Beyond Radical Right Politics: LGBT+ Rights in Hungary and Romania

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Introduction

The growth in support for populist and radical right movements in Europe and elsewhere has brought to the fore narratives that endorse exclusionary, chauvinistic and nativist values (Wodak and KhosraviNik 2013: xix). Thus, nostalgic nationalist narratives and, embedded in them, the growing relevance of religion (Hennig and Hidalgo 2020: 36) provide a rich repertoire of themes that support the contestation of liberal values in the name of protecting the historical continuity and ethnic, cultural and religious specificity of the nation. One area that sets apart Central and Eastern Europe from the rest of the continent is the attitude towards LGBT+ rights. In this context, narratives of the past are employed in order to oppose the advancing of policies aimed at protecting the rights of people of different sexual orientations and identities. Part of a broader 'illiberal turn' (Rupnik 2012) or 'illiberal swerving' (Bustikova and Guasti 2017), this area has become a battleground with political parties as well as grassroot movements pushing back against the (often unconvincing) developments that has been made towards articulating legal frameworks that guarantee equality and protection for sexual orientation minorities. A particular issue of focus in the push to encroach on the rights of people of different sexual orientations has been same-sex marriage. In this regard, the differences between Central and Eastern Europe on the one hand, and Western and Northern Europe on the other, are even starker. By early 2020, sixteen European states have legalised same-sex marriage (the most recent members of this group being Northern Ireland – 2020, Austria – 2019, Finland, Germany and Malta – 2017, and Ireland and Luxembourg – 2015). Countries in Central and Eastern Europe are bucking this trend by going in the completely opposite direction and using constitutional changes as a way to raise serious barriers against such developments. This contrast suggests that in Central and Eastern Europe, nostalgic narratives about the past are intertwined with conservative views on sexual politics, highlighting the role religious values play in the construction of national identity. Among the members of the European Union that have *de facto* constitutional bans[1] on same-sex marriage are Slovakia (2014), Croatia (2013), Hungary (2012), Latvia (2006), Poland (1997), Lithuania (1992) and Bulgaria (1991) (Felter and Renwick 2019).

Within this context, the purpose of this chapter is to look comparatively at the debates concerning constitutional provisions relative to same-sex marriage in Hungary and Romania, focusing on how the past is drawn upon to support the defence of national identity against perceived external values that undermine it. Secondly, it aims to investigate the role of populist and right-wing actors in shaping public debate and policy agenda. Finally, it aims to suggest that these trends go beyond the populist and radical right politics (while influenced by them) and need to be understood in terms of a much broader shift encompassing alongside illiberal articulations of democracy, nationalism and a backlash against human-rights embedded within a post-secular discourse.

[1] In this chapter, a 'constitutional ban' on same-sex marriage is understood in terms of the de facto prohibition on legislation that would legalise same-sex marriage, a prohibition that derives from the explicit definition of the family in the constitution as a union between a man and a woman.

The selection of the two cases is based on the fact that they appear to display very different contexts and political dynamics while the ultimate goal is the same: constitutional changes that would effectively ban same-sex marriage. These changes are generally achieved through constitutionally defining marriage specifically as the (voluntary) union between a man and a woman, thus precluding a situation where same-sex marriage might be legalised (due to an ambiguous or gender-neutral definition of marriage in the constitution).

Unlike Hungary, where populist and radical-right parties have acquired a significant level of success, Romania has not had any radical-right parliamentary presence since 2008 (and this situation does not look very likely to change in the near future). There are also differences between Hungary and Romania with regard to public opinion views concerning homosexuality, with homophobia being expressed more widely in the case of the latter. More importantly for the current research, constitutional changes have been implemented in Hungary by the Fidesz– Christian Democratic People's Party (KDNP) Alliance (Fidesz from now on) using its super-majority obtained in 2010 to push through the constitutional reform. In Romania, the constitutional reform was pursued through a referendum proposed and advocated by a diverse range of organisations and individuals gathered under the umbrella of the Coalition for the Family (CpF) – a non-governmental association with strong conservative religious views. Thus, at the most basic level, in terms of the procedural dimension, the case of Hungary is top-down, through a government initiative driven by a parliamentary supermajority, while in Romania, this was a public, bottom-up initiative to request a referendum on a particular issue. This is arguably the case because – as will be shown – the salience of religious identity and (linked to that), intolerance towards of LGBTQ+ people are much stronger in Romania than in Hungary. As such, a national identity grounded in ethno-religious markers can be mobilised against LGBTQ+ rights much more easily from the bottom up in Romania, while remaining largely a top-down, political elite project in Hungary[2].

Finally, Hungary was – as suggested earlier – successful in implementing these changes. The new constitution was passed in April 2011, with a significant majority (262 to 44) despite the fact that 80 MPs boycotted the drafting process and the voting, and entered into force on 1 January 2012 (Gray 2012). By contrast, in Romania, the initiative failed. The October 2018 so-called referendum for the family, organised for the purpose of changing the definition of the family in the constitution, so that it specifically refers to the union between a man and a woman, was not validated because it failed to reach the minimum 30% turnout (Luca 2018).

