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Varieties of Illiberal Backlash in Central Europe

Petra Guasti^a and Lenka Bustikova^b

^aInstitute of Political Studies, Faculty of Social Sciences, Charles University, Prague, Czechia; ^bSt Antony's College, University of Oxford, Oxford, UK

ABSTRACT

Abortion, same-sex marriage, gender equality, and LGBTQ rights have become hotly contested topics in Central Europe over the past two decades. Abortion rights have been rolled back, and the expansion of LGBTQ rights has been stalled or reversed. What explains the varieties of illiberal backlash in Central Europe? We argue that the extent of backlash reflects the strength of an alliance between socially conservative advocacy groups and political parties. However, we also show two factors curbing illiberal backlash: public opinion and a pluralistic moderate confessional political party. Both factors constrain illiberal politicians and dampen the radicalization of parties in power.

“Liberal values today incorporate corruption, sex, and violence.”
—Viktor Orban 2014

In the past two decades, Czechia, Hungary, Poland, and Slovakia—the Visegrad Four countries (V4)—have experienced a dramatic increase in new forms of illiberalism associated with the contestation of reproductive and LGBTQ rights (cf. Grzebalska and Pető 2018; Lorenz and Anders 2020).¹ Illiberal parties with socially conservative leanings emerged to re-invent a paternalistic mixture of familism and traditional values (Keskinen, Norocel, and Jørgensen 2016; Buzogány and Varga 2019; Cinpoș and Norocel 2020; Hanson and Kopstein 2021). But, most importantly, they tapped into socially conservative groups that opposed expanding minority rights (Bustikova 2019, 2021; Guasti and Bustikova 2020; Guasti 2020a).²

While the broad aims of the conservative alliance are similar, the illiberal backlash against reproductive rights and LGBTQ communities in Central Europe is not constant over time or across countries. When in power, illiberal parties exploit reproductive and sexual rights differently (Buštková and Guasti 2019; Grzebalska and Pető 2018; Lorenz and Anders 2020).³ What explains variation in legislative and policy outcomes in the Visegrad four countries? We argue that illiberal backlash is determined by the strength of the new illiberal alliance of confessional political parties and socially conservative groups. However, the alliance faces two constraints: public opinion and competition between confessional parties. Public opinion affects the electoral calculus of parties in power (cf. Kuhar and Paternotte 2017), and illiberal politicians prioritize immediate voter needs over governance (Buštková and Baboš 2020; Grzymała-Busse and Nalepa 2019). Therefore, illiberal parties have to cater to the whims of the voters and the desires of their socially conservative allies while weighing the costs and benefits of targeting minorities and women (Guasti and Bustikova 2020).

A plethora of political actors court conservatives. Among them are moderate confessional parties that stand for democratic pluralism, such as Christian democratic parties. Christian democratic parties, a sub-type of mainstream parties, are defined by efforts to reconcile Christian values with public policy (Grzymała-Busse 2015; Kalyvas 2016). But, as Stathis N. Kalyvas noted: “[t]he formation of confessional parties [...] was also an unfavourable one for both actors involved in the process—conservative political elites and the church” (Kalyvas 2016, 258). While Catholic mobilization was a reaction against liberalism, over time, confessional parties carved out their constituency, softened Catholic religious content, and undermined church hierarchies.

Moreover, churches must consider trade-offs between open political advocacy, which forces them to take sides, and the “above the fray” moral capital at their disposal (Grzymała-Busse 2015). Fear of losing legitimacy limits churches’ ability to lobby for divisive or even extremist political positions. Socially conservative voters need not necessarily mobilize against democracy, as illiberalism has many faces (Laruelle 2022).

Confessional parties form moderate and radical alliances with civic groups, advocacy organizations, and churches. Alliances that converge around the moderate pole do not threaten democracies. However, if conservative alliances converge around a more radical, even extremist pole, democratic pluralism is in danger. In these instances, parties weaponize social conservatism to delegitimize liberal political opponents in order to usurp power. In the past two decades, some European parties have leaned toward conservative illiberalism. This has affected even secular countries, such as Czechia or Estonia, with seemingly little demand for policies steeped in tradition and religion (Vachudova 2021). In all four Visegrad countries, mainstream right-wing parties radicalized and embraced more socially conservative views over the last

decade, albeit to varying degrees. We show that variation in the adoption of socially conservative policies can be explained by different sets of either moderate or radical alliances of parties, voters, and advocates. We also show that two factors constrain illiberal politicians. First, changes in policies and regulations can provoke anger if they go against public opinion. Second, a pluralistic, moderate confessional political party dampens the radicalization of parties in power and curbs illiberal backlash.

The article is structured as follows. After reviewing the relationship between illiberalism and sexuality, we outline recent changes in the reproductive and LGBTQ rights regulatory framework. Next, we assess the extent and intensity of the illiberal backlash in each of the V4 countries. Then we turn to two factors shaping the illiberal backlash: (1) public attitudes on abortion and same-sex marriage and (2) the presence or absence of moderate confessional parties in party systems and the evolution of party positions on social lifestyle issues and religiosity using the Chapel Hill Expert Survey (CHES). Finally, we outline the dynamics of illiberal alliances between parties and conservative advocates and assess their ability to change the legal and regulatory environment. The last section concludes with broader implications of our findings for reproductive and LGBTQ rights.

Illiberalism in Central Europe

We use illiberalism to denote a set of principles opposed to pluralism, minority accommodation, and ideological heterogeneity. Illiberalism feeds on nostalgia for what Emile Durkheim called “mechanical solidarity” that bonded traditional communities before the emergence of the complex solidaristic ties that are associated with the greater variety of lifestyles in cities. Illiberalism calls for hetero-normative sexuality and ties of solidarity formed around a communitarian view of nationhood and sovereignty. The Hungarian prime minister, Viktor Orban, has juxtaposed illiberalism with individualism, cosmopolitanism, multiculturalism, and sexual autonomy. In his words (Orban 2014):

What is happening today in Hungary can be interpreted as an attempt of the respective political leadership to harmonize the relationship between the interests and achievement of individuals [...] with interests and achievements of the community, and the nation. Meaning, that the Hungarian nation is not a simple sum of individuals, but a community that needs to be organized, strengthened and developed, and in this sense, the new state that we are building is an illiberal state.

Parties that contest liberal norms also promote cultural conservatism and ethnic nationalism (Keskinen, Norocel, and Jørgensen 2016; Bustikova 2019; Vachudova 2019, 2021; Cinpoș and Norocel 2020). The pushback against minority rights, traditionally associated with ethnicity, is a warning sign of nascent illiberalism (Anders and Lorenz 2021; Sadurski 2019). Nevertheless, new identity politics has gained salience in the last two decades as sexual autonomy and reproduction rights became prominent. This was, in turn, followed by a backlash against efforts to expand LGBTQ rights and constrain women’s rights (Bill and Stanley 2020; Bustikova and Kitschelt 2009; Enyedi 2020; Orenstein and Bugarič 2020; Roggeband and Krizsán 2018; Korolczuk 2020).

Efforts to defend traditional values (Taggart 2000) and to marginalize elites that promote progressive values and multiculturalism (Pirro and van Kassel 2017) have been spearheaded by socially conservative groups and church organizations (Greskovits 2020). In Hungary, Viktor Orban utilized the Hungarian Civic Circles, an urban, middle-class civic conservative movement, in his rise to power in 2010 (Greskovits 2020, 262). Yet, once in government, Orban’s political party, Fidesz, started to target the parts of civil society that promote human rights, civil liberties, and corruption oversight (Bill 2020; Greskovits 2015, 2020; Bustikova and Guasti 2017).

