The Unexpected Politics of ILGA-Europe's Rainbow Maps: (De)constructing Queer Utopias/Dystopias

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Abstract

Recently, we have seen a proliferation of maps visualising the global state of Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, plus (LGBTQI+) rights. Whilst they represent a productive advocacy tool for activists, we critically examine the politics embedded and reinforced by the way indexes are constructed and represented. By exploring the discrepancies between the ILGA-Europe Rainbow Maps and the lived experiences of LGBTQI+ people within Europe, we argue that these maps reproduce hierarchies often mediated by Eurocentric understandings of linear progress, while discounting the importance that an interpenetration of legal and social aspects has in evaluating national contexts in which LGBTQI+ persons live. The emphasis on legislative frameworks, thus, in part displaces lived experiences of LGBTQI+ people in Europe – projecting both Queer Utopias and Dystopias onto different geographical localities feeding into existing homonationalist discourses. With such findings, we argue against the fetishization of legislation within LGBTQI+ activism and academia.

Keywords

Rainbow Maps; LGBTQI+ rights; Europe; ILGA-Europe; Rainbow Exceptionalism; Queer Lived Experience

Key Messages

- Rainbow maps are an important, yet limiting tool, of LGBTQI+ advocacy
- Mapping legal rights does not always capture the complexity of LGBTQI+ lived experience
- Maps tend to create hierarchies and project skewed images of queer dystopias and utopias
- Maps should be accompanied by thorough contextual social analysis to avoid rainbow exceptionalism

Introduction

As we were writing this article in a public library in London, ILGA-Europe[1] (2023) published its 2023 Rainbow Index and Map. Following the *#RainbowEurope* hashtag on Twitter (X), we saw the politics that we sought to analyse and unpack in this article unfold in real-time. Amongst many stories and commentaries, several stood out. First, we noticed an overwhelming number of comments related to what people called the "UK's fall from grace". Commentators and activists highlighted how the UK used to be number 1 in 2014, but has now fallen to number 17, nearing the "yellow zone", and finding itself in the company of most of Central Europe, including Hungary.[2] Elsewhere, activists noted that whilst Portugal is still on the 'Green scale' it had dropped to the 9th place. In their post, they seemingly expressed worries about a decline in LGBTQI+ protections in their country, a statement swiftly followed by a congratulation to other Southern European countries that did well on the index.[3] These stories are mere snapshots of the (political) discourses generated by the Rainbow Map and Index, yet we see them as a telling example of how the creation of maps and indexes can start to lead a life of their own, contributing to a world-making that feeds into "a basic human tendency to see the world in terms of hierarchies of reputation and status" (Merry 2016, 1).

In this article, we critically interrogate the forms of world-making that are (unintentionally) embedded within the Rainbow Map and Index. In our analysis, we consider the map and index as a "method device" (Aradau and Huysmans, 2013) that enacts a particular world and generates homonationalist politics. Yet, we also seek to disrupt such politics by demonstrating how the primacy of the legal indicators that underpin the index and map can lead to a misunderstanding and sometimes even misrepresentation of actual LGBTQI+ lived experiences. To achieve the latter we produce new critical indices and maps as "method act", a move in which we bring different data sources together as a political tool not to enact an alternative world, but to "disrupt particular scripted, ordered enactments of worlds" (Aradau and Huysmans, 2013, 611).

Given the importance of the index and map in European LGBTQI+ activism, i.e. they are used by activists to raise awareness and lobby domestic/European policy makers, we are surprised by the limited scholarly attention to the tool. To the best of our knowledge, there is no study that engages the index and map as its focal point of analysis or of critical engagement. However, in the wider International Relations literature, there has been extensive attention to the role of indicators in global governance and the (un)intended consequences of the construction of quantitative indicators to measure complex social realities (see e.g. Broome and Quirk 2015; Fukuda-Parr and McNeill, 2019; Fukuda-Parr, S., Yamin, A. and Greenstein 2014; Kelly and Simmons, 2015; Mennicken and Espeland, 2019; Merry, 2016). This literature shows how indicators are used in normative ways to generate accountability, pressure for change using naming and shaming tactics, and more broadly function as

[1] ILGA-Europe is the umbrella organisation for LGBTQI+ (Lesbian, Gay, Bisexual, Trans, Queer and Intersex) activism in Europe and Central Asia.

[2] Taylor, S. [@danophile]. 2023. "#RainbowEurope 2023 is out today. The UK's fall from grace continues from 1st place in 2014 to 17th place in 2023, about to fall into the yellow zone alongside most of Central Europe including Hungary. Sobering reading at http://rainbow-europe.org." [Twitter] May 11. Available at: https://twitter.com/danophile/status/1656539816551493633?s=46&t=HuSNYfKbAxhfYK_ErBjXBA

[3] Santos, A-C. [@acsantos_ces]. 2023. "#RainbowEurope 2023 is out today. PT is still on the green scale but dropped to 9th place... More to do to recover our former score next year. Amongst other Southern European countries, congrats to Malta and Spain! http://rainbow-europe.org" [Twitter] May 11. Available at: https://twitter.com/acsantos_ces/status/1656615499298488322?s=46&t=HuSNYfKbAxhfYK_ErBjXBA

technologies of knowledge. Merry (2016, 5) has powerfully argued that indicators do not capture truth, but rather create it and that once they are "established and recognised, they often circulate beyond the sphere envisioned by their original creators". Moreover, the indicators that gain most influence and attention, are those that "reinforce existing ideas about good and bad countries according to the relevant criteria" (Merry, 2016, 19). Similarly, we are not the first to question the ways in which LGBTQI+ rights feature within international politics and European politics in particular. Indeed, the literature has addressed the way in which LGBTQI+ rights feature in the political imagination of Europe – often leading to the othering of eastern Europe as the 'homophobic Other' (Ammaturo 2015; Ayoub and Paternotte 2014; Kulpa and Mizielinska 2016; Slootmaeckers 2023; Szulc 2022). Drawing on theories of homonationalism (Puar 2007), homocolonialism (Rahman, 2014), or homocapitalism (Rao, 2020), this literature criticises the ways in which LGBTQI+ rights are instrumentalised to demarcate boundaries between modern and backward countries.

Building on these insights, we ask, how can we make sense of the use of maps to describe or present human rights violations and the productive effects that this process has on both national and international politics? What do these maps mean for the production of 'queer world-making' (Berlant and Warner 1998), as a process of alternative creation of liveable realities for queer people beyond the heteronormative horizon? In order to engage such question, we interrogate the ways in which maps can both enhance and hinder our understanding of complex social phenomena such as (institutionalised) homo- transphobia across a variety of national contexts, as well as within a more global perspective, and how they contribute to the creation of alternative (desirable or undesirable) forms of queer world-making.

In our theorising, we take our cue from Aradau and Huysmans (2013, 598) who emphasised that "method and methodological reflections can be a key site of revisiting critique and politics." Rather than engaging with methods and methodology as a technique of extracting information from an observable reality out there, we consider that methods are performative "devices" that enact social and political worlds (much in the way in which indicators have been described as technologies of knowledge). In this article therefore, we firstly theorise the worldviews embedded within the Rainbow Map and the world they enact. Secondly, we are also inspired by their reconceptualisation of "methods as acts", in which they introduce "another aspect to the criticality and politicality of methods" and place more emphasis on the disruptive aspects of methods with a "capacity to effect political rupture" (Aradau and Huysmans, 2013, 609). As such, we seek to use a series of alternative maps to disrupt the politics that are often embedded within the maps.