The argument articulated here is that, despite different current provisions and different political landscapes in the two countries, there are clear similarities in terms of the direction of the process and of the mechanisms that inform it. This refers especially to the use of narratives about the past that articulate a particular cultural and national identity, where religion occupies a central position. In short, the analysis shows that the past (which brings together strong ethnic and religious identity markers) provides a strong sense of continuity for the nation and shapes broad social norms, and – in this case – the politics of sexuality more specifically. Thus, while the conceptual discussion that follows separates issues concerning the role of religion and that of nationalism, it does so for analytical purposes. Religious and national identity are co-constitutive. In both cases, the chapter identifies a mythologised version of history and claim that this history is deeply rooted into the Christian tradition as key markers of what is regarded within populist and right-wing camps as cultural and national distinctiveness. Finally, while the opposition to same-sex marriage is internally driven,

[2] See, for instance, Hannebrink's (2006) extensive analysis of how secular and Christian nationalist political factions were competing in the inter-war period over the terrain of the appropriate conceptualization of Hungarian national identity, with anti-Semitism as their point of convergence.

especially in the way it is justified as a duty to defend national values, a closer look shows a pattern of foreign collaboration if not direct interference in the process. This phenomenon is not unique: it is reflective of wider patterns of foreign (largely American, but not uniquely so) campaigning, lobbying and legal advice concerning opposition to LGBT rights in Africa (Baptiste and Foreign Policy in Focus 2014).

The comparative analysis pursued here traces the process of the attempt to change the definition of the family in the constitutions of Hungary and Romania, and it takes the following structure. First, it emphasises conceptually the convergence between the post-secular and the nationalist dimensions that provides a useful framework for understanding the phenomena examined. Following that, the investigation is divided into two sections. The first one identifies patterns of difference between the two cases by looking at the political context, the attitudes towards homosexuality, the method pursued for securing constitutional changes and the success of the outcomes. The second one looks at the patterns of similarity in the narrative articulated to justify the changes and at the international influence in the process. The analysis relies primarily on qualitative data drawn from public statements made by (political) supporters of these changes in order to identify the key features that inform these narratives. The purpose is to demonstrate that despite the various contextual differences, the two cases are reflective of a common discursive trend that permeates the politics of the two countries. This research is potentially relevant for understanding other cases in Central and Eastern Europe, Russia and beyond, especially in cases that display an increased backlash against LGBT+ groups, and where legislative initiatives aimed at restricting the rights of these groups occupy a visible position in public debates and on the political agenda. Moreover, the relevance lies in particular in observing how (mythologised) versions of the past are employed in debates concerning social norms and in contesting and restricting the rights of different groups.

1. Conceptual Considerations

The argument proposed in this paper rests on the conceptual juncture between debates on post-secularism and on nationalism. I use the term post-secularism broadly along the lines articulated by Habermas (2008). He employs the concept in order to critique the secularist and secularisation claims that the advent of modernity, and the 'age of reason', was supposed to usher in a gradual decline of religious belief and practice and the separation of religion from public life (see Taylor 2011: 49–50). Habermas offers a critique of such claims, drawing on what he calls a 'change in consciousness', which rests on phenomena that include a perception that many current conflicts are fought on religious grounds; a (re-)growth in the public influence of religion and religious organisations and a incongruence between religious groups, exposed by global migration (Habermas 2008: 2021). Thus, we are currently experiencing a state of postsecularity, where societies need to come to terms with the fact that religion has continued to play a significant role in people's lives, and to negotiate (in contradistinction with secularist narratives) the role that religion can play in the public and political sphere. Taylor takes the point of the continuity of the public presence of religious beliefs even further and suggests that what modern secularisation has produced is simply a transformation from a state where 'unbelief was off the map, close to inconceivable, for most people' to one where religious belief became 'an option among many' (2011: 49–50). Further still, as Casanova (2011: 64–65) points out, the process of secularisation visible largely in the Western parts of Christendom is very much an exception that was not replicated in similar ways elsewhere in the world.[3] The implicitly essentialist (in terms of what are to be regarded

[3] While these broad trends suggest the persistent role played by religion in public life and the limits of secularizing processes, it is important to also consider the impact of communism on religion in Central

as Western parts of Christendom) vein of Casanova's argument notwithstanding, the point he makes – that the notion of secularisation has to be considered in a very nuanced way, rather than assuming that religion simply disappeared from public life – still holds water. In this sense, Davie's notion of 'believing without belonging' captures better the ways in which religion retains varied levels of relevance in society. As she puts it simply, despite the growing number of atheists, 'Europeans […] continue to believe in God and to have religious (or at least spiritual) sensibilities' (Davie 2015: 79). It is with these qualifications in mind that this paper examines the role of religion in the articulation of the political discourse in relation to same-sex marriage.

