand have lower odds of being afraid to hold hand with their same-sex partner and so do LGBTI individuals with a disability.

6.2.1.2 *Odds of avoiding locations out of fear for attack or harassment because of being LGBTI*

Lastly, in table 7 we see that cis-endo-gay men have significantly higher odds of avoiding locations out of fear of attack or harassment because of their LGBTI identity, while endo-trans* individuals have significantly lower odds compared to cis-endo-lesbians (OR=2.05***; OR=0.33***). When controlling for all variables, 'respondent category' is the only variable that remains significant, although the significance of the change in odds for cis-endo-gay men decreases slightly (OR=1.95**).

Minority status has no significant effect on the odds of avoiding locations out of fear for attack or harassment because of their LGBTI identity. The odds of avoiding locations out of fear decrease as the highest level of education decreases (OR=0.67*; OR=0.45***, OR=0.22**). The odds also decrease as it becomes more

difficult for LGBTI individuals to make ends meet (0.69*; 0.52**). Finally, LGBTI people living in an urban area have higher odds compared to those living rurally (1.58*). None of these effects remain significant when controlling for all other variables.

Table 7: Hierarchical logistic regression of the odds of avoiding locations out of fear for attack or harassment because of LGBTI identity

	Model 0			Model 1			Model 2			Model 3		
		95% C.I.			95% C.I.			95% C.I.			95% C.I.	
	OR	Lower	Upper	OR	Lower	Upper	OR	Lower	Upper	OR	Lower	Upper
Respondent category (ref: lesbian)												
gay	2.048***	1.349	3.11	2.048***	1.349	3.11	2.061***	1.356	3.134	1.946**	1.273	2.975
intersex	0.418	0.133	1.31	0.418	0.133	1.31	0.41	0.13	1.295	0.397	0.124	1.267
bisexual (female)	1.462	0.712	3.002	1.462	0.712	3.002	1.46	0.71	2.999	1.462	0.706	3.027
bisexual (male)	3.098	0.937	10.243	3.098	0.937	10.243	3.115	0.941	10.314	3.043	0.917	10.102
trans	0.33***	0.214	0.508	0.33***	0.214	0.508	0.324***	0.209	0.502	0.338***	0.216	0.531
Ethnic minority	1.215	0.716	2.064				0.989	0.575	1.703	0.992	0.568	1.733
Religious minority	0.792	0.369	1.698				0.918	0.418	2.02	0.896	0.405	1.984
Disability minority	0.7	0.366	1.339				1.24	0.628	2.447	1.286	0.645	2.562
Other minority	0.807	0.513	1.269				1.024	0.64	1.641	1.04	0.645	1.678
Age	1.053	0.986	1.125							0.912	0.584	1.424
Citizenship (ref: yes)	1.475	0.983	2.214							0.912	0.584	1.424
Highest level education (ref: masters or doctoral researcher)												
post secondary education	0.666*	0.464	0.957							0.805	0.546	1.186
secondary education	0.45***	0.297	0.68							0.644	0.406	1.021
primary or no formal education	0.215**	0.076	0.604							0.353	0.117	1.066
Ability to make ends meet (ref: easily)												
okay	0.686*	0.491	0.958							0.863	0.601	1.238
difficult	0.516**	0.324	0.822							0.888	0.523	1.508
Housing difficulties (ref: no)	1.026	0.665	1.583							1.306	0.87	1.962
Urban (ref: rural)	1.583*	1.084	2.314									
Nagelkerke R square				0.093			0.093			0.104		
N				2164								

*p < 0.05, **p < 0.01, *** p < 0.001.

Data: FRA (2023)

In conclusion cis-endo gay men have the highest odds of avoiding locations out of fear of attack or harassment because of their LGBTI identity while these odds are lowest for endo-trans* individuals.

6.2.1.3 *Explanatory power of LGBTI respondent category, minority status and demographic and socioeconomic variables*

Comparing the Nagelkerke R squared across the regressions, respondent category has the most explanatory power for avoiding locations out of fear for attack or harassment because of their LGBTI identity (R^2 =0.093), followed by experiences of harassment (R^2=0.047), physical or sexual attack (R^2=0.041), and being afraid to hold hands in public with a same-sex partner (R^2=0.022).

Across all tables the Nagelkerke R squared increases with 0.00 to 0.08 between model 1 and 2. Indicating that adding minority status variables to the model does not increase the goodness of fit by much.

Finally, we see that demographic and socio-economic variables add significant explanatory power when looking at experiences of sexual or physical attack and harassment (R^2 goes from 0.049 in model 2 to 0.090 in model 3 in table 4; and from 0,052 to 0,116 in table 5). This is much less the case for being afraid to hold hands with a same-sex partner and avoiding locations out of fear (R^2 goes from 0.030 in model 2 to 0.049 in model 3 in table 6; and from 0,093 to 0.104 in table 7).

6.3 Interviews with LGBTQIA+ experts

To answer the research question: 'How are these narratives utilized by LGBTQIA+ policymakers and advocates?', let us take a look at the different themes, touched upon by the interviewees.

6.3.1 Legal rights and societal acceptance

Both interviewees talked positively about the Belgian LGBTI legislation landscape. Amélie mentioned that Belgium was the second country to allow same-sex marriage and adoption. She also mentioned Belgium's second place on the ILGA index explicitly, as an indicator that Belgium does well. She talked about how, when a gay prime minister and trans minister got elected, Belgians didn't consider their sexuality or gender identity to be an issue but focussed on their political views and achievements.