Through our work, we contribute to both the literatures on governance through indicators as well as on the queer imagining of Europe by demonstrating 1) how the Rainbow Index and Map (as a method device) are not only embedded in a queer worldmaking through the symbolic power of indicators, but also generate and contribute to homonationalist discourses, and 2) by creating new maps that combine and contrast the Rainbow Index with data on lived experiences we engage with maps as a "method act" to demonstrate how the focus on LGBTQI+ rights from its legal perspective does not only embody (albeit implicit) a theory of change (Merry, 2016), but also can lead to a misunderstanding and sometimes even misrepresentation of actual LGBTQI+ lived experiences. We believe our argument can contribute to disrupting dominant homonationalist discourses that exceptionalise Western Europe as queer-friendly. Overall, we argue and caution that, when read uncritically and without an awareness

of embedded power structures, the Rainbow Map and Index can lead to the projection of fictional queer utopias and dystopias in Europe.

In this article, we will first discuss how maps function as a productive device that may limit or distort our perceptions of social realities. We draw from critical geography and cartography studies, combining these insights with reflections on alternative queer "world-making" practices, building on the work of Queer Theorist José E. Muñoz on queer utopias and dystopias (2013 and 2019). Secondly, starting from this composite theoretical approach, we will analyse how ILGA-Europe's Rainbow Map contributes to the homonationalist process of categorisation of European countries into more or less "queer friendly", pointing out the pitfalls of this approach. Next, in order to illustrate the complexity of capturing truthful representations of LGBTQI+ people's experiences across Europe, we use maps as methods act by contrasting the data from both the 2020 Rainbow Map/Index and a European wide survey on lived experiences of LGBTI people in Europe. Doing so, we highlight the discrepancies between the projected legal realities of the Rainbow Map with the lived experiences of LGBTQI+ people in. Through our analysis, we hope to draw attention to the potential political usages of the Rainbow Maps, which could send misleading messages that LGBTQI+ people find themselves living in either utopian or dystopic realities, whereas the existence of specific concomitant social, political, and legal factors in each national setting fragments this unitary vision of linear progress on LGBTQI+ equality in any given location, raising questions about how LGBTQI+ persons and activists navigate inequalities and discrimination and resist in hostile contexts.

Our contribution is envisioned to be theoretical, rather than empirical. Whilst we use the aforementioned data and anecdotal evidence, we do not seek to be descriptive or prescriptive with our analysis. Instead, our aim is to raise important questions about the use of maps to capture the rights of marginalised communities. Ultimately, we seek to contribute to the literature on LGBTQI+ social movements in Europe by offering critical insights into the limitations of visual representations of LGBTQI+ maps that could be useful to activists, policymakers, journalists. Similarly, our work offers avenues for furthering research into how we measure, appraise, and promote human rights in a way that is cognisant of power dynamics, civilisational discourses, and exceptionalising (national/ist) propaganda that obscure and further marginalise certain segments of the LGBTIQ+ communities.

The Rainbow Map as a performative device: The making of Queer Worlds

As a tool and method, maps are never neutral nor exhaustive of the complexity of reality (Harley 1988). The process of map-making always requires the unavoidable process of representing and simplifying reality to be legible and accessible at first glance. Hence, map-making entails not only a choice of what to include and exclude, but also how to represent what is to be included (D'Souza 2003). Maps act as a productive device that shapes and channels our understanding of the relationship between space, politics, and identity (Kitchin and Dodge, 2007). Maps can simplify, obscure, and sometimes *distort* reality (Monmonnier 2018, 1). One common example is the Mercator projection of the world atlas that feeds into a Eurocentric organisation of geographical space (Huggan 1989, Rabasa 1993). Maps have been crucial instruments of empire-making (D'Souza 2003, Redwood et al. 2020) and often serve the interests of nationalist projects and war propaganda (Backhaus and Murungi, 2005). As such, we should approach them critically, particularly when they try to shed light on social, economic and/or political phenomena.

Nevertheless, maps are increasingly used by both institutional and non-institutional actors to illustrate or describe "the state of affairs" in relation to a specific social issue. The "mapping" of the existence/absence of human rights standards and/or violations is a common tool in human rights advocacy (Rall et al. 2016). A growing number of NGOs use maps to illustrate human rights protections and violations, and more tools are being developed to bring maps together (e.g. the Our World in Data initiative). Within this context, (quantified) indicators and their map equivalences are deployed as advocacy tools that help to initiate conversations on human rights violations at both the national and international level. Whilst certainly useful, they can also be problematic. Indicators are not simply methodological techniques to extract information from the "world", but they are performative devices, as discussed by Aradau and Huysmans (2013), that do not simply reveal the truth but rather enact it. Moreover, whilst maps may contribute to creating a coherent narrative that supports commendable advocacy efforts, they may end up oversimplifying the complexity of the real lives of individuals on the ground (Grimheden 2009). Although we do not intend to critique the NGOs that create these maps – as the current neoliberal policy paradigm requires issues to be countable to be knowledgeable and policy makers more often than not require easily accessible infographics to guide the political gaze –, one must reflect on the world these maps create and project as well as the political narratives they shape and how these relate to lived realities and in our case, to queer politics and the (im)possibility of social transformation.

One of the factors that may contribute to the (in)voluntary distortion or oversimplification of social reality may be the use of "choropleth maps", which use colour and shading to represent values within a range (darker to lighter shades of a colour) or different categories (contrasting colours). The use of colours on maps is closely connected to people's emotional responses and cultural assumptions (Monmonnier 2018, 68): "People respond emotionally to some colours, such as blue and red, and some of these responses are common and predictable enough to be tools of the cartographic propagandist."

Maps, therefore, enact social phenomena rather than just represent objective features of the social and, sometimes, even the physical world (Aradau and Huysmans 2013, Monmonnier 2018). They cannot escape the power/knowledge relationship and, therefore, have implications in line with Foucault's (2003) idea of "surveillance", especially when they are used to uphold the respect of law and order, effectively having the purpose of gathering information and monitoring the "conduct" of citizens (Harley 1988, 130). This is particularly relevant for our argument because, even though ILGA-Europe's maps are not produced at the level of the nation state, a similar form of "surveillance" (despite ILGA-Europe's benevolent intentions) can be observed, insofar as there is a sustained "disciplinary gaze" that is exercised throughout the years to monitor the "progress" or "backsliding" of different countries, with clear moral condemnation for the transgressors (cf. our opening vignette).