Over the last decade, socially conservative groups have embraced “new” cultural issues linked to Christian values and familism that oppose LGBTQ rights and gender equality (Kotwas and Kubik 2019; Guasti and Bustikova 2020). Alongside opposition to particularistic ethnicities, the old and the new forms of identity politics formed an amalgam of *exclusionary* populism (Mudde and Kaltwasser 2013), *ethno*-populism (Vachudova 2021; Jenne 2018), *ethnonationalist* populism (Bonikowski 2017), and *paternalist* populism (Enyedi 2020). Many conservative groups pursue their ideological objectives legally and lobby political parties via institutionalized channels (Rozbicka et al. 2021). For example, the Catholic Church is a powerful ally of conservative politicians (Grzymała-Busse 2015; Kotwas and Kubik 2019). However, even if conservative groups respect institutional guardrails in pursuing socially conservative goals, they actively oppose universal rights (Guasti 2020a; Sekerák 2020; Roggeband and Krizsán 2018; Korolczuk 2020).

Abortion and Same-Sex Rights in Central Europe

Differences in illiberal alliances across countries explain variation in illiberal backlash. However, the strength of illiberal alliances and their ability to implement policies are constrained by public support for abortion rights and same-sex marriage and the presence of a democratically oriented Christian democratic party in the party system. We now turn to differences in attitudes toward abortion and same-sex rights and policies that regulate sexual conduct and autonomy.

We operationalize support for “reproductive rights” as support for “abortion on request.” Abortion on request grants women full autonomy over their reproductive health, whereas a full abortion ban denies it, even if the mother’s life is at risk. We examine attitudes toward same-sex marriage and abortion on request over time (1994–2020 and 1990–2020) and across countries, combining public opinion surveys from domestic and international sources.⁴ At the same time, we preview changes in the regulatory framework from 2010 to 2021.

Figure 1 summarizes all available data sources and indicates that attitudes toward reproductive rights are most favorable in the Czech Republic and Hungary (68 percent and 63 percent, respectively, in 2019) and limited in Slovakia and Poland (18 percent in 2020).⁵ Hungarians are very supportive of abortion, especially when compared with Slovaks, who view abortion on request very unfavorably. Nevertheless, the current abortion regime is much more restrictive in Hungary. As we will discuss later, the Slovak party system is fragmented between pluralistic and illiberal confessional parties.

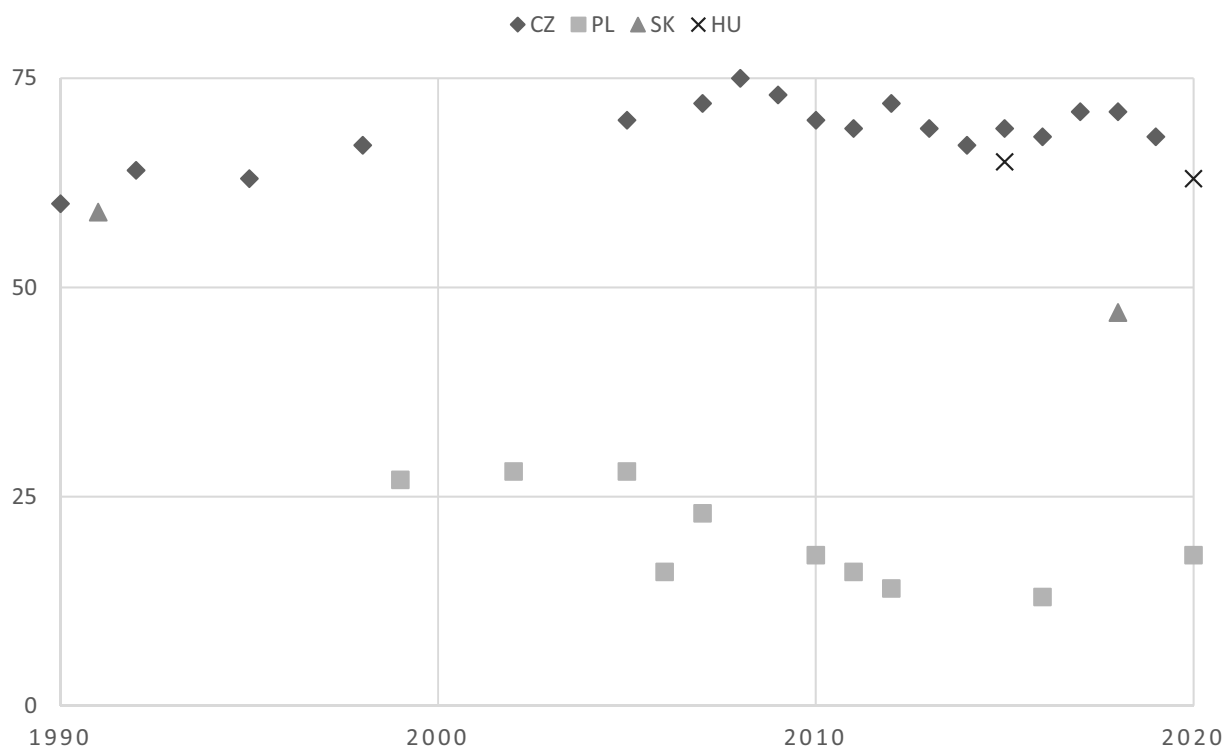


Figure 1. Support for abortion on request in the Visegrad Four countries from 1990 to 2020.
Source: Domestic and international public opinion polls assembled by the authors.

Therefore, a high degree of religiosity in Slovakia, comparable to Poland, and low support for abortion on request do not map onto restrictive reproductive rights.

Poland extensively polls the public on abortion issues, and a wide range of data is available. Polish opinion polls

differentiate between attitudes toward different types of abortion. Support for abortion rights in case of danger to the life or health of the mother, rape and incest, and fetal abnormalities is significantly higher: 86 percent, 79 percent, and 64 percent, respectively, in 2020 (CBOS 2020). Hence, while support for

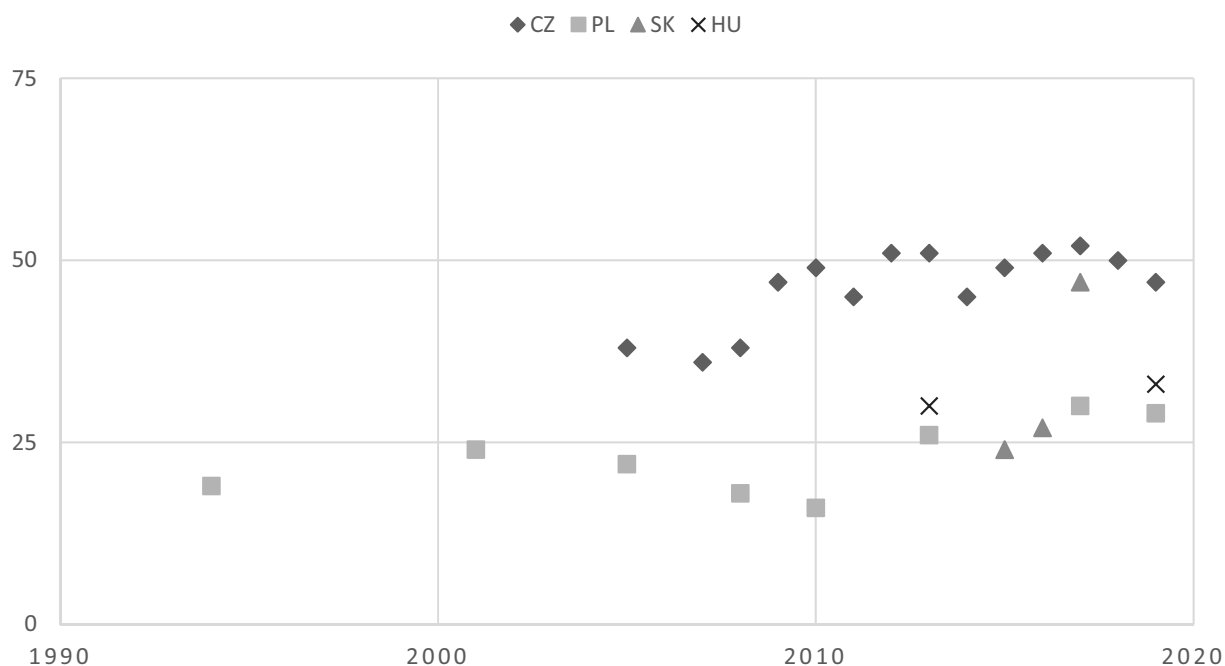


Figure 2. Attitudes to same-sex marriage in the Visegrad Four countries from 1990 to 2020.
Source: Domestic and international public opinion polls assembled by the authors.

abortion on request in Poland is comparatively low, so is the support for the current, very strict abortion regime. Most of Polish society favored the pre-2020 abortion regulation, which was more liberal (although still restrictive by EU standards). In the absence of a moderate confessional party, radical Polish policy on reproductive rights is driven by the ruling Law and Justice party, which faces pressures from the extremes.