Amélie believed that Belgium's strong LGBTI legislation, such as anti-hate and anti-discrimination laws, impacts public opinion because it "makes you think twice before, I don't know, having any kind of stupid speech" and makes "people think that actually LGBTIQ people have the same rights as I do". This leads her to argue that "in the general opinion LGBTIQ rights are not really an issue". Emma also noted that Belgium's LGBTQ policies and legislation are something "that other countries can only dream of", but she did not assume that these policies and legislations inherently lead to more societal acceptance. She noted that there is a

big distance between politicians and citizens. Arguing that citizens don't necessarily agree with the laws and are often poorly informed about changes in legislation. As a result, she argues, peoples' opinions, for example about trans-care, are often made on baseless assumptions and fake news. She thinks politicians are responsible for closing this gap, but many currently don't take that responsibility seriously. She also argues that while societal acceptance is often easy when it is a faraway theoretical concept, it becomes more controversial when it becomes practical or when someone in your close circle turns out to be queer.

While Amélie also touched upon this lack of knowledge, specifically in relation to trans legislation, she thought this ignorance was not necessarily a bad thing. She argued that trans legislation is not something the general population is concerned with and therefore they should not have a say in it. She says that Belgians might disagree on societal issues such as same-sex legislation, but they will not make a big fuss or protest about it. "We leave it to politics or organisations that know better and that's it, maybe that's just the mindset of Belgium that allows those laws to not be a huge debate". While Emma agrees that in the past it might have been the case that Belgians did not concern themselves with others' personal lives, she argues that this is quickly changing. Specifically, in 'the trans-discussion' where the trans-body is becoming heavily politicized, which she thinks is a very worrisome evolution.

6.3.2 Violence

Both Amélie and Emma pointed out that Belgian LGBTQ+ people still face violence. Emma argued that the increased visibility of queer people, while positive in terms of representation for young queer people, also leads to increased violence and hate towards queer people. She argued that in a society which people experience as changing very quickly, people look for a common enemy. One such common enemy is 'the transgender' who is strategically presented by the anti-gender movement as a threat to the traditional family because they 'make children crazy with all their talk of hormones'. On the one hand Muslims are also demonized as a threat to 'the good gay man', who is part of the in-group if he has his own home, pays taxes and does not want children.

Amélie started with saying that violence against LGBTIQ people is often covert, "they know they could pretend they didn't do it". The first examples she gave were examples of administrative violence: namely trans people having difficulty getting medical contraception reimbursed, which she attributed to information system faults, and (male) same-sex parents having difficulty getting their children recognized, which she said was due to surrogacy being in a legal grey-zone in Belgium. In regard to people being afraid to hold hands with or to kiss their same-sex partner in public she argued that there needs to be a general mindset change to make the demonstration of love in public more accepted, both in relation to gay and straight love. She also said that she notices that younger people are 'worse' because they more often use the slurs 'faggot' and the French 'guine' than other insults. About discrimination she said that it is hard to tackle without complaint files, so there could be work done in making people more aware that they can file a complaint for free at UNIA which their legal teams will really try to give consequences to it.

6.3.2.1 *Heterogenous experiences*

Emma immediately pointed out that experiences of violence differ between LGBTQ people, stating that research repeatedly finds that "trans and non-binary persons who do not experience a cis-normative gender expression, experience the most physical but also verbal violence". While individuals "who represents as a woman, so that can include lesbian women or persons, bi+ persons, but also trans persons who have a rather feminine expression, experience a lot of sexual violence. They also feel that it's because of their [gender] expression rather than because of their, for example, [sexual] orientation." "Homosexual men also experience verbal, physical and sexual violence, but to a lesser extent, which is not to say that they don't also experience it very often and more than average." She also noted that this "only gets worse if besides LGBTI+ you are at another identity crossroad. If your skin colour is not white, if you are not able bodied, those types of things don't make it better.".

When I asked Amélie about whether differences between LGBTIQ people are considered within policymaking, she said that they try to do so, but that they don't hear a lot about "the lesbians and trans men" which she attributes to patriarchal education. She says that they never hear about intersex people, "but do they want to be heard?". She thinks this might be due to the shame that is attached to being an intersex person by doctors and parents. When I asked her about the intersection of being LGBTIQ with for example racism, classism or ableism she said that "queer migrants are really marginalized". She gave a few different reasons for this marginalisation.

Firstly, she noted that in their home country "homosexuality is banned, they can get killed or not accepted by their families". Secondly, she pointed out that queer migrants who want to seek asylum are often asked very personal questions "to really test if they are gay or lesbians or whatever, I think no one could allow anyone to ask those questions to a straight person". She argues that these questions further marginalize queer migrants because "they don't know if they can actually say it". When I asked her how she thinks this marginalization could be addressed she said that it is an administrative problem because "each country has a list of countries they consider in danger". If someone from a different country where homosexuality or queerness is banned seeks asylum in Belgium the asylum interviewers might "think that they use that as an excuse just to have the papers". Therefore, she argues it is important to "educate the ones who will do the interviews to be LGBTI friendly". Two instances where she thinks extra attention might be needed are housing, "to make sure that LGBTI asylum seekers are not in the same housing [with], it's maybe stereotypical, I exaggerate, but people from Saudia Arabia, who are not LGBTI friendly, to make sure they are not put in situations where they are uncomfortable", and health issues, "like here in Belgium, people who try to find gay/ trans friendly doctors, just to make sure they are really taken care of in the correct manner". She says that giving this type of education is something that policymakers are actively focussing on.

6.3.2.2 *Combatting violence against LGBTQIA+ people*

When asked how the violence that queer people experience is being combatted by policymakers, both interviewees said that Belgium is doing much better than other countries, but that there is always room for improvement. Emma argues that it should be much clearer that trans/homophobia is a hate crime. There should be more sensibilisation, both in services that specifically work with victim support and within in the broader population so citizens can be active bystanders. She says there should be more focus on supporting families and educators as the support that queer people receive in the early stages of their life has a big long-term impact on their well-being. Lastly, she notes that we should have a serious discussion about the boundaries between free speech and hate speech on social media, as many young queer people face hate and harassment online.

