

Article

Resisting Genderphobia in Hungary

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Abstract

In this article, we connect illiberal populism in Hungary with the instrumentalizing of genderphobia through state policies starting from 2010. This became especially salient during the COVID-19 pandemic when a contentious state of emergency laws enabled the government's ruling by decree. Analyzing relevant pieces of legislation and policy documents, we show how genderphobia became a fundamental feature of an expanding far-right agenda that has been playing out in practice since the System of National Cooperation was established in 2010. Genderphobia is the aversion to disrupting dominant gender and sexual hierarchies, by addressing and critically interrogating gendered differences and gender as a social construct. Genderphobia is both an ideology about the fearfulness of gender as well as the action of fear-mongering for political effect. State institutions are gendered and sexualized in that they have been structured on dominant gender and sexual norms that reinforce male and heterosexual dominance. We argue that genderphobia is evident in the rise of anti-LGBTIQ policies and contributes to the weakening of democratic and liberal institutions in Hungary. We will also present examples of the Hungarian government's attempts to monopolize the definition of "the family" and hollow out the social representation of child protection. In addition, we will explore resistance against the recent anti-LGBTIQ policies through children's literature. Our aim is to demonstrate how the Hungarian genderphobic policies ultimately deny not only LGBTIQ human rights but the existence of LGBTIQ youth and children who could benefit from social support as well as representation in education and literature.

Keywords

child protection; children's literature; fear mongering; genderphobia; heteronormativity; Hungary; illiberalism; LGBTIQ; System of National Cooperation

Issue

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1. Introduction: What a Family!

In May 2021—on International Children's Day—the children's book *Micsoda család! (What a Family!)* was released in Hungary. The picture book for toddlers presents two stories about same-sex families, also known as "rainbow families," by author Lawrence Schimel and illustrator Elīna Brasliņa. In "Early One Morning," a boy wakes up before his mothers and sister and prepares breakfast together with the family cat.

In "Bedtime, Not Playtime," a girl gets ready for bed with the help of her two fathers, but the family dog wants to play instead. The stories, originally written in Spanish and published in two separate volumes, had already been published in 27 languages, including Dutch, French, Czech, Polish, English, and even Russian, although in Russia the book had an "18+" warning printed on the cover because of a law restricting minors' access to content on "non-traditional" sexualities. *What a Family!* was published in Hungary as a single volume by the

Foundation for Rainbow Families (Szivárványcsaládokért Alapítvány), which started the “Family Is Family” campaign in 2020 to show that there is nothing extraordinary about rainbow families (Foundation for Rainbow Families, 2020).

When Schimel wrote the stories, he did not foresee their international political impact. His goal was not to overcome homophobia but simply to create enjoyable books featuring same-sex families. Prior to its release in Hungary, the strongest negative response to the book focused on the choice to use margarine instead of butter in the story of the boy making breakfast for his two moms. The Swiss translator insisted on butter as a matter of national pride, while the Israeli translator switched the spread entirely to hummus (Rudolph, 2021). This limited, if somewhat endearing, challenge of the book’s content would soon be overshadowed by Hungary’s response. The head of the Government Office of Pest County started an investigation into the book and fined the bookstore chain Lira Könyv (Lyra Books) for failing to indicate that it contained “content deviating from the norm,” thus allegedly violating a law banning unfair trading practices. The “norm” in this case meant heterosexuality and traditional gender roles. The bookstore chain responded by posting signs in all its stores saying that they sold books with “non-traditional content.” Lira Könyv continued selling the book and successfully challenged the government officer’s decision in court. Hungary’s Act LXXIX of 2021 on Harsher Action Against Paedophile Criminal Perpetrators and the Amendment of Certain Laws with a View to Protecting Children (hereinafter Act 79) would soon outright ban lesbian, gay, bisexual, trans, intersex, and queer (LGBTIQ) content from being sold to children.

Fining Lira Könyv in order to limit younger children’s access to *What a Family!* was part of an ongoing effort by the Hungarian government and other representatives of far-right politics to limit LGBTIQ representation in children’s literature and education. Zsófia Bán’s *Vagánybagoly és a harmadik Á, avagy mindenki lehet más (Rough-n-Tough Owl and Third Grade, Group A; or Everyone Can Be Different)*, published in 2019, was the first Hungarian book containing openly queer content, such as a reference to a kid with two moms. *Rough-n-Tough Owl* was followed by *Meseország mindenkié (Fairyland Is for Everyone)*, a volume of revised classic fairy tales featuring characters from marginalized groups, published in 2020 by the Labrisz Lesbian Association. Both books faced harsh criticism from the far right—and censorship, too. Dóra Dúró, a Hungarian MP and vice-president of the far-right radical nationalist Mi Hazánk (Our Homeland) movement, accused both books of “propagating homosexuality” and shredded them in public. Human rights activists and the Hungarian Publishers and Booksellers Association protested in published declarations, referring to Dúró’s acts as reminiscent of Nazi book burning. However, the attacks only increased both books’ popularity. At the same time, the National Authority for Consumer Protection ruled in

January 2021 that potential buyers should be informed beforehand about “patterns of behavior deviating from traditional gender roles” appearing in *Fairyland*, and claimed that the rights and interests of consumers were violated in the absence of such information (Háttér Society, 2021a).