Figure 2 indicates that support for same-sex marriage is much lower and more varied across the V4. The public in the Czech Republic and Slovakia views same-sex marriage similarly (although polling in Slovakia on this issue is less common). However, support for same-sex marriage is much lower in Poland and Hungary, even if it increases over time. For example, while support for same-sex marriage is the highest in the Czech Republic, its support only grew until 2013 (51 percent), when it began to decline (47 percent in 2019).

Data on registered partnerships are available from public opinion polling in Czechia, Poland, and Slovakia but not in Hungary. Support for registered partnerships grew significantly in the Czech Republic between 1995 and 2008 and remains relatively stable at around 75 percent. In Poland and Slovakia, support for registered partnerships also increased over time but has only reached about 50 percent in Slovakia (2015) and 36 percent in Poland (2017).⁶

Alliances between political parties and conservative groups, including church organizations, think tanks, and NGOs (Greskovits 2015, 2020), fuel illiberalism. Conservative groups ally with political parties to achieve their policy agenda: restrict access to abortion, block the expansion of rights of the LGBTQ community, and challenge gender equality (Petö 2018; Roggeband and Krizsán 2018; Korolczuk 2020). We briefly review these policies and regulations in the following section.

Table 1. Legislation and Policies in Visegrad Four Countries with Respect to Universal Rights

	Until	EU	HU	PL	SK	CZ
LGBTQ rights	2010	14/27 registered partnership 4/27 same-sex marriage	2009 registered partnership	no registered partnership/ no same-sex marriage	no registered partnership/ no same-sex marriage failed constitutional referendum to declare marriage as between a man and a woman in 2014	2006 registered partnership
	2021	22/27 registered partnership 14/27 same-sex marriage	2020 transgender people banned from legally changing gender at birth ^a ; constitutional ban on same-sex marriage domestic adoption of children by same-sex couples not allowed	no registered partnership/ no same-sex marriage domestic adoption of children by same-sex couples not allowed	no registered partnership/ no same-sex marriage domestic adoption of children by same-sex couples not allowed	2016 CC allows registered partners to adopt as individuals 2021 legislative proposal to legalize same-sex marriage introduced domestic adoption of children by same-sex couples not allowed
Reproductive rights (abortion on request)	2010	24/27	no legal restriction	abortion only in limited cases	no legal restriction	no legal restriction
	2021	26/27	no legal restrictions on abortion on request, but since 2012 protection of life since conception in constitution	2020 severe legal restriction introduced	no legal restrictions, but 2020 failed attempt at legal restriction abortion on request	no legal restrictions abortion on request

^a<https://www.forbes.com/sites/jamiewareham/2020/05/19/hungary-makes-it-impossible-for-transgender-people-to-legally-change-gender/>

Table 2. Legal Regulation of Reproductive Rights in V4 (1950s–2020s)

	Legalization of abortion (with restrictions)	Legal restrictions lifted in	Legal restrictions introduced	Abortion rate per 1,000 live births (2018) ^a	Public opinion (support for abortion on request)
Czechia	1957	1986	no	181	71% (2017) ^b
Hungary	1953	1956, 1973, 1992	no	327	78% (2020) ^c
Poland	1956	1956, 1959, 1969, 1981, 1990	1993, 2020	3	22% (2020) ^d
Slovakia	1957	1986	no	105	55.5% (2019) ^e

Source: Compiled by the authors.

^a<https://www.statista.com/statistics/866423/abortion-rate-europe/>

^b<https://cvvm.soc.cas.cz/en/press-releases/other/relations-attitudes/4364-public-opinion-on-abortion-euthanasia-and-death-penalty-may-2017>

^c<https://www.euronews.com/2020/08/19/european-nations-see-small-drop-in-support-for-abortion-rights>

^dOn-request 22 percent; only in certain circumstances 62 percent; completely illegal 11 percent; do not know 5 percent.

^eIn September 2018, 47.2 percent supported abortion on request; 40 percent with restrictions (only rape, danger to life, severe fetal abnormalities); 7.8 percent total abortion ban (Source: FOKUS). <https://www.postoj.sk/36301/nazor-slovakov-na-potraty-pol-na-pol> In September 2019, a Focus agency opinion poll in September found that 55.5 percent of people disagreed with restricting abortions while 34.6 percent supported the move.

We will systematize rights, regulations, and legislative changes in the four countries—the Czech Republic, Hungary, Poland, and Slovakia. Then we delve into country-specific details, and the text is organized by the intensity of the contestation, from the most intense to the least. We start with Poland and Hungary as cases of intense backlash, then move to Slovakia, and finish with a case of low contestation (Czech Republic). Much attention is devoted to Poland and Hungary, given the numerous recent changes to regulatory policies. Nevertheless, for clarity, [Tables 1 and 2](#) summarize major developments in each country over time in each area—LGBTQ regulations and reproductive rights. [Table 1](#) focuses on contemporary developments (2010–2021). [Table 2](#) reviews longitudinal trends and events (1950–2020).

Subsequently, we discuss key developments in each of the four countries. The intensity of the contestation also organizes the text; we start with Poland and Hungary, where the backlash is high, Slovakia with a medium level, and the Czech Republic with low levels of backlash. Given the level of contestation, more space is dedicated to Poland and Hungary.

We now proceed with describing policies regulating reproductive rights and LGBTQ rights. Same-sex couples cannot get married or adopt children in *any* of the V4 countries. [Table 1](#) shows that two of the four countries—Czechia (2006) and Hungary (2009)—legalized registered partnerships between same-sex couples, whereas two did not—Poland and Slovakia. [Table 1](#) also indicates that since around 2010, the expansion of LGBTQ rights has stalled, and efforts to curb LGBTQ rights have gained momentum (O'Dwyer 2018; Guasti and Bustikova 2020).

In terms of LGBTQ equality, Poland ranks last in the European Union (EU).⁷ In 1997, the Polish constitution banned same-sex marriage. The 2004 attempt to adopt a bill on registered partnership failed and subsequently lapsed due to the 2005 elections. However, limited cohabitation rights were granted to same-sex couples in 2007. The parliament in Poland rejected registered partnerships repeatedly in 2013, 2014, and 2018. In 2020, to block any future changes, the Polish president proposed a constitutional ban on adoption by same-sex couples. In November 2020, a bill was introduced to limit adoption rights to married couples. In 2015, the president vetoed a 2015 transgender recognition bill, and the parliament failed to override the veto. Furthermore, Poland never adopted a bill adding sexual orientation and gender as additional markers of hate crimes.⁸

Reproductive rights are also an increasingly contested issue in Poland. The restriction of reproductive rights in Poland in 2016 and 2020 generated much attention but also gave a false impression that all East European countries restrict abortion. Abortion policies have been relatively liberal for a long time, as the overview of the legal framework shows ([Table 2](#)). All four countries legalized abortion in the 1950s and continually expanded access over half a century. After the breakdown of communism, reproductive rights policies were changed in Hungary (1992) and Poland (1993), but only Poland opted to roll back rights by restricting abortion access only to cases of rape, incest, severe fetal impairment, and endangerment of

the mother's life (Hussein et al. 2018). The remaining three countries in the Visegrad Four kept the legal regime of abortion on request until the twelfth week of the pregnancy.