In our own theorising of the Rainbow Map, we therefore build on Rahul Rao's (2020, 36-38) convincing and cogent critique of similar (global) maps created by ILGA World. These maps, he argues, present three critical features that together generate a form of "affective labour" (Rao 2020, 38), whereby advocacy efforts by ILGA World elicit reactions about complimenting or shaming different countries and placing them on either side of the imagined line of "Modernity". Firstly, they take the nation state as their unit of analysis, thus foreclosing the possibility that the production or circulation of homophobia may be better understood through the analysis of transnational actors and/or processes. Secondly, these maps reinforce the view of "progress" in a linear sense, starting from the

decriminalisation of homosexuality to culminate with the recognition of partnership rights. Lastly, the maps produced by ILGA World use colour coding according to a "traffic light" system that creates a division between 'dynamic' countries (depicted in green) and countries that are perceived to "stagnate" or "block" the advance of LGBTQI+ rights (depicted in either yellow or red). Rao's critique is relevant and adaptable to our analysis, both in relation to its immediate arguments, as well as in relation to the "civilising" or homonationalist implications that this system of implicit (or explicit) ranking assumes in the context of the global sexual politics of human rights.

In the case of the maps produced by ILGA-Europe, the narrative about progress/backwardness meets with specific discourses about the alleged "divide" between Western and Eastern Europe. Several scholars (Ammaturo 2015; Kulpa and Mizielinska 2016; Slootmaeckers 2020; Szulc 2022) have discussed the processes whereby Eastern Europe (itself an indefinite and shifting concept) is created as the "Other" of Western Europe because of differences in the protection of LGBTQI+ rights. The creation of this East-West divide has ideological and at times homonationalist intentions (Ammaturo 2015; Colpani and Habed 2014) and furthers the idea of otherness predominantly rooted in a different (remote) temporality for Eastern Europe. Hence, in surveying, year after year, the state-of-play of LGBTQI+ rights across the continent and 49 different countries, we argue, ILGA-Europe (unintentionally) created a device that contributes to the consolidation of this narrative by offering a visual representation of the progress/backsliding that may occur at the national and state level.

Another problem embedded in the Rainbow Map relates to other critiques of how the "creation" or "depiction" of Eastern Europe is done through cartography. Murawska-Muthesius (2013, 15) has noted how the representation of Eastern Europe in Western European cartography has always been imbued with ideas about the "Otherness" of this region, "its inherent transitoriness and immaturity, as well as implying submissiveness, impurity and danger". Considering those features of cartography, the choice of using the colour red to represent countries with an unsatisfactory LGBTQI+ rights record can invoke connotations related to the Communist history of Eastern Europe. Indeed, red has often been used by liberal forces to represent the Soviet Union and other communist region on the world map during the Cold War. Thus, even though not intentional, the use of red serves an additional ideological dimension (Monmonnier 2018, 69).

We add to these critiques that the Rainbow Map is also a performative device that exceeds the domain of description. The Rainbow Map is productive in that it creates a cartography of queer utopias and dystopias across Europe, using colours and ranking as semiotic devices, and it projects assumptions about the direction of travel. That is, implicitly encoded in the map is the assumption that countries should strive to move from the (red) domain of homophobic dystopia to the (green) horizon of a desired LGBTQI+ friendly utopia. Despite their best intentions, these projections are problematic because they implicitly assume that compliance with legal standards of protection for LGBTQI+ people for each given country will inevitably result in lived experiences that align with the legal protections afforded to individuals. Scholars working on the gap between legal change and social change (Stoddard 1997, Neumayer 2005, Hillebrecht 2014, Haglund and Stryker 2015, Slootmaeckers 2023) have shown that this trajectory is not always linear and that political, strategic incentives (Neumayer 2005), as well as other factors related to public awareness (Slootmaeckers 2023) and the perception of the legitimacy of proposed changes (Stoddard 1997), must be taken into account when considering whether human rights obligations actually lead to improvements in people's lives.

This divergence between legal protections and the lived experiences of individuals across the different countries surveyed by ILGA-Europe creates a critical interstice within which the connection between maps, utopias and queer world-making can be addressed. Queer theory has engaged at length with ideas of utopias, dystopias, and heterotopias, particularly through the works of theorists such as Foucault (1986) and Muñoz (2019), among others. In the book *Cruising Utopia*, Muñoz (2019, 35, our emphasis) explains the idea of queer world-making as follows:

> Queer world-making, then, hinges on the possibility to *map a world* where one is allowed to cast pictures of utopia and to include such pictures in any map of the social.

By centring the concept of "hope", Muñoz argues that utopias enable us to imagine spaces outside of heteronormativity. Such a hopeful argument breaks with other approaches within Queer Theory that posit the rejection of lesbian and gay utopias, which foresee an "improvement" or "progress", in favour of so-called "atopias" (Sobolczyk 2015, 2), which refrain from making predictions about the future. In a similar vein, the 'anti-social turn' in Queer Theory offers a pessimistic outlook on the possibility of imagining queer future(s) (see e.g. Edelman 2020). In line with these perspectives, Jones (2009) has drawn from Foucault (1986) to suggest that while queer utopias are impossible because they offer disembodied alternatives to the heteronormative status quo, "heterotopias" are embedded and localisable alternatives that are effectively realisable in real life as they are spaces beyond the domain of the mundane where one can (fleetingly) escape repression.

Jones' perspective resonates with our critique of ILGA-Europe's production of utopias and dystopias through the Rainbow Map. Rather than casting a simplifying and simplistic gaze onto the various countries suggesting which ones represent, to phrase it polemically, a "safe haven" or a "living hell" for LGBTQI+ people in Europe, we suggest that one should think about those forms of "heterotopias" that exist as spaces of resistance to the ubiquitousness of heteronormativity in both the legal and social sphere. In practice, this means that countries depicted in red on the Rainbow Map may harbour a wide network of actors who actively resist or counter state-sponsored homo-transphobia. Similarly, the mere fact that a country may be depicted in green on the Rainbow Map does not mean that homo-transphobia has been eradicated at the social, political and/or juridical level. These "heterotopias", however, may be ephemeral and fleeting, rather than structured and long-lasting. Consider for example the alternative forms of activism and resistance in Russia, described by Stella (2012), Lukinmaa (2022), or Buyantueva (2021). Due to the ephemeral and fleeting nature, heterotopias do not fit the crystallised cartographic depiction of green utopias and red dystopias produced by the Rainbow Map, and therefore are at risk of becoming obscured by the method.

Thinking with and through maps – The queer worldmaking of ILGA-Europe's Rainbow Map

When studying the worldmaking underpinning the Rainbow Map, a first point of reflection sits within the methodological choices made in the production of the index. Whilst the first two editions of the map (2009 and 2010) used icons to symbolise the different provisions in national legislations (such as same-sex marriage, anti-discrimination legislation, etc.), starting from 2012 ILGA-Europe began measuring progress using a numerical scale, and adopted a traffic-light coding system with countries, with better human rights compliance in green, those in intermediate positions in yellow, and those with worse compliance in red. Whereas the traffic-light coding has become an integral feature of the

map, the methodology of the index has changed since 2012. Over time, more and more indicators and criteria of equality have been integrated, virtually raising the bar of equality year by year. These changes mean that the index and the map cannot be seen as anything more than a snapshot of the status of "LGBTI equality" (whatever that is made to mean through the index) in Europe; thus making year on year comparison technically impossible. Although ILGA-Europe warns against such comparisons, as noted in our opening vignette, the practice of temporal comparison is nevertheless widespread. This is, we believe, because in modern and neoliberal societies where measuring of progress, self-development and -realisation against benchmarks have become a core structure of governance, political narratives of decline, stagnation, or progress hold power (Broome and Quirk 2015, Bruno 2009, Fougner 2008).

