

HOMOPHOBIA IN POLAND AND HUNGARY:

Assessing its Political Motives and Influences

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Since World War II, Europe has historically been recognized as a pillar of social liberality. Yet recently, Hungary and Poland have elected governments and enacted policies that are fiercely homophobic. This paper will look to understand the political motives and influences behind the recent turn to homophobia in both countries. First, the paper will explain Hungary and Poland's unique position between the socially liberal European Union and a socially conservative Russia. Both parties compete for influence in domestic Hungarian and Polish politics, with the European Union hoping to solidify its ideological border against Russia and the Kremlin hoping to create centers of influence within the EU. The second portion of the paper will argue that both Polish and Hungarian homophobia is a rejection of the European Union – used as a political tool to reestablish national control from Brussels. And lastly, the paper will explore the role of Vladimir Putin's Russia in that rejection – arguing that Putin holds significant influence in Hungarian homophobia, as Viktor Orbán's government is closely tied with the Kremlin. Yet, the paper concludes that the situation is quite different in Poland – where relations with Russia are not nearly as cordial, arguing that the Polish Catholic Church is much more responsible for the socially conservative policy.

I. INTRODUCTION

Both Poland and Hungary have taken hard stances against homosexuality in recent years. In accounting for Polish and Hungarian homophobia, there is a clear discrepancy between each country's position on homosexuality before 2004, and policy in the ensuing years. As Agnieszka Graff notes in the context of Poland, "[a]n astounding shift in public discourse about homosexuality occurred in the space of a mere two or three years – from complete silence at the turn of the twenty-first century to almost daily headlines in the news by later 2005 and early 2006."¹ Hadley Renkin spoke with Hungarian LGBT activists and found the same sort of post-2004 change to have taken place in Hungary.² In attempting to account for this change, 2004 is a hallmark year because it is the year both Hungary and Poland joined the European Union. Understanding the Polish and Hungarian position within the European Union will be central in answering this paper's main question: mainly, what has accounted for the rise in Polish and Hungarian homophobic rhetoric and policy since 2004?

In order to understand homophobia in Poland and Hungary, it is imperative to understand geography's important role. Part I will begin by explaining that Poland and Hungary—two former Soviet states, and current members of the European Union—are uniquely positioned within Europe. Both find themselves between a socially liberal West, represented by the European Union, and a socially conservative Russia. Each party competes for influence over Poland and Hungary, the European Union attempting to push its European norms while Russia looks to align each country's ideology with its own to create "agents of influence" within the EU.³

Setting these two competing ideologies as the foundation for the analysis, the paper then moves

into part II, evaluating the rise of homophobia in first Poland, and then Hungary. Understanding the domestic considerations in the context of this international ideological struggle will advance the work, showing the rise of homophobia running parallel to the success of far right, nationalist governments. Since 2004, both Poland and Hungary have elected far right governments, which have politicized homosexuality as a means to reestablish national control from the far-reaching European Union. The analysis will explain that heteronormativity and the traditional family are closely associated with each state's national identity.

Part III will conclude the paper, following a simple premise: if Polish and Hungarian homophobia is a rejection of the European Union, then what influence does Vladimir Putin's Russia have in that rejection? In other words, is homophobia an indicator that Poland and Hungary have become Russian agents of influence within the European Union? The answer will represent a critical divergence between Poland and Hungary. While the Hungarian

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government admires Russia, the Polish authority does not trust the Kremlin—making it clear that the influence may be an important factor in Hungary, but not one in Poland. Therefore, this paper will look to prove that Polish and Hungarian homophobia is first and foremost a rejection of the European Union's attempt to impose its norms on each state's national identity. Yet only Hungary offers credible evidence of Putin's Russia influencing that rejection.