Since Viktor Orban's return to power in 2010, Hungary has adopted a restrictive approach to LGBTQ rights. In 2012, Hungary enacted a new constitution that limits marriage to heterosexual couples and also removed protection based on sexual orientation from recognized discrimination. Further restrictions followed, but the registered partnership, adopted in 2009, was not reversed. In 2016, a new law was adopted. It introduced a "sex at birth" category, which bans legal gender change. The same year, Hungary blocked the EU proposal to combat discrimination against LGBTQ people. In December 2020, the parliament passed a law banning same-sex couples' adoption of children.⁹ Finally, in 2021, Hungary introduced a new sex education law that bans discussing homosexuality and transgender issues in school curricula.

Abortion rates do differ quite significantly. Hungary has the highest rate of abortions of all four countries ([Table 2](#)). Hungarian policies on reproductive rights also demonstrate the strategic approach of successive illiberal governments to policy making. The Hungarian government organized a large-scale pro-life campaign (2011), changed the constitution to include the protection of life from conception (2012), and adopted a Family Protection Action Plan (2019).¹⁰ However, although Fidesz holds the majority in the parliament, the party has not banned abortion.

A very vocal Slovak LGBTQ community repeatedly failed to expand LGBTQ rights, but it also successfully blocked some adversarial changes (Gould and Moe 2015; Gould 2016). In 2014, a petition with 400,000 signatures demanded a referendum on four issues: a constitutional ban on same-sex marriage, registered partnership, adoption by same-sex couples, and sex education. The Slovak Constitutional Court removed the question on the registered partnership ban from the referendum. In 2015, the referendum failed due to a low turnout. However, the parliament later amended the constitution, which now bans same-sex marriage (Sekerák 2020). In 2018, yet another bill on registered partnerships was introduced and failed. In Slovakia, there were multiple attempts during the pandemic (2020 and 2021) to restrict reproductive rights, but they failed.

In contrast, the registered partnership was adopted in the Czech Republic in 2006. However, all further expansion of LGBTQ rights has resulted from the EU's anti-discrimination legal framework and domestic litigation.¹¹ A bill on same-sex marriage was debated in 2016 but lapsed due to the end of the parliamentary term. In 2021, it was discussed again and was likely to lapse for the same reason. Czechia, where abortion rates have significantly declined since 1989, made no efforts to restrict reproductive rights. Furthermore, the Czech Republic allows Polish women seeking an abortion to access hospitals and clinics under EU law. In 2021, the Czech Republic rejected requests from the Polish government to restrict access of Polish women to health care, and therefore abortion, on Czech territory.

In sum, within the region, the Czechs tend to be most liberal on both reproductive rights and registered partnerships. Hungarians are liberal on reproductive rights but show limited support for LGBTQ rights. The Poles are divided on reproductive rights and rather conservative on LGBTQ rights, as are Slovaks, but to a lesser degree. In all countries, the attitudes toward abortion and same-sex marriage have become less liberal over the last decade.

Confessional Parties

Christian doctrine aspires to regulate sexual behavior. While some believers defer to personal choice, others seek to impose rules. In order to mold policies over sexual autonomy, they have to ally with political parties. However, competition between parties and the presence of radical and moderate confessional factions among conservatives complicate the pursuit of restrictive policies. Christian democratic parties were first to (re) emerge to represent the confessional vote after 1989 in the Visegrad Four countries. More extreme and illiberal parties, such as the League of Polish Families (LPR) in Poland or We Are Family in Slovakia, sprouted a decade or two later.

One remarkable pattern stands out. Czech and Slovak Christian democratic parties belong to the small group of political parties that have survived since 1989. Regardless of vastly different patterns of religiosity and state–church relations, they moderate efforts to impose harsh regulatory policies in both countries. Due to their government coalition partnerships with democratically oriented parties, association with free-market reforms, and pro-European leanings, they belong to the liberal camp. They splinter the confessional vote, which dilutes efforts to restrict reproductive rights. Confessional parties in Poland and Hungary, on the other hand, belong to the illiberal camp.

Culture wars over national belonging go hand in hand with the emergence of religiously infused parties or shifts in mainstream party platforms toward extreme positions. In Poland, the LPR was a new, fringe radical confessional party formed in 2001 that imploded in less than ten years. The Law and Justice party (PiS) was formed in the same year. Since its inception, LPR has been hostile to pluralism and considered extreme by moderate church representatives. It served as a junior coalition partner with PiS. Eventually, PiS captured LPR's socially conservative, church-affiliated voter base. For some time, the confessional vote was consolidated. As both parties were formed in opposition to the post-1990 order, they fell into the illiberal camp.

In Hungary, religion played an important role in moving the political party Fidesz toward radical, socially conservative positions (Buzogány and Varga 2019; Enyedi 2020). According to Enyedi, “[t]he once anti-clerical Orbán called the 2010 victory of his party a “Christian regime-change” and Christianity became a constitutive core of Hungarian authoritarianism (Enyedi 2020). In its quest to resurrect Christian identity, Fidesz consolidated the social conservative vote. In 2005, the Christian Democratic People's Party (KDNP) signed an electoral cooperation agreement with Fidesz. They allied in 2010, but in reality, Fidesz absorbed Christian Democrats. Illiberals now anchor the confessional vote. No independent

religious or political parties associated with the democratic pluralism of the 1990s and return to Europe exist today in Poland or Hungary.

In Czechia, a radical faction emerged in the major conservative party (Civic Democrats, ODS). In Slovakia, socialist Smer (Direction) pivoted toward traditional values. The ruling party, Smer-SD, was a major left-wing party emphasizing wealth transfers. Over time, in order to address the challenge from far-right parties after the 2015 refugee crisis and in its efforts to divert attention from its horrific corruption scandals, the party, under the leadership of Robert Fico until 2018, turned away from its emphasis on redistribution to issues of nationhood, tradition, and family values (Mesežnikov and Gyárfášová 2018).

In Czechia, ODS, associated with economic transformation and support for entrepreneurs, developed a radical fringe. The former leader of ODS, Václav Klaus, became a vocal Euroskeptic. In 2017, his son, a prominent member of ODS, used vitriolic anti-LGBTQ rhetoric during the parliamentary debate on same-sex marriage (Guasti and Bustikova 2020).¹² Today, ODS is a party that supports low taxes and traditional models of family formation, including gender roles.

In Slovakia and Czechia, Christian democratic parties entered politics in the early 1990s and, although small, developed strong brand names. They survived decades of party system instability (Haughton and Deegan-Krause 2020; Bértoa and Enyedi 2021). They are an unexpectedly resilient ally of liberal parties. Above all, Czech and Slovak Christian democratic parties unequivocally supported the EU accession process and contributed to its success. In both countries, they also served as junior partners in liberal coalitions. Their social conservative positions are centrist, and their democratic credentials are strong. To voters, they offer an increasingly rare combination of social conservatism and acceptance of democratic pluralism. This limits any political appetite for restrictive reproductive policies and regulation of sexual conduct.