The second dimension that informs the examination of the same-sex marriage debates in Romania and Hungary is nationalism. A great deal of the recent academic debates about the political success of parties that have been situated outside the mainstream has converged around populism as a key explanatory concept. While there is significant disagreement on the nature of the concept, at a minimal level, it applies to movements or political parties that oppose 'the people' seen as pure, authentic, righteous to a corrupt 'elite' (Mudde and Rovira Kaltwasser 2012). On this basis, parties such as the governing Fidesz in Hungary have been labelled as right-wing populist. I argue here that at the heart of understanding the same-sex marriage debates in Hungary and Romania lies the nuanced way in which 'the people' is being defined. While populism is definitely playing a role in this case, as a discourse, thin ideology or style (Rooduijn, in Bonikowski et al. 2019: 66), nationalism provides stronger explanatory power to the cases under investigation, because 'the people' is arguably defined as the 'in-group' aiming to protect itself from corrupting external influences (see Halikiopoulou in Bonikowski et al. 2019: 75). The key premise of nationalism to render the national and the political communities as congruent (Gellner 1983: 1) plays an important role in this case, in particular in the context in which religion is being incorporated as a central feature that defines the identity of the national community. Thus, religious identity is employed as an argument for the preservation of national sovereignty. Finally – and this is a more hesitant claim – the argument is articulated in a way that highlights the fact that the foreign values that are being challenged are perceived as relative (e.g. human rights) and they are confronted with the perennial (absolute) values that define the national identity of the in-group.

2. Patterns of Difference: Similar goals, different results

As suggested in the introduction, the two cases provide some fertile ground for comparison because of the similar aims and discursive tools through which these aims were pursued, despite several levels of difference between them. These differences are of political context, of attitudes towards same sex relations, of process regarding the changes, and of outcome.

In terms of political contexts surrounding the respective processes of constitutional changes, support for nationalist and radical right parties in Hungary and Romania appears very different. In Hungary, the 2010 elections brought about a period of right-wing dominance, with both Fidesz and Jobbik emerging as successful within their respective reference points (Pytlas and Kossack 2015: 114). Fidesz managed to increase the number of their seats by nearly 100 compared to the 2006 elections and secured a total of 68 per cent of the seats – more than

and Eastern Europe. Like in the case of the effectiveness of secularization, the notion that communism managed to displace religion, leaving by the time of its collapse a 'spiritual vacuum' needs nuancing and qualifying. Far from being able to expugnate religion public life, communist authorities throughout the region opted for varied approaches in relation to different faiths and denominations, ranging from outright prohibition to toleration and even to co-opting them for various purposes (for a detailed analysis, see Ramet 1998).

two thirds of the total number. Jobbik was also able to hail the 2010 elections as their most successful, as they secured 47 seats. As a result, Fidesz was able to start its new term as the dominant force, in a context of a total collapse of the left and with the benefit of a strong majority that enabled them to undermine even Jobbik's success by 'implementing some of Jobbik's campaign promises' (Krekó and Mayer 2015: 192). By contrast, around the time the constitutional referendum took place in 2018, Romania was led by a coalition government between the Social Democrat Party (PSD) and the Alliance of Liberals and Democrats (ALDE) bringing together just over 50 per cent of the seats in the Lower Chamber of the Parliament, with the rest of the seats divided among the centre-right parties – the National Liberal Party (PNL) with 60 seats, the Save Romania Union (USL) with 30 seats, the new People's Movement Party (PMP) with 18 seats, and the Democratic Union of Hungarians in Romania (UDMR) with 21 seats. The PSD-ALDE government led by Viorica Dăncilă[4] oversaw the organisation of the referendum, in the absence of any parliamentary populist and radical right party that could pressure the government in that direction. Moreover, Romania had not had any radical right parliamentary representation since 2008, the year that marked the decline of the Greater Romania Party (see Cinpoeş 2012, 2015).

When it comes to public attitudes, Central and Eastern Europe remains an area that displays highly conservative views with regard to LGBT+ issues. For instance, data from Pew Research Centre shows a marked difference in attitudes concerning same-sex marriage between Western Europe on the one hand, and Central and Eastern Europe, on the other. In ther former, a net majority of people favour same-sex marriage, while in the latter, a net majority of people oppose it, with the only ouliers being Slovakia (with a equal amount of people – 47 per cent - supporting and opposing, and Czech Republic (with support figures aligned to other countries in Western Europe) (Pew Research Centre 2018). While legal mechanisms ensuring basic standards for non-discrimination have been implemented in the EU member states in the area, following the accession process, their enforcement remains problematic. Moreover, the existence of such mechanisms does not necessarily mean that a significant cultural shift towards respect for the rights of such categories of people has taken place; attitudes remain reactionary in this respect.

Nevertheless, the picture concerning public opinion regarding same-sex marriage and the role of religion in shaping national identity in Hungary and Romania is mixed. To begin with, there are visible differences between Hungary and Romania in the level of (non)acceptance of homosexuality (see Table 1). Broadly speaking, this is not very surprising, given the pattern of much higher non-acceptance in Christian Orthodox countries. Nonetheless, the figures remain high in both cases (certainly in comparison to Western Europe). The higher figures in Romania could potentially explain the much stronger bottom-up mobilisation against same-sex marriage. Interestingly, however, the level of opposition to same-sex marriage is much closer in the two countries. Finally, there are, again, significant differences in terms of the place religion has in defining national identity. Taken at face value, these differences would suggest

[4] 4 It is worth noting that period following the 2016 parliamentary elections was characterised by acute political instability. Due to conflicts between Liviu Dragnea (then leader of the PSD and alleged puppet-master behind the PSD-ALDE coalition government) and his successive list of prime ministers, the coalition went through three different cabinets. The first one, led by Prime Minister Sorin Grindeanu, was dismissed following a non-confidence motion submitted by the PSD itself; the second one, led by Mihai Tudose, was reshuffled following his forced resignation; the last one, led by Viorica Dăncilă, fell due to a motion of no confidence filed by the opposition parties (several months after Liviu Dragnea was convicted and sent to prison for three and a half years for corruption). Since then, Romania has been governed in minority by the PNL, in an equally unstable context (see BBC 2019; Eremia 2018 and Dutulescu 2020).

that the issue of same-sex marriage would occupy a lower place on the public agenda in Hungary than in Romania.

