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**Rights of LGB couples in Central Eastern Europe:**

**complex paths towards equality**

(Master thesis)

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*As long as our culture makes coming out an act of civil disobedience, being gay will be a political statement. Accept, at least for now that your sexuality has political ramifications.*

Kenneth Hanes

# Foreword

With this master thesis, I am finishing my studies of Comparative Politics at Radboud University. The year I spent here was very rewarding. I received a lot of new information, and learned skills, which will help me to study and judge politics from various perspectives. I believe that this thesis shows how I was able to master them and put them into use.

This thesis is so far the largest academic project that I have accomplished. It took me quite much time, I had to struggle a lot, and there were days, when I felt desperate. Sometimes I was unable to find proper literature, other times I strived to create logical connections. Nevertheless, I ultimately arrived to a successful end, and you hold the results of my work in your hands. I wish that this thesis would enrich the scientific community with new knowledge.

Although this thesis is an individual project, several people helped me during writing it. I would like to thank them at this place. First of all, I would like to thank those people, who answered my emails. I understand that electronic communication is quite impersonal; therefore, it makes me very happy that at least some people heard my pleas. Jana Jablonická-Zezulová and Martin Macko from Slovak LGBT initiative *Inakosť* helped me with finding data about Slovak movements. They are quite scarce, so I was happy for all the additions, which they provided. Besides them, I would like to thank Aleš Trtnik from the PR department of the party *New Slovenia*, who promptly answered my request for the data I could not find myself. I must not forget about my friend from high school Ďuri Rusnačko, who was happy to look at my text, review it and give me some suggestions.

I also received a lot of help from my family. My parents and grandparents supported me mentally, so that I was able to keep a clear mind even in the moments of struggling. I received a lot of assistance from my older brother Tomáš, who was always available to me, even when he was busy himself. He proved to be a very important person in my professional development, and I cannot thank him enough for that. Finally yet importantly, I could not arrive to this point without the help from Professor Mieke Verloo. I loved how positive she was each time we met. She would always have many insightful remarks and valuable suggestions, which I tried to incorporate in my text. The discussions we had helped me not only in my professional but also personal development. I was very happy to cooperate with her and I want to express my gratitude for that.

Maroš Cuník

Nijmegen, August 2015

# Abstract

This study examines the circumstances under which a reform in the area of LGB rights occurs. Geographically, the work looks at the region of Central Eastern Europe. It focuses on domestic as well as international factors; it looks for the influences of the public, the movements as well as other political actors. I compared 12 cases using the technique of qualitative comparative analysis (QCA). The results show that both international and domestic factors play a role in the improvement of rights of LGB couples. I have shown that the power of the Catholic Church is not large enough to stop the legislation from passing, but it does have a retarding influence. Positive influence towards the legislation comes from international connections of the movements, socially liberal left party and the governments, which are committed to improve the area of human rights. My work also shows that positive public attitudes are neither sufficient nor necessary for improving the situation.

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# List of abbreviations

CEE Central Eastern Europe

ČSL Czechoslovak People's Party

ČSSD Czech social democratic party

ČTK Czech Press Office

DeSUS Democratic Party of Pensioners of Slovenia

DOS Discursive Opportunity Structure

ECHR European Court of Human Rights

EU European Union

HČSP Croatian Pure Party of Rights

HDZ Croatian Democratic Union

HINA Croatian News Agency

HNS Croatian People's Party – Liberal Democrats

HSLS Croatian Social Liberal Party

HSS Croatian Peasant Party

HZDS Movement for Democratic Slovakia

ILGA International Lesbian, Gay, Bisexual, Trans and Intersex Association

KBS Conference of Bishops of Slovakia

KDH Christian Democratic Movement

KDS Christian Democratic Party

KDU-ČSL Christian and Democratic Union – Czechoslovak People's Party

KSČM Communist Party of Bohemia and Moravia

LDS Liberal Democracy of Slovenia

LGB Lesbian Gay and Bisexual

MEP Member of the European Parliament

NGO Non-governmental organization

NSI New Slovenia

ODS Civic Democratic Party

PES Party of European Socialists

POS Political Opportunity Structure

PS Positive Slovenia

QCA Qualitative Comparative Analysis

SD Social Democrats

SDK Slovak Democratic Coalition

SDKÚ Slovak Democratic and Christian Union

SDĽ Party of Democratic Left

SDP Social Democratic Party of Croatia

SITA Slovak Press Agency

SKD Slovene Christian Democrats

SKH-SDP League of Communists of Croatia – Party of Democratic Reform

SLS Slovenian People's Party

SLS+SKD Slovenian People's Party and Slovene Christian Democrats

SMC Modern Centre Party

SMK Party of the Hungarian Coalition

SNS Slovak National Party

SOHO Association of Organizations of Homosexual Citizens in the Czech Republic

SOP Party of Civic Understanding

STA Slovenian Press Agency

TASR News Agency of the Slovak Republic

UN United Nations

US-DEU Freedom Union–Democratic Union

ZLSD United List of Social Democrats

ZRS Union of the Workers of Slovakia

# Introduction

We live in a liberal democracy. This does not only mean that every adult person should have an equal vote on political matters, it also means that every person should enjoy equal rights guaranteed by the state. For the people of the LGB community, the realization of this latter category of equality is currently under a process of development. While some countries of Western and Northern Europe have been quite progressive about the issue of LGB rights, different countries of Central-Eastern Europe have struggled since the fall of the Iron curtain. Some have been more successful, others not. What are the political factors influencing the change? What is the role of social movements, NGOs and the church? How do Europe’s central and other international institutions affect the situation?

My primary aim of the research, when I prepared for the thesis was to explain the difference in LGB legislation in formerly federated countries of Czech Republic and Slovakia. By extending the research, I want to find an answer to the question: “Why have the newly democratized countries of Central Eastern Europe achieved different levels of amelioration of the rights of LGB couples?” Indeed, the question of LGB rights can be connected to the LGB movement, pursuing the issue. However, the success of the movement surely depends on different factors, which, I believe, will vary across the countries. The movements had to overcome similar challenges, but while some succeeded in reaching equality, others could not achieve the legal recognition of the rights they sought.

For my research, I have chosen the countries of Croatia, Czech Republic, Slovakia and Slovenia. These countries legislated different pieces of law concerning the rights of LGB couples at different times. The timeline is as follows: Croatia allowed limited rights through the institute of *unregistered partnerships* in 2003. Then in 2006 both Czech Republic and Slovenia adopted *registered partnership* bills, broadening the rights of LGB couples. In 2014, Croatia also accepted registered partnership law, inferior to the status of marriage only by not allowing for adoption. Lastly, in 2015 Slovenian parliament reformed the family code to allow LGB couples to marry, thus setting them on equal terms with heterosexual pairs. In the meantime, no legislation protecting or granting rights to LGB couples was passed in Slovak parliament, on the contrary, the constitution was amended to define the marriage as the union of one woman and one man. Why did all this happen?

Previous researchers, who tried to study changes in the legislation regarding the rights of LGB couples, tended to look at either domestic or international factors influencing the decisions. In my research, I intend to focus on both of them, as there seems to be discrepancy within the scientific community, as for which factors are more important (see Kriesi 1992, Beyers and Kerremans 2007, Paternotte and Kollman 2013). To explain the working of the domestic environment, I intend to use Political Opportunity Structure theory within the Political Process approach. Explaining the international influence will be conducted using the Transnational network theory of the Europeanization approach. I seek to explain how these factors interact and result in improvement in rights of LGB couples, which will be my dependent variable.

Most of the authors who do their research on the issue either focus on case studies (O'Dwyer 2010, Tremblay, Paternotte and Johnson 2011) or a limited number of cases (Kollman 2009, Holzhacker 2012, Ayoub 2015) or use the statistical methods to encompass a wide variety of states (Kollman 2007, Fernández and Lutter 2013). However, by designing the research in this way, authors often tend to ignore the different political environments within the various country clusters. By focusing on a medium number of cases in a particular region – Central Eastern Europe (CEE), as well as taking into account some similarities between the countries, I would like to find out which factors are relevant in this part of Europe and area of reform.

As a method of my research, I am going to use QCA. It is suitable for medium number of cases, and it can effectively prove or disapprove different theories. A thorough knowledge of each case is necessary in order to use this method, I will therefore gather available data in order to use this method properly.

## Thesis outline

This thesis will be divided into three chapters, excluding introduction and conclusion.

In the first chapter I will introduce the theoretical approaches which I use in this thesis. I have chosen two wider theoretical concepts: *Political Opportunity Structure* together with its subpart *Discursive Opportunity Structure* as the first one. Second wider strand of theory is called *Europeanization*. After a brief introduction of the development of these theories, I will continue with argumentation, which will result in formulating hypotheses.

In the second chapter, I will introduce the methodological approach of my research thesis. I will be conducting *Qualitative Comparative Analysis* (QCA) as the method of research. This chapter will introduce the requirements for using such method, its strengths and shortcomings. After that, I will conceptualize my dependent variable and argue for the case selection. Then I will present the way I will conduct the research using the QCA method. Lastly, I will introduce the indicators, which I will use to code my independent variables, and the sources from which I am going to draw.

The last chapter of this thesis will be empirical. I will first present the data found in order to assess the value of the independent variables. Then I will apply the QCA method, which should result in finding the causal mechanisms responsible for the outcome. Lastly, I will present these results in the light of the theories.

I will finish my thesis by a conclusion, where I will reflect the results and I will give advices for further research.

# Theory

As I have said in the introduction, I will be using two wider strands of the theory – POS and Europeanization. In the following paragraphs, I will introduce the theories, analyse them for their advantages and shortcomings, and based on the research, I will formulate the hypotheses, which I will test in the next chapter.

The outline of this chapter will be following. First I will introduce the POS theory in a wider manner, and then I will cover more particular concepts, which may predict different findings. I will argue for inclusion of some aspects of the theory, which I believe have sufficient explanatory power. I will then do the same for the Europeanization strand of the theory. In the end of this chapter, I will present my complete theoretical conception of the research.

## Political opportunity structure

The first theory, I am going to apply is *Political Opportunity Structure* (POS) within the *Political Process* approach. It insists on the relevance of the political environment within a particular country on shaping the strategies, aims and possibilities of success of a social movement (Kriesi, et al. 1992; Tarrow 1998; Tremblay 2011). This theory is quite broad (van der Heijden 2007), and the scientists who have used it, applied different conceptualizations. Nevertheless, several similar approaches are present.

Scientists who have used this theory for their research often tried to determine in some way the *openness* of the system to the movement (Kitschelt 1986; Kriesi, et al. 1992; Tarrow 1998; Mahoney and Baumgartner 2008). Actual conceptualization of the openness differs, and various variables have been used. The scientists tried to measure formal structure of the state (Kitschelt 1986; Kriesi, et al. 1992; van der Heijden 2007; Mahoney and Baumgartner 2008), informal strategies of the elites (Kriesi, et al. 1992; van der Heijden 2007), as well as party competition (Kriesi, et al. 1992; Maguire 1995).

One of the first projects using the POS theory was conducted by Kitschelt (1986). In his research on the anti-nuclear movements in various Western countries, he used a double distinction of the structures in particular country. On one dimension, he attributes the *openness* of the input structures, on the other he looks upon the *capacity* of the output structures of the regime. Close regimes react negatively to the demands of a social movement, while open regimes are rather accepting. At the same time, *strong* output structures are more capable in effectively satisfying the demands of the movement, than the *weak* ones. He thus shows that barely the strength of the movement does not determine its success, but there exist factors within the states’ regimes, which influence their strategies and possibilities of outcomes.

Kriesi, and his collective (1992), who did research on New Social Movements in Western Europe, partly reorganize Kitschelt’s scheme. They also distinguish between a strong and a weak state; however, they conceptualize a strong state as rather closed on the input with high ability to pursue its own views on the output. The weak state is then more open, disposing with lesser capacity to influence the output of the policy. Another variable, which they use, also determines general setting of the state’s political environment. It deals with the long-time traditional strategies of the political structure towards the challengers. They may be either exclusive or inclusive. There thus exist four different possibilities, each giving different combination of movement access points to the regime and the outcome prospects.

Kitschelt and Kriesi are already classical in the area of Political Opportunity Structure theory. Although their contribution to the development of the theory is significant, I believe it is necessary to move beyond the capacity of the state and its traditional strategies. Indeed, such factors may be helpful to distinguish, but the conceptualization remains quite broad, and it leaves the danger of little explanatory value. Therefore, an approach that is more specific is required.

 Scientists (Dalton 1995; Koopmans and Statham 1999; Meyer and Minkoff 2004) who continued in testing and development of the POS theory tried to rectify its particular shortcoming lying in fact that the previous research had primarily looked at the general setting of the system. This would presume the same effect on all sorts of social movements, without accounting for the fact that movements with different claims may also have different opportunities. Formal openness of one regime may be relevant for a particular movement, while for another movement the same factor may only play a minor role.

Some authors tried to reduce this disadvantage by focusing solely on framing of the issue (Snow and Benford 1988). Koopmans and Statham (1999) acknowledged that this strategy does not resolve the problem. Framing by itself does not explain why some movements are successful, while others who formulate their demands similarly are unable to achieve success. Therefore, they suggest accounting for the cultural background of the state. In a certain way, they seek to connect the framing perspective with other, rather structural approaches of the POS (see also Della Porta and Diani 1999/2006 p. 219). Calling this approach *Discursive Opportunity Structure*, Koopmans and Statham try to show which ideas may be considered *sensible*, which constructions of reality are seen as *realistic*, and which claims are held as *legitimate* within a certain polity at a specific time. Their relation then determines the positions of the elites about a particular issue (Koopmans and Statham 1999, 228).

 Although Koopmans and Statham did their research on the extreme right-wing parties, and thus relying on the conceptions of ethnicity and nationality, I believe this has a high relevance for our research of LGB rights realization as well. The issue often raises a very challenging debate, as do the claims from the extremists in a party system. Among LGB movements, the framing may differ, in order to increase the chances of success.