Radicalization of Mainstream Parties

The party systems in all four countries tilted toward issues of identity in the last two decades, and mainstream parties radicalized, regardless of their trajectory since the collapse of communism (Kitschelt et al. 1999). Radicalization refers to the process of conservative policy shifts on abortion, national belonging, gender equality, and same-sex marriage. Figures 3 and 4 demonstrate radicalization as they plot party policy positions and their policy shifts. The scales range from 0 to 10 (from strongly oppose to strongly support). The higher the position on the scale, the more socially conservative positions the parties embrace, the more they view religion as a guiding principle in politics, and the more they strongly oppose social lifestyles that include homosexuals and principles of gender equality. Lower values indicate opposition to religion as an interfering factor in politics and support for inclusionary lifestyles. The top-right quadrant is the most socially conservative, and all four party systems, over time, shifted toward the upper right quadrant, which is indicative of overall radicalization.¹³

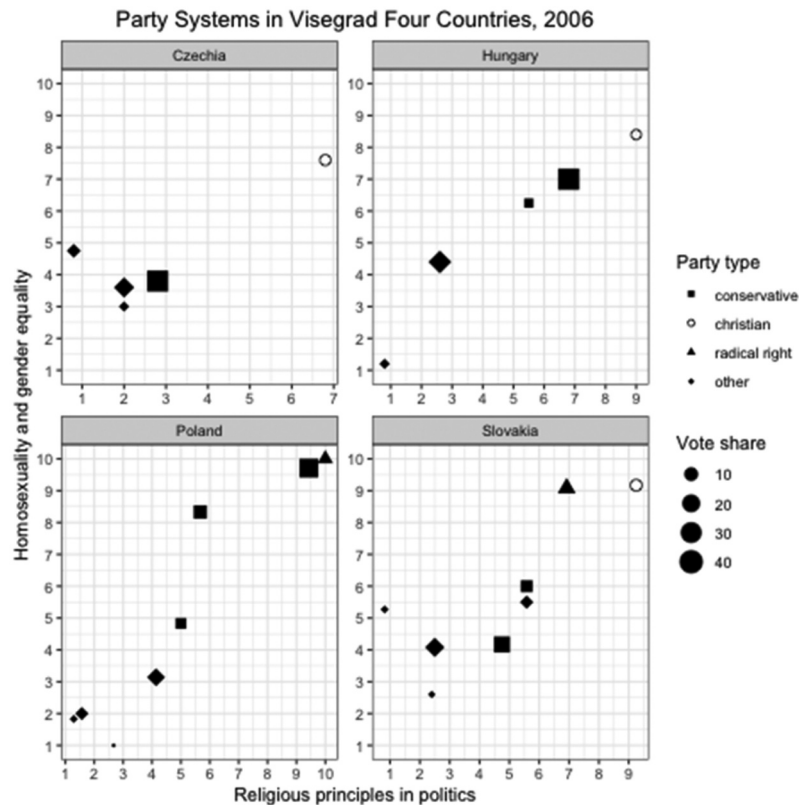


Figure 3. Party positions on religious principles and social life style in the Visegrad Four countries, 2006.

Source: CHES (Bakker et al. 2020).

Parties in 2006. Czechia. Conservative party: ODS. Christian democratic party: KDU-CSL. Other party types: CSSD, KSCM, SZ.

Hungary. Conservative: Fidesz-M; MDF. Christian democratic: KDNP. Other: SZDSZ, MSZP. Poland. Conservative: PSL, S, PiS. Radical right party: LPR. Other: SDPL, PD, SLD, PO.

Slovakia. Conservative: LS-HZDS, SDKU-DS. Christian democratic: KDH. Radical right: SNS. Other: SMK, SF, KSS, Smer.

As alluded to earlier, Western-oriented Christian democratic parties are present in the Czech and Slovak party systems (Figures 3 and 4). The Czech Christian Democratic Party (KDU-ČSL) was a junior partner in a governing coalition led by Vladimír Špidla during the 2004 accession to the European Union. Similarly, the Slovak KDH (Christian democratic movement) was a junior member of Mikuláš Dzurinda's coalition that led Slovakia into the EU in the same year. Dzurinda, a pro-Western liberal politician, started his career in KDH but formed a splinter party in 2000, SDKÚ (the Slovak Democratic and Christian Union), later SDKÚ-DS that defeated nationalist Vladimír Mečiar in 1998. Stable, moderate confessional parties with an unequivocal pro-European orientation undermine the formation of illiberal alliances. They also erode efforts to consolidate conservatives in support of radical policies.

Moderate parties and radicalized mainstream parties compete with extremists in all four countries. In Poland, a new party called Konfederacja emerged as religious conservative groups escalated their demands to restrict abortion and limit school sex education. The party in power in Poland, Law and Justice, is now faced with an extremist challenger from the fringes. In Slovakia, at least four parties compete over socially conservative voters. Two radical right parties (SNS and L'SNS) and two parties with explicitly religious platforms. KDH

(Christian democratic movement) and SR (We Are Family) are parties built on conservative Christian values. As we already discussed, KDH is a mainstream pro-Western Christian conservative party with very moderate views on the LGBTQ issue. We Are Family, led by Boris Kollár, combines raw populism with radical conservative views of the traditional family and a strong anti-LGBTQ position.¹⁴ Yet, it still has to compete for the confessional vote with moderates. In Hungary, a former far-right party, Jobbik, espouses more liberal views than Fidesz-KDNP and is part of a democratic opposition (EM, United for Hungary). A splinter nationalist party from Jobbik, MHM (Our Homeland Movement), is a new party with extreme anti-LGBTQ views but poses no threat to the ruling coalition of Fidesz-KDNP. They all participate in the illiberal alliance.

Religion polarizes politics in Hungary, Poland, and Slovakia but not in Czechia (Figures 3 and 4). However, these patterns do not map onto the presence of moderate, well-established confessional parties. Both in Czechia and Slovakia, Christian democratic parties have served in governing coalitions that negotiated the EU accession. These were coalitions with pro-Western, liberal parties that also implemented neo-liberal economic reforms. Consequently, this limited Smer's ability to ally with the Slovak Christian democratic party (cf. Sekerák 2020), the way Fidesz allied with Hungarian Christian democrats. Fragmentation and competition between moderate and radical confessional parties

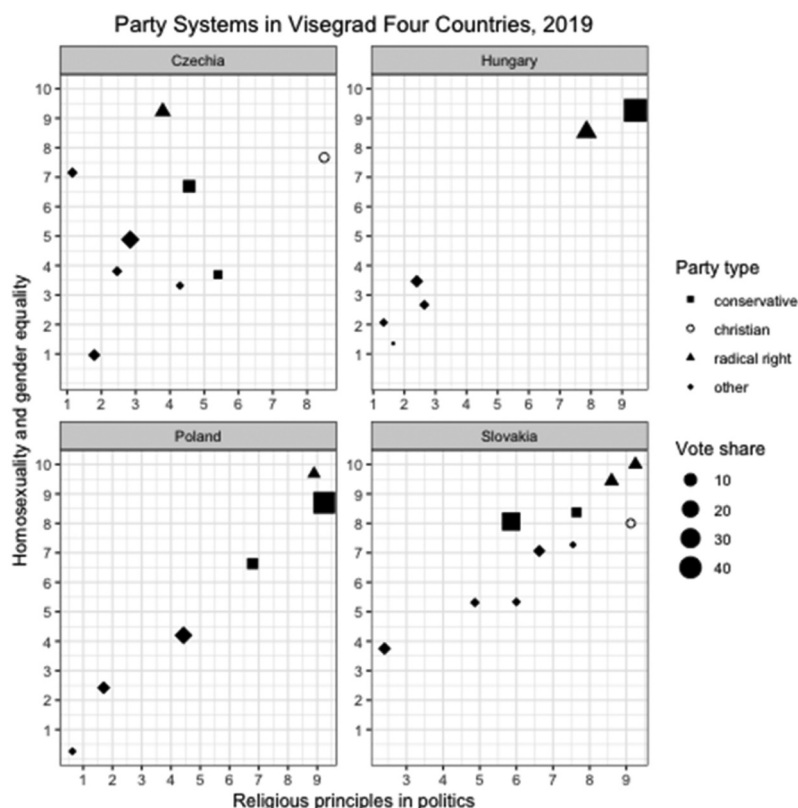


Figure 4. Party positions on religious principles and social lifestyle in the Visegrad Four countries, 2019.