	Hungary	Romania
	% who say homosexuality **should not** be accepted by society	
	54	85
	% who oppose/strongly oppose allowing gays and lesbians to marry legally	
	64	74
	% who see religion as a key component of national identity	
	43	74

Table 1. Source: Pew Research Centre (2017 and 2018)

In terms of the mechanisms for change, constitutional changes regarding same-sex marriage were pursued by different means. In Hungary, the super-majority acquired by Fidesz in the 2010 elections enabled Orbán to pursue almost unilaterally a series of controversial constitutional changes. The new constitution was passed in 2011 with almost no scrutiny, in the context in which many opposition parties withdrew from consultations and even far-right Jobbik party voted against the new document. The passing of the constitution happened amid internal and external criticism, and widespread street protests (Thorpe 2012). Alongside the definition of marriage as a union 'between man and woman, a matrimonial relationship voluntarily established', the new constitution included a number of other contentious issues: from reinforcing a conservative Christian view of the nation, to curbing the powers of top courts in relation to budget and tax matters, protecting the rights of the foetus since conception, whitewashing its involvement in the Holocaust, and omitting sexual orientation and age from its anti-discrimination clauses, to name but a few (Anon. 2011; Breitenbach and Levitz 2011). There are arguably some factors that explain the fact that the constitutional ban on same-sex marriage was introduced in a context where opposition to LGBT+ rights in Hungary has been (relative to other states in Central and Eastern Europe) fairly low.

To begin with, the range of controversial aspects included in the new Fundamental Law of Hungary made it possible for the same-sex marriage ban to be overshadowed by other issues, as suggested above (budget and taxation one, juridical ones, etc.). During the protests that followed the document entering into force, in which members of the opposition, NGOs and civil society were involved, LGBT+ rights were only one of the many issues raised. Moreover, in a list of recommendation issued by the Human Rights Watch, the recognition of 'all family relationships irrespective of marital status, including families based on same-sex relationships' was only one of seventeen suggested responses to the new constitution (Farkas 2012; HRW 2013). Even the European Commission for Democracy through Law's (ECDL – Venice Commission, in short) opinion on the constitution was reserved when it came to the definition of marriage, pointing out the lack of consensus in Europe on that issue, and concluding that the definition 'belongs to the Hungarian state and its constituent legislator' (ECDL 2011: 11). Secondly, and linked to the point raised by the Venice Commission, at the time of the ban, the domino effect of reforms legalising same-sex marriage sweeping Western and Northern Europe had not unfolded (with only seven states in the EU having done that at the time Fidesz pursued the constitutional changes in Hungary). By contrast, four EU member states and several others in Central and Eastern Europe had already implemented constitutional bans on same-sex marriage.

In short, the constitutional changes in Hungary were the result of a top-down process initiated by Fidesz – the party in power – and the same-sex marriage prohibition was one aspect of a

series of contested changes to the constitution that were passed through parliamentary means. Hungary was not necessarily an outlier in this respect. Unlike Hungary, the case of Romania is one in which constitutional changes were pursued at a time when fourteen EU member states had already recognised same-sex marriage (with other two – Austria and the Northern Ireland in the UK already pursuing the changes). Despite these differences, as it will be shown later on, the national-Christian values that Orbán and Fidesz used to justify the changes and articulate their vision of nationhood subsequently align closely with those invoked by the supporters of the constitutional changes in Romania, justifying the comparison between the two cases.

By contrast, in Romania, the same-sex marriage prohibition was pursued by means of a referendum. The process was long-drawn and was initiated by 'The Coalition for the Family' (CpF) – a grassroots social movement bringing under its umbrella an alliance of over thirty non-governmental organisations aiming at protecting the 'traditional family'. Importantly, a large number of these actors were Christian civic organisations of various denominations, including Orthodox, Catholic and Evangelical (Mărgărit 2020: 8–9). One of its key declared goals was to secure a constitutional amendment (and all the other legislative consequences deriving from this) that would define the family specifically as a union between a man and a woman (instead of the more ambiguous way the constitution defined it – as the union between two spouses). As Mărgărit points out, this initiative emerged in the context of national and international upheaval, and of a rise in support for populist and radical right groups. Internally, various right-wing public figures have expressed criticism of values attributed as coming from the European Union ('political correctness', emancipation for women and of people of different sexual orientations and identities), and have postulated the moral bankruptcy of such values arguing for a return to Christian tradition of the Romanian nations rooted in the past. Against this fertile ground, the Coalition for the Family was able to position itself a a protector of the centuries-long spirituality of the nation (Mărgărit 2020: 7–8).