Empirical evidence supports such view. An example may be the Italian LGB movement, which deliberately abandoned their focus on *marriage* as the target. They lowered their claim to ask only for registered partnerships, in order to make their demand more acceptable. The movement tried to show that they did not intend to change the traditional meaning of the marriage, as it has been understood in catholic Italy (Holzhacker 2012). Another example may be that of Poland, where the movement chose to frame their claims within human rights framework. This was considered as valuable, because the concept of human rights is connected to the progressive Western discourse in Poland. Such framing may help the movement to appear more modern and European, rather than unhealthy, as the society thinks of homosexuality (Ayoub 2013).

However, the question is how to ascertain such culture of the state? How can we find out which claims are too radical for the society to accept? It is certain that I should take into account the impact the framing has on the state policies. Nevertheless, the society is not a homogenised form, where everybody shares the same opinions. Because our concern here is the politics of reform, I believe it is important to find out how some cultural aspects translate into political struggle through the process of framing.

The concept of framing is often connected to the concept of public attitudes. This makes sense, as I have showed above on the example of Italy and Poland. The framing aims to influence public perceptions. At the same time, however, there seems to be an inconsistency between the research and the generalized evidence.

Just like framing, we cannot consider public perceptions to be the decisive explanatory factor for a change in actual policy. Štulhofer and Rimac (2009) claim that several factors shape public attitudes. Christian legacy along with modernization level have particular importance. Nevertheless, it seems that attitudes are not in direct correlation with actual policy on the LGB issue. According to Štulhofer and Rimac, the society in Czech Republic tends to be the most “liberal” among our cases. However, there exist only limited rights for the LGB couples. Second most progressive country in their research is Slovakia, which has no positive legislation on the issue whatsoever. The opponents of the equalization even took a step to protect the status of marriage constitutionally, as an alliance between one woman and one man. The opinions of Slovenian public are yet less liberal, while Croatia seems to be the most conservative on the issue, but both of those countries have made several steps towards equalization of the rights for the people of the LGB community. The researchers in North American space have shown (Lax and Phillips 2009) that the more conservative the public opinion is, the more conservative the policies will be, and vice versa with the liberal stances. However, this particular relationship seems to be working in a different manner in our chosen cases, and thus we should find out what is behind this inconsistency.

What could possibly lead us to explain the link between the public attitudes and the legislative change in the area of rights of LGB couples? Connecting attitudes with framing approach may yield a possible explanation. In order to change public perceptions, you need to have the means for that. It would be very costly and impracticable to educate each homophobic man or woman in a country through personal contact. Fortunately (perhaps in some cases also unfortunately) the modern age allows us to rely the messages through the means of mass media.

The position of media is sometimes conceptualized as part of the framing approach of the POS theory, in other cases the authors claim that this is a separate *Discursive Opportunity Structure* theory.

In the relation between the media and a movement, the media play a double role. They may both help a movement in its struggle but their action may also be damaging for a movement. It is because the movement may be in cultural conflict with the state authorities as well as the media (Gamson and Wolfsfeld 1993). Therefore, it seems reasonable to consider the media as a bearer of public attitudes. The media relay the frames and forward the messages of the movement as well as other actors. Based on market logic, the media will transmit only such messages, which their followers, i.e. the public, seek (Newton 2006). In this way, we may consider the media to be a mirror of the value perception in a particular society. If the media portrayal of an issue were negativistic or defensive, it would seem that the public perceives the issue as sensitive or illegitimate. Thus, the framing approach has its connection to the cultural factors, which Koopmans and Statham (1999) mentioned too.

Additional argument for using the media as an indicator of the attitudes as well as framing within the cultural framework comes from Koopmans (2004). He argues that the media universe is important for interaction between movements and political decision-makers and counter-movements. Although there is also an insider lobby outside the public sphere, each party gets much valuable information about the opinion of others through the media. Thus, it would seem counterproductive to exclude such an important area of opinion exchange from my research.

I would now like to show what might be the nature of a relationship between the media and a movement. Gamson and Wolfsfeld (1993) as well as Vliegenthart and Walgrave (2012) point out that movements are more dependent on media than vice-versa. This comes from the fact that the media can choose which news to broadcast, and which to leave unseen. Koopmans (2004) explains this by a competition for the mediatisation of a particular issue, because the space of the media is limited. Thus gaining access to the media is crucial for conveying the opinion. Gamson and Wolfsfeld (1993) go as far as claiming that the demonstration of a protest movement without media coverage is a non-event. Yet, movements are in a disadvantage when attracting media coverage, as Gamson and Wolfsfeld (1993) and Vliegenthart and Walgrave (2012) point out. Political decision-makers usually do not have problems with mobilizing the media coverage for themselves. Thus, if the movements seek to challenge opponents from among the political representatives, they need to have the media on their side.

Several factors concerning cultural background of the particular society shape stance of the media towards the movement, as Gamson and Wolfsfield (1993) argue. These include how much the movement is taken seriously, which affects the coverage of their issue. Preferred framing of the issue by the media and sympathy of the journalists with the movement are important in shaping its consequent presentation to the consumers.

Furthermore, the stance of the movement matters just as well. If the movement is well organized, it should get coverage more easily (Gamson and Wolfsfeld 1993). Because the movement depends on publicity, it should also take steps and create will for media support. At the same time, actual framing of the issue by the movement influences its possibilities of being covered. The less the movement challenges the current situation, the higher the possibility of media publicity. If their claims are very challenging, however, the chance of being ignored is higher.

Della Porta and Diani (1999/2006) agree with the premise that the movement success depends on how much their actions are publicized by the media (p. 180). They realize that boring issues have much less chance of being broadcasted than the actions that gain more attention, such as the protests (see also Vliegenthart and Walgrave 2012). Support by other actors, such as powerful NGOs, may also positively influence the choice of the media to spread the information about a movement.

However, the publicity of the movement is not the only thing that matters. As argued by Vliegenthart and Walgrave (2012), there may be quite much publicity, but not always in a way that satisfies the movement. Especially in short news either on television or in the newspaper, there may exist a selection bias from the media. It is often the case that the media are interested in the events or episodes, rather than the issue itself. Thus, the framing of the media may differ from that of the movement. A contribution for the movement is obviously not the same, if the media broadcasts about the *Gay Pride*, by saying that the group of neo-Nazis disturbed the march, or if the media relay the demands of the protest movement.

Coming back to the public attitudes, Gamson (2007) as well as Vliegenthart and Walgrave (2012) also stress the importance of positive media portrayal. They claim that the positive broadcast by the media brings the change in public perception on the issue. However, they also argue that the movement whose actions are mediatised is vulnerable to the actions and frames of the counter-movement. Thus, the movement needs to choose such frames, which could legitimize their actions, such as framing within the human rights worldview (Gamson 2007).

Lastly, the scientists do not forget about structural political influence of the media, thus claiming that the more the media is free, the easier is the access of the movement (Della Porta and Diani 1999/2006, 220).

I can also support the reliance on the media as an indicator of the attitudes by analysing the nature of the movements in the countries of CEE. The short time of the democratic tradition means that the participation in the public area differs from the Western countries, around which the POS theory has been built. Císař (2013) shows on the case of Czech social movements that there exists a difference between the *participation of an individual* in the politics, and *activism*, which is conducted by “more or less professional policy and social advocates” (ibid.). Using mobilization (participation) and transaction capacities as two dichotomic variables, he creates several modes of interaction. One of them, which concerns us the most, is transactional activism (the term first used in Petrova and Tarrow 2007). While movements engaging in transactional activism are weak in terms of membership (participation), they should be able to sufficiently organize certain means of political action, such as petitions and other “low cost protest events” in quite large amount (ibid.). They organize relatively frequently cultural events, such as happenings, promoting post-materialist values. This has to do with their financial ties to the Western countries, as Císař remarks. The choice of such strategy is deliberate, and the events are staged professionally. Lastly, movements should also seek to promote their activities, by seeking to build their image through media. It thus may seem that because of low participation, the media play perhaps even more important role for the movements in the CEE than they do in the West.

If we put all these factors together, it seems clear that influence of the media can play a crucial role in the movement success. Nevertheless, the movement must first gain such media support. Thus, this leads me to my **first hypothesis that**

**Favourable media portrayal will have a positive effect on amelioration of rights of LGB couples.**

I have already mentioned that the counter-movement can gain media publicity as well (Gamson 2007, Vliegenthart and Walgrave 2012). This means that media space, just as the political space may be open to differing opinions. Thus, clearly, there must be some kind of discourse in public space and media, according to which the political decision makers may represent the standpoints. Just like the abilities and possibilities of the particular movement determine its publicity, the same must be true for the counter-movement.

In the paragraphs above, I have already mentioned the movements, the political decision makers as well as the counter-movements. This distinction to different actors comes from the conceptualization of alliances and oppositions used by several authors within POS theory (Jenkins and Klandermans 1995; Jenkins 1995; S. G. Tarrow 1994 [2011]). They categorize the state’s political decision makers into two groups: allies and opponents of a social movement. They also demonstrate a possibility of existence of a powerful counter-movement. They argue that the success of a movement depends on the existence of powerful political allies. The opponents of the movement are also important in shaping the political opportunity structure. By challenging the demanded issue, and by themselves appealing to their allies within the elites, they may halt the success of the movement.

Movements with political ambitions generally create an opposition to their activities (Meyer and Staggenborg 1996). This comes from the disagreement in values between different actors in the society. The countermovement is an opponent to the movement in such a way that it refuses the social change proposed by the movement. In other words, countermovement appears when a concrete interest of the part of the population is challenged (Meyer and Staggenborg 1996). Blais and Dupuis-Déri (2012) describe the struggle of the movement in a political process as progressive, while the countermovement as oppressive, conservative and reactionary. The countermovement tends to create an impression that it defends the original policy position. It often uses frames around values, which are presented as common, natural and familiar to the wide public (Rohlinger 2002).

The countermovement has similar strategies as does the movement. It tries to frame its demands, as opposed to the demands of the movement, and seeks media coverage of its stances. However, as Meyer and Staggenborg (1996) show, the opposition does not necessarily need to take the form of a social movement, it may also be based around the elites.

In the case of LGB rights, it is often religious organizations, which disagree with the demands of the movement. Therefore, we may consider Catholic Church, as a dominant religion, to play the role of a powerful countermovement. Although the recent research shows that it cannot totally halt, but only slow down the adoption of the LGB friendly legislation (Knill, Preidel and Nebel 2014), it is still relevant for our research. Meyer and Staggenborg (1996) also point out that the impact of the countermovement is not that the movement drops its demands, but rather that the struggle is prolonged.

Thus, I believe it is safe to claim that not only the movement but also its opponents (counter-movement) have their moving space within the discursive and political structures. I claim so, and my argument is developed further below, because the countermovement also makes ties with the political allies. Therefore, if the church is able to pronounce the values after which it stands clearly, and when it is able to attract enough media attention to this frames, it may successfully halt the progress of the movement, provided it is able to find enough political decision-makers who support such frames. However, an opposite situation may happen as well. The Catholic Church may lack enough political and media influence to act as a counter-movement. Then the movement can use the advantageous situation for its benefit.

This leads me to my **second hypothesis is that:**

**The absence of the Catholic Church as a powerful enemy positively influences the improvement of rights of LGB couples.**

I will now continue with the linkage of the movement allies and opponents with the political decision-makers. It is important to focus on actual party constellation, as several authors have shown (Kriesi, et al. 1992; Kriesi 1995; Maguire 1995; van der Heijden 2007). Possibilities in creating government coalitions, or alliances concerning the issue, will surely shape the prospects of positive opportunities for the movement. Giugni (1999) as well as Fernández and Lutter (2013) have shown that it is the parties of the left who usually ally themselves with the movements. They tend to be more supportive of human and minority rights than their rightist counterparts are.

Kriesi (1995) explains a relationship between a left party and a movement. A left party in opposition can use the frames of the movement to criticize the government. By doing this, it can reduce the chances for the government to get re-elected. Consequently, when a left party participates in the government, it will tend to pursue the reforms, which the movement seeks. Their success is not guaranteed though, as it depends largely on the coalition partners (Kriesi 1995). Nevertheless, it is very valuable for the movement, to have such an ally on their side. Their frames may regularly appear in the political debates, and the left party may thus facilitate the realization of the reform. It also makes sense to connect the movement

However, such political position of a left party is not always present in CEE countries. In some countries, parties of the left are commonly more nationalistic or conservative on social issues (Aspelund, et al. 2013). At the same time, it is then the right parties, which tend to have more liberal stances (Hlousek and Kopecek 2010). As Rovny (2014) explains, this is related to the transformation of the ruling Communist party into the competitive system, decomposition of multinational federation, and the stances towards the ethnic minorities, as well as the political position of the minority itself. He generalizes that a minority in a certain state shall rationally take social liberal stance, as they will thus be better ideologically capable to defend their own position of a minority. Their economic position determines, according to Rovny, what kind of alliances will emerge in the party system. Ethnic linkage of the minority to the population of the Federation’s centre results in their left position. This is a consequence of the ethnic nationalism of the Communist party in a federation. Accordingly, their majority ally will also be left-oriented, and therefore supportive of the minority issues. If the minority is not linked to the Federation centre, it will take an economic stance on the right, as opposed to the previous regime. Its allies will then also be right parties, and therefore they will be tolerant of the minority. The majority left party will then tend to social conservatism in such a system (Rovny 2014).

We cannot thus claim that the left parties in CEE shall tend to support amelioration of the rights of LGB couples. However, I believe it is safe to claim that the political opportunities should be of finer quality, if it is the parties of the left, which take on social liberal stance. This has to do with the fact that there are often Christian influences among the parties of the right. Although they may be tolerant and supportive towards the ethnic minority, this does not necessarily translate to the support of the LGB movement. Rovny (2014) acknowledges this as well.

Therefore, it would seem that a socially liberal party is a very valuable ally for a LGB movement in a political arena. If it is present in the country, it should pursue the agenda of the movement, and help them to accomplish their struggle successfully. I thus consider a social liberal party as a crucial political ally of the movement in the domestic area. Therefore, it allows me to disregard the domestic struggle of the movement, simply by focusing on its political allies, in accordance with the POS theory.