II: COMPETING IDEOLOGIES RUSSIAN INFLUENCE

Russia has had a clear strategy when it comes to Central and Eastern Europe (CEE). Russia does not view the CEE countries as “subjects of international relations but as objects of a competition between great powers.”⁴ Vladimir Putin’s Russia seeks to be an influential centre of a multipolar world equal to the USA, China, or the EU.⁵ Central and Eastern Europe are particularly important in this context as the area lies between the pillars of that multipolar world that Russia seeks to exploit—specifically, the liberal West and the Russian state. Putin himself appears committed to creating an alternative model to the EU and the West that would revive the multipolar world that has evaded Russia since the fall of Communism.⁶ This logic has been backed by key policy initiatives like the creation of Russia’s alternative to the European Union, the Eurasian Economic Union.⁷ Yet the European Union has dominated Europe, leading Russia to change strategy—instead of directly challenging the EU, Russia now looks to undermine it. The Russian goal is to transform the CEE states into Russian “agents of influence” within the European Union.⁸

It is in gaining significant influence that Russia can enact its goal “to subvert European unity, and ultimately Euro-Atlantic unity.”⁹ In executing this strategy, one of the more interesting ways in which Russia has been proven to become involved in Central and Eastern Europe has been through its support of far right parties. First and foremost, Putin’s Russia has financed far right parties across the European continent.¹⁰ Russia also created the Russian National Forum, a group with close ties to Vladimir Putin, that works to bring together far right, conservative groups in order to “formulat[e] a framework for close cooperation between ‘na-

tionalist forces.”¹¹ While these groups come from a variety of backgrounds, they all tend to share two commonalities: a strong dislike for the European Union, and a disdain of U.S. hegemony.¹² European far right political parties are particularly important

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in this context, and the Kremlin goes even further in organizing conferences exclusively for the EU’s far right parties. These conferences are held in Russia and focus on political and ideological issues that create close bonds between the Kremlin and Europe’s far right.¹³

Interestingly, “the protection of traditional values and the family against ‘homosexual propaganda’ is first among these issues.”¹⁴ As Vladimir Putin outlined in his 2013 State of the Federation speech, Russia’s position on homosexuality is part of a broader strategy to “be the leader of a new political and cultural model that offers an alternative to both the EU and ‘the West.’”¹⁵ This ideology has been politicized with discriminatory legislation like Russia’s infamous article 6.13, which bans the “distributing [of] ‘propaganda’ or ‘nontraditional sexual relations’ to minors.”¹⁶ Homosexuality is central to this political and cultural model, as “Putin has repeatedly referred to the need to counter ‘homosexual propaganda’, which threatens to undermine the foundation of a society based on heterosexual families.”¹⁷ Thus, the European Union’s liberalism is “perceived as a social and national threat.”¹⁸ In this sense, if Putin can get countries like Poland

and Hungary to buy into the fundamental principles of this new political and cultural model, like the rejection of homosexuality, then Poland and Hungary would be so ideologically opposed to traditional Western European values that their place in the European Union would cause the European project's cause to run stagnant.

EUROPEAN UNION INFLUENCE

The other side in this ideological clash in Poland and Hungary is the West, specifically the European Union. When Poland and Hungary formally joined the European Union in 2004, Russia recognized the move as “a definite success of the West and Russia’s strategic defeat.”¹⁹ The European Union’s success was part of its strategy for an integrated Europe, “[b]y pursuing integration, the European Union can influence other states by the power of its ideas and norms and ensure democratic member states that share European normative values.”²⁰ The Copenhagen Criteria, agreed upon in 1993, serves as the model for European shared norms. It outlines three criteria related to human rights and the common market, specifically citing the “protection of minorities.”²¹ The criteria promote Western liberalism, granting equal rights to all its citizens regardless of sexual orientation, religion, or other preferences.²²

European acceptance for homosexuality has been codified in European law as well. Article 13 of the Amsterdam treaty forbids any sort of “discrimination based upon sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation,” and the European Charter of Fundamental Rights explicitly prohibits discrimination based upon sexual orientation.²³ Additionally, the European Parliament was clear in 1998 that the EU would not allow membership to any country violating the human rights of lesbians and gay men

through its legislation and policies.²⁴

The normative values outlined in the Copenhagen Criteria, EU legislation, and poignant Parliamentary rhetoric are critical for countries wanting to join the European Union, as they have to be willing to ascribe to these norms. Yet, states like Hungary and Poland saw the financial benefit, free movement, and security gains to be worth adopting the shared norms of the European Union, even if the countries did not agree with each one.²⁵ The process of joining the European Union, called accession, is particularly interesting in the context of this discussion. With shared norms at the heart of European unity, getting applicants to ascribe to these liberal Western norms is relatively easy during the accession process. The EU gets unparalleled access to affect domestic politics in applicant states, as each state is mandated to do whatever it is asked in order to align with European Union standards.²⁶ Ascribing to liberal EU norms proved to be relatively easy in Poland and Hungary, as both countries had center liberal governments upon entering the EU.^{27 28} And despite a short unsuccessful center right government from 1998-2002 in Hungary, neither country has had anything that could resemble a right wing government from the fall of Communism to their joining the European Union.²⁹