Thus, in October 2015, the coalition submitted a legislative proposal to organize a referendum on the definition of marriage and started to collect the signatures required to support it. By May 2016, over 3 million signatures were collected and submitted with the proposal to the parliament (only 500 000 signatures were necessary). The legislative proposal was submitted to the Romanian Constitutional Court for evaluation, and in July 2016 the Court unanimously ruled for allowing the process to continue. Although with some delays (and at year distance from one another), the two chambers of the parliament voted overwhelmingly in support of the referendum, which was finally organised on 6–7 October 2018 (Marica 2017; Marinas 2018). While neither the Orthodox nor the Catholic Churches in Romania were formally part of the Coalition for the Family, in both cases, members of the clergy declared publicly their support for the initiative, assisted in the collection of signatures and subsequently encouraged people to participate in the referendum.

The referendum took place amid controversies that included, among other things, the exact formulation of the question on the ballot and the extension of the vote to two days. By and large, groups opposing the initiative opted to campaign for a boycott of the referendum, aiming to prevent the constitutional changes by ensuring that the threshold necessary for the vote to be validated was not met. Campaign messages often focused on the use of the referendum as a political tool by the PSD, which – due to corruption scandals especially those involving its leader, Liviu Dragnea – was losing popularity. The focus on the corruption charges Liviu Dragnea was facing led to (unfounded) rumours spreading on social media networks that the generic phrasing of the question on the referendum ballot was a ploy by Dragnea and the PSD to make much broader changes to the constitution that would ensure their protection from justice. Such claims were expressed openly (as in the case of actress Oana Pellea) or

indirectly and implicitly (as in the case of philosopher and journalist Andrei Pleşu) and arguably helped to create a sense of unease about the referendum, even for individuals who would have otherwise supported the change (see Cotigă 2018; Pleşu 2018). In addition, the message of the opponents of the referendum focused on its futility (given that the Civil Code in Romania already prohibited same-sex marriage), the wasteful expenses associated with it (alongside the more obvious rights and liberties-based arguments advanced by various human rights NGOs) (see Boghiceanu 2018).

In the end, the referendum failed to meet the minimum participation threshold of 30 per cent, and as such, was not validated. Despite the fact that the fact that over 93 per cent of the people who took part voted in favour of the changes, the strategy adopted by the opponents to boycott the referendum was successful and resulted in the low participation. To sum up, in Romania, the constitutional changes focused solely on the issue of same-sex marriage and they were pursued bottom-up, through a referendum forced from the grass-roots. Finally, the two countries also differ significantly in terms of outcome. As shown earlier, in Hungary the initiative to change the constitution was successful, and as a result, the country's top law explicitly prohibits same-sex marriage currently. On the other hand, since 2009, Hungary allows for registered same-sex partnerships, which places same-sex couples on relatively close footing to married couples. In Romania, the referendum was unsuccessful, and the Coalition for the Family initiative aimed at preventing the possibly for same-sex marriage to be recognised legally failed. That being said, recognition and protection of the rights of same-sex couples in Romania is non-existent. Moreover, the 2009 Civil Code specifically defined marriage as 'the union between a man and a woman' and prohibits same-sex marriage, and various attempts to push for the recognition of same-sex civil partnerships have so far failed. For instance, during the 2012 – 2016 parliamentary term, independent MP Remus Cernea (initially a member of the PSD parliamentary group) initiated no less than four legislative proposal to legalise civil partnership, all of them rejected (Camera Deputaților [no date]). The only relative progress in the area has been externally forced. In 2018, a European Court of Justice ruling in the case concerning Adrian Coman and his spouse, decided for the recognition of the rights derived from their marriage in an EU member stat (Belgium) where same-sex marriage is permitted. As of January 2020, 21 Romanian couples have filed a lawsuit against the Romanian state at the European Court for Human Rights, requesting the recognition and protection of their right to private and family life (Pietroşel, A. 2020).

3. Patterns of Similarity: Same-sex Marriage as a Cue for Nationalist Discourse

Despite all the differences outlined earlier, this chapter argues that in substance, the discourses around the prohibition of same-sex marriage are very similar in the two cases under examination. Moreover, they highlight a pattern that seems to extend more widely in the case of Central and Eastern Europe. The pursuit of a constitutional ban on same-sex marriage is reflective, in both cases, of deeply embedded homophobia and justified in terms of a particular narrative that defines national identity as rooted into Christian values which are incompatible with what are regarded as 'forced', 'alien' liberal values of inclusiveness and non-discrimination. Thus, it is argued that the changes are required as a measure of defending national values and traditions (the family occupying a central position here) from foreign, 'corrupting' influences.