Amélie said that "of course there is still some violence against LGBTIQ people, but we can't stop people from being stupid". In general, she argued that there needs to be a mindset change in how people share public space. "If someone is really disturbed by a couple holding hands in public, that means he thinks it's his street and he makes the rules. That is basically the problem.". Emma argued that people need to step away from the idea that creating a more inclusive society is difficult. She argues that "sometimes people just need to think about the ways in which society is already inclusive for them and that it is set up that way and that we have made choices to divide up our society the way it is divided up now. That also took work at some point. So why couldn't they do that for others?".

When asked about the priorities for advancing LGBTI rights and safety in Belgium, Amélie told me that they have three priorities. Firstly, to get rid of the existing four-month abstinence period when men who have sex with men want to donate blood. Secondly to stop non-necessary medical interventions on intersex children, which she laughingly notes "is the only thing that could make us go up number one on the ILGA Europe ranking, and that was our aim before 2024, but it didn't work out". Their final priority is to adapt the existing trans law, which was invalidated by the constitutional court, to include non-binary people. Since throughout the interview

she talked a lot about mentalities that needed to change, I asked her what an awareness-raising strategy could be. She said that she knows that "during the pride week or month, all the Belgian embassies hang the flag visible from the street, in every country, even in the countries where it is banned, I think it is a signal to say that we are in favour and LGBTI people are welcome here [-] to show that we care".

7. Discussion

My quantitative findings contribute to answering my first research question: 'How do LGBTQIA+ people's experiences match narratives of LGBTQIA+ safety as requiring state protection versus transformative justice?'.

7.1 Narrative 1: Safety requires state protection

Since the first narrative builds upon LGBTQIA+ safety requiring state protection, I hypothesized that 'LGBTQIA+ individuals living in countries with more robust LGBTI legislation will experience more safety'. However, my findings indicate a more nuanced relationship between LGBTI legislation and LGBTQIA+ experiences of violence and its threat. While there is a moderate correlation between a country's score on the ILGA index and the reported prevalence of experiences of physical or sexual attack, fear of holding hands with a same sex partner, and avoidance of certain places or locations for fear of being assaulted, threatened, or harassed because they are LGBTQIA+, there is only a low correlation between a country's index score and the reported experience of discrimination, and harassment. At the same time there is a strong correlation between a country's score on the ILGA index and the amount of people who report thinking their government effectively combats prejudice and intolerance against LGBTQIA+ people. Future research could look into why there is such a low correlation between a country's legal rights and LGBTQIA+ people's experiences of discrimination and harassment. As much LGBTQIA+ legislation is aimed at fighting discrimination and harassment, this discrepancy seems counterintuitive.

Focussing on Belgium my findings indicate that the Belgian percentage of LGBTQIA+ people who report having experienced attack and harassment in the past five years is slightly higher than the European average, while the Belgian percentage of LGBTQIA+ people who report avoiding holding hands with a same-sex partner and who report avoiding certain places or locations for fear of being assaulted threatened or harassed because they are LGBTQIA+ are much higher than the European average. Only the Belgian percentage of LGBTQIA+ people who report having experienced discrimination in the past year is slightly lower than the European average. These high rates of experiences with violence and its threat indicate that the goals of the Belgian LGBTQIA+ movement have not been met, and that Belgium is not 'uniformly LGBTI-friendly'.

Nonetheless the Belgian percentage of LGBTQIA+ people who think their government effectively combats prejudice and intolerance against LGBTQIA+ people is much higher than the European average. This could suggest that the homonationalist narrative that Belgium is an LGBTQIA+ safe place is embodied by Belgian LGBTQIA+ people even as their experiences do not match this narrative. Future research could analyse to what extent homonationalist narratives are widespread and embodied by LGBTQIA+ people. This incongruence could also suggest that the Belgian government does effectively combat prejudice and intolerance against LGBTQIA+ people, but that this decreased prejudice and intolerance does not lead to decreased experiences of harassment, physical or sexual attack, fear of holding hands with a same-sex partner and avoidance of certain locations out of fear. Further research could analyse the relationship between LGBTQIA+ legislation, attitudes towards LGBTQIA+ people, and LGBTQIA+ people's experiences of violence.

In conclusion, based on my findings, we cannot accept the hypothesis that 'LGBTQIA+ individuals living in countries with more robust LGBTI legislation will experience more safety', as firstly, there is only a low correlation between a country's ILGA index score and the reported experience of discrimination, and harassment, and secondly, while Belgium has relatively strong LGBTI legislation,

LGBTQIA+ people experience more violence and fear compared to the European average. I suggest that further research should look more thoroughly into the efficacy of legal measures in promoting LGBTQIA+ safety.

7.2 **Narrative 2: Safety requires transformative justice**

As the second narrative builds upon LGBTQIA+ safety requiring transformative justice, I hypothesized that 'Differences in gender identity, sexual orientation, intersex status, minority status and socio-demographic background contribute to differences in experiences of safety among Belgian LGTBQIA+ individuals.'. Following this narrative, we can expect that LGBTQIA+ individuals who face more structural inequality will experience less safety, but as discussed above, there is some disagreement within the literature of which structural inequalities increase the odds of which type of violence.

7.2.1 Physical and sexual violence and harassment

When controlling for all other variables, cis-endo-gay men have the lowest odds of experiencing sexual or physical attack, while intersex and endo-trans* individuals face higher odds compared to lesbian women. Similarly, cis-endo-gay and cis-endo-bisexual men exhibit the lowest odds of harassment, contrasting with endo-trans* individuals who face the highest odds.