Source: CHES (Bakker et al. 2020).

Parties in 2019. Czechia. Conservative: ODS, TOP09. Christian democratic: KDU-CSL. Radical right: SPD. Other: CSSD, KSCM, Pirates, STAN, ANO2011.

Hungary. Conservative: Fidesz-KDNP. Radical right: Jobbik. Other: MSzP, DK, LMP, MM.

Poland. Conservative: PSL, PiS, Kukiz. Radical right: Konfederacja. Other: SLD, Nowo, PO, Wiosna.

Slovakia. Conservative: Smer-SD, Sme-Rodina. Christian democratic: KDH. Radical right: SNS, LSNS. Other: Siet, MH, OL'aNO, SaS, Spolu, SMK-MKP.

undercut the ability of one illiberal party to consolidate the socially conservative vote and pursue illiberal policies.

Illiberal Policies

Confessional illiberal alliances pursue policies and legislative changes compatible with ultra-conservative views on abortion, marriage, and gender equality. Constitutional amendments, laws, and regulations enshrine conservative values. The analysis below focuses first on legal changes in reproductive rights and LGBTQ rights before analyzing policy changes in both areas. We conclude by focusing on illiberal alliances between confessional parties and conservative advocacy groups. In this way, we can outline what changes take place and how they come about.

Legal Changes in Reproductive Rights

What are the major legal changes that resulted from the illiberal backlash? Between 2012 and 2020 there were three major attempts to legally restrict reproductive rights. In Hungary, a constitutional amendment in 2012 enshrined the protection of life since conception. In 2020, the Polish Constitutional Tribunal proposed a ban on abortion in case of fetal

abnormality. In 2020, the Slovak parliament introduced an amendment restricting access to abortion, but it did not pass.

In Hungary, to date, abortion on request is legally available. The 2021 constitutional change did not restrict reproductive rights, even though the ruling party, Fidesz, had a supra-majority in the parliament. The reason, we argue, stems from strong support for the status quo. In 2020, 78 percent of Hungarians supported the current legal framework of reproductive rights. However, Fidesz is making every effort to make access to abortion difficult. The government introduced mandatory waiting periods for abortion and a new requirement for women to undergo counseling. It also incentivizes medical personnel to object to performing an abortion. At the same time, conservative politicians blame abortion for population decline and brand pro-choice groups as “pro killing groups” that undermine the Hungarian “family-oriented mentality” (Szekeres 2020). However, the government does not want to go against public opinion and is cognizant that Hungary has one of the highest abortion rates in Europe. Instead, Fidesz is hindering access to abortion but has refrained from prohibiting it in law.

Poland reminds us that an abortion ban can mobilize resistance and destabilize governments. Until 2020, the ruling party, PiS, resisted pressures to restrict reproductive rights, a long-sought goal of Polish pro-life activists. In 2020, a proposed almost complete ban on abortion was the most

restrictive abortion legislation in Europe. Pro-life activists demanded a total ban. In the end, the current ban was instituted not via parliamentary channels but through the Constitutional Tribunal. The new proposal was rejected by 84 percent of Poles and, despite the pandemic, there were large-scale mobilizations and protests around the country. Nevertheless, the ruling was published on January 27, 2021, and went into effect immediately.¹⁵ It is likely to have a chilling effect on medical professionals and lead to a significant rise in illegal and unsafe abortions.¹⁶

The first wave of large and successful protests against abortion restrictions in Poland occurred in 2016, and the PiS government had to back down (cf. Korolczuk 2016). The scope of the 2020 protests was significantly larger than in 2016, and threatened to erode support for the ruling party and undermine the moral authority of the Catholic Church (Grzymała-Busse 2015). The 2020/2021 abortion ban led to a severe conflict over reproductive rights. While the government reassured its allies, especially the Catholic Church, of its loyalty and fended off challenges from the radical right (increasingly aligned with radical pro-life groups), it may have awakened a sleeping giant by broadening the anti-government coalition and mobilizing the youth.

In Slovakia, the ruling anti-establishment party, OĽaNO, which ran on anti-corruption, is internally fragmented on many issues, including abortion. OĽaNO won the 2020 Slovak general elections in an alliance with the Christian Union, a small splinter niche party from the established pro-Western Christian Democrats led by a radical conservative figure, a long-term member of the Slovak parliament and the European Parliament (MP and MEP), Anna Záborská. In the fall of 2020, while Prime Minister Igor Matovič was preoccupied with the pandemic, Záborská decided to pursue her pro-life agenda in the national parliament (Guasti 2020b). She proposed an amendment to the healthcare bill that would restrict access to abortion and provide state funding to economically weak women. In October 2020, the amendment failed by one vote. Only 56.6 percent of the government's MPs supported the bill (23 percent were against it, 20.48 percent abstained or were absent, including the prime minister). The opposition was also divided and mostly absent. The decisive vote came from a young liberal MP, Vladimira Marcinková, who arrived on the parliament's floor amidst the pandemic with a one-week-old daughter to cast her vote.

Reproductive rights polarize Poland and Slovakia, but only about 20 percent of the population supports a full abortion ban. In the Czech Republic and Hungary, where support for abortion is high, illiberal parties use socially conservative rhetoric but are unwilling to make unpopular legal changes. Although their socially conservative allies expect the electoral rhetoric to materialize once in power, unpopular changes to the status quo on reproductive rights can lead to popular mobilization that governments fear.

Legal Changes to LGBTQ Rights

By contrast, it is more politically expedient to curb the expansion of the small LGBTQ community's rights, for it aligns with

public opinion. LGBTQ rights are a salient issue for social conservatives, who concentrate on introducing new regulatory barriers and restrictions. While the domestic impetus for the expansion of LGBTQ rights is limited, the V4 countries face external pressures (cf. Ayoub and Paternotte 2014). The only expansion of LGBTQ rights can be attributed to the legal framework of the European Union. In the June 2018 European Court of Justice ruling, it was stipulated that EU member-states must recognize a same-sex marriage from other member-states as legally equivalent to more traditional marriage for residency permission (Guasti and Bustikova 2020).

Initially, Hungary was the most progressive East European country concerning LGBTQ rights (ILGA 2010). However, after Orban returned to power, he reversed the trend. In 2012, Hungary enacted a new constitution that restricted marriage to heterosexual couples and removed protection from discrimination based on sexual orientation. Further restrictions followed. In 2016, Hungary adopted a new law that introduced the category of "sex at birth," which bans legal gender change. The same year, Hungary also blocked the EU proposal to combat discrimination against LGBTQ people. Finally, in December 2020, the Hungarian parliament passed a law banning the adoption of children by same-sex couples. Thus, in a decade of Viktor Orban's leadership, Hungary dismantled one of the most advanced LGBTQ legal regimes in Eastern Europe (ILGA 2021). Notwithstanding these changes, registered partnerships for same-sex couples have remained legal in Hungary since 2009.

In Poland, the status of LGBTQ rights is the worst in the EU. The Polish parliament rejected registered partnerships repeatedly in 2013, 2014, and 2018. In addition, the president vetoed the 2015 transgender recognition bill, and the parliament failed to override the veto. In 2020, the president proposed a constitutional ban on adoption by same-sex couples, and in November 2020, a bill was introduced to limit adoption rights only to married couples. The only expansion of LGBTQ rights in Poland is a result of the EU anti-discrimination legal framework and successful litigation in transnational and domestic courts (2010 ECtHR ruling *Kozak v. Poland* on inheritance; 2012 Constitutional Court ruling on tenancy rights transfer).