What a Family! was not destroyed publicly. Instead, in July 2021, the bookstore chain that sold it and refused to label it as being against the norm was fined. However, the fine was not given based on the newly passed Act 79 that bans the sharing of any LGBTIQ content with minors, affording the Hungarian government unprecedented authority to fine and criminalize booksellers as well as educators for distributing LGBTIQ-inclusive children’s literature. In practical terms, this means that books with alleged “homosexual propaganda” content should not be displayed in shop windows or sold within 200 meters of a school or church, and such books should be shrink-wrapped like items with pornographic content.

It is important to note that the Lira Könyv bookstore chain was fined based on another regulation and not on Act 79. Act 79 was only adding to heteronormative censorship laws by explicitly banning LGBTIQ content from minors. At the same time challenging the government officer’s decision in court can be seen as a challenge to the spirit of Act 79, bringing a new legal precedent to how anti-LGBTIQ policies can be fought. Its victory in the courts shows that children’s literature is an important dimension in fighting against state-sponsored genderphobia. Public outcry over the banning of LGBTIQ children’s and political statements against Act 79 and subsequent acts by experts, educators, and librarians also contributed to the discourse of opposition against anti-LGBTIQ censorship.

Genderphobia is the aversion to addressing and critically interrogating gendered differences and gender as a social construct. We interpret gender according to van Anders’ (2015, p. 1181) definition referring to aspects of “masculinity, femininity and gender-diversity that are situated as socialized, learned and cultural (e.g., appearance, behavior, presentation, comportment). May refer to one’s internal sense of one’s self, culture, roles, others’ beliefs about one’s self, structures and systems, etc.” The aversion to gender is based on heteronormative and patriarchal dominant beliefs which construe any opportunity to critically interrogate gender as disrupting dominant gender and sexual hierarchies. The avoidance of critical engagement with gendered binaries, norms, and social structures is also an action, as it is used for fear-mongering for political effect. Thus, genderphobia is both an ideology about the fearfulness of gender as well as an action i.e., fear-mongering. Broadly speaking, state institutions (regardless of political and geographic boundaries) are gendered and sexualized in that they historically and currently are structured on dominant gender and sexual norms which reinforce male and heterosexual dominance. This is evidenced by state policies around the world which have historically

marginalized or negatively targeted women as well as sexual and gender minorities, from discriminatory voting rights provisions and the criminalization of homosexuality to limiting reproductive rights, access to abortion, and marriage equality. Gender minorities continue to experience the gamut of discriminatory policies and, in some cases, outright targeting and violence by state officials. Even when the patriarchal and heteronormative power structures of the state remain firmly in place, states can react strongly to restrict or dismantle any attempts at critique and engagement around gender. Critical and public discourses around gender can challenge the state's status quo, especially in political contexts characterized by plebiscitary authoritarianism or leader democracy (Turner, 1990), such as in Hungary, where the public sphere is firmly controlled by the state.

This article is a case study on how Hungary's genderphobic policies impact the everyday. When discussing political movements and sweeping policy enactments, every day or more mundane aspects of life, such as what books children are allowed to read, get overlooked. Yet, it is on this smaller scale that we can see how genderphobic policies work to restrict plurality and civil rights. To understand the recent censorship of LGBTIQ content, this article interrogates how the Hungarian government implemented genderphobic policies to strip human rights from LGBTIQ adults, children, and families. What happened to *What a Family!* is indicative of a steady pattern of the Hungarian far-right populist government's implementing restrictive policies against LGBTIQ people. Using the concept of genderphobia, we explore the legal developments of gender- and sexuality-restrictive policies and their practical implications in Hungary. We argue that these policies are caused by the rise of populism and illiberalism in Hungary, which rely on heteronormative discursive formations of tradition, normality, and family. Previous studies (Graff & Korolczuk, 2022; Kuhar & Paternotte, 2017; Möser et al., 2022) demonstrate that the rhetoric of politicized and essentialized parenthood, as well as the need to defend "the family," can effectively mobilize people in different European political contexts. Hungary is not unique in politicizing the concept of the heteronormative and cisnormative family, nor is it unique in connecting reproductive, sexual, and gendered biopolitics with populist discourse and illiberalism, but what is interesting is how so much of this plays out at the policy level, not just symbolically and discursively.