My **third hypothesis thus is that**

**The presence of the social liberal left party will influence the positive legislation for LGB couples***.*

## Europeanization theory

Although the collective of authors including Kriesi (1992) focused on the domestic POS, they already predicted that the importance of international POS would grow. Thus, I shall now discuss the second broader theory that I include in my research, which is Europeanization. I find it very relevant to link these two theories together. The first of them, the POS, should explain the impact of the domestic institutions and environment on the success of the movement. Europeanization theory should then give answers and explanations of the influence coming from the international, or rather European area.

Choosing the Europeanization theory is crucial, I believe. It should help us understand the processes that influence the domestic area of reform from a part of the international space. This is relevant because of the shortcoming of the POS theory as shown by Kriesi (1992). Paternotte and Kollman (2013) also supported this view by their findings. They have shown that although domestic focus is important, it cannot fully explain the outcomes of the same-sex partnerships policies. At the same time, I argue that Europeanization theory is also insufficient to explain the differences. Therefore, I seek linking the two theories. This makes sense, as the adoption of the *European* is not automatic, but depends largely on domestic situation (Beyers and Kerremans 2007).

What is Europeanization in theory? Just like the POS, the Europeanization theory is very broad and often differently conceptualized. One of the first definitions of Europeanization was conceptualized by Robert Ladrech (1994). He defines Europeanization as “an incremental process reorienting the direction and shape of politics to the degree the political and economic dynamics [of the European community] become part of the organizational logic of national politics and policy-making”. According to Kevin Featherstone (2003) Europeanization can be understood as four different processes: I. as a process of convergence with the European law; II. as a process of cultural diffusion; III. as a process of institutional adaptation; IV. as a process of adaptation of the policy and policy processes (ibid. p. 5). Beyers and Kerremans (2007, see also Radaelli 2003) also find the conceptualization of the Europeanization theory complex. They say that Europeanization can be understood as both the process of adopting the laws compatible with European legislation, as well as the achievement of this goal itself.

It is not possible to account for all the differences within the theory. Thus, the focus of my research should only be on the most relevant parts of the theory. I believe that focusing on the institutions of the European Union and the legal norms coming from them would not bring explanations I am looking for. It is true that there are norms that promote the protection of sexual minorities in the EU, as part of the anti-discrimination legislation. However, no actual EU-wide legally binding document, which obliges the member states to legalize or equalize the partnership rights of LGB couples actually exists. In the absence of EU-wide binding law, and the presence of only the soft law, it may in reality mean that the domestic governments refuse to adopt any reform concerning the partnerships of LGB couples, especially in post-accession states (O'Dwyer 2010, O’Dwyer and Schwartz 2010). O’Dwyer claims, it is the lack of incentives for the member states to converge in the legislation of the LGB issue (see also Ayoub 2013).

It would thus seem unreasonable to use the approach of Radaelli (2003) who considers Europeanization as the process where the institutions of the EU are included. Rather I follow the viewpoint of Liebert (2002) in my research. She tries to connect the institutionalist and social constructivist approaches by claiming that not only formal norms of the EU make up the Europeanization. We may also understand it as a commonality between the actors within the European space who create common framework and believes, and who refer to this `European´ in their arguments. Thus, if I wanted to conceptualize my approach within the framework proposed by Featherstone (2003), as mentioned above, I will mainly work with the processes of cultural diffusion. Such diffusion does not necessarily need to be connected to the institutions of the European Union. It is rather understood as increasing transnational ties and thus diffusing the norms, cultural and social concepts to other countries (Featherstone 2003, p. 7).

As there is only limited power of the EU to punish those who do not converge with the soft law, it is necessary to look upon different mechanisms in the international space, which could influence the legislation. Several authors have proposed to look upon the impact of transnational advocacy networks (Smith 1997; Paternotte and Kollman 2013; Ayoub 2013; see also Harwood 2014). As Smith (1997) argues, transnational advocacy groups are mainly focusing on the “excluded groups”. Smith gives examples of environmental or women’s movement. Such groups are able to affect the domestic POS, by creating transnational connections, and helping defining and interpreting the issue on the domestic level. The more extensive the transnational links are, the more effective the movement can be politically. As shown by O’Dwyer and Schwartz (2010), the adoption of the environmental policies similar to those in the West was quite rapid and unproblematic after the fall of the communistic regimes. The connections of domestic activists with friendly foreign experts facilitated this process through social learning.

Similar mechanisms should possibly work also in the area of the LGB issue. On European level, the organization concerned with LGB rights is ILGA Europe. Through interconnection with movements in different countries, as well as the relevant players on the European level, it is able to dissipate the knowledge about the LGB issue and help the local movements in their struggle.

Paternotte and Kollman (2013) further conceptualize the advocacy groups, defining the allied networks as *transnational policy communities*. They are groups of activists, academics and domestic as well as foreign politicians all involved around the LGB agenda, mostly interconnected due to their personal ties and common interest for the issue. They are able to influence the national actors towards convergence through the mechanisms of policy learning, lesson drawing or harmonization. Transnational linkage of the activists may increase their opportunities and broaden their strategies. By arguing with examples of the early adopters, by providing directions from the non-binding documents, by actively communicating with foreign politicians involved in the LGB agenda, and with the support of media, the movements can positively influence the government action (Paternotte and Kollman 2013). The government may then use the ties to learn from the foreign countries.

**Based on this research I propose my fourth hypothesis that**

**The lively European transnational relations of the movement shall positively influence the amelioration of the rights of LGB couples through the mechanism of social learning.**

Ayoub (2013) further shows that the framing of the issue must be acceptable to the public. The movement should struggle to persuade and change the public perceptions. However, the movement must do it in such a way that the public does not turn against them. Ayoub showed that the acceptance of homosexuality is very limited in Poland. This comes from the cultural perception of homosexual behaviour as completely unhealthy. Because of the geographic proximity, Polish LGB movement uses more free German space for mobilization, and cooperates with their German counterparts. However, he also pointed out that due to historical experience with Germany, Polish perception of Germans is rather unfriendly. Therefore the help from Germany and the historical disgust about the homosexual behaviour made it complicated for the movement to frame their claims acceptably for the public. Focusing on the human rights direction coming from the EU rather than Germany was an effort to make the issue more acceptable to the relevant actors (Ayoub 2013).

The idea of linking the rights of LGB couples to human rights has been out there for some time as Fernández and Lutter (2013) point out. Universality of Human rights means that no person can be discriminated based on their race, sex or other status. Therefore, people of the LGB community can use it to argue for equality. Accordingly, Fernández and Lutter (2013) show that policies in the area of rights of LGB couples spread more rapidly in those countries, which accept the human rights discourse. They argue that moral and normative pressures ultimately lead to policy diffusion. If the government actors or the parties adopt or accept such a view, it should help the movement in its struggle. **This thus leads us to the fifth hypothesis, which is:**

**Targeting the improvement in the area of human rights positively influences the legislation on the issue of rights of LGB couples.**

## Summarization of theory

The problem about using the POS theory, and consequently also the Europeanization theory is the multiplicity of the factors, which can be possibly included (della Porta and Rucht 1995). In addition, in testing the design of our theory, we may easily fall under the sway of cherry picking the evidence, as Dalton (1995) warns. Nevertheless, this is a problem but also a positive part of every scientific research, especially in a social field. By choosing and analytically justifying my variables, I create my research design. Using the scientific method, anyone can improve on the theory by providing a more convincing argument. We cannot possibly claim to achieve absolute knowledge, but by piecemeal addition to the knowledge, we may be able to discover something we did not understand before.

As I have shown above, there are some shortcomings within the theories, which several authors try to address, but with differing results. Example from the POS theory may be the attitudes approach. There seems to be a theoretical inconsistency in the results of the previous researches on the impact of public attitudes on actual legislation about the rights of LGB couples. Another example may be the impact of the dominant religious organization. I would like to find out, whether the role of the Church is strong enough to stop the legislation, or only to retard it. In the case of Europeanization theory, it is its actual conceptualization and the relevant mechanisms in work. The authors are unable to agree, whether the institutions or the legal framework coming from Europe are more important than informal connections and social learning. I will try to explain the relations between these, in order to ascertain the causal mechanisms in work.

There is one more particular shortcoming of the POS theory. Generally, the theory presumes that the opportunities for the movement are largely static (Jenkins 1995; Jenkins and Klandermans 1995; della Porta and Rucht 1995; Giugni 1999; Wahlström and Peterson 2006). In reality, however, they change: both the movement and the state change their strategies and their positions based on the actions of the other agent. In addition, the political environment and the strength of the allies within it possibly changes after each election. That is why I will try to design the research in such a way, which will actually account for the change within the opportunities. I will discuss the details in the methodology chapter below.

I will now shortly summarize the theories used, and introduce the basic line of the argumentation that I would like to pursue in my thesis work. I try to show that the actual success of the movement is based on its access to the allies – on the level of the domestic politics and the media as well as on the EU level. I argue that the situation for a movement is even better in the absence of a strong counter-movement. A successful interplay of these differing factors would actually lead to legislation leading to equalization of the rights of LGB couples.

Thus, it seems clear that the focus on the allies of the movement – at home as well as abroad – seems to be the most reasonable argument to follow. It is only logical: in the case of the change of the law concerning LGB couples, this presumes some kind of acceptance of the issue from the political decision-makers. At the same time, it does not require the population to be likewise welcoming. In the absence of the positive attitudes by the domestic public, progressive EU countries can be of help. This may happen, for example, if the protest event, such as the Gay Pride is attended by important foreign activists or politicians, and the media does make a report about this. Alternatively, in other possible case, such situation may happen when a government openly supports the human rights framework, and the church seems unable to counter its rhetoric. It can also be expected that even though the public attitudes are rather negative, the domestic media can play a role of an informer about the opinions of the elites and the movement, as well as the contributor to the change of the public attitudes.

At the same time there may exist a powerful enemy, in our case it is usually the Catholic Church, which also has its allies. If a movement is able to find and contact enough political allies, it shall be successful. However, if a countermovement embodied by the Church controls the access points through their allies within parties as well as within the media, it can halt the success of the movement.

The fact that the legislation of the issue is ultimately a matter of the domestic parliament seems to weaken connection of the overall argument with the Europeanization theory. However, this theory has shown that the legislation as well as the stances of the leaders may change because of the European pressure. Thus, I believe that the powerful European allies may play a very important role in supporting the movement, and helping its ultimate success.

# Methodology

In my master thesis, I have decided to use Qualitative Comparative Analysis as the method of the research. In the following paragraphs, I would like to explain descriptively what QCA method consists of, and how I will use this method for the explanation of the desired outcome. This method, first devised by American sociologist and political scientist Charles Ragin (1987), is supposed to be a way do research with more than just a couple of cases, but less than we would use for statistical approach.

The basis of the method is in qualitative rather than quantitative approach. This comes from the fact that the method is looking for causation expressed through necessary and sufficient conditions, rather than correlation, as it is in the statistics. This method allows us to look for the sufficient and necessary causes and their combinations, which lead to a particular outcome. Such combinations are very important, because they teach us about the complexity in causation. Very valuable aspect of this approach is in its capacity to determine different combinations, which ultimately lead to the same outcome. At the same time, it allows us to distinguish the cases where a particular cause is present, but the outcome is not (Kouba 2011, 469-71). Thus, this approach should be able to answer the research question: “which factors lead to the amelioration of the rights of LGB couples”, rather than just show which factors positively influence such change, as statistical method would determine.

At the same time, however, this approach does not show us how certain particular variables influence the outcome just by itself. This is a disadvantage of this approach, as it considers all the variables as equally important. On the other hand, it allows us to find out the combinations and interactions of different variables. Moreover, it allows us to find different combinations, which ultimately lead to the same outcome, i.e. asymmetric causality. Another difficulty connected with this approach is the fact that it requires dichotomized (sharp) variables for the research. I have tried to formulate my hypotheses in such a way that I can dichotomize my variables relatively easily. However, some simplification is present, and this will of course mean that the results of the research will ultimately reflect this simplification.

For my research, I consider the following independent variables, as possibly leading to the envisioned outcome: (1) positive media portrayal of the issue; (2) weak influence of the Catholic Church over the politics; (3) presence of a socially liberal left party; (4) lively transnational relations of the movement; (5) human rights and Western values as the targeted aim of the government. By using the QCA research method, I will try to find out which combinations of these independent variables create the conditions for the amelioration of the rights of LGB couples.

First kind of combination of the variables, which I will try to find, will be necessary condition. Such condition is always present, when the desired outcome is present. At the same time, it does not mean that the outcome will be present when this kind of combination is in place (Kouba 2011, 476-7). In other words, I will be able to find the desired outcome, which is amelioration of the rights of LGB couples, solely in those occasions when this necessary condition will be present.

The other combination of variables is called sufficient condition. It is safe to claim that in every occasion when this condition is present, the outcome is present as well. However, not in all occasions when the outcome is positive shall we also necessarily see this combination of independent variables (Kouba 2011, 478).

To summarize, there may exist four possible situations coming from the logic of necessary and sufficient conditions. If the sufficient condition is present, the outcome will also always be present, and no such occasion when the outcome is not present shall occur. If there is no sufficient condition present, than the outcome can be either positive or negative. If there is necessary condition present, then the outcome may be positive as well as negative. Lastly, if the necessary condition is not at place, then we will never see a positive outcome.

By examining the different combinations, I will try to explain when and why the increase of the rights in the area of the same-sex unions occurs. In an ideal case, this could lead us to a unifying theory, which can explain why countries improve the rights of LGB couples.

## Dependent variable

The amelioration of the rights of LGB couples may be various. Although in these days we talk mainly about the unions of LGB couples, in the past there used to be different obstacles that had to be overcome. This includes the legalisation of the homosexual behaviour, the equalization of the age of consent, anti-discrimination laws in different areas, such as employment and services. I do not reduce the importance of such laws. However, most of my chosen country-cases, which I introduce below, legislated about these issues before they were accepted in the European Union, as part of their accession procedure. The nature and incentives for accepting such legislation are different from those, which I consider in my thesis. Thus, I will not focus on this kind of legislation as part of my dependent variable.