The problem with the EU, as the case of Hungary and Poland demonstrates, is its enforcement after accession. The European Union is limited to two insufficient options in attempting to promote Western liberal values in member states. The first is public shaming, as the European Parliament attempted to do with two separate resolutions against homophobia either alluding to or explicitly calling out Polish domestic policy.³⁰ Yet, politicians across Poland agreed that the EP’s resolutions were entirely “ineffectual” on domestic legislation.³¹ The second is to revoke the membership of a member

state, which is a dangerous precedent to set and would only ever be used as a last resort.³² Substantial LGBT rights legislation comes about when states fear the cost of external pressures, and the European Union has been structurally limited in being able to create that pressure.³³ As Cas Mudde and Erin Jenne sum it up: the EU is “dogged by structural weaknesses that impede [its] ability to bring about a substantive reversion to democracy.”³⁴ This weakness limits the EU’s ability to regulate its member states.

II: THE FAR RIGHT AND THE INTRODUCTION OF HOMOPHOBIA

These structural weaknesses make Putin’s continued interest in creating agents of influence within the European Union critically dangerous. And it is exactly why the rise of far right governments in Poland and Hungary is so alarming, particularly within the context of this ideological battle. As research has shown, “the disapproval of homosexuality is often associated with right-wing authoritarianism in psychological research...even stronger as compared to conservatism, social dominance orientation, and dogmatism.”³⁵ Nationalism is equally critical to this psychological perspective, as it sees “...the proper member of the Nation [as] both heterosexual and reproductive. Seen as neither, LGBT people come to represent the Nation’s Other. In this analysis, to be gay is to deny the Nation and its needs, and so to align oneself with its transnational enemies.”³⁶ This is particularly frightening as strong authoritarianism and nationalism are readily associated with Europe’s far right.³⁷ The rise of the far right in Poland and Hungary would prove this theoretical base correct, codifying this type of thinking into law and public discourse.

POLAND

Poland’s Law and Justice Party (PiS) originally came to power in 2005; one year after Poland’s joining the European Union.³⁸ Considered to be a center right conservative party at the time, certain policy positions mirrored Europe’s far right. One of the best examples was its attack on homosexuality. The party’s 2005 campaign made their ideological position regarding homosexuality quite clear: as a 2005 TV spot stated, “Rather than provocative parades of homosexuals, we want state help for Polish families.”³⁹ The country’s new Prime Minister (PiS) would openly declare, “homosexuality is contrary to nature.”⁴⁰ The new President was to be Lech Kaczyński, who had previously banned the 2004 and 2005 gay rights marches in Warsaw



Protests against a 2007 Gay Pride March in Warsaw, Poland. *Courtesy of Wikimedia Commons.*

during his time as mayor.⁴¹ As he argued during his presidency, “Gay people may protest as citizens but not as homosexuals.”⁴² This sort of rhetoric led to the two European Parliament resolutions meant to combat homophobia. But as Polish parliamentary speaker Marek Jurek (PiS) responded, the resolutions were another means of Europe attempting to

harm Poland by “promoting an ideology of homosexual communities,” leading the Polish parliament to pass a resolution disputing the European Parliament’s claims.⁴³

With the election of the Law and Justice Party, homophobia found its way to all facets of Polish governing. The Polish Education minister from 2005 to 2007, Roman Giertych, fired the national director of teacher training for distributing a Council of Europe handbook on tolerance, which included several paragraphs on homosexuality. He would replace the director with a hardened anti-gay proponent, going so far as to propose the firing, fining, and imprisonment of any teacher caught “promoting homosexuality” in Polish classrooms.⁴⁴ Lambda Warszawa’s 2005-2006 survey of 1,023 Polish gays, lesbians, and bisexuals found discrimination on the account of sexual orientation to be rampant in employment, housing, education, medical care, and in dealing with public authorities.⁴⁵