This article contributes to the existing literature on gender and illiberalism in Hungary by focusing on the development of genderphobic policies aimed at LGBTIQ communities and the battleground of children's literature. Research shows that illiberalism relies on heteronormative and misogynist discourse on traditional gender roles and the need to protect the traditional family and gendered power structures in order to strip away welfare institutions and enforce neo-nationalist policies that marginalize sexual and gender minorities

and other marginalized groups (Pető, 2022; Rottenberg, 2014). Much of the research on gender and illiberalism focuses on right-wing populist rhetoric and how the term "gender" is used to mobilize the public and gather votes as well as build loyalty within parties (Grzebalska & Pető, 2018; Krizsan & Roggeband, 2018). The created crisis over the dwindling of "traditional" gender norms, power configurations, and gendered structures by anti-liberal regimes in Hungary and Poland work to bring legitimacy to their government's actions, such as increased anti-LGBTIQ legislation and restrictions on reproductive rights (Kováts, 2020). This article focuses on genderphobic policies aimed at LGBTIQ communities through the censorship and ongoing debate around LGBTIQ-inclusive children's literature. When analyzing resistance to illiberalism and populism, children's literature is not often considered. However, in this article, we explore how children's literature is not only a casualty of genderphobic policies but also a site of resistance and advocacy for LGBTIQ children. This article will also highlight different forms of opposition to genderphobia, including resistance against Act 79, especially concerning the rights of LGBTIQ children. Far too often, the focus on resistance to populism and illiberalism has been on the level of discourse and public rhetoric, especially by state actors and human rights organizations. In children's literature and education, the rights of LGBTIQ children are being fought over both discursively and at the policy level. Looking at the development of, and public resistance against, the censorship of children's literature points to the value of contextualizing genderphobic policies in a broader perspective. What is at stake goes beyond the selling and banning of LGBTIQ-inclusive books aimed at toddlers to include the validation of people's lives, including those of LGBTIQ children and youth.

2. How Did We Get Here?

Act 79 is often framed as the "child protection act" by members and supporters of the Hungarian government, while others, especially civil society organizations (CSOs) representing the interests of LGBTIQ people, speak about it as the "homosexual propaganda law." These Hungarian CSOs referred to the introduction of Act 79 as a "Russian-style attack on freedom of speech and children's rights" (Háttér Society, 2021b), pointing to the similarities between Act 79 and Russian Federal Law No. 135-FZ (of 29 June 2013) banning propaganda of "non-traditional sexual relationships" among minors (Kondakov, 2014). In fact, Hungarian Act 79 can be seen as the second "Russian-style child protection measure" within the EU since the 2009 introduction of the Lithuanian Law on the Protection of Minors against the Detrimental Effects of Public Information, prohibiting the direct dissemination to minors of "public information whereby 'homosexual, bisexual or polygamous relations are promoted,' because it has 'a detrimental effect on the development of minors'" (European Parliament, 2009).

To situate Hungary's Act 79 and the subsequent state censoring of children's books with LGBTIQ content, we need first to focus on the rise of populism and illiberalism in Hungary and its impact on genderphobic policies. Growing populist rhetoric has been well examined in East-Central Europe (see, for example, Bánkuti et al., 2012; Csehi & Zgut, 2021). However, it can be argued that while research on the rise of populism and illiberalism in Europe is growing, more attention to the "real-world consequences of populist governance" is still needed (Bartha et al., 2020, p. 71). In Hungary, with its deepening and accumulating "democratic defects" (Bogaards, 2018, p. 1492), the real-world consequences of paternalist populism (Enyedi, 2016) have played out predominantly in the form of restrictive policies that work to harm and strip civil rights from various social minority groups, including the Roma, refugees, and LGBTIQ people. Similar to the negative effects of populism on gay and lesbian rights, which have been documented elsewhere (Pappas et al., 2009), radical reforms in Hungary's domestic policies under the leadership of Prime Minister Viktor Orbán and his government(s) that specifically target gender and sexuality have further bolstered heteronationalist and patriarchal principles. These policies, including Act 79, work to further enforce genderphobia in state institutions.