These findings contradict previous Belgian research that finds that homosexual and bisexual men experience more physical and sexual violence compared to lesbian and bisexual/asexual women (Burgwal et al., 2023). On the other hand, the findings support the previous research showing that genderqueer people experience significantly more physical violence compared to lesbian and asexual people (Burgwal et al., 2023). It also supports the finding that being assigned female at birth increases the odds of sexual victimization (De Schrijver et al., 2022) as I find that cis-endo-gay men have lower odds of experiencing physical and sexual violence compared to cis-endo-lesbian women. It is, however, impossible to tell from my data how the odds of experiencing such attack differ between trans* men and trans* women as my model treats all trans* people as one group.

My findings also indicate that those who are part of an ethnic or other minority have higher odds of experiencing physical or sexual attack and those who are part of a disability or other minority have higher odds of experiencing harassment, although only the effect of being part of another minority remains significant when controlling for socio-demographic background variables. The significance of these effects disappearing might be due to LGBTQIA+ who are part of an ethnic, disability, or other or minority being more likely to experience financial or housing difficulties and living in urban areas, all of which have significant effects on the odds of experiencing such attack and harassment when controlling for minority status. These findings are in line with previous findings indicating that Flemish LGBTQIA+ individuals who are part of an ethnic minority experience more physical violence because they are LGBTQIA+ (Burgwal et al., 2023), and with international findings indicating that LGBTQIA+ individuals with disabilities are more likely to have experienced harassment (Eliason et al., 2015, Leonard & Mann, 2018).

Additionally, the likelihood of experiencing such attacks or harassment increases among younger individuals, those facing financial or housing difficulties, and those residing in urban areas. This is in line with previous research that finds that Flemish LGBTQIA+ individuals who are younger and had more financial difficulties experienced more verbal/ psychological, physical and sexual violence (Burgwal et al., 2023), with Belgian research that finds that perceiving one's financial situation as difficult and being younger increase the odds of experiencing sexual victimization (De Schrijver et al., 2022) and with research that finds that Belgian (LGB+) youth are more likely to experience violence before the age of 18 (Buysse et al., 2014).

These findings could serve as evidence that adopting transformative justice approaches is imperative if one wishes to combat violence against all LGBTQIA+ people. As trans* and intersex people have higher odds of experiencing physical and sexual attack and harassment, initiatives should combat cis and endo-normativity and actively resist the marginalization of people with more fluid and

non-binary experiences of gender (Butler, 2006). Moreover, seeing the disproportionate odds of LGBTQIA+ people who are part of an ethnic, disability or other minority to experience such violence, initiatives should resist the homonationalist rhetoric that demonizes Muslim migrants (van den Brandt, 2018) and should instead focus on including a diversity of LGBTQIA+ people by prioritizing anti-racism and anti-ableism (Wekker, 2015). Additionally, as the likelihood of experiencing such violence increases among those facing financial or housing difficulties, initiatives should focus on redistribution and fighting poverty (Spade, 2015). As those residing in urban areas also have higher odds of experiencing such violence, we should focus actively on making cities safer. Finally, as younger LGBTQIA+ individuals have higher odds of facing such violence, initiatives should work preventively and focus on combatting prejudice, intolerance, and violence at a young age, as voiced by Emma in my interview with her. Overall, such initiatives would contest dominant heteronormative assumptions and institutions (Duggan, 2003) and address the root cause of systemic inequalities based in racism, sexism, transphobia, colonialism, ableism, and poverty that all increase the odds of experiencing violence (Spade, 2015).

7.2.2 Fear of holding hands with a same-sex partner and avoidance of locations out of fear for attack or harassment

Returning to my findings, we also see that, cis-endo-lesbians have the highest odds of fear when holding hands with a same-sex partner, whereas intersex, endo-trans*, and cis-endo-bisexual individuals, as well as LGBTI individuals exhibit lower odds of such fear. These odds are also higher for ethnic minorities and individuals facing housing difficulties, while being lower for LGBTI individuals with disabilities. In interpreting these results, it is important to keep in mind that LGBTQIA+ people without a same-sex partner are excluded from the analysis. The results are thus not due to intersex, endo-trans* and cis-endo-bisexual individuals being less likely to have a same-sex partner. These results could be attributed to the sexualisation of women, and female to female sexuality in particular, under patriarchy, which could

make lesbian women feel less safe to show romance in public, but further research would be required to confirm that.

Notably, cis-endo-gay men demonstrate the highest odds of avoiding certain locations due to fear of attack or harassment based on their LGBTI identity, with endo-trans* individuals having the lowest odds in this regard. These odds are also higher for those with higher education levels, those who can easily make ends meet and those living in an urban area, but these effects disappear when controlling for all other variables. This might be explained by that in the sample cis-endo-gay men, who have the highest odds of avoiding locations out of fear, also have higher education levels and less difficulty making ends meet. Moreover, the question specifies that the reason for avoiding locations has to be that they are scared of attack or harassment on the basis of their LGBTI identity, which is not the case in the other questions. This might be an explanation for why no minority status variables are significant. Respondents with intersecting identities might have a harder time pinpointing the cause of their fear for certain locations That cis-endo-gay men have the highest odds of avoiding locations out of fear seems contradictory as they simultaneously have the lowest odds of experiencing attack or harassment within my findings. Nonetheless, more research should focus specifically on experiences of fear among LGBTQIA+ individuals, as well as exploring the factors contributing to the observed disconnection between perceived risk and actual experiences of violence among LGBTQIA+ individuals. Interestingly, this items about avoiding certain locations are also the items on which Belgium scores worst compared to the European average. Belgium scoring so poorly could be due to an overrepresentation of cis-endo gay men in the Belgian sample, but to know whether that is the case we would have to know whether the trend of cis-endo-gay men having the highest odds of avoiding locations out of fear is present for the whole European population.

