New waves of anti-sexual and reproductive health and rights strategies in the European Union: the anti-gender discourse in Hungary

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Introduction

The European Union (EU) considers itself a “normative power”: the main protector and exporter of universal human rights and democracy inside and outside Europe. With gender equality one of its foundational norms, the EU has played an important role in advancing gender equality laws and policies.

Under international and European human rights law, women’s sexual and reproductive health and rights (SRHR) are regarded as human rights and seen as a vital aspect of achieving gender equality. Core international and human rights laws, which are also included in European human rights treaties, demand the Council of Europe (CoE) states to respect and protect women’s SRHR through the ratification of international treaties, such as the United Nations Convention of the Rights of the Child (UNCRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). This means that all EU member states are obligated to comply with these standards by providing all women with accessible, affordable and good quality sexual and reproductive health care and services.1

The EU’s multiple crises and anti-gender movements

Over the past decade, however, the EU has been facing overlapping and ongoing crises due to the social and political effects of the 2008 economic crisis. As the EU established new mechanisms of economic governance with the extension of austerity politics to tackle the economic crisis, this led to the de-democratisation of decision-making procedures by moving decision-making power away from democratically elected and representative institutions at the national level of the member states to new undemocratic actors and bureaucratic institutions at the EU level.2 Due to the EU’s new focus on improving economic policy, competitiveness and budgetary coordination, through these years gender equality as a social and political goal was significantly sidelined.

It comes as no surprise that the EU’s recent de-democratisation has led many member states to turn away from the EU’s social-democratic tradition. This has enabled a rise of conservative populist right-wing movements, often described as anti-gender movements, which are united with a common goal: to mobilise against the so-called “gender ideology” across and beyond Europe. The term “gender ideology” used by these populist forces refers to “the opposition to progressive women’s and lesbian, gay, bisexual, transgender and queer (LGBTQ) rights activism as well as the scholarship deconstructing essentialist and naturalistic assumptions about gender and sexuality.”3

Anti-gender movements use “gender ideology” as a rhetorical tool to mobilise hate, framing progressive ideas about gender values, human rights and equality as a threat to those actors and institutions whose traditional position and identity become challenged by the transformative goals
of feminist politics and the gender equality project. Anti-gender movements are emerging across Europe, in democratically well-developed Western European countries (e.g. France, Germany and Austria) and post-socialist countries in particular (e.g. Hungary and Poland), where the crises are coupled with weaker democratic structures. The movements also act globally, for instance in Latin America and the United States. The main focus of these anti-gender movements might be different, attacking a wide range of areas, such as the value of gender equality; LGBTQ rights; gender mainstreaming; women's SRHR and sexual education; and gender studies as an academic discipline. Nevertheless, their main goal is the same: an attack on the progressive values of “gender ideology”. The opposition to SRHR is thus not an isolated phenomenon but related to a general attack on the principle of gender equality and part of a broader, transnational anti-gender campaign.

Growing opposition to SRHR: the case of Hungary

In the context of the crises faced by the EU, Hungary, as a post-socialist country and an EU member state, is a striking example. Since the conservative right-wing Fidesz and Christian Democratic Party (KDNP) coalition took political power in 2010, the Hungarian government has been using nationalist and conservative ideas about the family to attack women's SRHR and minorities' rights.

In 2012, the government amended the Hungarian Constitution (The Fundamental Law of Hungary) by including a sentence on the protection of the fetus from the time of conception, saying: “Everyone has the right to life and human dignity, the life of the fetus is protected from conception”. Also in 2012, a new Family Protection Act addressed the protection of the fetus from the point of conception, reinforced the heteronormative conception of marriage and implied that the school curriculum should prepare children for later family life. To further strengthen the government's anti-choice perspective, in 2011, the Christian KDNP party launched a nation-wide anti-abortion poster campaign, depicting women who had or who sought abortions as murderers, on the grounds of conscientious objection against abortion, and portraying the EU as an enemy figure due to its regulations enforcing women's SRHR. Although the EU ordered the government to remove the anti-abortion posters, the campaign was re-enacted in 2013 when it was part of another government initiative called “Every child’s place in the family”, which promoted the idea of foster parenthood. The new Constitution also restricted marriage to heterosexual relationships and did not include sexual orientation and gender identity as prohibited grounds for discrimination. This allows stigmatisation and discrimination, harassment, violence and violations of rights against the LGBTQ community.