Instead, I consider the positive legislative change of the rights of LGB couples as a positive outcome. The authors who did similar kind of research before me usually used the legislation which led either to amelioration of rights, as described above (Ayoub 2014; Pelz 2014) or registered partnerships and equalization of the rights of LGB couples at the level of marriage (Fernández and Lutter 2013; Paternotte and Kollman 2013). Because the marriage of LGB couples is a very rare institution in Central-Eastern Europe, and only one of my selected cases includes this instance, it makes sense to include the registered partnerships as equally valuable outcome. To increase the number of cases with positive outcome, I argue that inclusion of *un*registered partnerships is also necessary. Although such approach is not very common, we know from the previous research that such legislation may also create problems to achieve, and it does improve the rights of LGB couples (Kollman 2009).

To summarize, I consider as a positive outcome the situation, when either unregistered or registered partnerships for LGB couples are legislated, or when the partnerships of LGB couples are equalized on the level of marriage. Because I want to ascertain what conditions lead to such kind of improvement, I do not consider the instances when the popular referendum or the constitutional court retracted the law.

## Case selection

In order for QCA method to work properly, we need to find the cases in which the conditions are largely similar. In other words, the background characteristics of the cases should be “considered as constant” (Berg-Schlosser and De Meur 2009, 20). As for the LGB rights legislation, we could possibly include many countries, however we could then have difficulties properly conceptualizing different institutional and structural setting. Therefore, I have chosen to focus only on the countries of CEE. These countries are the following: Croatia, Czech Republic, Slovakia and Slovenia. They all share their past within the group of countries with state-socialistic system. Although systemic differences have existed, they have been minor. Moreover, I have decided to reduce the case selection, by only focusing on the two pairs of countries, both of which used to take a part within a federated state (Croatia and Slovenia within Yugoslavia and Czech Republic and Slovakia within Czechoslovakia). This further reduces the differences between the countries, as their historic point of departure was largely similar.

The chosen countries are, however, not the cases within themselves, but rather the basis for my cases. All these countries, but Slovakia, have adopted the legislation, which led to improvement of the rights of LGB couples. This happened in several instances, and I summarized them in the Table 1. Thus, altogether, I can operate with five cases with a positive outcome. However, the QCA method requires the cases with negative outcome as well, in order to rule out the possibility of choosing the identical combinations of variables, which lead to different outcome that is positive in one case, and negative in another (Kouba 2011, 481-482). For this reason, I have chosen the country of Slovakia, which I can then compare with the rest of the countries.

How is it possible that I only have three countries with positive legislation, but I consider five positive outcomes? As I have mentioned above, the POS theory considers the opportunities of the movement as largely static. However, in reality, the relation between the movement and the state is very much dynamic. Therefore, I distinguish the country cases in the course of time, as suggested by della Porta and Rucht (1995), which I do with all of my chosen countries. For the countries of Croatia and Slovenia, I distinguish one case each for the era before the positive legislation. For the Czech Republic, I consider two such cases. Crudely, this includes the decade of the 1990s up to early 2000s, when no legislation, which I consider positive, occurred. For the positive cases, I will research the period before and around the instances, when the legislation took place. I also want to divide the country-case of Slovakia into three cases, as the structure of political opportunity has changed through the course of time, although the positive change for the LGB couples did not follow. Summarization of the cases can be seen in Table 1.

#### Table 1: Summarization of the cases

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Country** | **Case no.** | **Year(s)** | **Outcome** | **Type of outcome** |
| Croatia | 1 | 1991-2000 | 0 | - |
|  | 2 | 2000-2003 | 1 | Unregistered partnership |
|  | 3 | 2003-2014 | 1 | Registered partnership |
| Czech Republic | 4 | 1993-1998 | 0 | - |
|  | 5 | 1999-2002 | 0 | - |
|  | 6 | 2002-2006 | 1 | Registered partnership |
| Slovakia | 7 | 1993-1998 | 0 | - |
|  | 8 | 1998-2006 | 0 | - |
|  | 9 | 2006-2010 | 0 | - |
| Slovenia | 10 | 1991-2004 | 0 | - |
|  | 11 | 2004-2008 | 1 | Registered partnership |
|  | 12 | 2008-2015 | 1 | Marriage |

I thus consider twelve cases, five of them having a positive outcome, other seven having a negative outcome. Each of them is situated in a different time range. Basically, I tried to delimit each case so that the compositions of the governments were largely homogeneous in those periods. That explains the different time range for each of the cases. Such delimitation was not possible every time, however, hence some simplification will be necessary. I will refer to those instances explicitly before I code my variables.

As I have already written above, for a positive outcome, I consider the periods before and around the instances, when the legislation took place. If that was the last instance of such legislation, I do not consider consequent periods as my cases. This is relevant especially in relation to the Czech Republic, where I end my research in 2006. The reason for this is that the movement welcomed the positive legislation in 2006, and its legislative activities of the movement largely ceased.

As for the negative outcomes, I tried to divide the periods according to some kind of political key. I divided Slovak cases roughly according to the governments that were in place during the several periods. The first period (case no. 7) is represented by the third government of Vladimír Mečiar, led by his populist HZDS party. Second period consists (case no. 8) of two governments of Mikuláš Dzurinda, where the conservative, Christian democratic SDK (SDKÚ) party was the leader. The last period (case no. 9) includes the first government of Robert Fico, when his social democratic Smer was the dominant coalition party. The Croatian case with the negative outcome (case no. 1) includes the period shortly after the declaration of independence and the consequent war struggle. In this period of time, it was the populist-conservative HDZ party of Franjo Tudjman that ruled the government. The first Czech case with a negative outcome (case no. 4) include the period of the first and second governments of Václav Klaus, led by his liberal-conservative ODS party. Second negative occurred around the break of the centuries, when a minority government of Miloš Zeman’s ČSSD was the ruling power (case no. 5). Lastly, a long period of years from 1991-2004 in Slovenia (case no. 10) also did not bring any positive outcome. During this time, the governments were mostly led by social-liberal LDS party (with a short intermezzo in the year 2000) and its leaders Janez Drnovšek and Anton Rop respectively.

The QCA method does require similar background characteristics, but indeed, it also presumes some differences among the cases. My independent variables should be the bearers of these differences, in order to find out what kind of combinations of the variables lead to the envisioned outcome.

## Method

In this thesis, I am going to use the QCA method, more specifically the Crisp-set QCA. This kind of method uses Boolean algebra to explain the relationships between the variables. To use Boolean algebra, it is required to use dichotomized variables that is such variables to which we may assign the value of 1 (present) or 0 (not present). It is necessary to have a thorough knowledge of the case before we may assign any of the values to it. This comes from the theoretical justification as well as empirical data. I will specify the sources of my data further below. After all the data is collected, I will construct my data table, which will indicate in which instances the particular variable is present (Kouba 2011, 479-82).

The next step will be to construct the truth-value table. This table shows the combinations of variables leading to a particular outcome, either positive or negative. These combinations are called causal configurations. The truth table should also show us what kind of configurations may occur by the case selection. It should also be a way to eventually find out the problems with the conceptualization, when the same configuration leads to both the positive and the negative outcome. Although such configuration may exist in a real world, it is logically not acceptable for further research using the QCA method. Researchers usually resolve this problem by adding more variables or by reconceptualising the indicators of certain variables. In an extreme case we may exclude some of the chosen cases from the consideration (Kouba 2011, 481-2).

In a truth table, we may compare different combinations leading to the desired outcome. In these combinations, variables which are present will be indicated by capital letters, lower case letters will indicate those that are not present. The relations between particular variables will be shown by logical operator “OR” indicated as “+” and the logical operator “AND”, indicated by a asterisk “\*” (Kouba 2011, 481).

The next step will then be to minimize the configurations. This is necessary, because for each case we will have a particular configuration showing us whether the desired outcome is or is not present. However, such approach does not show us the relationship of the necessary and the sufficient conditions, therefore the configurations need to be simplified (Kouba 2011, 485).

Such minimization goes as follows: if two configurations are different only in one of their variables, than this variable can be eliminated as irrelevant and thus create a simpler equation. Such elimination can go on in several turns, especially if we have many complex configurations, which we seek to reduce. At this moment we get the configurations, which we may call “prime implicants” (Kouba 2011, 486). Each of them should contain several, but not all of the cases with the desired outcome present. If we find out that there exist more implicants explaining the same case, we also need to compare the implicants, to find out whether we cannot further eliminate them. The resulted configurations should show us the causal mechanisms working in our research. The advantage of the QCA method in this case is that it may reveal the different combinations leading to the same outcome, where some variables are present and some are not. This comes from the sensitivity of the QCA method to contextual presence of different variables, so called principle of equifinality (ibid. 486-7).

Last step will be the interpretation of the results, which is the most important part of the analysis. Interpreting the results must be conducted with the regards of the context of the particular case as well as the theoretical presumptions. The advantage of the QCA in this part is that it can not only confirm our hypotheses, but from the unexpected combinations we may also find important theoretical implications (Kouba 2011, 487).

## Indicators of the factors and data sources

Theoretical chapter provided us with the hypotheses based on the previous research. In this part of the methodology chapter, I would like to conceptualize which indicators I will use to ascertain the value of the variables that I am using.

### Media portrayal

The first hypothesis talks about the influence of the media on the outcome of the movement action. I have stated that the portrayal of the movement action should be largely positive in order to consider its impact as affirmative. To assess the portrayal, I am going to research the newspaper articles, which described the actions of the movement. To do this, I will find the most relevant events and actions organized by the movement and look upon how these issues were translated into media language. This will include protests, such as Gay Pride events. However, because the pride events started to appear in the chosen countries around the year 2000 and after, we need to find other actions, which could be reflected in the media. These may include different kind of protest events, petitions targeted to political decision-makers, or demands for equalization. In order to assess the positive portrayal, I will look if the media used framing similar to that of the movement (such as argumentation with human rights and equality), or if it is generally supportive. In other cases, when the portrayal is non-existent, hostile or when it does describe the event, but does not focus on the movement’s framing, then the variable will be coded as negative (0).

One more indicator connected to the media portrayal of the LGB movement is also freedom of media. Some authors (Della Porta and Diani 1999/2006, 220) claim that the more the media system is free, the more it is capable to portray the activities and the frames of the movement in positive light. Therefore I believe I may code the variable concerning the media portrayal as negative (0), if the media space tends to be rather restricted, or when a large portion of media is influenced or directly controlled by the state.

The primary sources for my cases will be newspaper articles available on internet. For Croatian cases, I will be using the articles from Večernji list. However, the archives reach only back to year 2000. Therefore I will also use secondary sources, which judged the portrayal of LGB issues in the period before this year. For the cases of the Czech Republic, my primary source of news will be Mladá Fronta Dnes newspaper. For the cases of Slovakia, newspaper SME will be my source. Lastly, for Slovenian cases I will be using releases of the Slovenian Press Agency (STA). All these newspaper articles are available to cover the early cases sufficiently.

### Church power

Second hypothesis expects that if the church authorities are weak or unable to meddle in the politics, it should positively influence the favourable outcome. The church may influence the state and its institutions and actors through several factors. One of the most important indicators of the influence of the church on the state is a concordat with Vatican, which creates a special position for the Catholic Church within the state. If such an agreement exists, we may expect that the Church in the country maintains quite a strong influence over the local politics. Thus, the variable should be coded as negative (0). Other indicator of the strong church may be the presence of the Christian democratic parties in parliament. I believe that if these have a crucial position in the coalition forming, than we may consider the church influence on the politics as strong. If they do exist, but they are not the leading party, there always exist the ways to disregard their position. Thus, only a leading Christian democratic party will be the indicator of the strong church. Different party constellation (such as in the case when leading party is liberally-oriented), will be an indicator of the weak church. If there exists no explicit mention of the Christian values, or if the party intends separation of the state and church, I won’t consider it Christian democratic. Another indicator may be actual stance towards the events, which are organized either by a LGB movement or by its counter movement. If in the former case the official reaction of the church is hostile, or in the latter case if the official reaction of the church is supportive, then I will consider the factor regarding the church as strong. Therefore, I will more likely attribute the value of 0 to the variable.

To assess the position of the party, I use the parties’ programmes if available. Otherwise, I will refer to secondary literature, which judges party positions. For the position of the Church itself, I will refer to the releases of the respective Bishops’ conferences, or I will try to access the information from secondary sources dealing with the issue of the church and state relationship. This will be true especially when I will be mapping the situation of the agreements with Vatican. Additionally, I will use press articles, which describe a specific event in the state-church relations.

### Left party

Third hypothesis concerns the presence of socially liberal left party as positively influencing the outcome. To assess whether the left party tends to social liberalism, I may use the relationship of the party with the minorities, as Rovny (2014) conceptualized it. If the party explicitly pronounces social liberal opinions, such as focus on equality of rights, protection of minorities, human right focus or anti-clericalism, I will judge such party as socially liberal. In other cases, when other, more conservative or nationalistic values are pronounced, I will not judge such party as socially liberal. I can further focus on the coalition partners that the party chooses. If the left party chooses coalitions with nationalistic or conservative parties, it may be an indicator of it being non-liberal. This indicator, however, cannot be taken too strictly, as the politics in a multi-party system depends on coalition building. If there is a lack of other alternatives, a party may be obliged to enter the coalition even with partners, who are ideologically diverse. Lastly, an indicator with which I may be able to assess the social liberal position of a left party may be its membership within European structures. Membership in the Party of European Socialists, which itself tends to pronounce liberal and socialist values, can be used as an indicator of party being social liberal.

As a source of this analysis, I will be mainly using party programs.

### International relations of the movement

The fourth hypothesis predicts the influence of the interstate relations of the movement on the positive outcome in LGB partnerships legislation. In order to assess how intensive these relations are, I can again look at several factors. One of them may the presence of the high ranking foreign politicians and experts on the activities organized by movements. This may be the visible appearance at the events such as Gay Pride. Other indicator of the transnational relations may be on level of politics. If the political party which openly supports the rights of LGB couples also maintains relations with other groups within the European union, this may be understood as a positive indicator. Lastly, pronunciation of the rights for the couples of LGB identity using the frames and examples from other countries may also be a good indicator for this variable. This concerns especially the human rights frame, which is also a part of my last hypothesis.

