



## Hungary

by Linda Rapp

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Hungary and neighboring countries.  
Image adapted from a map in the CIA Factbook published by the U. S. Central Intelligence Agency.

Until quite recently, glbtq citizens in conservative Hungary had little visibility and almost no sense of community. Fear of discrimination caused many to remain closeted, especially on the job. The work of glbtq rights organizations has been instrumental in effecting constructive changes in the law, but long inculcated social attitudes have been slow to change.

### History

The Magyar people arrived in what is now Hungary in the late ninth century, conquering the Slavic and Germanic inhabitants and gaining control of the region. In 1000 Pope Sylvester II named Stephen I king. Catholicism was established as the national religion and remains the faith of some seventy percent of Hungarians today.

From the fifteenth through seventeenth centuries Hungary fought off invasions by the Turks. Thereafter, the country came under the domination of Austria but eventually gained independence within the Austro-Hungarian empire in 1867.

Hungary lost some of its territory to neighboring countries in the armistice after World War I. Allied with Germany in World War II, it reoccupied many of these areas during most of the war, but concessions at the war's end established Hungary's current borders.

Hungary was declared a republic in 1946, but the Communists soon forced the elected president out. The 1956 uprising against communism was met with a massive assault on Budapest by the Soviet Union.

When the Hungarian parliament legalized freedom of assembly in 1989 the power of the communists quickly waned and the party was dissolved. The last of the Soviet troops withdrew in 1991.

Hungary joined the European Union on May 1, 2004.

### GLBTQ Invisibility

Until relatively recently glbtq people were practically invisible in the conservative Hungarian society, especially outside the capital. In Budapest gay men were able to meet in the city's Turkish baths and also in cruising areas along the Danube. One low-profile gay bar was established in the early 1950s and managed to remain in operation for some twenty years.

Lesbians were even less in evidence than gay men. In 1982 director Karoly Makk did, however, bring a lesbian love story to the big screen with *Another Way*, an adaptation of the semi-autobiographical novel *Another Love* by Erzsebet Galgoczi, set in 1959, about a murdered lesbian journalist and her lover.

### Legal Status

Homosexuality was decriminalized in Hungary in 1961, but until 1978 the age of consent for homosexual sex was 20 as opposed to 14 for heterosexual sex. In 1978 the age of consent was dropped to 18 for gay men and lesbians under Paragraph 199 of the Penal Code, which imposed a sanction of up to three years in prison for persons found guilty of "unnatural illicit sexual practices" with partners under that age.

A further inequality resided in Paragraph 209, which gave police the power to initiate investigations of suspected rape in the case of same-sex acts, whereas investigations of heterosexual acts could only be pursued after the police received a complaint.

Three Hungarian glbtq rights groups, the Lambda Budapest Gay Society, the Homeros Society, and the Hungarian Jewish Lesbian and Gay Group, challenged the constitutionality of the discriminatory age-of-consent law in 1993. Additional challenges were filed in 1996 and 1998. The Constitutional Court put off rendering a decision on the issue.

The Parliamentary Assembly of the Council of Europe criticized Hungary in 2000 for its maintenance of unequal age-of-consent laws. The European Parliament, in its consideration of Hungary for membership in the European Union, cited Paragraph 199 as in violation of the Union's human rights standards in reports in 2001 and 2002. The Hungarian Constitutional Court finally reached its decision on the matter in September 2002 and repealed Paragraph 199.

Changes were also made in the law regarding the investigatory power of the police. In both same-sex and opposite-sex cases a victim must now file a complaint before the police can pursue a rape investigation.

### **GLBTQ Rights Movement**

The history of the glbtq rights movement in Hungary is relatively short compared to that of other countries. The conservative tenor of the culture long made it difficult for people to come out, let alone develop any sense of community. Laws against freedom of association during the era of Soviet domination further impeded the development of glbtq rights organizations.

The Homeros Society, Hungary's first gay organization, was established in 1988. Initially a social group, it quickly evolved a political side.

Hungarian law required the reporting of positive HIV test results, which discouraged people from being tested. In 1989 the Homeros Society obtained permission to run an anonymous testing clinic in Budapest, on an experimental basis at first. The clinic now gives more tests than any state facility.

A few years after its foundation the Homeros Society began to produce *Masok* ("The Others"), a glbtq magazine. It also established a telephone help-line. These two initiatives were particularly important for glbtq people living outside the capital. As in certain other countries (for example, Ireland) glbtq Hungarians in rural areas often feel extremely isolated. Low self-esteem due to prevailing heteronormative attitudes and the lack of a supportive community can lead some to suicide. The Homeros telephone service has truly been a life-line for glbtq persons throughout the country.