The Law and Justice Party would lose power following a corruption scandal in 2007, but would still maintain a prominent role in opposition. During its opposition period, any proposed bill suggesting the legal recognition of same-sex civil unions was continually shot down.⁴⁶ The party returned to power in 2015, attaining enough votes to govern without any coalition partners.⁴⁷ This newfound independence has exacerbated homophobia in Poland. The 2015 election victory has seen Polish policies and rhetoric move to a position “that only a year [prior] was the exclusive domain of the far right.”⁴⁸ This has solidified the party as a threatening far right party poised for significantly more aggressive attacks targeting the “homosexual lobby.”⁴⁹

HUNGARY

While a Socialist government brought Hungary into the European Union, it would be a nationalist,

far right government that would give the country international attention.⁵⁰ In 2010, Viktor Orbán’s Fidesz Party, a conservative nationalist party, won more than two-thirds of the parliamentary seats in the Hungarian national election. This left many in the international community wondering whether Hungary could slide back into the authoritarianism of its communist past, becoming the first EU members state to do so.⁵¹ The party has proven to be both aggressively nationalistic and morally conservative, posing a dangerous threat to the West.⁵²

As opposed to Poland, it is important to note that there does exist a prominent party further right on the Hungarian political spectrum, called Jobbik. Meaning “The Better” in Hungarian, Jobbik has become the third biggest party in domestic Hungarian politics.⁵³ Fidesz has had a role in this success as it is seen as a nationalist conservative success story, “legitimizing the beliefs of Jobbik supporters.”⁵⁴ Most important in the context of this argument, Jobbik has forced Fidesz to keep shifting its ideology further right in order to poach votes. In this sense, Fidesz has normalized the far right narrative in Hungary as Viktor Orbán’s party has taken “to co-opt[ing] many of Jobbik’s views and policies [in recent years].”⁵⁵

The rise of Fidesz has been particularly interesting, as Hungary had shown signs of accepting European norms regarding homosexuality following the accession process. For instance, the country had already legalized same-sex civil partnerships in 2007⁵⁶ and the Hungarian Constitutional Court had already ruled that the approved legislation was constitutionally legal as the country’s constitution considered “same sex relationships legally protectable.”⁵⁷ Additionally, the Constitutional Court had ruled that the constitution explicitly prohibited discrimination on the grounds of sexual orientation.⁵⁸ This sort of policy was significantly more progres-

sive than in Poland, where both civil unions and marriage between same-sex couples were and still are illegal.⁵⁹ The election of Orbán's Fidesz Party would challenge this liberal precedent.

Since Orbán's election, Hungarian homophobia has been on the rise both on the streets and in the country's legislation. Hungary has seen a rise in far right counter demonstrations at Pride events throughout the country.⁶⁰ Right wing politicians throughout the country have come to label members of the LGBT community as "deviants" who "spread sickness throughout the Hungarian Nation."⁶¹ Prominent Hungarian politicians argue that Pride Marches need to be met with equally public counterdemonstrations, "in order to protect our children, and in the interest of assuring the healthy development of our community."⁶² This sort of rhetoric has become legitimized through Viktor Orbán's biggest move as Prime Minister: destroying the 1989 Hungarian Constitution, and replacing it with a brand new 2011 constitution called Hungary's Fundamental Law.⁶³

The ideological reasoning behind the new constitution is carefully laid out in the constitution's preamble, calling attention "to the moral defeats of the twentieth century" and to Hungary's "need for spiritual and intellectual renewal..."⁶⁴ While the new constitution did not outlaw the previously legalized same-sex civil unions, it did explicitly define marriage as a union between a man and a woman,⁶⁵ making it impossible for future Hungarian legislatures to make same-sex marriage legal.⁶⁶ Beyond that, the new constitution lacked any mention of prohibiting discrimination on grounds of sexual orientation – a noticeable admission, as both EU law and previous rulings from the Hungarian Constitutional Court had protected Hungarians against such discrimination.⁶⁷ Additionally, by recognizing marriage as the union of a man and a woman, the

constitution only granted state protection to heterosexual relationships because the traditional family was seen as the base upon which Hungarian society was built.⁶⁸ Interestingly, one of the only other countries in the world to defend the new Hungarian constitution was Poland, where the chairman of the Law and Justice Party publicly declared that Hungary had "restored democracy and elementary order."⁶⁹