Slovakia prevented any expansion of LGBTQ rights, with minor exceptions due to the EU anti-discrimination legislation. Social democrats instituted a constitutional ban on same-sex marriage (2015) in cooperation with social conservatives (Guasti and Bustikova 2020). Registered partnerships repeatedly failed to gain support in the Slovak parliament. The status quo will likely prevail as long as the current governing coalition of OĽaNO, conservatives, and liberals stay in power.

In the Czech Republic, the far right politicized same-sex marriage. The issue splits the electorate of the former populist governing party, ANO. Therefore, the ANO government dragged its feet and postponed a parliamentary debate on same-sex marriage. When the debate finally took place in 2021, two bills were discussed: the equal marriage bill (same-sex marriage) and a conservative counter-proposal to amend the constitution to designate marriage as between a man and a woman. In April 2021, after a contentious debate, both of these mutually exclusive bills advanced to the next reading.

However, given the mandatory time for committee deliberation, parliamentary holidays, and the October 2021 elections, both bills lapsed.

Policy Changes to Reproductive and LGBTQ Rights

Aside from legislative changes, parties implement policies that erode reproductive rights and curb the expansion of LGBTQ rights in subtler ways. Transnational courts are often the only instance to seek redress. Poland is the only country that legally restricts abortion on request, but there are two effective alternatives to de jure restrictions. The first is via policies, and the second is for the government to encourage non-enforcement of the existing legislation.¹⁷ In this respect, Hungary de facto restricts abortion access. On paper, abortion in Hungary is legal, but the government effectively limits women's reproductive autonomy. For example, in 2011, the government launched a pro-life campaign, and in 2019 a Family Protection Action Plan. However, even "loud" strategies have their "silent" counterparts.¹⁸ Hungary expanded the rights of "conscientious objector" medical professionals to decline to perform abortions and to prescribe contraception.¹⁹ The only pushback available to citizens is to challenge governments via transnational courts. The European Court of Justice (ECJ) and the European Court of Human Rights (ECtHR) have repeatedly ruled against Poland, Hungary, and the Czech Republic.

Propaganda against the LGBTQ community is tolerated and even sanctioned in Poland and Hungary.²⁰ Only a handful of policies affect LGBTQ communities, since most efforts aim to conserve the status quo and keep some regulations that date before 1989.²¹ In 2014, a referendum to preemptively ban registered partnerships, same-sex marriage, and adoption by same-sex couples failed in Slovakia. However, Hungary is more assertive and introduced a new anti-LGBTQ framework in education in 2021.²² In 2020, Poland declared "LGBT ideology-free zones" in more than 100 municipalities in the eastern parts of the country.²³ However, the EU subsequently announced in 2021 that it would not direct structural funds to municipalities designated as "LGBTQ-free zones." This forced many municipalities to cease this largely performative policy.²⁴ On the other hand, Polish courts continue to provide legal redress to the LGBTQ community.²⁵

Illiberal Alliances

A radical, socially conservative alliance is behind the illiberal backlash in Poland. It includes radicalized mainstream parties, radical confessional parties, the (Catholic) Church, and advocacy groups, such as *Ordo Iuris*. However, socially conservative groups are useful allies but bad masters for illiberal leaders like Jarosław Kaczyński or Hungary's Viktor Orbán. In their rise to power, they instrumentalize citizen groups, but once in power, they try to keep fringe, extreme elements at arm's length. The case of Polish activist Kaja Godek illustrates this dynamic well. In 2008, Godek co-founded a socially conservative pro-life group, *Foundation Pro*. A few years later, she started two citizen-based legislative initiatives (2013 *Stop Abortion* and 2015 *Ban Abortion*). She collected more than

830,000 signatures for a petition that advocated for a full abortion ban. Furthermore, she gained notoriety on television and social media as a pro-life activist spreading anti-LGBTQ and anti-abortion propaganda. Despite the pressure, the Law and Justice (PiS) party was reluctant to restrict reproductive rights until 2020.

When PiS, the governing party, turned out to be all bark and no bite, Godek switched allegiances and aligned herself with a niche opposition radical right party, *Confederation*. She continued to pressure the government to ban abortion. Fearing a new, extremist competitor and continuously pressured by the Catholic Church, PiS used the court system to appease radical demands. Finally, in October 2020, the Constitutional Tribunal ruled that abortion due to severe fetal abnormalities was unconstitutional. Protests erupted all around Poland. However, Godek escalated her demands, and her group jammed the phone lines of *Abortion without Borders* in a full-force campaign to completely ban abortion in Poland. Although the Catholic Church and socially conservative groups can provide legitimacy, material support, and mobilization power (Greskovits 2020; cf. Grzymała-Busse 2015), they can also push parties in power to embrace policies unpopular with the broader public (cf. Król and Pustulka 2018).

In Slovakia, the patterns of conservative activism and interaction between parties in power and conservative groups are similar but significantly less successful than in Poland. Again, the key figure is an activist and MP, Anna Zaborska. Throughout her political career, Zaborska was a backbencher.²⁶ As her pro-life activism became increasingly vocal and radical (she called LGBTQ people "deviants" on national TV), she became increasingly marginalized in the pro-Western Christian Democratic party. The tensions culminated in 2019 when the Christian Democrats refused to re-nominate Zaborska in the European Parliament elections.

Zaborska radicalized, established the *Christian Union* party, and negotiated an electoral coalition with *OL'aNO*, an eclectic party. The leader of *OL'aNO*, Igor Matovič, generously offered Zaborska's party nineteen places on the ballot, betting on Zaborska's pull among pro-life conservative voters. The electoral calculation paid off as it expanded *OL'aNO*'s reach to a pool of socially conservative voters. As a result, the *OL'aNO* coalition won in the February 2020 elections, and Zaborska and four other members of her party joined the *OL'aNO* party group in the Slovak parliament. Between 2020 and 2021, Zaborska repeatedly pushed the pro-life agenda in the parliament. However, she did not succeed due to the opposition of the liberal parties in the government, internal divisions in *OL'aNO*, and a lack of support from the moderate confessional party, *KDH*.

Hungary illustrates our core argument on the intensity and limits of the illiberal backlash. Over a decade in power, Viktor Orbán turned a previously liberal LGBTQ regime into one of the most restrictive ones, including constitutional changes (2012) and far-reaching legal and policy changes (2016, 2020, 2021). However, Orbán never reversed the registered partnership introduced in 2009. Similarly, on abortion, Hungary did not legally restrict the widely popular reproductive rights, but implemented policy changes that made access to abortion more difficult and

denial of care easier. In this way, Orban avoided widespread mobilization on an issue that would unite the opposition.

In the Czech Republic, abortion access is undisputed and support for pro-life groups is extremely limited. LGBTQ couples can form registered partnerships. Public opinion surveys indicate growing support for LGBTQ rights, but it is not overwhelming. Conservative veto players block the expansion of LGBTQ rights, gender equality, and policies to address domestic violence. For example, the new government of Prime Minister Petr Fiala (a coalition of five conservative and liberal parties) proposed a one-year delay in ratification of the Istanbul Convention in February 2022.

Conclusion

The contestation of reproductive and LGBTQ rights has been one of the most politically salient issues in Central Europe over the past two decades. However, the dynamics and outcomes differ dramatically across the four studied countries. This article argues that a new alliance of conservative political parties and emboldened socially conservative groups has shaped this illiberal backlash. Socially conservative groups are not shy about forming strategic alliances with confessional parties. For them—unlike liberal progressive groups that inherited from the communist experience a legacy of anti-partisanship—such partnerships do not diminish their credibility (cf. Bernhard 2020; Greskovits 2020). Socially conservative groups provide illiberal politicians with votes, resources, legitimacy, and mobilization power (cf. Greskovits 2020; Guasti and Bustikova 2020). In exchange, they demand that parties in power change the regulatory framework around sexuality and restrict rights.