In conclusion, based on my findings we can accept the hypothesis that 'Differences in gender identity, sexual orientation, intersex status, minority status and socio-demographic background contribute to differences in experiences of safety among

Belgian LGTBQIA+ individuals.' My findings indicate the heterogeneity of experiences of violence and its threat among LGBTQIA+ people. Moreover, my findings suggest that endo-trans* and intersex people have higher odds of experiencing physical and sexual attack and harassment, as do LGBTQIA+ people who are part of an ethnic, disability or other minority, and LGBTQIA+ people who are younger, face financial or housing difficulties, and live in urban areas. Based on these findings I suggest a need for transformative initiatives that address systemic inequalities. Somewhat conversely, my findings also indicate that cis-endo-lesbians have higher odds of experiencing fear when holding hands with a same-sex partner, as do ethnic minorities and individuals facing housing difficulties, and they suggest that cis-endo-gay men have the highest odds of avoiding certain locations due to fear of attack or harassment based on their LGBTI identity. Further research should focus specifically on fear of violence, to better understand this discrepancy between perceived risk and actual experiences of violence.

7.3 Usage of both narratives by LGBTQIA+ experts

My qualitative findings contribute to answering my second research question: 'How are these narratives utilized by LGBTQIA+ policymakers and advocates?'.

7.3.1 'Safety requires state protection'

Both interviewees pointed out that Belgium does much better in terms of policymaking and legal rights for protecting LGBTQIA+ individuals compared to other countries. Amélie specifically referenced the ILGA index and mentioned it as a motivation for implementing new legislation. Amélie also argued that Belgium's LGBTI friendly legislation results in general societal acceptance of LGBTIQ[7] people. She attributed the violence that still exists to administrative gaps or faults, people being stupid, or mindsets that need to change. This echoes the notion that "violence is caused by bad people who need to be punished" which Dean Spade (2015) attributes to a legal rights focus.

---

[7] As Amélie is francophone, this is the terminology that she used.

When talking about the marginalization of queer migrants she noted that special attention should be made not to place LGBTQIA+ migrants in housing with 'people from Saudi Arabia, who are not LGBTI friendly'. This could be classified as a homonationalist discourse (Rao, 2014). Though she did also talk about the violence that LGBTQIA+ migrants face at the hands of Belgian migration officers.

When asked about non-policy related strategies to improving LGBTQIA+ safety, Amélie pointed out that a good start to changing peoples' mindset is that Belgian embassies are hanging pride flags to signal LGBTIQ friendliness. Even though she often said that a mindset change needs to happen in reference to Belgians, the only mindset-related solution that she offered is geared towards changing the mindset of people in countries where queerness is punishable. This again could indicate a homonationalist discourse.

7.3.2 'Safety requires transformative justice'

Both interviewees also pointed out that Belgium still has work to do when it comes to LGBTQIA+ experiences of violence. Amélie noted that a lot of violence goes unnoticed because it is covert so people can pretend it did not happen. She did not say this, but one could argue that this makes it hard for legislation or the state to combat such violence.

Emma immediately talked about the heterogeneity of LGBTQIA+ peoples' experiences of violence, pointing out that individuals presenting as women experience more sexual violence while individuals with a non-cis-normative gender expression experience more physical and verbal violence. She explained how intersections with gender, ethnicity and ability makes it even more likely for queer people to experience violence. This echoes an understanding of violence as rooted in intersecting systems of oppression, as is present within transformative approaches to justice (Spade, 2015).

When I asked Amélie about differences within LGBTQIA+ people's experiences she pointed at the intersection with sexism, which she argued makes lesbians and trans men less heard. She also pointed out that intersex people often go unheard,

which she thinks might be because intersex people are taught to feel shame about their bodies by doctors and parents. This could reflect a critique of homonormativity where some LGBTQIA+ identities that are further from a patriarchal and binary understanding of sex and gender are marginalized (Duggan, 2003). She also pointed at the particular marginalization of queer migrants and pointed out that there should be specific attention to their particular health needs.

Furthermore, Emma noted that while Belgians are quite accepting about same sex people getting married this is much less the case when queer individuals and their lifestyles threaten hetero-cisnormative structures and traditional family values. Pointing out the current big discussions about topics such as queer family expansion and the politicization of trans bodies. This tolerance towards assimilation, but not towards diversity and difference is reflected in the arguments of many of the queer scholars cited above (Bell & Binnie, 2004, Duggan, 2003, Eeckhout, 2016). She also made explicit reference homonationalist and homonormativity theory when explaining the demonization of Muslims and trans people (Puar, 2007, Spade, 2015).

Emma said that while the LGBTQIA+ policy plans that the government proposes are great and often have an intersectional understanding, the problem is often with the implementation of those plans. Looking at the upcoming elections she said that she does not think that many existing rights will be taken away from LGBTQIA+ people, as this is very hard to do. She is however worried about trans-rights, trans-care and abortion rights, which she thinks will not progress positively in case a right-wing government comes to power.

7.3.3   Balancing the narratives

While both interviewees talked about Belgium's legal rights in comparison to other countries and both noted differences in experiences of violence among LGBTQIA+ people, there were differences in the usage and prevalence of these narratives. I would argue that Amélie talked more from a state-oriented perspective, while Emma talked more from a transformative justice perspective. This is not completely surprising as they work in different types of organizations. While Amélie works as

a political advisor for the secretary of state responsible for gender equality, equal opportunities and diversity, Emma works within a Flemish LGBTI umbrella advocacy organization.

The interviews showcase that the two narratives are not mutually exclusive. One can make coherent arguments relying on both narratives, and as such one interviewee cannot be tied to one narrative. However, we can see that, generally, Amélie is more inclined to refer to safety as state protection, while Emma tends to understand safety in a more transformative way. Two interviews are not sufficient to prove any link between these tendencies and their positions. However, it would make sense intuitively that a policymaker is inclined to see legal protections as the primary source to improve LGBTQIA+ experiences. Similarly, it makes sense intuitively that someone working in an LGTQIA+ advocacy organisation takes a more transformative approach, as non-governmental organisations can be more critical towards the state and advocate for a more holistic approach in which multiple authorities, responsible for different aspects of violence, should co-operate towards transformative justice. As a relative outsider it might be easier to address the systemic oppression to which the state contributes, while this might be harder to address from within the state as a policymaker.