As for sources of data for this variable, I will refer to documents created by the movement and its representatives. If a summarizing document mapping the history of the movement exists, I will use it. Otherwise, I will try to find reliable information from web pages and other documents released by the movements.

### Human rights as targeted norm

As I said, the last hypothesis touches the human rights and European values framework. If the government targets improvements in the area of human rights, it should have a positive influence on the outcome. For this variable, I will focus mainly on the political actors that is the parties and its members and especially the government. If the government pronounces the focus on human rights and its target to be a part of European integration as government objectives, I will consider this a positive factor influencing my variable. There may also be cases, when such declaration or promise takes place, but it is not fulfilled. I will therefore try to find out, whether the government actions are not in conflict with its declaration. Indicators of this may be possible rulings of the European Court for Human Rights, as well as possible protests by the western countries about the conduct of the government policies.

As the source for this variable, I will be using programmatic declarations released by the governments. If these are not available, coalition agreements of the government parties will serve equally sufficiently. If none of these are available, I will have to refer to reliable secondary literature.

### Evaluation of the indicators

In the previous part of the methodology chapter, I tried to show how I am going to assess the value for my variables. However, I have listed several indicators to show this. I cannot possibly use all of the indicators as variables, thus I clustered them so that each of the factors is an indicator for only one hypothesis. If I translate my hypotheses into variables, I will have five of them, each being supported by more than one indicator. A situation may occur, when some indicators are present, some of them, however, may be absent. Then I will need to carefully judge which factors may be used as decisive in evaluating a variable. This will come with the collection of the data.

# Data

This chapter will be divided into several sections. In the first section I am going to present the raw data I have been able to gather in a descriptive manner. Each country of my choice will be divided into its cases, as summarized in the Table 1. I will pay attention to gather information about each of these cases, in order to assess the value of each variable.

After assessing the value of each of the variables, I will complete the truth value table, and I will run the QCA analysis in order to find the combinations of the causes leading to positive outcome. Then I will try to interpret the researched results.

## Croatia

### Case no. 1 (1991 – 2000)

In this case, Croatia was ruled by the populist-nationalistic HDZ party under the leadership of charismatic Franjo Tudjman.

#### Assessment of the media

I was unable to get hold of the primary sources for this period, as the online archives of the Croatian newspapers do not reach further than 2000. I will therefore use the research of other scientists, to evaluate this variable.

In her article, Sanja Sagasta (2001) maps the struggles of the Croatian lesbian movement in the 1990s. She reveals that the war together with Catholic morals strongly forced heteronormative, masculine perception of the Croatian society. This created difficulties for women’s issues to receive public coverage, let alone the lesbians. To support the war struggle, women were reduced to roles of breeding young soldiers and pleasing the men. For this reason, lesbians were labelled as dangerous witches. Such discourse was followed by the public media, as Sagasta shows (Sagasta 2001), calling lesbians traitors of the new state.

Sagasta also describes the portrayal of the lesbian issue as sensationalist and full of prejudice. In addition, private lives of the personalities within the LGB movement LIGMA were shown in the media, which resulted in their harassment. Overall, Sagusta judges the portrayal of the issue by the media as negative (Sagasta 2001). Similar perception comes from the results of another research, conducted by a Antulov and Bertoša. They show that the portrayal of the lesbian issue was intolerant with usage of stereotypes. Although calls for tolerance were present, reporting on the LGB issue was conducted in stigmatizing way, portraying homosexuals as “them” against the “normal us”. Also, the newspaper focused mainly on the private lives of people of LGB identification, rather than the issues of human rights or equality. This can be judged as even more intolerant and rejecting (Antulov and Bertoša 2011).

In addition, various human rights organizations and international institutions reported that Croatia was lacking freedom of press (Human Rights Watch 2000). The government controlled large portion of the media, maintaining “an overall editorial slant generally favourable to the Government and the ruling HDZ” (U.S. Department of State 1994, 2000). Considering the fact that the ruling party was rather unfriendly towards the issue of LGB rights (see below), I presume that this position was translated into the media attitudes.

Considering all these factors, although lacking primary sources, I presume the portrayal of the LGB issue in the media was not largely positive during this period of time. Therefore, I will code the variable as negative (0)

#### Assessment of church power

Croatia was led by the HDZ party, which is often considered populist and nationalistic. However, authors do include this party into Christian-democratic family as well (Šedo 2010). Although the HDZ party used nationalistic rhetoric, which we may explain by existentialist reasons, the Catholic Church did support it. For the mobilization, the party used both nationalistic and religious themes, openly claiming the influence of the Catholic ethics on its programmatic principles (Hrvatska Demokratska Zajednica 2002). From historical point of view, this makes sense, as the Catholic Church took active part in organization of Croatian Independent State during the Second World War. The church was thus considered as anti-communistic and nationalist actor. Such identity of the church was very acceptable for the leading party. Therefore, the relationship between the state actors and the Catholic Church were quite friendly during the rule of HDZ (Perica 2006).

Croatia signed several agreements with Holy See, treating cultural and educational issues, as well as economic matters. Especially the one about schooling created a discontent among the liberal citizens, who criticized it as a breach of the separation of church and state principle and as a creation of a special position for the Catholic church (Perica 2006). However, the Holy See did not press for formal concordat-like agreement (Bremer 2010).

Moreover, if we look at the positions of the church concerning homosexuality, these views were quite hostile. HDZ party, although not actively opening the issue of homosexuality, did maintain heteronormative views in many instances (Vuletic 2013).

Thus, I will consider the power of the Church as strong in this case, and thus the variable will be coded as negative (0).

#### Assessment of the left party

During this period of time, Social Democratic Party of Croatia rose to be the most important left oriented party at the Croatian political spectrum. Towards the end of 1980s, Croatian Social Democrats formed a wing within the Communistic Party, and later transformed themselves into a new party called League of Croatian Communists – Party of Democratic Change (SKH-SDP). In 1993, the party changed its name to Social Democratic Party of Croatia (SDP) There existed another party which claimed social-democratic background, Social Democratic Party of Croatia (SDSH). These parties merged with each other in 1994.

The party program from the time after the elections in 1995 should show the party’s position (Socijaldemokratska Partija Hrvatske 1996). The party claimed it was build on democratic and humanistic values and pursued the expansion of political freedoms and human rights. The party also pronounced its focus on equality of all people in their political and social rights as well as opportunities. The program does not forget about the equality among minorities, although sexual minorities are not explicitly mentioned. Furthermore, the party showed its support to new social movements and initiatives and intention to help them in political space. The program also mentions the positive contributions of the Catholic and other churches, but maintains strict separation of Church and state.

In the preparations for the elections 2000, the party released another program (Socijaldemokratska Partija Hrvatske 1999). The support for human rights is present, as are the frames of equality before the law as well as gender equality. However, the mentioning of the minorities’ rights is limited to one sentence, criticizing contemporary international position of Croatia. In addition, the previous support to new social movements is no longer mentioned. The party program also recognizes “exceptional contribution” of the Catholic church in preservation of the cultural values of the Croatian people. It also mentions the intention to cooperate with the Catholic church, although it states that SDP wants to clearly distinguish religion from politics.

As for the international organizations, SDP was accepted as a full member within the Socialist International in 1999.

Although the party programs did show some characteristics of a socially liberal left, references to human rights frames were quite limited. The party also mentioned the Church as a valuable player in Croatian society in their party program. Therefore, I will code this variable as negative (0).

#### Assessment of the movement’s international activities

Croatia was in the state of war for the most part of this case. This largely reduced the possibilities of the movement to organize itself. The movement did not struggle in political advocacy, rather it was trying to increase the visibility of the LGB issue, and help with AIDS awareness (Marušić 2014).

There did exist some links to foreign organizations. The LGB group LIGMA created ties with Italian Transnational Radical Party, which is a political association promoting the development of human rights. The movement received some financial support from them (Marušić 2014).

Also, at least one international event occurred, where the representatives of the LIGMA group participated. It was called “first lesbian Sunday”, and it took place in Pohorje, Slovenia in 1997. Many other lesbian groups from the former Yugoslavia attended as well. The participants worked in workshops, where they exchanged the ideas and experiences between the respective movements. They aimed to strengthen the political activities of the movements, as well as personal lives and identities. The movements agreed to promote common solidarity in fight against societal and institutionalized homophobia. The groups also agreed to further cooperate and increase the visibility of lesbian issues as well as achievement of lesbian human rights. In addition, the participants agreed to create a common platform, which should develop an action plan for equality (lori.hr 1997).

Besides that, no public events occurred, where the movement could present that they are supported from abroad. Thus, we can see that the scope of international activities was limited during this period. Therefore, I will code this variable as negative (0).

#### Assessment of the government aims

Croatia had to fight for independence in a war, which lasted five years. During this period, Franjo Tudjman was the president setting the direction of the country’s development. His nationalism and messianic perceptions led Croatia into international isolation. In 1997, following European introduction of the Regional Approach for the countries of Western Balkan, Tudjman’s HDZ amended the constitution from fear of re-establishing Yugoslavia under European rule. This marked the sentiments according to which the Croatian leadership behaved. Tudjman criticized Europe and its leaders that they had not sufficiently supported Croatia in her struggle towards the independence. Criticisms included also the principles of the EU, based on federation of nations, fearing that a European culture would emerge and consume existing identities, as the government of Yugoslavia tried to do. Therefore, Europe and European was perceived rather as hostile towards Croatia and Tudjman believed that his country can stand alone (Jović 2006).

If we want to look at human rights during this period, Human Rights Watch released several reports on Croatia (Human Rights Watch 1997, 1999). As they conclude, breaches of Human Rights occurred during this period. Serbian minority in Croatia suffered the most.

During the reign of the president Franjo Tudjman, Croatia tended to be hostile towards the European union. In addition, there existed issues with human rights infringements. We thus cannot consider LGB and Human rights as the Croatian government’s targeted norm, and I will thus code this variable as negative (0).

### Case no. 2 (2000 – 2003)

In this case Croatia was led by centre-left coalition of Ivica Račan. Under his leadership, Croatia adopted unregistered partnerships for the couples of the same sex.

#### Assessment of the media

There seems to be a little bit of ambivalence in reporting about the LGB issue in the Croatian newspaper Večernij List. Both articles, which support the cause, as well as those, which let the opponents to show their opinions, are present. I am using the word ambivalent, instead of neutral, as the articles and opinions are usually not confronted at one instance, but are expressed at separate occasions.

One of the first newspaper articles, which talks about the issue of improving the rights of LGB couples, is from late 2001 (Grivić 2001). The article points out several problems in the Croatian society of that time. Not only the LGB couples could not prove their union by legal means, which disadvantaged them in the quality of their life, but also the representatives in the parliament seemed to be reluctant to address the issue. As explained in the article, this had to do with quite conservative and homophobic nature of the Croatian culture. Therefore, LGB couples not only demanded the possibility to create unions, but also anti-discrimination legislation, to reduce the hatred in the society. The article transmitted both the frames of equality and human rights used by the movement.

Another supportive article was published, when the gay movement Iskorak created an SOS telephone hotline. It informed about the future activities of the movement: information campaigns, to reduce prejudice and hatred, pride events, to increase visibility, and work towards anti-discrimination legislation and marriage, to improve the laws concerning the partnerships of people of LGB identification (Dukovac 2002).

Besides that, Večernji list conducted its own research on the attitudes of the Croatian public. It showed that more than half of Croatian people considered homosexuals as normal people, although about three fourths of them disagreed with the right of marriage for LGB couples. The newspaper let the representatives of the movement and their supporters to comment on the issue. In the same article, an opponent from Zagreb Centre for Political Research pronounced his opinions, calling homosexual orientation “disorderly”. Nevertheless, a correcting view of another academic was also included. He pointed out the secular nature of the Croatian state as well as changing perceptions of the current Western society, thus showing that the change is inevitable (Šaško 2002).

Before the first Zagreb Pride event was to happen, the newspaper transmitted the voices of the Zagreb public. Many of them were negative, calling LGB identification a disease, pronouncing that “a public promotion of such people should be banned since it is the bad influence on young people and the environment” (Večernji list 2002a). Only one supporting voice was transmitted, but it did not contain neither the frames of equality, nor of human rights.

In similar vein, another opinion was published before the pride event. The author said he understood the right to protest in a democratic country, but the need of the police to protect the parade means that it is just a public provocation. The author then calls gays and lesbians unnatural, breaking the boundaries of good taste, and also arguing that they are not discriminated (Večernji list 2002b). Večernji list allowed a response to this article. The author argued that it is the right of people of LGB identity to protest and demand equal treatment and protection of human rights. He also argued that negative views come from hatred and prejudice, which is very much rooted within the Croatian society (Večernji list 2002c).

The newspaper released articles that informed about the Zagreb Pride progress. The article from 2002 talked mostly about the intolerance of the Croatian society, as the pride event was disturbed by a group of skinheads. Besides reduction of intolerance, no other frames and aims of the LGB movement were pronounced (Grivić 2002). The article commenting the second Zagreb pride talked again mostly about the tolerance. In addition, the representatives of the movement were given an opportunity to express their opinions. Both frames of equality and human rights were used in the article (Puhalo 2003).

During this period of time, both positive and negative views were allowed to appear in the newspaper. It seems that the newspaper tried to reach some kind of neutrality, by allowing both sides to express their opinions. Because I only consider positive informing as valuable, I will have to code this variable as negative (0).

#### Assessment of church power

Even though the coalition of parties opposing HDZ won the election in 2000, the relation of church and state remained similar as in previous period. Although HDZ lost its power as a leading force, it did maintain the relationship with the church. The leading coalition of Ivica Račan, however, also tried to appease the church. The priests were paid from the state budget, and the church was able to negotiate restitutions of the property they lost during communistic era. Although claiming social-democratic stances, Račan and his compatriots also pronounced their Catholic as well as nationalistic background. Instead of fighting for separation of church and state, Račan’s government tried to appease the bishops. None of the previously negotiated agreements were retracted. In all these ways, the centre-left government of Ivica Račan continued the Catholic-nationalist style of politics, as conducted by the previous governments of HDZ (Perica 2006).