This new alliance has shifted the long-standing mobilization against ethnic minorities in Central Europe toward a “new” mobilization against sexual minorities and women’s rights. However, the new conservative alliance faces limitations. Importantly, parties in power deliver selectively on socially conservative policy agendas since they monitor public opinion and face other political competitors with similar ideological leanings. Thus, public opinion limits illiberal leaders who must steer clear of violating an existing societal consensus. In addition, parties engage in electoral calculus. Thus, regulatory changes are also constrained by party configurations and the competition between mainstream and confessional parties for socially conservative voters. Party configurations that involve pro-European independent Christian democratic parties have a moderating effect on mainstream parties (Arzheimer and Carter 2009; Minkenberg 2002).

Why have Slovakia and Czechia weakened the grip of illiberalism, and Hungary and Poland, so far, have not? The reasons are complex, and the temporal dimension of illiberalism is unpredictable. There are different conduits of illiberalism, and we consider the presence of socially conservative actors and their support among voters as an important facilitator of mainstream party radicalization. The differences observed across the Visegrad Four countries in the past two decades suggest moderate Christian democratic parties contribute to democratic resilience. In Poland and Hungary, liberal, pluralistic Christian democratic parties are either absent or absorbed by a ruling party.

The illiberal backlash against sexual minorities and reproductive rights is a salient issue today. This article shows how the study of policy choices and the avoidance of policy choices that can be easily passed in legislatures is vital to understanding the calculus of illiberal, socially conservative parties in power. Some issues remain unresolved. We noted a small decrease in public support for abortion that followed the mobilization period of socially conservative groups. This suggests that public views are susceptible to illiberal queuing effects and that scholars of democratic decay should pay more attention to socially conservative groups, specifically their ability to shape regulatory frameworks that limit sexual autonomy.

Notes

1. The paper has been presented at the following conferences and seminars: European Consortium for Political Research, 2022; the University of Pittsburgh, REES, and the European Studies Center, 2021; European Conference on Politics and Gender, 2022; and the Third Helsinki Conference on Emotions, Populism, and Polarization, 2022. We thank Marcel Lewandowsky, Jae-Jae Spoon, and two anonymous reviewers for their comments on earlier drafts.
2. Minority accommodation against ethnic minorities fuels backlash (Bustikova 2019). However, backlash can also be aimed at defending the status quo against broader cultural shifts, such as increased accommodation of LGBTQ communities in Western Europe (Guasti and Bustikova 2020).
3. In October 2021 a coalition of three center-right parties won the Czech general elections and consequently formed a government with a coalition of Pirates, Mayors, and independents. As of March 2022, illiberal parties remain in power in Poland and Hungary. Slovakia’s party in power, OĽaNO, is a populist party with incoherent policy positions.
4. CVVM in the Czech Republic, CBOS in Poland, private polls in Slovakia, and IPSOS international poll for Hungary.
5. Data availability varies significantly.
6. After the 2014 referendum, public support for registered partnerships in Slovakia decreased to 40 percent.
7. Poland received the lowest score from all EU countries in 2020 on LGBT equality <https://www.ilga-europe.org/rainboweurope/2020> (last visited December 17, 2020).
8. All the expansion of LGBTQ rights in Poland stems from enforcement of the EU’s anti-discrimination legal framework and successful litigation in transnational and domestic courts; that is, from the top-down rather than the bottom-up: a 2010 ECtHR ruling in *Kozak v. Poland* on inheritance; a 2012 Constitutional Court ruling on tenancy rights transfer.
9. <https://www.washingtonpost.com/world/2020/12/15/hungary-adoption-lgbt-constitution/> (last visited December 17, 2020).
10. Tax and family allowances to increase natality. <https://www.elfac.org/hungary-prime-minister-viktor-orban-announced-a-seven-point-family-protection-action-plan/> (last visited December 17, 2020).
11. In 2016 the Czech Constitutional Court enabled individuals living in registered partnerships to adopt children, but as individuals, not together. In a March 2022 ruling, the Czech Constitutional Court refused to lift the condition of operative sterilization during the gender-reassignment process. <https://www.usoud.cz/aktualne/k-podobe-rodneho-cisla> (last visited March 31, 2022).
12. In 2005 and 2006, ODS opposed passing the law on registered partnerships for gay and lesbian couples. Very few MPs voted for it in the two rounds of parliamentary votes. For analysis of roll-call voting and a description of the evolution of LGBTQ rights in Czechia and Slovakia, see Guasti and Bustikova 2020.
13. We use two indicators—social lifestyle and religious principles in politics—from the Chapel Hill expert survey (Bakker et al. 2020). Social lifestyle places party views on both homosexuality and gender equality. Religious principles reflect the views of parties

on the role of religion in politics and tap into their traditionalist and familial orientations.

14. In Poland and Slovakia, radical right parties hold consistent views as they occupy the top right quadrant. However, extreme policy views on social lifestyle (homosexuality and gender equality) are not always associated with extreme pro-religious views on party platforms. The Czech radical right parties (SPD and Úsvit) are centrist, even anti-religious, and very conservative on social issues.
15. <https://www.dw.com/en/poland-thousands-protest-as-abortion-law-comes-into-effect/a-56363990> (last visited March 31, 2022).
16. <https://www.theguardian.com/global-development/2021/oct/22/more-than-30000-polish-women-sought-or-foreign-abortions-since-law-change-last-year> (last visited March 31, 2022).
17. ECJ judgments: RR v. Poland (no. 27617/04). A pregnant mother-of-two who was carrying a child thought to be suffering from a severe genetic abnormality was deliberately denied timely access to the genetic tests to which she was entitled, by doctors opposed to abortion. Cf. Siedlecka 2011; P. and S. v. Poland (no. 57375/08) on denial of access to abortion to a teenage rape victim.
18. The Czech government, for example, has limited home births. ECJ judgment: Dubska and Krejzova v. the Czech Republic, a law that made it impossible for mothers to be assisted by a midwife during home births.
19. ECJ Judgment 2010 Ternovsky v. Hungary.
20. 2021 process with artist Elzbieta Podlesna for “insulting religious feelings” by disseminating posters that depicted the Virgin Mary with a rainbow halo (ILGA 2021).
21. Some communist-era policies remain on the books (e.g., mandatory sterilization during sex-reassignment surgery in the Czech Republic and Slovakia and mandatory hormone replacement therapy in Poland). https://tgeu.org/wp-content/uploads/2018/05/MapB_TGEU2018_Online.pdf; cf. ILGA Annual Review of the human rights situation of the LGBTI people in Europe and Central Asia, available online <https://ilga-europe.org/annualreview/2021> p. 102 (last visited June 30, 2021).
22. ILGA Annual Review of the human rights situation of LGBTI people in Europe and Central Asia, available online <https://ilga-europe.org/annualreview/2021> (last visited June 30, 2021).
23. Source: <https://www.dw.com/en/how-the-eu-can-stop-polands-lgbt-free-zones/a-55042896> https://www.europarl.europa.eu/doceo/document/P-9-2020-005464_EN.html
24. <https://www.euronews.com/2021/04/30/polish-town-scraps-controversial-move-to-declare-itself-lgbt-free>
25. ILGA Annual Review 2021, available online at <https://ilga-europe.org/annualreview/2021> (last visited June 30, 2021), p. 90; but in 2020 a couple was sentenced to one year in prison for carrying explosives at 2019 Lublin Pride.
26. Her highest attained position in the domestic parliament was as chairwoman of the Health Committee and the European Parliament Chairwoman of a Committee for Women and Gender Equality.

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