This similarity is apparent despite the different Christian traditions in the two countries. In Hungary, the Christian heritage is predominantly concentrated around Catholicism and the cult of St. Stephen (regarded as the first Christian king of Hungary). The image of St. Stephen has long been a unifying symbol of nationhood, allowing in the Interwar Period for Calvinists and

even secular nationalists (despite tensions and suspicions about the Catholic agenda) to embrace a definition of national identity defined in Christian terms (Hanebrink 2006: 110–15). In Romania, the link between Christian Orthodoxy and nationhood is grounded in the past. While in the early phase of Romanian nationalism, the Greek-Catholic Church in Transylvania played a crucial role in fostering Romanian national identity, in the Interwar Period the Orthodox Church consolidated its status as dominant church, and maintained a privileged position under Communism, while the Greek-Catholic Church was dismantled (with the Orthodox Church benefitting from the transfer of churches), and the neo-Protestant denominations were persecuted by the state (Flora et al. 2005). Arguably, the top-down approach to constitutional changes in Hungary allowed for the figure of St. Stephen and of the Holy Crown to become symbolic of nationhood, with the new Constitution reinforcing their importance: they are mentioned in both the preamble and the first article of the Fundamental Law (Ministry of Justice 2017: 2, 4). The bottom-up approach in Romania meant that organizations representing different Christian denominations had to make a common front (despite historical disagreements and suspicion). As a result, the discourse employed by the Coalition for the Family appeals to Christianity as an important dimension of tradition, history, and national identity in a more generic, 'inclusive' and confessionally non-specific way. These differences notwithstanding, similar discursive patterns are visible in the two countries.

Before the resounding electoral victory (and the subsequent constitutional changes), Fidesz had appeared more reserved in expressing overtly homophobic positions. In fact, as late as 2009, the party distanced itself from Fidesz member, and member of the parliamentary human rights committee, Ilona Ékes, who called for a ban on that year's Gay Pride parade on the grounds that it would cause "harm to the healthy development of youth" and suggested psychotherapeutic "healing" for homosexuality; the party – through its press chief – was quick to emphasize the private character of that statement (Czene 2009). Such discourse was more characteristic of Jobbik, and other far right groups, that staged increasingly violent counter-protests as a way to disrupt gay parades and festivals. While the Budapest Gay Pride March had been going on since 1997 with relatively minor homophobic incidents, 2007 marked a significant intensification of violence, which was repeated in 2008, requiring much stronger policing in subsequent years (Renkin 2009: 20–21). At the same time, an escalation in homophobic public discourse is visible, including from KNDP (Fidesz's minor coalition partner) (Renkin 2009: 21). Following the 2010 elections, however, Fidesz ramped up their Christian-nationalist rhetoric, which incorporates a clear anti-LGBTQ+ strand. This is likely to be linked to Fidesz's attempt to displace Jobbik from its position of a sizable right-wing competitor, by expanding its narrative into areas that were more traditionally Jobbik territory.

Moreover, scholars have observed that Fidesz did not shy away from implementing measures that had been included in Jobbik's 2010 electoral platform (Nagy et al. 2013: 244–49). Notably in the context of the Christian-nationalist narrative are the incorporations of a reference to the Holy Crown into the Fundamental Law and the strong references to the "role of Christianity in preserving nationhood" (Ministry of Justice 2017: 2). The definition of marriage in the constitution as "the union of a man and a woman established by voluntary decision" and the emphasis on the "family as the basis of the survival of the nation" are themselves reminiscent of the pledge in Jobbik's 2010 electoral manifesto to protect "the institution of the family, particularly from attacks by a liberalism whose objective is to put the family unit on an equal footing with every conceivable alternative living arrangement or deviant lifestyle" (see Jobbik 2010: 9; Ministry of Justice 2017: 5). Numerous statements from Fidesz and its leader, Victor Orbán, reflect the fact that the party has positioned these views at the centre of their long-term vision for Hungary. Speaking about the Christian dimension of Hungarian national identity, Orbán often points out the role religion plays in the survival and continuity of the Hungarian nation. He asserted on one occasion that "without [Christianity], we would not have survived

the past thousand years", making an unequivocal statement about the incompatibility of this identity with sexual orientation rights:

> An apple cannot asked (sic!) to be called a pear. [. . .] If a person lives together with another without wanting to have children, they do not foster the thousand-year-old Hungarian tradition of marriage between man and woman. If a man and a woman live together, marry and have children, this we call a family. This is not a question of human rights but of calling things by their name. (Sullivan 2016)

The traditional family has now become a cornerstone of Fidesz Christian-nationalist rhetoric. As a result, homophobic public discourse has strengthened since the constitutional ban on same-sex marriage and the tone has recently become increasingly concerning. In 2019, for instance, Fidesz MP István Boldog called for a ban on the Pride March, and for a Coca-Cola boycott for their 'Love is love' advertisement representing a male couple. Even more outrageously, talking about the desire of some same-sex couples to adopt, Speaker of the Hungarian Parliament, László Kövér, stated earlier that year that "morally there is not difference between the behaviour of a pedophile (sic!) and the behaviour of someone who demands such things", as in both cases "children are treated as objects, luxury goods, mere tools for gratification" (Kovács 2019a, 2019b).