While Hungary joined the anti-gender scene relatively late, "the political deployment of the concept of 'gender' has accelerated in the past few years and is fiercely on-going" (Fodor, 2021, p. 17). The first signs of explicitly genderphobic policies emerged in 2008 in response to a perception that "gender ideology" was being pushed into the high-school curriculum, specifically through a textbook (Pető & Tarajossy, 2008) that aimed to teach history through a critical gender lens. A Fidesz MP claimed that the textbook represented a larger trend of society losing its heterosexual identity, traditional gender roles, and family values, signaling "the final takeover of the culture of death, of denial, of the opposition to our creaturehood" (Kováts & Pető, 2017, p. 119). Genderphobia would explicitly enter the political arena in 2010 with an anti-gender debate over a preschool curriculum amendment that requested teachers to "deliberately avoid any strengthening of gender stereotypes and facilitate the dismantling of the prejudices concerning the social equality of genders" (Kováts & Pető, 2017, p. 120). When the Fidesz government took office in 2010, they quickly removed this sentence from the amendment on the basis that addressing differentiation and inequality around the sexes was meaningless and at odds with Hungarian social norms.

This was a strong indicator of what was to come in Orbán's System of National Cooperation:

A social engineering project that includes both the usual desiderata of old-school continental conservatism (respecting national tradition, Christian faith, law and order, paternalist state, patriarchal fam-

ily values, etc.) and its *odiosa* (challenging cosmopolitanism, secularization, the rule of law, market rivalry, gender equality, etc.). (Kovács & Trencsényi, 2020, p. 381)

When the Fidesz government drafted a new constitution, the Fundamental Law, which came into effect in 2012, it defined marriage as the union of a man and a woman and offered no explicit protection against discrimination based on sexual orientation and gender identity. The Fundamental Law also describes family as "the basis of the survival of the nation" and declares that the Hungarian government encourages the commitment to have children and protects families. Similar to other 21st-century European political contexts harnessing "the emotional power of anti-genderism" (Graff & Korolczuk, 2022, p. 124), family protection as a rhetoric tool has been continuously used by the Fidesz government(s) in activating heteronormative parenthood as an attractive political identity. Beyond dramatically fuelling the moral panic over the "sexualization of children" this also entailed "promoting and exploiting the view of the 'traditional' family as a nexus of solidarity, the last frontier of social cohesion, a defense against rampant individualism and consumerism" (Graff & Korolczuk, 2022, p. 124). Since then, there is increasing evidence of the intentional intertwining of heteronormativity, patriarchy, and reproduction in national rhetoric and policies.

In the early years of Orbán's System of National Cooperation, radical far-right political forces had their own voice against the "gender revolutionaries" to "mobilize voters through the anti-EU, homophobic, anti-Semitic and anti-immigrants attitudes and through the worry about the demographic decline of the nation" (Félix, 2015, p. 76). Homophobic discourse also entered local politics, as documented by proposals submitted to the General Assembly of Budapest in 2012 by Fidesz and Jobbik party representatives to ban events "portraying sexual deviance" and presenting same-sex sexual relations as socially acceptable behavior (Félix, 2015, pp. 70–71). Later, Fidesz successfully incorporated these components into its own political agenda. Within the last few years, gender has become the rhetorical tool of reason for far-right and right-wing Hungarian parties to enforce a consensus on what should—and should not—be seen as "normal" and "legitimate" (Kováts & Pető, 2017). The protection of traditional gender roles has become a rallying cry, even though it was never fully transposed into consistent policy measures. Under this rhetorical tool, any attempt to address gender critically is framed as counter to the values of the state and taken as evidence of oppressing forces wanting to enforce a "politically correct" or leftist gender ideology that addresses gender discrimination and recognizes sexual and gender minority rights.

Since 2010, and especially since 2019, previously gained LGBTIQ rights have been oppressively dismantled and further restrictions imposed. The long list of

government actions “systematically undermining the freedom and equal rights of sexual and gender minorities” includes the introduction of “Paragraph 33” in a bill adopted in May 2020 that prohibits transgender and intersex people from having their gender legally recognized, the abolishment of the Equal Treatment Authority, which played an active role in the legal protection of LGBTIQ people, and the introduction of Act 79 (Háttér Society, 2021c).

While anti-gender campaigns and laws prohibiting “homosexual propaganda” were present in Europe before Hungary’s Act 79 was introduced in 2021, it is important to situate what happened in Hungary as part of a larger “illiberal offer” by the Fidesz government(s), advancing a “viable alternative centred on the family, the nation, religious values, and freedom of speech” (Pető, 2022, p. 319) and aimed at reinforcing heteropatriarchal and nationalist ideals. In this context, we can trace the roots of Act 79 to 2015, when Prime Minister Orbán portrayed popular fears about falling birth rates and rising immigration as a crisis of the Hungarian family.