One of the methodological changes that requires more consideration is the relatively recent change in which the Rainbow Index moved from a score that had no fixed upper or lower boundaries to an index that scores between 0 ("gross violations of human rights") and 100 ("full equality"). Being constructed through such a finite index, the Rainbow Map now no longer just depicts the state of LGBTQI+ equality within the European context, but it becomes a prescriptive map, a device. Indeed, as we theorised above, the map no longer just depicts what is, but also project what is ought to be. It generates a normative direction of what the end result of progress is and how it can be achieved. It establishes an implicit theory of change, where legal provisions are seen as the first step towards achieving full equality. Additionally, by creating an upper limit and thus a benchmark of full equality, the score of 100 becomes a projection of a queer utopia, a place where queer equality is achieved. Whilst ILGA-Europe understands that this index only measures LGBTQI+ equality through legal and institutional provisions, the way in which the index lives beyond ILGA-Europe's advocacy project has always been more expansive. Consider, for example, the use of the index to identify the best places for gay people to travel to (Coffey 2019).

They way in which the index is interpreted and taken by other parties is not the only way in which the Rainbow Index and Map exist expansively, [4] but also its construction is always and already embedded with a political project that seeks to evoke emotions and strong reactions. Indeed, the use of traffic light colouring – with red signifying non-compliance or danger – contributes to creating the illusion of a compartmentalised and dichotomic understanding of countries with "good" track records on LGBTQI+ rights on the one hand, and countries with "bad" records on the other. From a semiotic perspective, traffic light coding can be understood as *signals*, that is to say signs that "trigger […] some reaction on the part of the receiver" (Caivano, 1998, 397). In this case, the intended "reaction" could be the "mobilisation of shame" towards non-compliant governments, or indignation on the part of civil society. Indeed, once published the Rainbow Maps take on a life of their own, beyond the imagined goals of ILGA-Europe, influencing queer politics in Europe in a variety of ways. Indeed, as Rao (2020) argues these maps depict the hegemonic progress narrative that underpin much of LGBTQI+ politics and activism, and through its choice of colours (red, through yellow to green) they offer a special representation of time and the ways in which states progress.

[4] Because the Rainbow Map is also a communicative tool, its politics are further influenced by the different audiences it engages and how they read the maps. We believe that a critical analysis of the map's audiences and their interpretation is overdue, yet such a critical analysis of how audiences engage with the map is beyond the scope of this article. In this article, we direct our gaze to the embedded politics within the creation of the Rainbow Map as a method.

Talking about the use of a similar map produced at the global level by ILGA World to measure levels of homophobia globally, Rahul Rao (2014, 171) reminds us that these maps are effectively constituted as "ranking exercises [that] mobilise shame, not on the basis of the substantive values at stake in these disputes, but through a reiteration of familiar divides between shamers and shamed". In turn, this sharp distinction between shamers and shamed can be used to mobilise homonationalist discourses in various national contexts, embodied in a form of, what we would call, "rainbow exceptionalism"[5] consisting of measuring one's own performance in protecting LGBTQI+ rights vis-à-vis the 'failures' of other European states. Ultimately, the unfolding of this "rainbow exceptionalism" creates fertile ground for an even sharper distinction between "LGBTQI+ friendly countries" and "non-LGBTQI+ friendly countries" within Europe, and well beyond its geographical and geopolitical confines (for more on how this plays out in Europe, see Ammaturo, 2015 and Slootmaeckers, 2020).

Thus, these maps reproduce hierarchies often mediated by Eurocentric understandings of linear progress, while discounting the importance that an interpenetration of legal and social aspects has in evaluating national contexts in which LGBTQI+ persons live. Therefore, while ILGA-Europe's Rainbow Maps have been accompanied since 2011 by an Annual Review that also acknowledges the social context within which the legislative framework is situated within each country, the snapshot provided by the maps themselves does not fully capture the complexity of this interconnection between the legal and how LGBTQI+ people experience inequalities in their daily lives. In our continued analysis below, we share the idea that it is necessary to analyse the "disjuncture between legal rights and […] what they do or not do for LGBT people", because "progress in law without a change in their lived experience remains hypothetical" (Slootmaeckers 2023, 14).

Using maps as a 'method act': Disrupting homonationalist worldmaking embedded within Rainbow Map

Thus far, we have raised key questions about how these maps align, produce, and reinforce hierarchies within the international order that are often mapped on pre-existing power dynamics of coloniality and Eurocentrism. Yet, we also argue for the need to examine in much more detail the work that this index and map are doing. This is because "those who create indicators aspire to measure the world but, in practice, create the world they are measuring" (Merry 2016, 21). Hence, we are particularly interested in the projection of utopias and dystopias onto Europe, and the work these projections do in terms of how we can conceptualise (or are unable to conceptualise) queer futures. We need to ask what is being projected onto Europe, and what are consequences of such projections? These critical questions matter because the Rainbow Index is predominantly based on legal contexts and state practices. Through its embodied state-centric theory of change, the produced index has severe implications for how we conceptualise, envision, and imagine queer lived realities. For example, the homonationalist discourses generated by the Rainbow Maps do more than just shape international politics. They also feed existing homonationalist discourses of how we can consider the problem of

[5] Rainbow exceptionalism relates to Puar's (2007) notion of sexual exceptionalism that is a driving force of the modernity project that underpins homonationalism. However, rather than looking at whether or not countries are presenting themselves as exceptionally good at protecting LGBTQI+ people, we use the notion of rainbow exceptionalism to capture how countries are presenting themselves through the strategic use of legal initiatives that embrace the neoliberal approach towards rainbow equality – which is a tokenistic approach to adopting LGBTQI+ legislation to secure higher rankings on the Rainbow Index.

persistent homophobia (see Slootmaeckers, 2019): in "green" countries homophobia becomes a problem of not-yet-adjusted individuals, while in "red" countries homophobic experiences are seen as a sign of backward, not-yet-modernised cultures. We argue that such thinking also displaces the lived experiences of queer people. When those living in so-called LGBTQI+ friendly countries experience violence, their experiences are interpreted as random instances and systemic structures of oppression are ignored. On the other end of the spectrum queer people are often imagined as eternal victims, and the potential for positive stories, individual/collective tools of resistance, and the ability to create safe spaces, or heterotopias, is rendered seemingly impossible.

As we continue to theorise in the rest of this article, for some low-ranking countries, the map in part perpetuates the image of eternal victimhood of LGBTQI+ people, which may not necessarily resonate with people's daily experiences. Conversely, for some high-ranking countries, the map in part underestimates the difficulties faced by many LGBTQI+ people in accessing justice (e.g.. access to legal counsel, litigation, etc.), particularly by those who already find themselves in marginalised positions, such as people from low socio-economic backgrounds, trans and intersex persons, individuals from ethnic or religious minorities, as well as asylum seekers, and disabled persons.