Thus, I believe, the influence of Catholic church may be considered as strong, and thus this variable will be coded as negative (0).

#### Assessment of the left party

During this period, left-wing Social Democratic Party of Croatia was the leading party of the government coalition. SDP was joined by liberal-conservative HSLS for a common election candidature in the year 2000. Later, these two parties formed a government together with liberal HNS, agrarian-conservative HSS and several other small parties.

The main line of the politics of the SDP should evolve around the party program before the elections 2000 (Socijaldemokratska Partija Hrvatske 1999), which I have analysed above. The party promised improvement in the area of human rights, but it also pronounced the connections to the Catholic Church. Other party program prepared in this period was made for the elections in 2003 (Socijaldemokratska Partija Hrvatske 2003). This program shortly comments the government rule of the SDP. They claim that they strengthened democratic stability in the country and promised to work on rapprochement with the EU. However, the focus on human rights is only limited to one sentence in the introduction of the program. The party also declared its intention to build an open society, in order to preserve diversity and development of pluralism, including sexual orientation. However, the party also stated that partnership of man and woman is their starting point of the family policies. Other notable propositions may include equality before the law and gender equality. Unlike the previous programs, this one does not include any mention of the Catholic or other churches.

The party still remained the member of the Socialist International, but had not yet become a member of European parties’ structures.

I believe that the mentioning of equality of rights and human rights is limited, and therefore insufficient to consider this party as liberal. I will therefore code this variable as negative (0).

#### Assessment of the movement’s international relations

The members of lesbian movement LORI in Croatia organized or participated at several meetings with their ex-Yugoslav compatriots. The first event in this period was called *Second lesbian week*. It occurred in Sombor, Serbia in November 2000, when sixty-four lesbians met to discuss the contemporary problems the movements face, and decided together to work on lesbian visibility (lori.hr 2000).

In similar vein, the lesbians met in September 2001 in Rovinj, Croatia. The participants concluded that the situation in all the countries of former Yugoslavia is discriminatory and created a working platform for the change in the respective legal systems. The platform agreed upon a document called *Equal Citizenship,* which demands the legislative change in particular areas – from constitution, criminal and labour codes, laws on education and media, to family laws. The document also calls upon other NGOs to promote the human rights of lesbians and gays (lori.hr 2001). A similar document was adopted a year later (lori.hr 2002).

The last meeting in this period of time happened in Belgrade, Serbia. The movements concluded that they start to appear more visible as well as professional. They found the exchange of information and experiences very valuable, and decided to continue on the work provided in the Equal Citizenship document mentioned above, in order to decrease the discrimination (lori.hr 2003).

Besides these events, the movements’ associations Kontra and Iskorak also organized the first pride event in Zagreb in 2002. The event was attended by the head of the UN human rights mission in Croatia (Hedl 2002). Similar event happened in 2003, although I was unable to find any evidence of foreign support.

The LGB movement in this period held strong links to other movements in the neighbouring countries. Therefore, I will code the variable for this case as positive (1).

#### Assessment of the government aims

After the new left-wing government came to power, they agreed on a programmatic agenda, which should direct the work of the government during their mandate (Vlada Republike Hrvatske 2000). The program declares the intentions to improve the level of democracy and the rule of law, in order to protect the human rights more effectively. Similar message is pronounced when talking about the media. They should promote political, social and cultural diversity as well as tolerance. In addition, the government declared its intention to free moving space for NGOs in accordance with the European standards. There is also a mention of the minority agenda. The government planned to ensure freedom, equality, preservation of identity and participation in public life. However, the minority program mostly focuses on the ethnic minorities, while LGB agenda is not mentioned. Lastly, targeting the EU membership is pronounced as a national priority.

During the reign of this government, another document was adopted (Vlada Republike Hrvatske 2003a). It made plans for Croatia’s entry into the EU. Again, the protection of the human rights is pronounced in several sections, including the part about minority rights. Nevertheless, the LGB community is not mentioned.

Although the government did not mention LGB agenda as its priority in the programmatic declaration, they pronounced the targeting of the EU membership as a priority, and they referred to European standards in several instances. I will thus code this variable as positive (1).

### Case no. 3 (2003 – 2014)

In the last case considering Croatia, the right-wing HDZ party led the country for the time between 2003 and 2011. After the elections in 2011, left wing coalition of parties won the elections and gained power over government. It was under this government that Croatia adopted registered partnership bill, which increased the rights of LGB couples almost to the level of heterosexual marriage, with the exception of the adoption of children.

#### Assessment of the media

The LGBmovement was able to attract media attention during this period. The media informed on several events organized by the movement and their activities.

One of the first messages in this period was a report from a press conference of the LGB movements Kontra and Iskorak. The representatives of the movement demanded the change in the anti-discrimination law within the Criminal Code, in order to protect sexual minorities. The article’s message was the demand for equality (Novak 2004).

The Zagreb pride continued to be a main public event of the people from LGB community. In 2004, the newspaper informed about the event before it happened, and introduced the theme of the event, which aimed against the strong influence of the Church on the Croatian society. Only this line of negative argumentation is present, equality or human rights are not mentioned (Kovačević Barišić 2004). The newspaper informed also about consecutive parades. In 2007, people of LGB identity came marching together with their parents. The aim was to increase tolerance within the society. Nevertheless, the demands of the movement in human rights or equality frames were not mentioned again (Večernji list 2007). In 2008, the newspaper only published an agency message (Hina 2008). It only talked about the violence that took place during the parade. The message did not contain any human rights or equality frames.

Informing about the pride events continued similarly in the following years. Human rights frame was scarce (e.g. Fančović 2011, Večernji list 2011a), tolerance was pronounced more often (Jovic, Kovacevic and Špoljar 2011, Kovacevic and Vuckovic 2013), but mostly the newspaper reported solely on the event itself. More importantly, the call for a protest against the gay pride, organized by ultra nationalistic HČSP party, was relied by the newspaper several times (Večernji list 2009, Majdandžić 2010)

The newspaper also informed about the regional meeting of the former Yugoslav LGB movements’ representatives in Sarajevo. A document, called Manifesto on the rights of LGBT community, was accepted there. The article informed that the movements will seek increase of the rights of LGB people, in accordance with the manifesto. The article, however, does not directly mention any equality or human rights frames (Jurilj 2005).

When the opposition members of the parliament proposed a bill to recognize registered partnerships for the couples of LGB identity, the newspaper did bring a report of this event, taken from the government press agency Hina (2006). Most of the article is dedicated to the coalition politicians, who used hatred, intolerance and stereotypes in their speeches. The supporters of the bill were given only a few sentences in the article. Argumentation with human rights or equality frames is completely absent.

Hateful opinion continued to gain space within the newspaper. A Zadar professor called homosexuality a disease, a progressive change of the discourse was named a new dictatorship, not less dangerous than communism and fascism (Večernji list 2011b). No comments, which could reduce the hateful nature of the article were included.

Two important events happened during this period. The parliament adopted a new law concerning LGB couples, and a referendum to regulate marriage constitutionally as a union of one man and one woman. The debate was reduced to questions of the possibility to adopt children by LGB couples and the name of the partnership. In this debate, Večernji list published the opinions of both sides. In 2013, the article by academician Slobodan Novak (2013), who compared people of sexual minority with other minorities, such as disabled, calling them deviant or exhibitionist. A response by Branimir Pofuk (2013), calling the arguments of Novak discriminatory, exclusionist and offensive. Yet, direct advocacy for the rights of LGB couples in terms of equality or human rights frames were not present.

Nevertheless, the newspaper published articles that supported the cause of LGB movement too. One of such written by Ivanka Toma (2013) argued that the referendum created a cleavage within the society. She added that the majority should not try to impose its standards on the minority, but rather they should guarantee an equality of rights. The article also used human rights argumentation.

The media portrayal during this period contained some positive attitudes, as well as mentioning of human rights and equality frames. Nevertheless, many openly negative articles were published as well. Because I only consider this variable positive, if the portrayal is also positive, I cannot code this variable as such. It will therefore be negative (0).

#### Assessment of church power

The leading party for most of the time in this period was HDZ. We have already stated the link between the party and the Catholic Church and its teachings. Although the party tried to modernize, it retained its strong connection to catholic ethics. This link was further strengthened by the international relations with different parties. HDZ obtained an observer and later associate membership status within European People’s Party, which is a leading organization uniting Christian democratic parties in Europe. The party continued its heteronormative discourse and Catholic-shaped discourse also during the debate about the same-sex partnerships in mid-2000. Before the elections in 2007, HDZ vice-chairman Jadranka Kosor claimed that opposition to the same-sex marriage is in accordance with the law of God. At the same time, Catholic church persuaded voters not to choose such parties, which campaign for increase of the rights for the same-sex couples (Vuletic 2013).

After the elections in 2011, when left-wing coalition took power, the Catholic church continued with its opposition. Both the church and the HDZ party supported the initiative of citizens’ action group “In the name of family”, which organized a referendum to constitutionally protect the institute of marriage as a communion between one man and one woman. The referendum was ultimately successful (Čakar and Raos 2014).

I believe that the power of Catholic church remained strong during this time period as well, thus I will code my variable for this case as negative (0).

#### Assessment of the left party

SDP continued to be the major left wing political party in Croatian politics during this time. The party prepared several programs during this period. I will try to analyse them in order to ascertain the party’s position.

The first program available to me is from before the elections in 2007 (Socijaldemokratska Partija Hrvatske 2007). In the introduction of the program, the party proclaimed its intentions to create a working, European-like democracy with human rights delivered to each person. The discourse of equality is not as common as in previous programs. Nevertheless, explicit mention of the respect for the rights of sexual minorities is present, as well as opposition of their discrimination. According to the program, protection of minorities and diversity is a principal question for the party. As in the previous program, there is no mention of the Catholic or other churches.

For the elections in 2011, the SDP decided to form a coalition with other centrist and centre-left parties called Kukuriku coalition and they prepared a common program (Kukuriku koalicija 2011). The coalition declared its intention to enter the European union as soon as possible. In the program, the parties definitely show their support for democratic values, human rights, fundamental freedoms and tolerance. In accordance, the coalition declared intentions for equal treatment of vulnerable groups and to end their discrimination and harassment. However, no explicit mention of the sexual minorities is present. Nevertheless, parties expressed their commitment in widening the minority rights as well as self-awareness of individuals and groups. The coalition also promised larger participation of the citizens in building a responsible society. No mention of the Catholic or other churches is present.

Besides being a member of the Socialist International, the SDP also became first an associate and then a full member of the Party of European Socialists (PES 2014), which further strengthened their European identification.

Considering all the aspects of the party, I may consider that there was a social liberal left in Croatia in this case. I will therefore code my variable as positive (1).

#### Assessment of the movement’s international relations

During this period, the movement continued lively regional cooperation. There were several meetings between 2003 and 2007 under the new organization called Southeastern European Queer Network. The network cooperated on regional projects in lobbying and activism, as well as influencing the public opinion. One of such projects was called Regional Lobby, Advocacy and Policy project. It focused on professional training of the activists in order to lobby successfully for the amelioration of the rights of LGB couples. The project got its funding from the Helsinki Committee for Human Rights and the Open Society Institute (Southeastern European Queer Network 2005).

Besides the common regional projects, the Zagreb pride continued to be the most important public event organized by the LGB movement. It continued to grow during most of the time until it became a whole week event. Besides the main event, which is the march around the city centre, the movement organizes festival-like events, such as discussions and workshops which include foreign participants. For instance, the 2008 pride was attended by Austrian member of the parliament Ulrike Lunacek (Zagreb Pride 2010b), in 2010 a French ambassador participated at one of the discussions (Zagreb Pride 2010a). In addition, different international organizations, associations, embassies and individuals declared their support for the event (Zagreb Pride 2015).

Additional evidence of the international relationships of the Croatian LGB movement comes from the debates about the life partnership act, which was adopted in 2014. Already at the beginning of the legislative action, not only the movements, but also ambassadors of Great Britain, France and the United States were invited for discussion. (Queer.hr 2012).

The Croatian LGB movement was able to find strong international links from which it could source its support. I will therefore code this variable as positive (1).

#### Assessment of the government aims

This case includes several governments in power. The first government led by the HDZ party released its programmatic aims document in December 2003 (Vlada Republike Hrvatske 2003b). In this document, there is no mention of human rights. Other frames, such as equality and basic freedoms are present, but there is no mention of the rights of people of LGB identity. The target of entering the Europe is present as a priority issue. However, other sections which could make a mention to human rights, such as justice, education or family policies, do not do so. We can thus say that human rights improvement was not a priority of this government.

Second government in this period, again led by the HDZ party, also prepared its program (Vlada Republike Hrvatske 2008). This program includes the aim of the government to improve legal standards for the protection of the human and minority rights. Other than that, human rights are not mentioned in this program either. Also, agenda on minority rights is rather restricted. The government does pronounce the acceptance of the European values as well as its target to join the European Union as a protector of the values of peace, freedom, justice and rights. Nevertheless, there is no explicit mention of the sexual minorities, LGB agenda or other concerned issues.

The last government in this period created by the Kukuriku coalition was oriented towards left. In their programmatic aims, the focus on human rights is clearly present (Vlada Republike Hrvatske 2011), as they dedicated one whole chapter to this issue. The government declared its intentions to reduce discrimination and improve legal framework in the area of human rights. Although not mentioned explicitly, the question of rights of LGB community is present. The government declared the support for freedom of choosing adult partners and the development of civil liberties in this respect. In addition, they mentioned intentions to change the legislation, so that there would exist freedom for each individual to start a family. This includes the change of legislation on medically assisted fertilization.

Because this case includes more than one government, but the actual change of the legislation came into existence only during the last leadership, I will only consider this last instance to determine the value of the variable. The government did declare its intentions to increase the civic and human rights, I will thus consider this variable as positive (1).

## Czech Republic

### Case no. 4 (1992 – 1998)

The first case for the Czech Republic is the period of the governments of Václav Klaus between the years 1992 and 1998.