Although this is an understandable dynamic that is not inherently wrong, as it might be valuable for advocacy and policymakers to have different approaches to justice in general and LGBTQIA+ safety in particular. I would also argue, however, that if Belgium wants to take the high numbers of violence experienced by LGBTQIA+ people seriously, it will have to step away from a self-understanding as 'particularly LGBTI-friendly' and focus on combatting violence within Belgium. As I have argued above, based on my statistical findings, initiatives to combat violence against all LGBTQIA+ should combat endo-cis-heteronormativity, should prioritize anti-racism and anti-ableism, should focus on material redistribution, and making cities safer, and should work preventively. If not the most marginalized LGBTQIA+ people - such as trans and intersex individuals, LGBTQIA+ people who are part of ethnic, disability and other minorities, and LGBTQIA+ people who

are younger, face financial or housing difficulties, and live in urban areas – will remain at highest risk of violence.

7.4 **Limitations**

To start, there are some limitations to my study that are due to the LGBTI II survey data that I am using. Firstly, the data was gathered through an online opt-in survey design, which poses some challenges to the statistical representativeness of the data. Secondly, because of the limited sample sizes of some sub-groups of LGBTQIA+ people in the Belgian sample, I was not able to analyse the intersecting effects of gender identity, sexual orientation, and intersex status on the safety experiences of Belgian LGBTQIA+ people. Thirdly, as the survey did not define what it understands by different minority groups such as 'other minority' or 'disability minority' it is hard to interpret these findings.

Additionally, there are some limitations as a result of my interview sampling. As I was only able to have two interviews, my findings are quite limited to the two people I spoke with and the organisations they work in, especially seeing the regional divisions within Belgian LGBTI policymaking and LGBTQIA+ movements. The suggested link between position and narrative is something that could be further investigated in future research.

Moreover, my usage of the ILGA index as proxy for legal rights could be critiqued, because the index looks at hundred set topics, but can never take all aspects that are relevant to LGBTI laws, policy, and legislation into account.

While my findings can say things about how differences in the ILGA index relate to differences in relative numbers of LGBTQIA+ people experiencing violence, and about how the odds of these experiences differ among LGBTQIA+ people, the interpretation in which I link this to a lack of attention to structural inequality is mainly based on my theory, rather than a given from the results. There are other contributing factors, such as shifts in political climates or public attitudes, that I have not explored within the scope of the study.

8. **Conclusion**

In this thesis, I have explored the boundaries of legal rights for improving LGBTQIA+ people's safety. I started by distinguishing between two narratives, namely: 'LGBTQIA+ safety requires state protection'; and 'LGBTQIA+ safety requires transformative justice'. I argued that the first narrative takes a legal rights approach to safety and assumes that by formalizing rights and protections into law LGBTQIA+ people can be protected from violence. As Belgium has relatively strong LGBTI legislation Belgium is understood as particularly LGBTI-friendly/tolerant/safe. Through a homonationalist rhetoric, popular in mainstream media and among politicians, the 'uniformly LGBTI-friendly' Belgian nation is contrasted with 'uniformly LGBTI-unfriendly' Muslim migrants and Central/Eastern-European others. However, this self-congratulatory national tone is challenged by the alarmingly high rates of violence experienced by LGBTQIA+ Belgians and the still widespread homo/trans/intersex-phobic attitudes among the Belgian population.

To understand this discrepancy between Belgium's LGBTI legislation and LGBTQIA+ people's experiences of violence, I turned towards queer theory. I explained that legal rights do not address the systems of oppression that cause LGBTQIA+ people's marginalization, but rather they categorize LGBTQIA+ people following homonormative logics. As such, a legal rights discourse prioritizes equality and assimilation over diversity and transformation, resulting in the exclusion of LGBTQIA+ people who do not align with cis-white-middle class expectations of what a 'good homosexual' looks like. Therefore, I argue for a transformative approach to justice as described by Dean Spade (2015) that understands violence to be a result of systemic oppression and is led by the most marginalized populations.

I then analysed which of these narratives better matched with the experiences of LGBTQIA+ people. I used the EU LGBTI II survey data collected by the FRA to analyse the correlation between the ILGA index, which I used as a proxy for legal rights, and the experiences of violence and its threat among European LGBTQIA+

people. I found only a low correlation with the reported experience of discrimination, and harassment. Moreover, comparing the country percentages, I found that Belgian LGBTQIA+ people experience more violence and fear compared to the European average, and compared to other European countries with similarly strong legislation. Therefore, I concluded that based on my findings, we cannot accept the first hypothesis that 'LGBTQIA+ individuals living in countries with more robust LGBTI legislation will experience more safety'. I argue that these findings support the argument that legislation does not sufficiently address violence.

To understand whether this discrepancy between legislation and experiences might be due to systemic inequalities that remain unaddressed by legal rights, as a transformative justice approach to LGBTQIA+ safety suggests, I conducted a hierarchical multiple logistic regression model, analysing how the odds of experiencing different types of violence and fear differ for different Belgian LGBTQIA+ people. I found that endo-trans* and intersex people have higher odds of experiencing physical and sexual attack and harassment, as do LGBTQIA+ people who are part of an ethnic, disability or other minority, and LGBTQIA+ people who are younger, face financial or housing difficulties, and live in urban areas. Therefore, I suggest a need for transformative initiatives that address the specific needs of these marginalized populations. Somewhat conversely, I also found that cis-endo-lesbians have higher odds of experiencing fear when holding hands with a same-sex partner, and that cis-endo-gay men have the highest odds of avoiding certain locations due to fear of attack or harassment based on their LGBTI identity. As these are not the groups who report the highest rates of experiencing such violence, I think further research should focus specifically on fear of violence among LGBTQIA+ people.