To illustrate our argument, we engage in a theoretical exercise that uses methods as an act to disrupt politics (Aradau and Huysmans 2013). That is, benefiting from the simultaneous publication in spring 2020 of the ILGA-Europe map and the EU's Fundamental Rights Agency (FRA) report on the 2019 Survey on LGBTQI+ people lived experiences (European Union Agency for Fundamental Rights 2020),[6] we seek to bring together different layers of data that produce alternative worlds and knowledge otherwise obscured by the Rainbow Map. This unique combination of data helps us analyse how the use of data in map making (and particularly the Rainbow Map) (re)produces queer world making that does not always align with the lived realities of LGBTQI+ people. We recognise the irony that in order to critique the politics of maps and its embedded worldmaking, we will present the reader with a series of maps. However, our aim here is not to create new truth regimes about the state of LGBT liveability in Europe, but rather to use 'methods as acts' to explore, illustrate, and disrupt the worldmaking that occurs when legal statutes and institutional practices are given primacy in the mapping of LGBTQI+ equality.

In what follows, we want to first stress to the reader that we do not seek to create maps to generate an "objective truth" about LGBTQI+ rights and/or the displacement of LGBTQI+ lived realities nor do we seek to use the data to create empirical definitions of queer utopias and dystopias. Instead, we seek to push the tool of maps (and data) to their extreme to make the implicit world making explicit. Indeed, as Kevin Guyan (2022, 20) wrote: "Data is not reality. Data is a record of the social world mediated through decisions made about what or whom to include and exclude." Rather than engaging in queer worldmaking of sorts, we use queer data in our analysis to engage in the *queering of data*, i.e. the critical questioning of the foundations upon which data is produced and who benefits from such data projections. We thus encourage the reader to take a critical stance on the methods employed below. We encourage them not to take our analysis as the production of an empirical reality or as the

[6] Due to the geographical spread of the FRA Survey, we can only analyse the data for the EU countries plus North Macedonia, Serbia and the United Kingdom (EU+). Although the geographical coverage contains only 30 of the 49 countries of the Rainbow Map, we believe that analysing and comparing legal equality vs lived experience in those countries will enable us to critically discuss the issues with isolated legal analyses and present a more complex and holistic picture of LGBTQI+ equality in Europe.

testing of a theory, but rather to use the maps we present as a heuristic (and polemical) tool to question the data produced and reflect on what is being obscured through the production of indexes and maps. In the section below different data points and indexes are contrasted against each other, with a special emphasis on comparing the legal and policy focused Rainbow Index with different data focused on the lived experiences of LGBTQI+ people in Europe as captured and defined by the FRA survey.

We use the aggregate level data from the FRA survey to construct three indices related to the themes of Living an Open Life, Violence and Harassment, and Discrimination.[7] The "Living an Open Life" index consists of questions asking whether queer people avoid certain places, refrain from holding hand, or hide their identities to avoid violence. On the other hand, the "Violence and Harassment" index and the "Discrimination" index consists of questions about the experience of different types of violence and harassment, and of discriminations in different areas of life, respectively. Whilst each of these indices captures different aspects of queer lives in Europe, we have also created a Lived Experience Index, which combines the other three indices to provide an overall picture of LGBTQI+ lived experiences in countries. All indices are measured such that higher scores indicate so-called "better" lived experiences. In addition to these indices, we created two more: the "LGBTQI+ Equality" and the "Displacement" index. The former is a combination (average) of both the Rainbow Index and the Lived Experience Index, to recognise that while laws and institutional structures may be limited, they remain part and parcel of the lived experiences of LGBTQI+ people. The Displacement index, on the other hand aims to draw attention to the disjuncture between the Rainbow Index and a more holistic "LGBTQI+ equality" index and captures the gap between the two. It is a heuristic tool to help us map and visualise the "utopias" and "dystopias" projected by the Rainbow Index in part due to its legal focus. Here, we use utopias and dystopias not as observable realities, but rather as concepts to point to where perhaps alternative realities have been obscured by the Rainbow Map. Doing so, we consider the displacement index a "method act", in which we use the label of utopia and dystopia to unsettled and to disrupt the power dynamics embedded in the Rainbow Index. To construct the displacement index, we considered that there will always be a mismatch between the legal context and lived experiences of LGBTQI+ people. If such a discrepancy is to be expected, we constructed the Displacement Index to capture the relative difference between the LGBTQI+ Equality index and the Rainbow Index, taking the average difference between both indexes across the set of countries as our reference point.[8] The displacement index thus reflects how the difference between the two indexes compares to the average difference observed between the indices across the countries. For example, a value of 2 on the Displacement

[7] To create maps that can be compared with each other, we had to manipulate the data to ensure it used a comparable scale. To do this, we normalized all data points using min-max normalization. It is important to note that with this transformation, the interpretation of the different scales discussed here no longer represents a reality of "no equality" or "full equality" on the maps. Instead, it seeks to capture the relative position of a country within the overall context. In other words, when applying this to the ILGA-Europe Rainbow Index, a score of 100 no longer represents full equality, but rather that the country has the highest score on the Rainbow Index. We believe this data transformation is necessary to make comparisons across the different indices we construct and evaluate countries' performance on each of them. Again, our aim here is not to present an easier method to compare countries with each other, but rather to demonstrate what the data does by taking it to its extremes.

[8] The Displacement Index (*DI*) is constructed using the following formula, where *E* represents the LGBTQI+ Equality index and *R* represents the Rainbow Index: $DI = \frac{\Delta_{E-R} - \bar{\Delta}_{E-R}}{\bar{\Delta}_{E-R}}$

index means that the differences between the LGBTQI+ Equality index and the Rainbow Index for that country is twice the average difference we observed in the dataset.

Considering the limitations that the data as publicly made available by ILGA-Europe and the FRA present in terms of allowing an intersectional analysis as we previously highlighted, we want to note and stress that we are discussing aggregate measures of experiences of all LGBTQI+ communities. In our analysis, we will focus on the disparity between legal frameworks and lived experiences, whilst stressing that moving forward attention should be paid to the varied experiences of different subgroups, along the identity axes, but also for other intersections. Therefore, we would like to remind the reader that the following maps do not capture the complexity of the experiences of LGBTQI+ individuals in intersectional terms. Similarly, the data we are using primarily focuses on negative aspects of LGBTQI+ lives and is, as we argue throughout this piece, not able to capture resistance, activism, and the constructions of heterotopias as we theorised above. Indeed, the FRA data has its own epistemological and political underpinnings that should be questioned in their own right.[9] Yet, given that our main aim is to use data as a performative act, we remain adamant however, that even within its limitations, our work below acts as a tool to demonstrate and problematise the worldmaking that is embedded in the exercise of mapping LGBTQI+ equality.