HOMOPHOBIA AS A REJECTION OF THE EUROPEAN UNION

Polish support for the new Hungarian Constitution is indicative of the similarities in each country, specifically in advancing homophobic rhetoric and policy. Both Polish and Hungarian homophobia is a reaction to the EU imposition of Western liberalism on each state's domestic agenda. Graff contends that the right to be a homophobe became a question of sovereignty following EU accession, and homophobia is now seen as a form of patriotism – standing up to the European Union which seeks to violate traditional domestic cultures.⁷⁰ This is why, as previously noted, the same sort of homophobia was not present in Hungary and Poland before EU accession. As soon as the European Union was able to influence domestic policy, an argument for the infringement of each state's national identity and domestic culture became valid. This created the necessary political opportunity for the far right to rise up in both places – claiming to stand up for Polish and Hungarian national values against a Europe that looked to replace those values with broader, European ones.

In this sense, homosexuality has become associated with the transnational Other, specifically Europe and the West.⁷¹ The homophobic logic in Poland and Hungary is that homosexuals are looking to undermine the traditional family with a careful

plan – to bring confusion to the aesthetic, moral, and political order throughout Europe.⁷² The homophobic rhetoric and action is seen as a necessary defensive reaction to the European Union’s forcing of a “sexual democracy” upon each country.⁷³ The rise of the far right was that defensive reaction. Hungary’s Fidesz Party and its new constitution was declared as a response “to the moral defeats of the twentieth century,”⁷⁴ while Poland’s Law and Justice Party saw their ascendance into power as being called to bring about a “moral revolution” to Polish society.⁷⁵

Homosexuality is therefore politicized as a representation of the European Union attempting to subvert Polish and Hungarian national identity and domestic culture. Renkin notes that criticism and discrimination of the LGBT community in Hungary are “merely pretexts for other political meanings” following the economic decline since its 2004 entry into the European Union. She describes the LGBT community as “scapegoats” for Hungarian anger directed at the European Union.⁷⁶ And in Poland, Graff points out that homophobia “can only be understood in its historical and political context – at the intersection of hopes and anxieties concerning Poland’s place in the European Union.”⁷⁷ Thus,

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homosexuality seems to be the most powerful place to stand up against European policy, as each country associates it with a moral right. For example, in 2015 both countries worked together to stop a European Union ministerial agreement that would

have forced all EU member states to honor same-sex marriages wherever they were contracted in the European Union.⁷⁸ (Gennarini 2015).

III: EVALUATING THE RUSSIAN INFLUENCE IN EU NORM REJECTION INTRODUCTION

The Polish and Hungarian response to European policy and norm diffusion regarding homosexuality seems likened to what Putin’s Russia had hoped for from EU member states—mainly, an ideological dispute set to bring about European policy stagnation and friction within the European community of states. Both countries argue the imposition of homosexuality is in contradiction with their national identities. As homophobia clearly aligns ideologically with the Kremlin, it makes sense to evaluate what influence Russia plays in the Hungarian and Polish position on homosexuality.

HUNGARY

For Hungary, there does seem to be a legitimate connection between the Kremlin and Viktor Orbán’s Hungarian government. Putin and Orbán have developed a close relationship, as Orbán believes “Europe’s ‘prevailing ideological winds’ are ‘blowing from the East’ and sees in Russia an ideal political model for an ‘illiberal state,’ which he admires.”⁷⁹ It has led Orbán to embrace what some have called a process of “Putinization,” which combines authoritarian politics and state-supervised economics.⁸⁰ While Putin and Orbán have crafted an important alliance, the new alliance between Moscow and Budapest has a lot to do with the Hungarian extreme right Jobbik party. Jobbik, the party Orbán has been reliant upon poaching policies from, is in favor of leaving the European Union for Russia’s Eurasian Economic Union.⁸¹ The head of Jobbik, Gabor Vona, has openly praised Putin

as a leader standing up for “traditional family values, Christian morality and our common Eurasian heritage.”⁸² Additionally, members of Jobbik have been invited, and have traveled to and from Russia to meet with leaders in the Russian Duma and with



Russian President Vladimir Putin giving a press conference. *Courtesy of Wikimedia Commons.*

prominent Russian academics.⁸³ Therefore, there is significant evidence that Hungary has become an agent of influence for Putin. The Hungarian state has certainly come to accept Putin’s alternative political and cultural model to the European model – a dangerous precedent for European unity.