In Romania, similar public positions in defence of the 'traditional family' as an important feature of national identity have come from party representatives positioned across the political spectrum. The (then) leader of the Social Democrat Party, Liviu Dragnea, stated his view in relations to the referendum in unequivocal terms: "I am a traditionalist. If that makes me a religious fanatic, then I am a religious fanatic. I am a Christian-Orthodox and I see the family made of a man and a woman, and – when God may grant it – children" (Diac 2016). Even the Save Romania Union, a young political party positioned on the liberal and progressive centre-right found it very difficult to take a consistent stand on the issue of same-sex marriage.[5] The party resorted to an internal referendum to so. While the result eventually led to the party opposing the constitutional amendment banning same-sex marriage, this was not without internal casualties: Nicuşor Dan, the leader of the party, resigned on the grounds that this position would break his promise that the party would not take decisions that run against the deeply-held identity feelings of its members (Digi24 2017). A so-called 'popular' wing of the party even campaigned publicly with a video distributed on social media for a party position that supported the constitutional referendum, arguing against same-sex marriage on grounds of demographic downturn in Romania. Drawing on the demographic deficit issue, the video (see campaign video in G.S. 2017) emphasized the central social role the heterosexual family had to play in addressing the demographic crisis and called for the protection of life (hinting implicitly at a pro-life stance) and of the traditional family as the "optimal medium for raising and educating children". Ultimately, it advocated for the protection of the heterosexual family (through the constitutional change) against policies aimed at ensuring equal rights based on gender, sexual orientation, and identity, which were labelled as artificial attempts at social engineering of a Marxist-totalitarian nature. Similar rhetoric came from representatives of the National Liberal Party. PNL member of parliament Daniel Gheorghe – quoted by controversial news agency Sputnik – addressed his colleagues in the party claiming that: "[…] For me and for many other colleagues […] from the National Liberal Party, this referendum is essential for

[5] The USR only registered as a political party in 2016, expanding nationally following the success of the Save Bucharest Union in the 2016 local elections.

defending the Christian fundaments in our society and for stopping attempts for identity relativization" (Nistor 2017, translation by author).

The debate in the Upper House of the Romanian Parliament, occurring ahead of the vote to allow the referendum to take place, showed that the articulation of what is regarded as a 'traditional family' in Romania is deeply rooted into a Christian-nationalist paradigm that is shared across the political spectrum. In their plenary speeches, senators on both sides of the aisle made strong references to religion and tradition in justifying their support for the constitutional change. PNL Senator Nicoleta Pauliuc talked about "a duty to bring back dignity to the family" by opposing the "contestation of customs that are deeply rooted in traditional consciousness". Raising the bar even higher, PNL Senator Eugen Pîrvulescu used anti-EU rhetoric, decrying Romania's loss of sovereignty, and emphasizing that the "spirituality of the Romanian people" was not up for negotiation. Pîrvulescu – who admitted to having participated in collecting signatures in support for the CpF initiative – stressed that the organization of the referendum would enable people to "hold their heads high in front of people and God" and ended up his speech with the phrase "so help me God". PSD Senator Șerban Nicolae referred to the common nationalist trope of the Christianity of the Romanian nation that goes back two millennia and confessed his belief "in God and in his creative role" while stating that he did not believe in "the theory of a great explosion n.b. 'the Big Bang')". In a similar vein, one party colleague, Senator Titus Corlățean, stated that he opposed "legalising sin in Romania", while another, Senator Gabriel Leș, referred to the initiative in terms of a "war against those who are after the minds and souls of our children", stressing that the Romanian nation needed God (Pancu 2018). The theme of the Christian dimension of Romanian nationhood that has been in continuous existence for millennia has been widely used by Romanian nationalists in very different historical periods and political circumstances (having been rehearsed equally by late eighteenth century to early nineteenth century nationalists, by the Interwar fascists, by the Communist regime, and by various post-Communist groups). It is not surprising that it still constitutes a powerful discursive tool (Cinpoeș 2010; cf. Rubel, this volume).

It is worth noting that the USR Senators – who opposed the referendum – were not comfortable doing so based on notions of human rights and equality. Instead, they justified their position on grounds that the referendum proposal was a "populist initiative" by politicians in search for lost legitimacy, and that it was aimed at distracting attention from more important societal problems, such as widespread poverty (Pancu 2018). All in all, these arguments point to the fact that, in their view, the referendum was not justified in terms of its timing, without any clear position on the content itself. In some ways, the issue of priority resembles the Hungarian case, where changes to the definition of the family – as shown earlier – were buried among a much wider range of controversial measures, that diluted the attention given to the rights of same sex couples.

The charge of 'relativization' levelled against what is being labelled as 'progressive', 'neo-Marxist' values, resting on principles of human rights and inclusions, points to another important similarity between the cases, which has to do with process and the actors involved. While there is a strong internal drive to the opposition to same-sex marriage, and the narrative that is used to justify it appeals to national-religious values and traditions, in both Hungary and Romania this is coupled with external influences by anti-LGBTQ+ lobbying and litigation groups. In Hungary, the International Organization for the Family played a prominent role in the anti-LGBTQ+ campaigns. The organization is led by the founder of the National Organization for Marriage in the United States and is part of the internationalization of these radical Christian movements originating mostly from the US, which (having largely failed in the US) have concentrated their campaign efforts against LGBTQ+ rights and same-sex marriage

in East-Central Europe and in developing areas (such as Latin America and Africa), forging partnerships with political leaders who share their views. The organization found a reliable partner in Orbán, who then hosted the World Congress of Families in 2017, for which the International Organization for the Family is a parent and co-sponsor (SPLC 2019).[6]

Similar organizations have partnered with the Coalition for the Family in Ro□mania and supported the referendum campaign. The Alliance Defending Freedom, Liberty Council, World Congress of Families, and the European Centre for Law and Justice are associated with the Romanian umbrella organization and have provided legal advice and representation in driving forward the attempt to ban same-sex marriage. For instance, the Alliance Defending Freedom, Liberty Council, and the European Centre for Law and Justice submitted briefs to the Romanian Constitutional Court supporting the initiative of the Coalition for the Family. The World Congress of Families submitted a petition in support of the CpF referendum, signed by one hundred conservative activists in twenty-two countries (Barthélemy 2018).