As the government framed immigrants coming to Hungary from the Middle East and Africa as a national crisis in 2015–2016, fences were erected along the country’s south-eastern borders and increased border security was enacted to stop asylum-seekers. Instead of embracing immigration as a possible solution to population decline, Orbán—for example, in his regular weekly interviews on the state-owned Kossuth Radio—railed against mixed populations and promoted the fear of Hungarians becoming a minority in their own country as well as Christian Europeans becoming a minority in Europe. According to Orbán, illiberal Christian democracy strengthens families both externally, through a firm anti-immigration stance that prevents population replacement, and internally by actively encouraging marriage-based reproduction of preferably white Christian middle-class citizens rather than granting equal legal status to all existing varieties of families. Demographic decline is understood here primarily as the decline of the politically preferred population composition. This idea is not a new one in Hungary: Previously dominant forms of ethnonationalist reproductive political ideas often pictured the undeserving Roma as a minority group producing children as a means of accessing child support benefits (Neményi & Takács, 2005). Political and policy attention to the “issue of demography” goes back a long way, at least to the 1950s, and thus the trope of demographic decline and pronatalist policies are familiar or even “natural” to Hungarians born after World War II.

The government’s pronatalist population policy package of 2019 included a tax relief provision for mothers having at least four children. Reduced housing loans and credits and childcare coverage were also used to incentivize childbirth. Yet, this is a highly selective pronatalist project since the majority of these policies are outwardly exclusionary to poor and non-white Hungarians,

especially the Roma, who do not have the necessary funds to access housing loans, tax breaks, and other economic incentives. These laws are also exclusionary to same-sex couples. Same-sex marriage remains banned, and LGBTIQ people are no longer allowed to adopt either jointly or individually. Access to IVF and donor insemination is prohibited for lesbian couples. These policies speak to a form of “repronormativity” that privileges “state-sanctioned heteronormative acts of reproduction specifically through the patriarchal heteronormative family, and service to this reproduction of the heteropatriarchal nation-state” (Weissman, 2017, p. 279). It is not just about women having more babies, but “having the right kind of babies” in order “to ensure that the nation is reproduced in its desired form” (Mole, 2016, p. 105).

Connecting national policies to the protection of the heteronormative family and reproduction allowed the three consecutive Fidesz governments to enact stricter policies around “family protection” issues, including reproductive and LGBTIQ rights. In 2019, László Kövér, a Fidesz founding member and the speaker of the Hungarian Parliament, compared same-sex couples’ demand to be allowed to marry and adopt children to pedophilia and added that “a normal homosexual...tries to adapt to this world without necessarily considering himself equal” (Dull, 2019). It is here that the conflation of pedophilia and the rhetoric of child protection would become the cover to further censor LGBTIQ content.

The COVID-19 pandemic only added to the instrumentalizing of anti-LGBTIQ policies with the implementation of state of emergency laws that enabled the government to rule by decree. This allowed sweeping genderphobic policies to be put in place without formal democratic processes. In May 2020, the Hungarian Parliament passed a law prohibiting legal gender recognition by prescribing “sex at birth” as a legally unalterable category. In December 2020, another law (Act 165 of 2020) banned adoption by single parents, including gays and lesbians. According to this law, only married couples can adopt children, and exceptions can be granted only on a case-by-case basis by the minister responsible for the Department of Family Affairs. This was followed by the Parliament adopting the ninth amendment of the Hungarian Fundamental Law, which, in fact, includes a series of amendments declaring, among other things, that “Hungary shall protect the right of children to their identity aligning with their sex at birth, and shall ensure an upbringing in accordance with the values based on our homeland’s constitutional identity and Christian culture” (Fundamental Law of Hungary, 2020, p. 11). The ninth amendment inserted the text “the mother is female, the father is male” into the marriage defense provision of the Fundamental Law (Article L(1)), which already banned the marriage of same-sex couples by stating that “Hungary shall protect the institution of marriage as the union of one man and one woman established by voluntary decision, and the family as the

basis of the survival of the nation” (Fundamental Law of Hungary, 2020, p. 5). Finally, on 26 May 2021, two Fidesz MPs submitted to Parliament a bill on harsher sentencing for pedophile criminal offenses and a criminal registry for perpetrators of such offenses, which garnered support from all the parties in the Hungarian Parliament. However, on 10 June 2021, the Parliament’s Legislative Committee submitted a series of proposed amendments to the bill containing discriminatory provisions targeting LGBTIQ people and content. Finally, on 15 June 2021, the bill was passed as Act 79.