#### Assessment of the media

There had been several instances when the movement in the Czech Republic wanted to increase the rights for the couples of LGB identity. The first such occasion happened in 1995, with the first newspaper message being from January that year. The media transmitted the demand for equality of rights for all persons (Riebauerová 1995). Shortly after this demand, a commentary was released, which argued in similar style, calling for equalization of rights for heterosexuals and homosexuals. (Bendová 1995). When the government rejected the proposal, the media did inform about the disappointment of the movement representatives. The movement argued with human rights frames, which was also forwarded (ČTK 1995).

Although the debate on the registered partnerships was largely limited, the attitudes of the media were clearly optimistic towards the issue. I will therefore code this variable as positive (1).

#### Assessment of church power

In this first case for Czech Republic, the government included two parties which openly pronounced Christian-democratic values. The first one was KDU-ČSL, which still exists today. Other party, KDS, went to the elections in the coalition with conservative-liberal ODS party. It merged into ODS in 1996.

KDU-ČSL party was created on the platform of ČSL party, which was a member of national front, and therefore a legitimate party during the communistic era. After the democratic revolution, ČSL sought to transfer itself into a modern, Christian-democratic party. It declared its intentions to defend Christian values in the society as soon as December 1989. Consequent party congresses reiterated this direction. One such congress was organized in 1995, where the party accepted a document *Foundations of politics of KDU-ČSL*. It linked the party to European Christian and conservative stream of parties. In addition, the change of the name of the party, when it added the prefix KDU to its name, was an indicator of such ideological placement (Pšeja 2005, 112-121). However, the party only achieved limited support by the electorate, with support between six and nine percent in the elections. Being only a small party, KDU-ČSL has been unable to be a strong ally of the Catholic Church in the politics. During this period, Catholic Church was excluded from the political debates, as were many other civic organizations (O'Mahony 2003). The programmatic declaration of the Government also did not pronounce any special ties to the Catholic church (Vláda České Republiky 1996).

Clearly, Catholic Church did not have a strong influence over the politics during this period, thus I will code the variable for this case as positive (1).

#### Assessment of the left party

There have been two main parties in the left spectrum of the Czech party system: ČSSD and KSČM. I will only focus on the ČSSD, because KSČM often holds extreme opinions, and other parties refuse to cooperate with them on the level of national politics (Charvát 2013).

Already before the elections in 1992, ČSSD claimed that the party was based around the principles of democracy and human rights for all (Československá sociální demokracie 1992). The party declared similar principles in their program before 1996 elections (Česká strana sociálně demokratická 1996). The party fully supported democratic principles, rule of law and basic freedoms. In addition, the party proclaimed its intentions to incorporate individuals and groups in the decision-making process. Focus on human rights was strong in many of their intended policies. Additionally, mentions of equality of rights and solidarity were a commonplace. The intention to become a member of the EU was also proclaimed. Lastly, no mention of the church or religion was present.

The programmatic plan for the elections in 1998 declared similar intentions (Česká strana sociálně demokratická 1997). They advocated support for equality of rights and opportunities, democracy and the rule of law. The party explicitly mentions cooperation with citizens and public associations on creation of the social policy in their program. In foreign policy, ČSSD again expressed its support for Czech membership within the EU.

As for the international membership, exiled wing of ČSSD was an observing member of the Socialist international even during era of state socialism in Czechoslovakia. Soon after the fall, ČSSD became a full member. (Československá sociální demokracie 1992). The party had also become a member of Party of European Socialists (Česká strana sociálně demokratická 1996).

Considering all this, I will code the variable for the left party in this period as positive (1).

#### Assessment of the government aims

The government of Václav Klaus adopted its programmatic aims in 1992 (Vláda České Republiky 1992). They declared intentions to build the principles of the rule of law, which they regarded as necessary for protection of human rights. The government also considered important to protect the minorities from the tyranny of majority. The connections towards European community are only shortly mentioned. However, this is may be a result of the fact that the foreign policy was the responsibility of the Czechoslovak federal government at this time. Nevertheless, the declarations that the Czech society is culturally European-oriented are stated.

Targeting the accession to Europe is a part of the programmatic proclamation of the second Klaus’ government (Vláda České Republiky 1996). The European structures are seen as protectors of democratic development, although human rights are not mentioned with this matter. There is no mention of the LGB community whatsoever.

Although the governments of Klaus did declare its democratic and European aims, they almost omitted the question of human and minority rights. Therefore, I will code this variable as negative (0).

#### Assessment of the movement’s international relations

SOHO was a single organization which united Gay and Lesbian movements in the Czech Republic during this period of time. The activities in the area of international relations carried by the movement were various. The movement involved itself in the international gay organizations as early as 1991, and continued improving its relations with the world.

In the nineties the movement worked actively on the AIDS prevention. A wide public campaign started, with financial support coming from Swiss sources. Further financial support for the campaign came from the concert of the Turtle Creek Chorale, who performed in Prague in 1995. Inspiration for the campaign also came from abroad, thanks to the strong ties with foreign LGB movements. AIDS prevention was a part of the international colloquium in the town of Poděbrady, which took place regularly every year (Hromada 2008).

Besides this campaign, several other events took place. The SOHO organization maintained good relations with its Slovak counterpart Ganymedes, when several formal as well as informal meetings occurred. The lesbian association Proslov started to organize an annual conference in 1995, with international participation (Hromada 2008).

Nevertheless, no pride event occurred during this period of time. Therefore, an event where the movement could show its lively international relations to the wider public as well as the political decision-makers was missing. Also, the president of the SOHO organization, Jíří Hromada, joined the candidacy list of a political party, but he was not elected.

Although there were actions with international involvement, I believe I cannot consider the relations as lively, as I conceptualized this variable. Therefore I will code it as negative (0) for this case.

### Case no. 5 (1998 – 2002)

This case includes the time after the fall of the government of Václav Klaus when social democratic Miloš Zeman took over the prime minister post. This was a one party minority government.

#### Assessment of the media

During this period, the LGB movement in the Czech Republic was again struggling for the increase of their rights. When a couple of representatives proposed the new legislative change, the media did transmit this message. The article summarized the demands proposed in the bill, but the movement was not given the space to comment. Moreover, human rights frame was missing (ČTK 1999).

During the year 1999, several events of the LGB movement took place. The media did inform about them, and relayed the equality frame, which the movement used (ČTK 1999). The article also pronounced the demands for tolerance and against homophobia in the society. Besides that, support for the parliamentary representatives seeking to improve the legal arrangement was also shown.

When the parliament rejected this bill, the media did issue a message about it (idnes.cz 2000). The opponents officially argued with legal deficiencies. The proponents, however, pointed out that the opposition had not worked in order to improve the bill, thus their rejection came from intolerance and moral argumentation. The equality frame was also mentioned.

The last message about the movement in this period came in 2000, when a lesbian movement organized a festival in Prague (Galanová 2000). According to the article, the festival aimed to increase the knowledge about homosexuality. The organizers demanded adoption of the bill, which would recognize registered partnerships for the LGB couples as well as reduction of the discrimination.

During this period, the media did transmit the messages of the movement, while using mostly equality frame. I will therefore code the variable for this case as positive (1).

#### Assessment of the church power

At this point, the only relevant party who openly pronounced the defence of Christian democratic values was above mentioned KDU-ČSL.. The party was, however, not a part of the government at this time. Anyway, the government of Social Democratic Miloš Zeman was a little bit more inclusive than the previous government of right wing Civic Democrats (O'Mahony 2003). Nevertheless, the government did not declare any connection to Catholic Church or other Christian faith in their programmatic declaration (Vláda České republiky 1998). Besides that, the government prepared a law on Religious Freedom and the Position of Churches as well as an agreement with Vatican. The parliament rejected both of these propositions. The question of restitutions was also not resolved in Church’s favour.

At this period, the issue of registered partnerships was also opened. The bill was proposed in 1998, and the church criticized it. However, I cannot claim that this rejection was hostile. Rather, the expression of disagreement was framed tolerantly, calling for “respect and delicacy” in approaching the issue (Enyedi and O'Mahony 2004).

It seems that the Catholic Church was unable to increase its relative position in the Czech political arena at this period; therefore, we may consider it as weak. I will thus code the variable as positive (1).

#### Assessment of the left party

In 1998, ČSSD won the elections, and it became a single party of the minority government. We can judge the party position according to the program prepared for the 2002 election. I will analyse it below.

In their election program (Česká strana sociálně demokratická 2002), the party declared to continue fulfilling the European model of social arrangements, with the focus on democracy, human rights as well as reduction of inequalities. Freedom of the media was also considered as an important area. Party claimed that EU membership should be very helpful in achieving this target. The party program also mentioned protection and solidarity with the disadvantaged minorities, although sexual minority was not explicitly mentioned. Lastly, the party also proclaimed its intentions to defend the society from arrogance, authoritarism and violence.

The party remained the member of the international institutions – the Socialist international and the Party of European Socialists.

Although the proclamation of the respect of human rights, equality and solidarity is present, the party program about this issue was quite limited. I will thus code the variable for this case as negative (0).

####  Assessment of the movement’s international relations

The SOHO organization remained the most important common actor among the LGB associations in the Czech Republic. In 2001, the organization changed its name to Gay Iniciativa.

The movement continued in its activities concerning AIDS prevention, as well as organization of different conferences and festivals. An important event, international “Rainbow festival” in the town of Karlovy Vary took place three times from 1999 to 2001. However, the movement did not report about important international guests (Šlehofer 1999, Mila 2001). Besides that, the movement continued having good relationship with its Slovak counterpart, as well as international organizations such as ILGA. In 2001, the representatives of the movements were also invited for public hearing in the European parliament.

Considering the issue of registered partnerships, there were indeed attempts to change the legislation in order to improve the rights of the couples of LGB identification. The argumentation of the movement used the examples from different countries, where such change had taken place (Gay Iniciativa 2001).

The international relations of the movement improved during this period of time. Although the relations were not very extensive, the movement was involved with the international community, and used its frames as well. Therefore I will code this variable as positive (1)-

#### Assessment of the government aims

The government of Miloš Zeman accepted its aims in august 1998 (Vláda České republiky 1998). The government declared its intentions to protect human rights a couple of times. Most importantly, the government declared its aim to improve the rule of law, so that the tolerance of differences and solidarity with weaker become basic principles of politics. The government also pronounced its target to join the European union and cooperate in the question of human rights. Nevertheless, explicit mention of the LGB community or minority rights is not present.

Although the commitment to human rights and European frames is present, it is very limited. Therefore I will code the variable for this case as negative (0).

### Case no 6. (2002 – 2006)

This case is restricted to the period of time between 2002 and 2006. Czech Social Democratic party was the leader of the coalition, which included Christian Democratic KDU-ČSL and liberal-conservative US-DEU party. It was during the rule of this government that the law on registered partnerships for the couples of the same sex was adopted.

#### Assessment of the media

The issue of LGB rights was the theme of the newspaper articles also during this period. One of the first messages came in 2003, when there was another attempt to legislate on registered partnerships. The representatives decreased the extent of the rights included in the bill, in order to appease some of the undecided members of the parliament. The media also transmitted the equality frame, with an example of a concrete couple and their practical difficulties in their life arrangement (MF Dnes 2003). A very similar message was released the day before the vote took place (MF Dnes 2004). The parliament ultimately rejected the bill; nevertheless, the government prepared another proposition.

When the voting about the new bill was to take place, the media did inform about the issue. An interesting moment here is that the prime minister and the leader of the ČSSD demanded from his representatives not to vote against the bill. Besides this political issue, the article again pronounced the demands of the movement, arguing in equality frame (Kopecký 2005). The chamber supported the bill and it was sent to president for signing, which he declined to do. The media transmitted his opinion that the bill is a “tragic mistake” as it creates a privilege for a minority in the society (Buchert 2006). Nevertheless, in the same article the explanation of the proposed law was also included, arguing in equality frame. The parliament adopted the law in March 2006 with an absolute majority, thus bypassing the president’s veto. The media informed about the issue, using the equality frame while presenting the final bill, as well as examples from other countries (ČTK 2006).

The media attitudes during this period of time were largely positive, and I will thus code the variable for this case as positive (1).

#### Assessment of church power

At this period of time, it was again the KDU-ČSL, which could represent the views of the Catholic Church at the political arena. Nevertheless, their power remained rather limited. In its programmatic declaration, the government did not mention any special connections to the Catholic Church, nor other religions. The amelioration of the rights for the couples of LGB identity was not a part of the declaration either (Vláda České republiky 2002), even though the Social Democratic party made it one of its programmatic aims (ČSSD 2002, ČSSD 2003).

The church was evidently unable to stop the legislation from being passed. Although KDU-ČSL strongly opposed the bill, a majority of parliamentary representatives ultimately supported the bill in 2006. Czech Bishops’ Conference positioned itself against the bill, but they did not base their argumentation on hateful speech. Rather they viewed the institution of registered partnership as a special treatment of a minority, which was against the principles of the constitution, as they claimed (ČBK 2006).

The church was unable to increase its relative strength in this period, and thus I will code this variable as positive (1).

#### Assessment of the left party

During this period, Czech Social democrats released a long term programmatic plan. I will use it to assess their ideological position.

In their long term program (Česká strana sociálně demokratická 2003), the party clearly states its placement among European social democratic parties, with focus on democracy, universality of human rights, personal liberty and equality of all people as well as solidarity with the minorities. In the area of human rights, the party declared its intentions to reduce the discrimination, which grows from the national and individual prejudice. It supported the protection of different identities, which cannot solely fight the despotism of majority. Therefore, the party intends to build up tolerance towards the minorities. Explicit mention of sexual minorities is present. The party program also includes the support for multiculturalism, which denies exclusion of minorities in the political process. ČSSD also proclaimed support to the public associations and interest groups, who seek to address the public.

The party remained a member of both the Socialist International and the Party of European Socialists.

As for the coalition members during this period, ČSSD cooperated with the liberal-conservative Union of Freedom as well as Christian democratic KDU-ČSL. The political reality was such, as the party declined to ally with extreme-left Communistic party. Christian democrats were the weakest party of the government in terms of members, and thus unable to strongly influence the direction of ČSSD.