The more political Szivárvány ("Rainbow") Coalition formed in 1994 but not without difficulty. The state refused to grant official registration to the group on two grounds. One was that the full name included the Hungarian word for "gay," *meleg*, which also means "warm" and has a positive connotation. Authorities claimed that this might "mislead" people, young people in particular. They also noted that the group set no minimum age requirement.

Szivárvány sued for discrimination since there were other groups without minimum age limits, but the Constitutional Court ruled that in their case it would violate Paragraph 199 and would also expose young

people to a risk that threatened "the full development of their personality," a very curious argument indeed.

The Háttér Society for Gays and Lesbians in Hungary has existed since 1995. One of their first projects was to reach out to glbtq people outside Budapest with another telephone help-line. They also instituted an AIDS prevention project, established an archive, and became the principal organizers of Hungary's annual glbtq pride and film festivals. In May 2000, in conjunction with the Open Society Institute, they opened the Gay Legal Aid Service.

Another group concerned with legal issues is the Habeas Corpus Working Party, formed in 1996 by a small number of Szivárvány members who, in the words of Bea Sándor, "refused finite and central sexual identities." She describes the membership as "mostly young queer intellectuals." In addition to filing petitions with the Constitutional Court, the group sponsors public debates and provides a legal aid service.

Women are active in these organizations but also have a specifically lesbian association, Labrisz, founded in 1999. The group is devoted to combating both sexism and heterosexism and to establishing public space for lesbians. They also run a monthly discussion group and work on educational projects. Members participate in the annual glbtq festivities.

Relationships among the various glbtq groups are generally good. In 2001 several came together to form Szivárvány Misszió Alapítvány ("Rainbow Mission Foundation"), which now takes charge of organizing the Pride events.

### **Homophobic Realities**

Although glbtq Hungarians have achieved significant legal gains, full equality is not an everyday reality in the culturally conservative nation. In a 2001 report Sándor recounted the experiences of a number of gay men and lesbians who had lost their jobs when their sexual orientation became known. Sándor noted that few gay men and lesbians were out to coworkers and that victims of discrimination often decided against pursuing the matter in court. One of the people she interviewed had filed a lawsuit but was still awaiting a ruling almost three years later.

Sándor also cited examples of gay-bashing, particularly in cruising spots but in other areas as well. She noted that victims of such attacks had only recently begun reporting them and were often met with indifference by the police. With increasing pressure from glbtq rights groups and the scrutiny of European human rights organizations the situation is gradually improving.

### **Social Scene**

Hungary does not boast much of a gay scene beyond Budapest, but a few other cities have a gay and lesbian or mixed bar or dance club. Budapest has about half a dozen bars and clubs (some for men only), a similar number of glbtq-friendly cafés, and numerous saunas and baths, including one that is exclusively gay. As is frequently the case elsewhere, lesbians are less visible than gay men and have no dedicated social space of their own.

Since 1996 Budapest has been home to the Gay, Lesbian, Bisexual, Transsexual, and Transgender Cultural and Film Festival, held annually in July and highlighted by a parade. Thousands of people now take part in the celebrations.

In recent years the festivities have featured appearances by a few sympathetic politicians. In 2003 Budapest Mayor Gábor Demszky declared the city a "beacon of tolerance and fraternity," but he was probably overstating the case. Indeed, police were needed to protect parade participants from right-wing extremists who had threatened violence. In addition, not all marchers felt confident about their civil rights. One man

told a reporter that he could not remove his mask for fear of being recognized by his boss and fired, as had happened to some colleagues of his the previous year.

### **Life Partnership Law**

In 2009, the Hungarian parliament adopted a "life partnership" law, which is similar to other European registered partnership laws. It confers most of the legal rights of marriage on same-sex couples, including tax, employment, immigration, and inheritance benefits. But it forbids same-sex couples from adopting children and prohibits a same-sex spouse from taking his or her partner's name.

### **Conclusion**

Despite recent improvements in the law and the growing visibility and activism of glbtq Hungarians, it is clear that intolerant attitudes are still prevalent and that much more needs to be done to guarantee the human rights of all citizens in Hungary. Nevertheless, dedicated members of the glbtq community and their allies have made important first steps.

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### **About the Author**

**Linda Rapp** teaches French and Spanish at the University of Michigan-Dearborn. She freelances as a writer, tutor, and translator. She is Assistant to the General Editor of [www.glbtq.com](http://www.glbtq.com).