POLAND

The case of Poland is vastly different. First and foremost, there are no close connections between the Kremlin and Polish political parties like there are in Hungary. Additionally, the dynamic of the ruling Law and Justice Party provides a lot of insight into the relationship between Poland and Russia. The party chairman, Jarosław Kaczyński, dominates Polish politics. Formerly the prime minister, today Kaczyński is neither the president nor prime minister, although Mr. Kaczyński handpicked both and is considered “arguably the most powerful [person]” in Polish politics.⁸⁴ Kaczyński’s twin brother,

Lech Kaczyński, was President of Poland until his sudden death in 2010 following a plane crash in Smolensk, Russia.⁸⁵ Some in Poland claimed that the Russians were responsible for the crash, and some of these “conspiracy theorists” found their way into prominent government positions like current Defence Minister Antoni Macierewicz.⁸⁶ The official report following a Russian-led investigation placed the blame on “inebriated Polish commanders who pressured their pilots to attempt a landing, while omitting plausible evidence from the Polish side that Russian air traffic controllers gave incorrect flight paths and altitudes.”⁸⁷ Jarosław Kaczyński was quick to call the report a “mockery of Poland,”⁸⁸ and the incident reinforced Kaczyński’s “deep distrust of Russia.”⁸⁹ This has exacerbated tensions between the two governments, and represents the difficulty in characterizing Poland as Putin’s agent of influence within the European Union.

The biggest impact upon Poland in its resistance to the EU’s sexual democracy has not been Russia, but the Catholic Church. After the fall of Communism, it was the Polish Catholic Church that successfully lobbied against the inclusion of provisions to protect LGBT rights in the new constitution, long before the rise of the Law and Justice Party.⁹⁰ As Poland’s chief nationalist ideologue argued during the interwar period, “Catholicism is not an appendage to Polishness ... it is embedded in its essence, and in a large measure it is its essence.”⁹¹ Since the fall of Communism, the Catholic Church has had political influence that is unrivaled anywhere else in Europe, with 95% of Poles identifying as Catholic⁹² compared to only 39% of Hungarians.⁹³ Therefore, the Catholic Church has tremendous influence in Poland and is a primary reason as to why homosexuality has become such a politicized issue. The EU’s position on homosexu-

ality is considered to be in direct contradiction with Catholic doctrine, and therefore the Polish Catholic Church works vigorously to encourage the government to reject European liberalism as it pertains to homosexuality.

IV: CONCLUSIONS

Ultimately, both Poland and Hungary continue to find themselves positioned geographically and ideologically between a liberalizing West and a continually authoritarian Russia. The European Union had appeared to be winning this ideological battle, as both countries joined and were forced to adopt European standards during accession. Yet recent Polish and Hungarian homophobia in spite of European norms on homosexuality seems to suggest a new ideological aligning with Vladimir Putin's Russia. In evaluating Putin's influence in this European rejection, there is a connection in Hungary as both Prime Minister Orbán and Hungarian political parties, like Jobbik, have developed close relationships with the Kremlin. On the other hand, Polish-Russian relations are particularly tense, as the leader of Poland's ruling party has made it clear that he does not trust the Russian state. The country's ideological alignment has more to do with Poland's relationship with the Catholic Church than the Kremlin.

Today, heteronormativity and the traditional family represent a Hungarian and Polish national identity that both countries believe the European Union is looking to erode in order to bring uniform liberal policy to the European continent. As such, recent years have seen a rise in Polish and Hungarian homophobic rhetoric and policies from the ruling far right – which is considerably dangerous in light of history, where “...only twenty-five years ago, U.S. leadership and Western Europe's resolve helped bring democratic institutions, liber-

al values, and economic prosperity to Central and Eastern Europe.”⁹⁴ The West may have prevailed over the Soviet Union twenty-five years ago, but today, this is different as the “authoritarian challenges” presented in Poland and Hungary are far more complex and demanding, particularly in recognizing Hungary's place in the European Union and its close relationship with Russia.⁹⁵ How the EU responds to Polish and Hungarian homophobia will be indicative of how it plans to respond to these newfound authoritarian challenges. The European Union needs a political answer – something more effective than public shaming, but certainly less than member expulsion.

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