To understand how these narratives are used by LGBTQIA+ policymakers and advocates, who influence LGBTI legislation and policies, I thematically analysed two interviews with experts in LGBTQIA+ policymaking and advocacy. My findings indicate that although both narratives are not mutually exclusive, the

person working with LGBTQIA+ policymaking is more inclined to refer to safety as state protection, while the person working within an LGBTQIA+ advocacy organisation tends to understand safety in a more transformative way. I argue that if Belgium is to address the violence faced by LGBTQIA+ people, particularly by those facing most marginalization, it will have to step away from a self-understanding as 'particularly LGBTI-friendly' and focus on transformative justice approaches to safety that address structural inequality and centre the experiences of marginalised people.

9. **Bibliography**

Alm, E. (2021). A State Affair?: Notions of the State in Discourses on Trans Rights in Sweden. In E. Alm, L. Berg, M. Lundahl Hero, A. Johansson, P. Laskar, L. Martinsson, D. Mulinari, & C. Wasshede (Eds.), *Pluralistic Struggles in Gender, Sexuality and Coloniality: Challenging Swedish Exceptionalism* 209–238. Palgrave Macmillan.

Bayrakdar, S., & King, A. (2023). LGBT discrimination, harassment and violence in Germany, Portugal and the UK: A quantitative comparative approach. *Current Sociology*, *71*(1), 152–172.

Belgium [@belgium]. (2024, May 14). *"Somewhere over the rainbow… it's Pride Week!" https://www.instagram.com/p/C65rCCdMc4w/*

Bell, D. & Binnie, J. (2004). Sexual Citizenship. *Handbook of lesbian and gay studies.*

Bomans, B. (2022). When Queerness Is Tinged with Nostalgia: Whitewashing Homonormativity in Low Countries Nationalism and Re-Imagining the Queer-of-Colour Past in North American Television and Fiction. *Dutch Crossing*, *46*(3), 244–258.

Borghs, P., & Eeckhout, B. (2010). LGB Rights in Belgium, 1999-2007: A historical survey of a velvet revolution. *International Journal of Law, Policy and the Family 24*(1), 1–28.

Bracke, S. (2012). From 'saving women' to 'saving gays': Rescue narratives and their dis/continuities. *European Journal of Women's Studies 19*(2), 237–252.

Brown, W. (2002). Suffering the Paradoxes of Rights. *Left Legalism/Left Critique* 420–434. Duke University Press.

Burgwal, A., Van Wiele, J., & Motmans, J. (2023). *GENOEG ENOUGH ASSEZ Onderzoek naar de ervaringen met geweld van LGBTI-personen in*

Vlaanderen. Agentschap Binnenlands Bestuur. Gelijke kansen, integratie en inburgering. www.trangenderinfo.be

Butler, J. (2006). *Gender trouble: Feminism and the subversion of identity*. Routledge.

Buysse, A., Caen, M., Dewaele, A., Enzlin, P., Lievens, J., T'Sjoen, G., Van Houtte, M., & Vermeersch, H. (2013). *Seksuele gezondheid in Vlaanderen : [sexpert]*. Gent: Academia press. https://lib.ugent.be/catalog/rug01:001955345

De Schrijver, L., Fomenko, E., Krahé, B., Roelens, K., Vander Beken, T., & Keygnaert, I. (2022). Minority Identity, Othering-Based Stress, and Sexual Violence. *International Journal of Environmental Research and Public Health*, *19*(7).

D'haese, L., Dewaele, A., & Van Houtte, M. (2014). *Geweld tegenover holebi's II: Een online survey over ervaringen met holebigeweld in Vlaanderen en de nasleep ervan.* Antwerpen: Steunpunt Gelijkekansenbeleid. https://biblio.ugent.be/publication/4385997

Dhoest, A. (2020). LGBTs In, Muslims Out: Homonationalist Discourses and Counterdiscourses in the Flemish Press. *International Journal of Communication, 14*(21).

Dhoest, A. (2021). Eastern others: Homonationalism in the Flemish press. *International Communication Gazette*, *83*(6), 616–635.

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

Eeckhout, B. (2016). Queer in Belgium: Ignorance, goodwill, compromise. In *Queer in Europe*, 11–24. Routledge.

Eeckhout, B., & Paternotte, D. (2011). A paradise for LGBT rights? the paradox of Belgium. *Journal of Homosexuality*, *58*(8), 1058–1084.

Egner, J. E. (2019). Hegemonic or Queer? A Comparative Analysis of Five LGBTQIA/Disability Intersectional Social Movement Organizations. *Humanity & Societyè*, *43*(2), 140–178.

Eliason, M. J., Martinson, M., & Carabez, R. M. (2015). Disability among sexual minority women: Descriptive data from an invisible population. *LGBT Health*, *2*(2), 113–120.

FRA (European Union Agency for Fundamental Rights), Vienna, Austria (2021). The EU LGBTI II Survey, 2019. *GESIS Data Archive, Cologne. ZA7604 Data file Version 1.1.0, https://doi.org/10.4232/1.13733*.

FRA (European Union Agency for Fundamental Rights). (2020), *A long way to go for LGBTI equality – Technical report.* Luxembourg, Publications Office. Available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-lgbti-equality-technical-report_en.pdf

European Comission. (2023). *Special Eurobarometer 535: Discrimination in the EU*.

Fric, K. (2019). How does being out at work relate to discrimination and unemployment of gays and lesbians? *Journal for Labour Market Research*, *53*(1).

Grommen, S. (2024, May 14). Helft Belgische lgbtq+'ers vermijdt hand in hand te lopen met partner, 1 op de 7 is voorbije jaren ook echt aangevallen. *vrtnws. https://www.vrt.be/vrtnws/nl/2024/05/14/helft-belgische-lgbtq-ers-vermijdt-hand-in-hand-te-lopen-met-pa/*

Hooghe, M., & Meeusen, C. (2013). Is same-sex marriage legislation related to attitudes toward homosexuality?: Trends in tolerance of homosexuality in european countries between 2002 and 2010. *Sexuality Research and Social Policy*, *10*(4), 258–268.