Following a variety of different anti-choice campaigns and protests organised by the government and civilians, including religious groups and the Catholic Church, the government made the abortion regulations increasingly strict. In 2012, it banned the medical abortion pill – which is promoted by the EU and is a widespread method of abortion in Europe – and made access to surgical abortion more difficult. It introduced a two-round mandatory counselling and a three-day waiting period, known as the “cooling-off period”, between the counselling sessions. These sessions were set up to persuade women who had already decided to undergo an abortion to change their minds. By preventing access to effective methods of abortion through the abortion bill, the government violated women's rights to health and privacy, with potential violations of their right to life. Women who can afford the costs visit neighbouring countries to terminate their pregnancy, but this option is not affordable for the majority of women living in Hungary. In this respect, multiple discrimination in SRHR is a concern. For instance, poor women are disproportionately affected by budgetary cuts in reproductive health services; and rural women, refugees, asylum seekers and undocumented migrant women may also find it more difficult to receive appropriate and timely sexual and reproductive health care. The forced sterilisation of Roma women was also reported in Hungary.

To widen the attack on SRHR, the government modified the National Core Curriculum. It removed gender ideology from the curriculum by eradicating all gender-related exam questions and replaced the differentiation of biological and gender identity with the distinction between inherited and learned factors in sexual identity, emphasising the biological nature of these matters. The main focus of family life education, including sexual education, was placed on healthy pregnancies, breastfeeding and
heterosexual family life. The fact that the national curriculum was altered to serve the government’s anti-sexual and reproductive rights political agenda is also associated with the recent ban of the two available Master’s degree programmes in Gender Studies at Eotvos Lorand University – one of the most prominent Hungarian public universities – and at the international Central European University. The Gender Studies programme was replaced in 2018 by an “Economics of Family Policy and Public Policies for Human Development” programme without consulting the universities, as the government considers the topic as an ideological threat to its authority, incompatible with its neo-conservative visions of family and nation.

Most recently, the government launched the new national consultation on the protection of the family and children to boost the birth rate and to promote its heteronormative and conservative ideas on the family. The consultation calls for the nation to be parents and encourages women – young Hungarian women in particular – to be full-time mothers with the promise of eliminating taxes for mothers with four or more children, reducing mortgage and car payments for parents, introducing new loans for families and increasing day care places. In the consultation, the government also made clear that as it “sees the future in Hungarian children”, it intends to “rely on its internal resources” to tackle the population decline instead of repopulating the country with migrant Muslim children. Therefore, with the consultation, the government not only continues to use women’s bodies as a resource for national development but also strengthens the xenophobic discourse of its anti-immigrant Islamophobic political agenda.

Future implications

Gender equality as a foundational norm of the EU and a human rights issue has increasingly been contested by a variety of anti-gender movements across and beyond Europe. The specific opposition to SRHR is part of these transnational right-wing political forces’ common attack on “gender ideology”, stemming from the rise of populism and anti-democratic mobilisation.

The current Hungarian government’s political agenda on SRHR is informed by both nationalism and conservatism. Hungarian women are held up primarily as wives and mothers, regarding them as reproductive citizens of the nation against the demographic deficit of the country or in favour of Christian family values. Through the recreation of a nationalist, conservative, heteronormative family-supporting patriarchal discourse, which is also anti-gender and against LGBTQ rights, the government seeks to undermine liberal democratic values, as well as the global and European human rights agenda. This process seems to be escalating. It raises the question of how much the EU is a “gendered normative power”, a defender of human rights and democracy in times of crises. As the Hungarian case shows, the EU is failing to practice its normative power: it defines global liberal democratic norms in a manner that does not demand compliance by member states. If the EU does not rethink its commitment to democracy and to gender equality, this will continue to leave a space open for the further dissemination of strategies against SRHR, not only in Hungary and in other member states in Europe, but, as the transnational nature of anti-gender movements indicates, at a global level as well.

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