What Maps Can Do: Projecting Different Realities of LGBTQI+ Experiences

When considering the lived experiences, as captured/produced by the FRA survey, across the EU-plus countries a complex and multifaceted picture emerges (see figure 1). A first observation we can make is that violence and harassment remain very prevalent across the countries under consideration. However, the lived experiences in each country are the result of different combination of experiences regarding the (in)ability to live an open life, discrimination, and violence and harassment. For example, let us consider the United Kingdom. While it scores medium-high on the "discrimination" and "living an open life" indices, it scores near the bottom of the "violence and harassment" index. Thus, although LGBTQI+ communities (on aggregate) might be able to live a relatively open life and remain relatively free from discrimination, violence and harassment remain prevalent features of their lives. A similar observation can be made for Belgium (a country which ranked second on the ILGA-Europe Rainbow Index). The French scores on the "violence and harassment" index confirm the recent statement by the French Government on the rise of hate crimes, in which it admitted that homophobia and transphobia remain deeply rooted within their society (Euronews, 2020). Here, however, it is noteworthy that it is not just violence that remains deeply rooted within French society, but the social climate also seems to hinder the ability of LGBTQI+ people to live their identities openly. At the other end of the spectrum of lived experiences, we again notice the complexity of the index. Consider Greece, for example, which scores very low on the discrimination and living an open life index. Its rather high score on the violence and harassment index seems to indicate that in-person violence might shape LGBTQI+ lived experiences to a lesser extent.

[9] As we asked the reader throughout the article to keep a critical view on all data used in this piece, we want to emphasise here that the FRA data too constructs a certain reality of LGBT people's lives and is based on a concrete set of assumptions and principles.

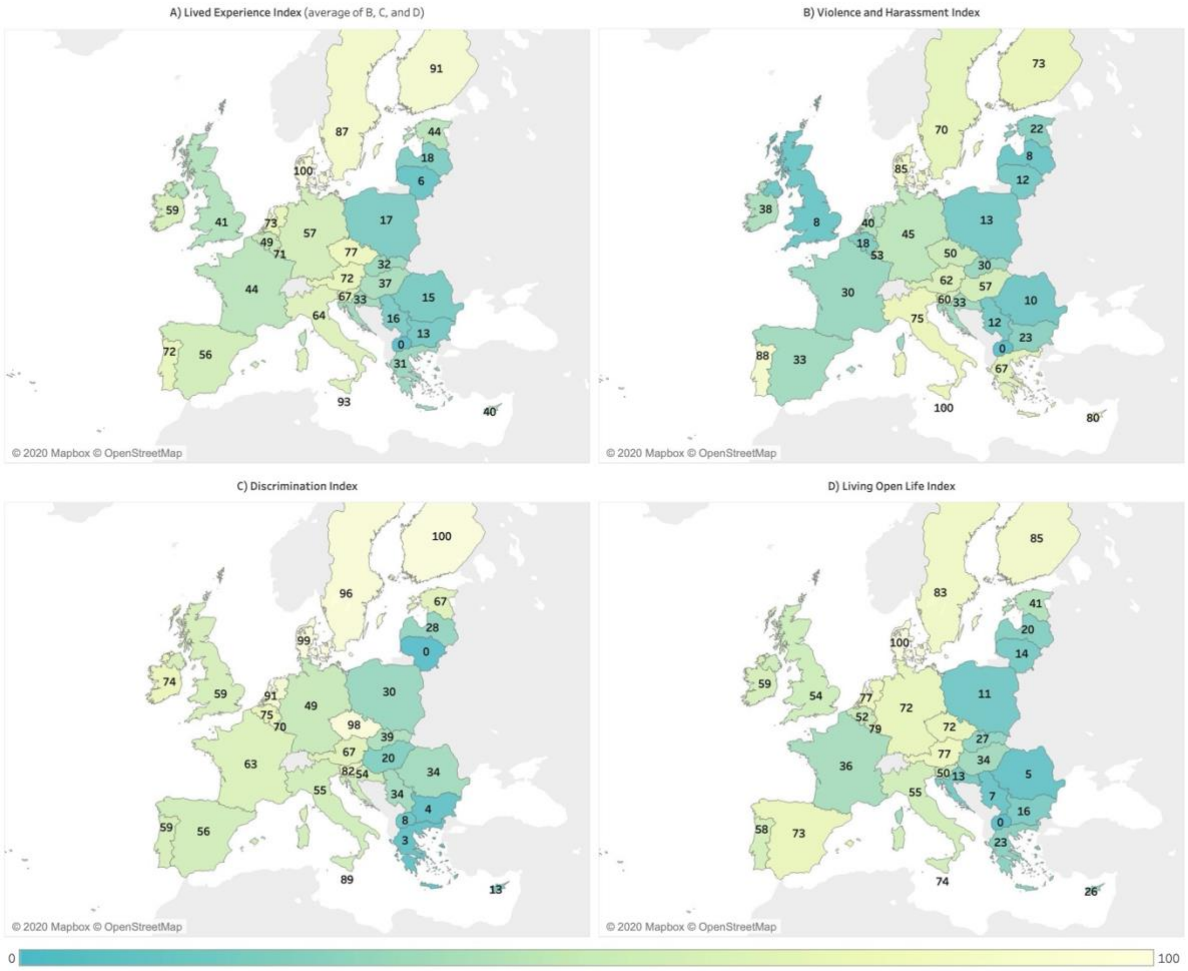

Figure 1: Map of LGBTQI+ Lived Experience Index and sub-indices for EU, North Macedonia, Serbia and United Kingdom

Having "mapped" out the lived experiences of LGBTQI+ people —however problematic any such exercise is—, we can turn to our main question of how the Rainbow Index "displaces" lived experiences of LGBTQI+ people. As we mentioned before, because we do recognise the material impact of laws and that structure (the absence or presence of laws) also shape lived experience, we compare the ILGA-Europe Rainbow Index not to the Lived Experience Index but to the "LGBTQI+ Equality index" we created. Whilst the differences between the two indices may look subtle when we look at their projections on a map (see panel A and B in Figure 2), the displacement of lived experience by a simple focus on legislation becomes much more apparent when we consider the differences in country rankings (Panel C in Figure 2). Although we do not want to subscribe to the idea that we should rank countries (nor do we want to enforce the affective mobilisation of shame and pride inherent to such ranking), we once again seek to take this practice to its extreme to demonstrate the inherent issues with such analysis and the worldmaking embedded in it.[10] To demonstrate, let us have a look at those countries whose rankings on the basis of the LGBTQI+ Equality Ranking are at least 2 positions different

[10] Whilst comparing rankings helps us to demonstrate how the legal focus of the Rainbow Index can distort how we see where the 'safe places' for LGBTQI+ people are (as some people may be quick to comment), we recognise that the use of ranking as a method device reproduce existing narratives of rainbow exceptionalism. As such, our aim here is to use rankings as a method act to challenge and question these narratives and hierarchies.

from the Rainbow Index ranking (see panel C, figure 2). Most notably Belgium, Spain, and the United Kingdom, respectively rank 2nd, 5th, and 8th on the Rainbow Index amongst the EU-plus countries, yet only respectively rank 8th, 9th, and 11th when we consider both the law and LGBTQI+ lived experience. At the other end of the spectrum, we find that LGBTQI+ Equality in, for example, Czechia and Italy, is better than one would expect based on the Rainbow Index.