Act 79 amended several laws, most importantly banning any advertisements or media content that “promote or portray deviation from [gender]-identity aligning with sex at birth, gender reassignment or homosexuality” to individuals under the age of 18. Act 79 also amended the Act on National Public Education to prescribe that curriculum delivered in educational institutions on sexual culture, sexual life, sexual orientation, and sexual development should not be aimed at promoting deviation from the child’s gender identity aligning with sex at birth, gender reassignment, and/or homosexuality. Furthermore, only persons or organizations registered by a designated state body should be allowed to hold, in the framework of the regular curriculum or other activities organized for the students, a session on sexual culture, sexual life, sexual orientation, sexual development, the harmful effects of drug use, and the dangers of the Internet. It is not entirely clear how sexual education became banded together with drug use and internet use, but what it does indicate is how genderphobia works to bring in other fears (fear of drugs, fear of internet usage, fear of sexual predators) together in policies. The close configuration of LGBTIQ issues with people who are addicted to drugs and the dangers of the internet work to create a nebulous fear-mongering in order to support populist genderphobic policies. It is made clear in the Explanatory Report to Act 79 that this provision is aimed at preventing LGBTIQ CSOs and other persons and organizations that might attempt to sensitize students in relation to the issue of non-discrimination from having access to educational institutions (Council of Europe, 2021).

Much as the government framed immigrants coming to Hungary from the Middle East and Africa as a national crisis in 2015–2016 and used this to frame Hungary as protecting its citizens from destructive EU immigration policies, “protecting” children from LGBTIQ influence has

become an “us” (Hungarians) versus “them” (EU) battle. We can observe a substantial change regarding how child protection has been framed in the government’s communication in connection with introducing Act 79. Table 1 shows the number of articles per year about child protection issues published in the *Magyar Nemzet*, the biggest self-proclaimed pro-government national daily newspaper. On 12 March 2022, a full-text search for *gyermekvédelem* (“child protection”) was conducted on the newspaper’s online archive between January 2019—when it was merged with another Fidesz-owned daily, the *Magyar Idők*—and February 2022. In 2019–2020 the articles focused mainly on current issues of the Hungarian child protection system and other relevant policies. In 2021 the number of articles was more than double that of the previous year, and 40 out of 49 interpreted child protection in the context of Act 79 and/or “LGBTQ propaganda.” The first such article was published on 15 June 2021, the very day of voting for Act 79. Since then, there were 51 articles published on the dangers of “LGBTQ propaganda” mainly in the context of Act 79, and only four pieces focused on (real) child protection policy issues.

This hollowed-out media representation suggests that similar to other cases where for example, “the term family is repeated endlessly in anti-gender discourse and...sentimentalized to convey love, connection and community” (Graff & Korolczuk, 2022, p. 122), the Hungarian government uses child protection as a smoke-screen for gaining political power within a far-right political project. In this context fighting against the strawman of the dangers “LGBTQ propaganda” poses to children becomes a crucial element in the government’s political propaganda machinery.

Framing Act 79 as protecting children from persons and organizations offering sexual and gender education and in turn promoting homosexuality and influencing the “normal” (i.e., cis-heteronormative) sexual and gender development of children allows the Orbán regime to create policies that are purposely obscure and at the same time incredibly threatening. International legal experts have argued that the terms used in Act 79, such as “propagation,” “portrayal,” “negatively influence,” and “homosexuality,” are too ambiguous to reach the standard of “foreseeability” and that the provisions do not sufficiently define the circumstances in which they are applied (Council of Europe, 2021, p. 23).

Table 1. Articles on child protection in the *Magyar Nemzet* (2019–2022).

Year	A. Number of articles published between 1 January 2019 and 28 February	B. Focus on (real) child protection policy issues (within A)	C. Focus on Act 79 and/or “LGBTQ propaganda”
2019	21	21	—
2020	18	18	—
2021	49	9 (4 after 15 June 2021)	40 (from 15 June 2021)
2022 (January–February)	11	0	11

3. Resistance to Genderphobic Policies

Condemnation of Act 79 began immediately after it was voted into law, both domestically and internationally. On 15 July 2021, the European Commission announced that it had started legal action against Hungary, and concerning Act 79, for violating a number of legal norms, including the Audiovisual Media Services Directive, the e-commerce Directive, the Single Market Transparency Directive, and the GDPR. Most importantly, in the Commission's view, the Hungarian provisions:

Violate human dignity, freedom of expression and information, the right to respect of private life as well as the right to non-discrimination as enshrined respectively in...the EU Charter of Fundamental Rights. Because of the gravity of these violations, the contested provisions also violate the values laid down in Article 2 TEU [Treaty of the European Union]. (European Commission, 2021)

On 21 July 2021, the Hungarian government responded to the "attacks from Brussels" by following populist and genderphobic rhetoric, initiating a "child protection" referendum on questions such as:

Do people want the unrestricted display of content including homosexual themes, in the form of commercial or public information broadcasts, on television and in advertisements? Do people want us to introduce very young children to the possibility of "sex reassignment"? (Orbán, 2021)

When it became clear that the "child protection" referendum would actually take place, and that it would be on the same day as the 2022 national elections, 14 CSOs started the "Invalid Answer to Invalid Questions" campaign. Their main message was that everyone should vote invalidly by crossing both yes and no options for each of the referendum questions (Háttér Society, 2022). Following the campaign, more than 1.7 million people spoiled their ballots, leading to the referendum being declared invalid. The campaign organizers succeeded with their actions to create a public outcry against a nonsensical referendum, which was further boosted by the government on all possible media channels. This outcome can be seen as a great achievement for civil rights, especially considering the present devastating situation of the Hungarian civil society.