Overall, the discursive practices highlighted above impact on public perceptions of LGBTQ+ groups and fuel homophobic attitudes and practices in both countries. The initiatives to effectively introduce a constitutional ban on same-sex marriage in the two countries reflect the success of this nationalist discourse that places religion at its core and rejects human rights values as foreign impositions. It is ironic, in this context of the denunciation of outside influences, that in both cases (and more widely in East-Central Europe, as well), these campaigns receive significant foreign input and influence from various Christian fundamentalist organizations. There is a logical dissonance emerging from this dichotomy. On the one hand it emphasizes on the importance of defending autochthonous values that have been transmitted and reinforced throughout history and which are constitutive elements of national identity (while rejecting foreign influences, as they erode and undermine national identity). On the other hand, however, it welcomes and draws strengths from particular foreign actors (inasmuch as they are seen to defend similar values). Despite the apparent logical contradiction between the inward focus on ethno-national values and cultural specificity that nationalist movements rest upon, versus engaging in trans-national collaboration, various processes and phenomena of an internationalization of nationalist movements have been observed and analysed (both at the ideological level and at the level of interactions between groups and organizations). Arnd Bauerkämper and Grzegorz Rossoliński-Liebe (2017), for instance, offer a conceptual mapping for transnational interactions and collaborations between fascist movements in the Interwar Period. The fascist Iron Guard movement in Romania falls into this pattern of interaction, in this particular case with similar groups in Europe, as well as with the regimes in Germany and Italy (see Clark 2015; Cârstocea 2017). More recent populist and radical right movements exhibit similar patterns, which are being facilitated by expansion of communication (especially via social media) (Caiani & Kröll 2014). The novelty in the cases discussed is that national sexual politics, resting on an ethno-religious definition of the nation which is grounded in the past, receive an international boost. Rather than arguing from an emotive perspective that refers to the past, to identity and cultural values, the support coming from international litigation and lobby organizations is articulated in terms of legal frameworks and compliance to international human rights norms.

Conclusions

[6] It is worth noting here that the Southern Poverty Law Centre also labelled the International Organization for the Family as a hate group for their anti-LGBTQ+ stance (SPLC 2019).

The purpose of this chapter was to investigate the processes of constitutional change in relation to same-sex marriage in Hungary and Romania in the context of a resurgence of nationalism and post-secular religious influence. The argument advanced here is that despite various differences between the two cases, what they have in common is the way in which a mythologized version of the past is employed to articulate a particular version of national identity, one that combines ethnic and religious criteria for inclusion and exclusion. In turn, the issue of sexual identity and orientation (and more specifically that of same-sex marriage) is being portrayed as a 'foreign', 'external' attack on the 'fabric' of the nation and is being rejected on these grounds. The comparison furthermore highlighted important patterns of similarity regarding anti-LGBTQ+ politics in East-Central Europe in terms of the discourse that inform and justify these processes. This is true despite very significant differences between the two cases, in terms of the vectors of the processes (top-down in Hungary and bottom-up in Romania), the legal mechanisms employed to secure the changes (two thirds parliamentary majority in Hungary and a referendum in Romania), and the outcome (the changes were implemented in Hungary and were not successful in Romania).

The distance in time between the two cases also brings about noteworthy contextual differences. In Hungary, the change took place in 2011 – a time when the wave of legalising same-sex marriage had not taken off significantly in Europe. In addition, changing the definition of marriage was only one of a substantial series of controversial reforms to the Fundamental Law in Hungary, which was done on the back of a parliamentary super-majority by Fidesz. Together, these factors can potentially explain the fact that success was achieved by Orbán and his party, even though opposition to LGBTQ+ rights was not as strong in Hungary in comparison to other East-Central European countries. In Romania, by contrast, the initiative to change the constitution took place in 2017, at the peak of a period of progressive reforms concerning same-sex marriage in North-Western Europe, and in the context in which the country's opposition to LGBTQ+ rights is one of the strongest in Europe. The failure of the constitutional ban in this case is arguably linked to the mechanism for change (control over the Parliament is undoubtedly a much more efficient mechanism than the unpredictability of a referendum) and to the controversy surrounding the referendum in Romania (with not very plausible accusations that the PSD intended to use it for other purposes). Considering this, the campaign to boycott the referendum by groups opposing the initiative appears to have been a successful strategy. Finally, there is a more important story that emerges from this comparative analysis, signalling a broader 'cultural turn' beyond East-Central Europe. The convergence of post-secularism, nationalism, and an anti-human rights backlash are aspects of a wider phenomenon (alongside populism, post-truth, etc.) which needs to be conceptualized differently. Further research is necessary to engage head-on with these trends in order to provide a better understanding of the cultural dynamics at work in the contemporary world.

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