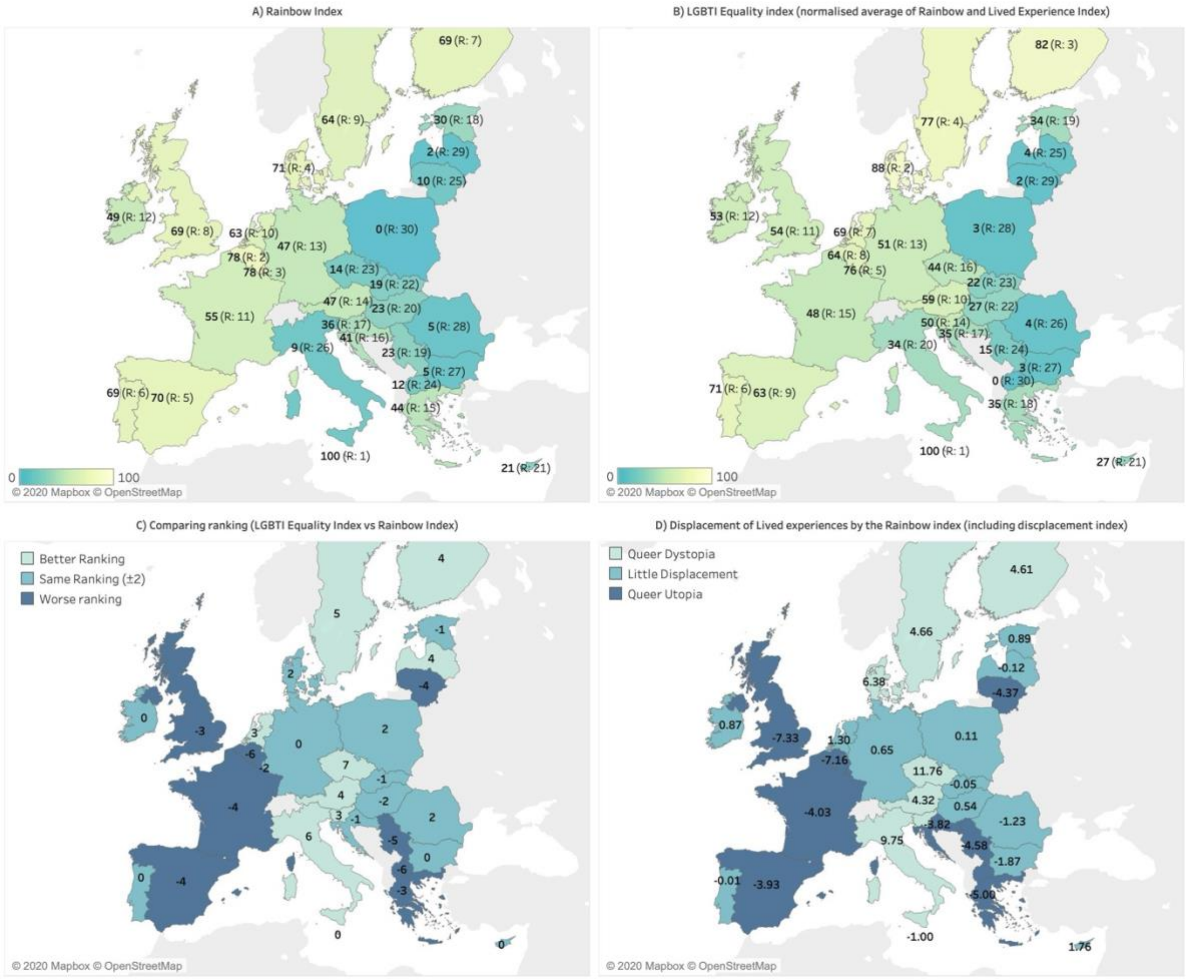

Figure 2: Mapping the displacement of lived experience by the Rainbow Index

We suggest that the way in which the Rainbow Index is constructed may reinforce existing political project that seek to claim rainbow exceptionalism, by essentialising them as either being inherently "safe" or "unsafe" for LGBTQI+ people. However, several factors, whether they be social, political and/or institutional, may play out in the existence of a gap between legal protection and lived experiences, as shown by the cases of Italy or Czechia. Even this simple comparison of the Rainbow Index and the FRA data supports our case for the need to challenge homonationalist discourse that may result from the Rainbow Map, and equally the need to resist interpreting our analysis through similar discourses. It is also imperative that we consider intersectional analyses when thinking about 'ranking countries' for their human rights records, in order to understand which segments of the LGBTQI+ population are effectively allowed to feel "safe". As an illustration of this complex process of

ranking countries, in fact, whilst Malta has occupied the first position in the ILGA-Europe Rainbow Index Ranking for the last eight years, abortion is still illegal in the country (except in life-threatening circumstances),[11] and the rights of asylum seekers and refugees represent an area of strong concern for Human Rights Organisations such as Amnesty International.[12]

To take our argument even further and compare the "displacement" of LGBTQI+ equality without having to compare a country's relative position within the group of countries considered, we created a Displacement Index (cf. supra). This index allows us to examine in much more detail where the discrepancy between law and lived reality is beyond what could be expected to be "reasonable". Thus, we can use this new index as a heuristic tool to discuss the ways in which Queer Utopias and Dystopias are projected onto Europe. These locations are identified as those countries where the Displacement Index is, respectively, ≤ -3 or ≥ 3. In other words, where the disparity between the observed and average difference between the LGBTQI+ Equality index and the Rainbow Index is more than three times the average difference between the indices. We admit that perhaps this cut-off point may be arbitrary; however, we believe this not to be an issue as our point is not to empirically establish where dystopias and utopias are projected onto the European map, but rather we aim to use this crude tool as a "methods act" to open up discussions on the embedded politics of the Rainbow Map.

Taking the Displacement Index as an indication of the displacement of lived realities by the Rainbow Index, we can observe countries that the Rainbow Index depicts as some kind of Queer Utopias and Dystopias: places presented as respectively safe and unsafe for LGBTQI+ people based on legal realities, yet lived experiences data suggest the opposite to be more likely (see figure 2, Panel D). Whilst the "Utopias" in Western Europe are to be expected, we also observe similar trends in Croatia, Greece and Serbia. Scholars studying LGBTQI+ politics in this region will not be surprised. Take the example of Serbia, where in recent years the government has engaged with strategic changes in the legal and political arena— including appointing an openly lesbian Prime Minister — to please the EU without working on improving LGBTQI+ lives (Slootmaeckers, 2023). In fact, Prime Minister Ana Brnabić has, on occasion, announced that Serbia is not a homophobic country (Cooper, 2017). Amongst the by the Rainbow Map projected queer dystopias are, perhaps not surprisingly, some of the Nordic countries where societies show more acceptance to LGBTQI+ people than the legal framework would suggest. The fact that some people may feel uncomfortable with using the label for queer dystopia for some Nordic countries, highlights the embedded rainbow exceptionalism within the mapping of LGBTQI+ equality as the Nordic are always-already imagined to be queer friendly. Yet, similar feelings would be less likely to be held when we note that Italy and Czechia are "queer dystopias", with some of the biggest differences between the legal framework and lived realities for LGBTQI+ people. Italy, for example, displays a relatively underdeveloped legal framework for the protection of the rights of LGBTQI+ rights, compared to the relative "tolerant" social attitudes displayed by the population at large. In their research on this specific disjunction between the legal/social frameworks in Italy, Callahan and Losocco (2023) argue that Italian politics, and its inherently conflictual nature, seem to play a key part in determining the little progress made in the legislative field. Whilst acknowledging the crucial roles of social institutions like the (Catholic) Church and the family in Italian attitudes

[11] AP 2023. Malta to Allow Abortion but only when Woman's life is at risk. *The Guardian*. Available at: https://www.theguardian.com/world/2023/jun/28/malta-to-allow-abortion-but-only-when-womans-life-is-at-risk, last accessed 14th March 2024.