Since 2010, the System of National Cooperation has created an incredibly hostile environment for CSOs in Hungary by transforming the legal system, and campaigning against the alleged "enemies of the nation (which includes civil society)" (Gerő et al., 2022 p. 120). Changes in the institutional framework for CSOs included the implementation of an increasingly restrictive legal environment and the reorganization of the main government agency responsible for

distributing public funds into the Fund for National Cooperation. This resulted in decision-making bodies filled with government delegates and the establishment of government-organized non-governmental—but government-friendly—organizations to promote Orbán's politics (Molnár, 2020). Following these changes, the uncertainty of the legal environment and the bureaucratic hurdles for CSOs have increased, while their public funds have decreased. In 2013–2014 there was also a campaign launched by the government to harass organizations that received and distributed grants from the Norwegian Civil Fund (Gerő et al., 2022). Most of these grants were used in projects focusing on thematic areas such as human rights and democracy, gender and equal opportunity, and Roma integration (Molnár, 2020). In the summer of 2015, during the European refugee and migration crisis, the government accused CSOs of acting in pursuit of foreign interest and of being allegedly financed and instructed by George Soros. In fact, these CSOs relied entirely on volunteer work and private donations to fill the role that the Hungarian government would have been expected to perform (Molnár, 2020).

In 2017 the Hungarian Parliament passed a new transparency regulation on "foreign-aided civil organizations," which were described by government politicians and their media outlets as "foreign agents," who allegedly pursue "foreign interests and agendas" and thereby undermine Hungarian sovereignty (Molnár, 2020, p. 56). Many CSOs refused to register with the court as an act of civil disobedience, and several CSOs filed a complaint with the European Court of Human Rights, while the European Commission initiated an infringement procedure against Hungary regarding this law (Molnár, 2020). In the summer of 2017, a massive propaganda campaign was launched against George Soros and the organizations he founded, the Open Society Foundations network. This culminated in the "Stop Soros" laws that criminalized "help or support for migration" (Gerő et al., 2022, p. 124). Under these laws, CSOs could face prosecution, with their members risking one year of imprisonment if involved in migration-related activities, or the organization could be shut down if deemed a security risk (Molnár, 2020). Thus, we have to place the resistance to genderphobic policies into the context of a threatening environment, maintained by vaguely formulated laws that could be applied against almost anyone arbitrarily according to the authorities' whims.

When looking at how resistance to Act 79 has taken effect at the national level, we focus explicitly on protecting LGBTIQ representation in children's books and education as well as the fundamental rights of LGBTIQ—as well as non-LGBTIQ—youths and children. The implementation of Act 79 and the preceding court cases over the censoring of Hungarian children's books with LGBTIQ content, such as *What a Family!*, speak to the importance of situating Hungary's anti-LGBTIQ government policies with previously enacted genderphobic policies.

This framing of family and child protection has been used to strip away LGBTIQ civil rights.

It is also important to note that the Child Rights CSO Coalition (Gyermekjogi Civil Koalíció), a Hungarian umbrella organization representing 35 CSOs and 20 individual experts, issued several statements criticizing the government's genderphobic policies, directly affecting children's rights (see, for example, GyCK, 2020). In June 2021 they turned to the Hungarian Commissioner for Fundamental Rights because of the constitutional and international human rights concerns around Act 79.

The Hintonalovon Foundation, one of the leading child rights CSOs in Hungary, while welcoming certain elements of Act 79, such as the stricter punishment of perpetrators, called for further steps, including "a greater emphasis on sexual education" as "people who have age-appropriate information about sexuality are better equipped to recognize dangerous situations" (Hintonalovon Foundation, 2021a). In October 2021, on "the 30th anniversary of Hungary's signature on the UN Convention on the Rights of the Child, when the Hungarian government vetoed that the rights enshrined in the Convention shall be supported by a common European Union strategy," the Hintonalovon Foundation issued an indignant statement, with the main message: "Just to be clear: A government that emphasizes child protection has undermined with its veto the protection of children in the European Union" (Hintonalovon Foundation, 2021b).

As discussed in the previous section, the implementation of Act 79 was swiftly criticized both domestically and internationally for conflating homosexuality with pedophilia. This conflation pathologizes sexual and gender minorities as predators while denying LGBTIQ children and young adults recognition, protection, and support. Especially important to this argument is the use of the age limit of 18 years.