ILGA-Europe. (2018). *Rainbow Europe Map and Index 2018*. Https://www.ilga-europe.org/report/rainbow-europe-2018/.

ILGA-Europe. (2023a). *Rainbow Europe: About*. Https://www.Rainbow-Europe.Org/About.

ILGA-Europe. (2023b). *Rainbow Europe Map and Index 2023*. Https://www.Ilga-Europe.Org/Report/Rainbow-Europe-2023/.

ILGA-Europe. (2024). *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe and Central Asia.*

IGVM (2022). *Jaarverslag 2022*.

James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). *The Report of the 2015 U.S. Transgender Survey.*

Katz, B. A. (2021). *Coming Out vs Staying Safe: Assessing societies' attitudes and laws independent associations with sexual minority disclosure behaviors*.

Leonard, W., & Mann, R. (2018). *The everyday experiences of lesbian, gay, bisexual, transgender and intersex (LGBTI) people living with disability*.

Mathieu, G., Rasson, A. C., & Rolain, M. (2020). L'appréhension des violences subies par les personnes trans et intersexes au prisme des droits humains: une révolution douce. In *Les violences de genre au prisme du droit* 35-62. Larcier.

Meeusen, C., Boonen, J., & Dassonneville, R. (2017). The structure of prejudice and its relation to party preferences in Belgium: Flanders and Wallonia compared. *Psychologica Belgica*, *57*(3), 52–74.

Meier, P., & Motmans, J. (2020). Trans laws and constitutional rulings in belgium: The ambiguous relations between sex and gender. *Politics and Governance*, *8*(3), 242–252.

Motmans, J., Guy, dr T., & Petra Meier, dr. (2015). *Geweldervaringen van transgender personen in België*. Steunpunt Gelijkekansenbeleid, 2015. http://hdl.handle.net/1854/LU-8161261

Noppe, J. (2016). *SCV-survey meet voor het eerst de houding tegenover transgenders.* Departement Kanselarij en Buitenlandse Zaken.

Pickery, J., & Noppe, J. (2017). Holebi's en holebiseksualiteit steeds ruimer aanvaard. In A. Carton, J. Pickery, & D. Verlet (Eds.), *20 jaar Peilen in Vlaanderen. De survey "sociaal-culturele verschuivingen in Vlaanderen."* Studiedienst Vlaamse Overheid.

Puar, J. (2007). *Terrorist Assemblages: Homonationalism in Queer Times*. Duke University Press.

Rao, R. (2014). The locations of homophobia. *London Review of International Law*, *2*(2), 169–199.

Smith, W., & Chew, R. (2021). Empty Promises of Rainbow Hearts: The Changes and Stagnations of Anti-Violence Providers in Serving LGBTQIA+ Survivors. LGBTQ Policy Journal, 11.

Spade, D. (2015). *Normal Life: Administrative violence, critical trans politics, & the limits of the law*. Duke University Press.

van den Brandt. (2016). Criticising Proper Gayness: Counter-Discourses at the Intersection of Ethnic and Sexual Diversity in Belgium and the Netherlands. In A. Gambrell, D. Osborne, & L. Buttigieg (Eds.), *Connecting, Rethinking and Embracing Difference,* 47–55. Brill.

van den Brandt, N. (2018). Countering illegibility: Religion, ethnicity and sexuality in public debates and lived experience in Belgium. *Culture and Religion*, *19*(1), 62–89.

van Ditzhuijzen, J., & Motmans, J. (2020). *Kennis en opvattingen over intersekse Een nulmeting in Nederland en Vlaanderen.*

van Lisdonk, J. (2014). *Living with intersex/dsd*.

Vanlee, F. (2019). Acknowledging/denying LGBT+ difference: Understanding homonormativity and LGBT+ homogeneity in Flemish TV fiction through production research. *European Journal of Communication*, *34*(5), 520–534.

Verhoeven, E., Dhoest, A., & Paulussen, S. (2023). 'No room for hate in our country': Constructing the LGBTI-friendly nation in news discourses after the murder of a gay man in Belgium. *International Journal of Cultural Studies*, *26*(1), 69–86.

Wekker, G. (2016). Of Homo Nostalgia and (Post)Coloniality: Or, Where Did All the Critical White Gay Men Go? In *White Innocence: Paradoxes of Colonialism and Race*. Duke University Press.

10. **Appendix**

1. **Interview Guide:**

Introduction:

- Can you please tell me a bit about your background and expertise in LGBTI rights policymaking?

Understanding Legal Rights and Policy Implementation:

- How would you describe the current LGBTI rights landscape in Belgium?
- From your perspective, what are key legal protections or policies aimed at promoting safety and well-being for LGBTQIA+ individuals?

LGBTQIA+ people's Experiences:

- What experiences of discrimination, harassment, or violence do you think LGBTQIA+ people commonly encounter in Belgium?
- Do you think these experiences are sufficiently addressed within legal rights and policies aimed at promoting equal opportunities and diversity?

Identifying Gaps and Opportunities:

- What challenges or barriers exist in improving the safety and well-being of LGBTQIA+ individuals?
- Do you think that differences in experiences between different LBGTQIA+ people or communities are sufficiently accounted for within Belgian legal rights and policies?

Future Directions and Recommendations:

- Looking ahead, what do you think are the priorities for advancing LGBTI rights and safety in Belgium?
- What strategies or interventions do you believe Belgium should focus on in the future to improve safety and well-being for LGBTI individuals?

Closing:

- Is there anything else you would like to add or any additional insights you think are important for me to consider in my research?