[12] Amnesty International, 2022. *Malta: Report*. Available at: https://www.amnesty.org/en/location/europe-and-central-asia/malta/report-malta/, last accessed 14th March 2024.

towards homosexuality (for example), the authors also find that there is an incongruent coexistence of relative social acceptability with denial of legal entitlements or rights (Callahan and Losocco 2023, 238; Condorelli 2015).

Although we need much more contextual analysis to understand and explain the complexities in which legal frameworks and lived experiences diverge in each of these countries (which is beyond the scope of this article), what is clear is that the Rainbow Map cannot be read as an indication of LGBTQI+ equality in real terms. Both the presence and absence of law do not always translate to how people experience equality in their daily lives.

Concluding remarks: Shifting our Gaze?

Merry (2016, 207) argued that "each measurement system constructs a theory of social life and strategies for change, but the theory of each is embedded in the way data are collected, arranged and presented." The same is true for the ILGA-Europe Rainbow Map and Index. There is a tautological relationship between the knowledge of the world constructed by the indicators and the theories of social life and change embodied by these indicators – they mutually reinforce each other. Contributing to both the literatures on governance through indicators as well as on the queer imagining of Europe, we demonstrated 1) that the Rainbow Index and Map (as a method device) generate and contribute to homonationalist discourses, and 2) that their legal operationalisation of LGBTQI+ equality can lead to a misunderstanding and sometimes even misrepresentation of actual LGBTQI+ lived experiences. Through our critical theorising of the Rainbow Map we sought to disrupt dominant homonationalist discourses that exceptionalise Western Europe as queer-friendly.

Our aim, in this article, was not to critique the creation of the Rainbow Index and Maps *per se* – as we are aware that in order for a problem to become recognisable, it needs to be seen, and to be seen it may need to be measured and thus quantified. But rather, we sought to make explicit the embedded theories of social life and change as well as their consequences for how LGBTQI+ equality is imagined; to highlight what has been left unmeasured and how such choices distort our knowledge of reality.

Additionally, taking into account that LGBTQI+ rights have become a measuring rod of modernity (Puar, 2007) and observing the ways in which the Rainbow Index lives in the public discourse, we argued that the utilisation of naming and shaming techniques embedded within the map mobilises homonationalist discourses in various national contexts. Whilst probably not their intention, by generating a state-focussed benchmark for LGBTQI+ equality and the mapping and ranking of countries vis-à-vis their performance on said index ILGA-Europe cemented homonationalist discourses and institutionalised a practice, what we would call, "rainbow exceptionalism" consisting in measuring one's own performance in protecting LGBTQI+ rights vis-à-vis the "failures" of other European states. Ultimately, the unfolding of this "rainbow exceptionalism" creates fertile ground for an even sharper distinction between "LGBTQI+ friendly countries" and "non-LGBTQI+ friendly countries" within Europe, and well beyond its geographical and geo-political confines. Thus, within the logics of international LGBTQI+ politics, the production of these maps reproduces hierarchies often mediated by Eurocentric understandings of linear progress, while discounting the crucial importance that an interpenetration of legal and social aspects has in evaluating national contexts in which LGBTQI+ persons live. Indeed,

with the aim of *queering of data*, i.e. the critical questioning of the foundations upon which data is produced and who benefits from such data projections, we have drawn particular attention to the ways the Rainbow Map focus on the state and legal institutions, which leads to a misunderstanding and sometimes even misrepresentation of actual LGBTQI+ lived experiences.

Overall, we argued and cautioned that, when read uncritically and without an awareness of embedded power structures, the Rainbow Map and Index leads to the projection of fictional queer utopias and dystopias in Europe. As such, we caution against the fetishization of legislation within LGBTQI+ activism as well as academia. Whilst important, rights are never enough to create LGBTQI+ equality and are at best reactive tools to provide justice to those whose rights have been violated – there is little to no pro-active protection of LGBTQI+ people from violence embedded in these tools and nor do they protect against the systemic and normative structures that shape LGBTQI+ people's daily lives. Furthermore, in light of the existing erosion throughout Europe of the levels of protection of LGBTQI+ rights which has coincided with the rise in popularity of populist governments, it appears obvious that the politics of "naming and shaming" may not be enough in creating long-lasting legislative and social change for LGBTQI+ persons.

How do we envision LGBTQI+ equality and how to can we work towards a better future? Queer utopias and heterotopias involve a radical rewriting and reconsideration of time and space, sometimes beyond the bounds of the real, sometimes within the realm of the material. While space is not inherently straight but produced and "hetero-sexualised" (Binnie 1997, 223), queering this "hetero-space" can often be temporary or elusive (Ammaturo 2016). Similarly, "straight time" (Muñoz 2019, 21-22) imposes a normative (and reproductive) horizon that fails to account for queer lives temporalities or futurities or represents them as deviations from the expected. If this heterosexualisation of time and space appears so powerful, can we ever speak of "queer utopias" as lasting counter-spaces where time and space are permanently subverted? The maps we discussed seem to show that these (queer) "utopias" or (homophobic) "dystopias" are just a shade of green or red away from being realised, specifically through the pursuit of human rights agendas that can be easily transposed across contexts. In this paper, however, we have commented on the fact that the temptation to identify LGBTQI+ utopias/dystopias through the Rainbow Maps, which based on overwhelming legalistic understandings of "progress" in the field of LGBTQI+ equality, may lead to the obfuscation of the existence of different forms of situated queer "heterotopias".

These queer "heterotopias" are sites in which practices of resistance, subversion and counter-organisation take place regardless of whether formal protection of LGBTQI+ rights exists or not in the given national context. In this regard, therefore, the idea of "lived experience" shows that queer people are already engaging in the creation of several "elsewhere" that, effectively, function as leisurely, romantic, kinky, transgressive, caring, and radically tender heterotopias, without waiting for the legitimation of the nation state, and that seek to build safe spaces within hostile environments. As such, these practices of resistance should be analysed and discussed in conjunction with legal analyses, to address the currently existing gap between the existence of legal provisions, and the lived experiences of individuals. For these reasons, we suggest that, while we remain respectful of the efforts to "map" LGBTQI+ rights *de jure*, we should shift our gaze from state-centred practices of protection of LGBTQI+ rights, to practices organic to actors within civil society which often effectively make queer lives 'liveable' for individuals on the ground in intersectional terms, through frameworks

of social justice, and despite institutional structures that either disregard or only formally provide protections and guarantees.

In sum, we argue that, whilst visual representations of injustice and discrimination are powerful advocacy tools, their productive effects on the creation of a social reality for LGBTQI+ people (as well as other groups that are marginalised or discriminated against) need to be scrutinised and weighed, in order to avoid using visual representation as the sole or main illustration of how states engage in processes of protecting and guaranteeing human rights within their national confines, as well as elsewhere.

Conflict of interest statement

The Authors declare that there is no conflict of interest.

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