Act 79's restricting LGBTIQ content from those under 18 withholds relevant and appropriate information and representation, which can in turn deny LGBTIQ children and youth their right to health education and wellbeing. The UN Committee on the Rights of the Child stresses that without the protected ability to seek and receive information about sexuality and gender, young people are left ill-equipped when they become sexually active. These sentiments were further endorsed by the declaration of the Hungarian Psychiatric Society and the Hungarian Psychological Society, with the support of the Hungarian Sexual Medicine Society, which stated that Act 79 was based on false, not medically supported information about childhood sexual development and gender identity (MPT, 2022). They emphasize that gender identity and sexual orientation cannot be influenced by environmental factors, education, or propaganda, nor can they be changed by forced conversion therapy. Parents' gender identity and sexual orientation do not affect a child's gender identity, sexual orientation, or healthy development. Stigmatization of LGBTIQ

individuals is incredibly harmful to children and parents, especially in LGBTIQ families. Banning literature and education on non-heteronormative sexualities and gender identities can cause harm to children's and youths' mental health.

Restricting LGBTIQ-inclusive literature is not only harmful to children's and youths' mental, physical, and emotional health but is also impossible to execute fully in practical terms. In February 2022, the Association of Hungarian Librarians publicly condemned Act 79 as not only harmful to children but impossible to enforce in a public library setting where there is not enough oversight or institutional restriction to limit children's and youths' access to literature now censored under Act 79 (MKE, 2022). Since the ban only prevents those under 18 from accessing LGBTIQ material, this means that public services, like libraries, will need to restrict children's and youths' entry. Adolescents, especially secondary school students, no longer go to designated children's libraries and do not use children's literature collections, mostly because their curricula contain scientific and educational works aimed at adults. Banning LGBTIQ content from visitors under the age of 18 means banning children and young adults from accessing public libraries. It also means banning children and youths from accessing other public services like public parks, museums, and art galleries, where they could potentially be exposed to LGBTIQ information, representation, and education.

What a Family!, Rough-n-Tough Owl, Fairyland is For Everyone, and other Hungarian children's books with LGBTIQ content are sites of resistance to the larger issue of denying LGBTIQ children's and youth's existence. Censorship is rarely successful unless the state heavily restricts every facet of public and private life. Though not impossible, this effort drains considerable resources. Banning LGBTIQ content from children and youths not only negatively impacts their education and wellbeing, but strips them of their civil rights and access to public resources. By framing Act 79 as serving child protection, this legal instrument works to deny LGBTIQ children the right to a childhood in which they are supported and protected. Setting an age limit for young people at 18 is not only impossible to enforce but ignores that children and youths are sexual and gendered beings deserving of rights and representation.

4. Conclusion

In this article, connecting illiberal populism in Hungary with the instrumentalization of LGBTIQ rights for political gain, we introduced sites of symbolic and practical resistance to genderphobic policies that have recently become central features in the illiberal rebranding process of ethnonationalist Hungarian politics, which gathered force with the emergence of the Orbán regime's System of National Cooperation soon after 2010. Act 79 is an emblematic measure of present-day Hungarian state-sponsored genderphobia, condensing

an increasingly authoritarian government's efforts to expropriate the public sphere and exile non-conforming elements into a gradually narrowing sphere of private life.

We also wanted to indicate that the government's monopolizing of the definition of "the family" and the hollowing out of the social representation of child protection can have far-reaching consequences on both LGBTIQ and non-LGBTIQ people's lives. This points to genderphobic illiberal doublespeak, where reference to the need to "strengthen families" and to "protect children" means denying LGBTIQ people's claims to inclusion in the state-controlled system of full citizenship rights.

Finally, we wanted to show how the Hungarian government's framing of genderphobic policies as "protecting children" ultimately denies not only LGBTIQ human rights but the existence of LGBTIQ youth and children who could benefit from social support as well as representation in education and literature. This political reality reinforces a censored version of Hungarian society in which only those who fit within the limited definitions of sex, gender, sexuality, and ethnicity are given rights and protections. While, on the surface, democratic institutions still remain functional in Hungary, if tightly controlled by far-right populist parties, the adoption of genderphobic policies has essentially stripped liberalism from protecting marginalized social minorities. In using the argument of "protecting children," the Hungarian government is harming some of the most vulnerable youth and children by denying their existence.

The implications of Act 79 as well as other anti-LGBTIQ policies are yet to be fully revealed. The vagueness of Act 79 creates an environment of uncertainty and fear that is used to oppress sexual and gender minorities. Potential follow-up research could focus on how educators and librarians are navigating Act 79 and what areas of resistance are they engaging with. More research on the role of CSOs in shaping and resisting genderphobic policies is also needed.

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Conflict of Interests

The authors declare no conflict of interest.

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