Even though the party had to work with the Christian Democrats, it remained with its programmatic ideas of human rights and equality. I will therefore code the variable for this case as positive (1).

#### Assessment of the movement’s international relations

Gay Iniciativa concluded its struggle towards the legislation of the registered partnerships during this period. Much effort was used for domestic issues. Previous international activities, such as “Rainbow festival” ceased to exist. Other organizations within the movement continued with their international relationships.

An influential organization within the LGB community is student association STUD in Brno (Vráblíková 2006). STUD maintained good relations especially with the Slovak association Ganymedes, with which they cooperated on several projects. Besides that, a large film festival organized by this association has become a tradition. Many foreign guests from the film industry participated. Organization of the festival was supported by several foreign embassies and foundations in the Czech Republic (STUD Brno 2002, 2003, 2004, 2005, 2006).

Although the movement maintained international relations, they focused mainly on the cultural instead of political space. No pride events took place, where the public and the decision-makers could see the movement’s international support. Therefore, I will code this variable as negative (0).

#### Assessment of the government aims

There were three programmatic declarations during this period of time. The first one, adopted by the government of Špidla (Vláda České republiky 2002) is open about the human rights issue. The government dedicates one whole section to it. It talks about prevention of the discrimination of any kind; however, sexual minorities are not explicitly mentioned. The government does target entry in the European Union. In this area, the government would like to become a part of the community, which respects the principles of democracy and human rights.

Second programmatic proclamation was adopted in 2004 (Vláda České republiky 2004), when the new Prime Minister Gross took over the office. As the previous program, this one also declares its support to human rights development, equality before the law and anti-discrimination. Nevertheless, LGB issue remains ignored.

The last programmatic proclamation in this period, accepted in 2005 (Vláda České republiky 2005), is the least extensive. The issues of human rights and non-discrimination are mentioned. The government declared itself as pro-European, praising European integration. European frames were also used to defend the stance of the government in the question of protection of the human rights. Nevertheless, the issue of sexual minorities is not present.

Although the governments never pronounced the issue of the rights for the couples of LGB identification as its targeted norm, it often used the human rights, equality and anti-discrimination frames in its declaration. Furthermore, they pronounced them in relation with Europe as well. Therefore, I believe I can code this variable as positive (1).

## Slovakia

### Case no. 7 (1994 – 1998)

The first case for Slovakia involves the era just shortly after the country independence. At this time, the ruling government consisted of HZDS, SNS and ZRS parties.

#### Assessment of the media

The media in Slovakia did inform about a few events, in which the LGB movement was involved.

There have been several events organized by gay and lesbian movements in Slovakia during this era. The movement organized several conferences, forums and educational activities, as well as beauty competitions such as Mr. Gay. One of the first events that got media coverage was Gay Film Festival organized by the Slovak gay movement Ganymedes in 1995 (TASR 1995). Newspaper SME only copied the short agency news, which informed about the event. The same festival got attention of the media two years later, when the newspaper SME only informed about the financial difficulties of the organizers, and that the festival will be postponed (Sme.sk 1997). Activities connected to the change of legislation started in 1997, when Ganymedes movement prepared a bill proposal, which would, if accepted, create an institution of registered partnerships for the LGB couples. The government ignored this proposal. The movement made a similar demand in 1998, but the result was the same. Newspaper SME informed about the bill proposal with a delay in a short message few months before the parliamentary elections. The news showed the support of the Green Party for the movement, rather than the struggle of the movement (gub, SITA, TASR 1998). I was unable to find any other news informing about the movement from this period.

Considering that the activities of the movement were rather limited, and that political situation was not favourable, the media coverage was adequate. The framing of the messages did not mention the demands of equality of rights. The most important event, the demand of the legislation change was ignored at the time by both the media and the politicians. Therefore, I believe I may code this variable as negative (0) for this case.

#### Assessment of church power

After the declaration of independence in 1993, the party with the strongest ties to the Catholic church was Christian-Democratic movement (KDH). Unlike in Czech Republic, where ČSL party was a part of wider National front, and therefore a legal party during the communistic era, most of the members of KDH originated from dissent (Bakke 2010). However, KDH was not a member of the government at this period, and thus it was only able to maintain a very limited political power. The leading political party of the coalition, HZDS, did explicitly declare its Christian roots, but no connections to the Catholic Church were expressed (HZDS 1994).

Slovakia made concessions to the Catholic church as soon as 1993, when the restitution of the property of the church was agreed upon. Later, however, the relation between the state and the church started to deteriorate, mainly because of unpredictable nature of the Prime Minister Mečiar, who used undemocratic tactics in his political struggle. Nevertheless, there did exist supporters of Mečiar’s cause even among bishops (Leško 1997). However, Slovak Bishops’ Conference officially supported president Kováč, who opposed Mečiar as a guarantor of democracy in Slovakia (KBS 1995). Catholic Church also criticized the adopted law, which decreased the possibilities of public demonstrations. In this political situation, the willingness of the Catholic Church to cooperate with the political representation on the questions about concordat was meagre (Leško 1997).

We may say that during the era of first Mečiar’s government, the Church was unable or unwilling to find enough influential political allies, in order to increase its strength in the society. Although the Prime Minister Mečiar did intend to regulate the relationship with the church, the church rejected him as an unreliable partner. Thus, although present in the society and even politics, I may consider the power of the church as weak in this period. I will thus code the variable as positive (1).

#### Assessment of the left party

During this period, only one party, which identified itself as left leaning, achieved the place in the parliament – the SDĽ, as a reformed successor of the Communistic party. I will analyse its programs from 1996 and 1998.

In their program from 1996 (Party of the Democratic Left 1996), the party states that its common principles are freedom, social justice, solidarity and democracy. The party also defended the principles of plurality, considering the differences as crucial for democracy. In addition, they refuse the conception of democracy as tyranny of majority. Sexuality is explicitly mentioned among the minority variations. The party also proclaims that everyone should have individual freedom and human rights guaranteed. SDĽ also declared its support to non-governmental and public associations, striving to build a civic society and achieve civic rights for groups and individuals. Besides that, the party supported Slovakia’s entry into the EU.

We can find additional information in the program released before the elections 1998 (Strana demokratickej ľavice 1997). Besides the principles covered also in the previous program, there are some additions. In the area of state and church relationship, the party distanced itself from the violent atheism of the previous regime. At the same time, the party declared its intention to remain neutral towards the churches, with respect of the constitution. In the minority politics, the party declared support for tolerance and acceptance. However, no mention of sexual minorities is present.

The party became a member of the Socialist International as well as the Party of European Socialists early after its creation.

It seems that the early SDĽ party was very much similar to other European Social-Democratic parties in this period, and from my analysis we can confidently state that it was a liberal party. I will therefore code this variable as positive (1).

#### Assessment of the movement’s international relations

During this period, the movement organizations were in the process of formation. The attitude of the government was not favourable and the movement struggled financially, which resulted in reduced range of possibilities and activities (Ganymedes 2010).

The oldest of the associations, Ganymedes, started its international activities in 1992, by organizing a regional conference of ILGA for Eastern and Southeastern Europe. Other international cooperation included mainly the activities with the Czech LGB movement, with whom they organized both formal and informal meetings. First Slovak lesbian organization Museion co-published Czech feminist magazine Promluv. Other than that, the movement organized Gay Film Festivals with international participation between the years 1995 and 1997.

To conclude, the movement did carry out some activities with international participation. They were, however, quite small in scale and few in numbers. I will therefore code this variable as negative (0).

#### Assessment of the government aims

I will now try to ascertain what the position of the government towards human rights was. The program of the government accepted in 1994 states positive attitudes towards the human rights (Vláda Slovenskej republiky 1994). The government claimed that it is its primary responsibility to defend human rights of all citizens, irrespective of their nationality, religion, political or other opinions, social origin and class, or property. The government also declared its intentions to keep good relations with ethnic minorities. It also stated that development of the rule of law in accordance with the European legal system is necessary. The target to join the European Union was also pronounced.

However, the European Commission evaluated Slovakia’s development on the path towards the European Union (European Commission 1997). There appeared several problems in the functioning of the parliamentary democracy. Commission criticized the practice of political life, when the government ignored the opposition, as well as other controlling mechanisms, such as the Constitutional court or Central Referendum Commission. The commission also criticized misusing of the police and the secret service, as well as lack of independence for the courts. Lastly, the treatment of the Hungarian and Roma minorities was also seen as problematic. The commission reminded that there had been several declarations and demarches on the matter, which the government ignored.

Although the programmatic declaration towards European values and human rights was largely positive, actual development during this era was not as optimistic, which led to postponement of accession negotiations (European Council 1997). Thus, I will code this variable as negative (0).

### Case no. 8 (1998 – 2006)

After the elections in 1998, HZDS, SNS and ZRS lost their leading role of the government parties, and a wide coalition of democratic parties, spanning from left to right and including Hungarian minority, replaced them. The leading party of the coalition was SDK, other parties included were SMK, SDĽ and SOP.

#### Assessment of the media

During this period of time, when three conservative parties took part in Government (SDKÚ, KDH, SMK), the discussion about the equality of the LGB people improved. Unlike during the previous government, the legislative demands were not ignored, but the movement found some allies among the politicians. The debate in the first years of this period included the issue of the concordat with the Holy See, anti-discrimination legislation required by the accession procedure of the European Union, as well as proposals for the same-sex unions’ legislation. The media tended to portray the issue more thoroughly than in the previous years.

At this period of time, gay and lesbian movements combined their forces in a common initiative Inakosť, which is active until these days. The initiative played an active role in the proposal of the registered partnerships bill in 2001. Members of the initiative were invited to a session of *Parliament committee for human rights and nationalities*. The newspaper informed about the demands of the initiative and about the limited support by the representatives. Article clearly pronounced the frames used by the initiative, and the statements by the supporting representatives, who used examples of other countries, and the right for equality. The point of view of the opponents was not included (SME.sk 2001). The newspaper later informed about the development of the bill debate again fully stating the demands of the movement (TASR 2001c). In the year 2002, the proposal was included at the government session, but they unanimously rejected it. The newspaper informed about this setback, citing the minister of justice Ján Čarnogurský (KDH), who said, “There won’t ever be a government in Slovakia, which would accept such a law. And if there was, Slovakia would be led to decline/decadence”[[1]](#footnote-1). At the same time, the newspaper pronounced opinions positive and/or neutral about the legislation. It also used the supporting statement by Danish Prime Minister Anders Fogh Rasmussen, who was visiting Slovakia at that period (Žemlová 2002).

Other issue debated in this period was connected to the discrimination at workplace based on the sexual orientation. The parliament was debating the reform of the labour law. In this proposal, a provision forbidding discrimination based on sexual orientation was not included. LGB community viewed this as discrimination. Initiative Inakosť organized several protest actions in order to raise awareness about the issue. First, they delivered a petition to the president of the republic, asking him not to sign the bill, but to return it back to the parliament. The initiative argued citing the European legislative and the media pronounced the message (TASR 2001b). Later that year, the initiative organized several protest events, where they tried to raise the awareness about recently accepted law, as well as missing anti-discrimination laws. The newspaper informed about this events, also mentioning the support by representative Milan Ištván, who was also responsible for opening the parliamentary debate on registered partnership (TASR 2001a, TASR 2001b).

The media covered other events organized by the movement as well. One of such was a demonstration in front of the parliament building when the voting about the anti discrimination bill took place (TASR 2002). Another news informed about the presence of the representatives of the movement at the European parliament session, where they talked about the situation of gays and lesbians in Slovakia (TASR 2001d). Newspaper cited involved persons who argued in human rights and European frames.

After the elections in 2002, the right wing government, led by Christian democratic SDKÚ party remained in power. The debate about the issues concerning people of LGB identification continued. From the analysis of the media coverage, it seems that the active initiative of the movement faded compared to the previous period. The movement was unable to create its own agenda, and it only reacted to the mainstream political and societal events. When the pope visited Slovakia in 2003, initiative Inakosť started a protest and informing campaign against the clericalization of the Slovak society. The press translated their message in a largely positive way (SITA 2003).

The debate about the anti-discrimination clause in the labour law and the legislation of the anti-discrimination law persisted as important issue. KDH was the main opponent of inclusion of the clause in the law. Initiative Inakosť organized protests in front of the government building and the seat of KDH to show their support for mentioning the sexual orientation in definition of the anti-discrimination law. The newspaper cited the activists and their political supporters, who used mainly the equality frame (TASR 2003, Sme.sk - pcs 2003).

In this period, SME published several commentaries about the issue of discrimination as well. In these commentaries, the authors tried to argue for the inclusion of the sexual orientation in anti-discrimination law from the European and equality viewpoints (Leško 2003, Adámková 2003). However, when the actual law was implemented in May 2004, the newspaper did not relay the position of the LGB movements.

Towards the end of the term of the parliament, initiative Inakosť started a petition campaign. It planned to present the results to the parliament after the elections, in order to pass a bill on registered partnership. The press relayed the demands of the initiative, which mainly argued with examples from other European countries (SITA 2006a).

From the analysis of the press articles, I am quite confident that the variable about the press portrayal in this case may be coded as positive (1). There was quite much coverage of the events organized by the movement, even those that were attended by only dozens of participants. The press let other authors supporting the movement pronounce their opinions as well.

#### Assessment of the Church

This period provided much more opportunities for the church involvement in the politics than the previous one. The leading “party” in the government was SDK, which was created as a coalition of five democratic parties opposing the authoritative style of politics of Prime Minister Mečiar before the elections in 1998. Because of the change of the electoral law, which disadvantaged the coalition, SDK transformed itself into a party. Mikuláš Dzurinda of Christian Democratic movement became the chairperson of the newly formed party. Besides the KDH, who openly claimed the defence of the Christian democratic and conservative values as its aim, Hungarian community also had its Christian democratic representatives, as part of SMK (Kopeček 2007, 323).

The most important issue in relation to the state and the church was the passing of the concordat with Vatican. SDK declared an intention of this international agreement in its programmatic declaration before the elections (SDK 1998). The adoption of the bill was so rapid that the public discussion did not have time to occur. Even though the constitution guarantees the protection of the religious freedom, the agreement created a special position for the Catholic Church in Slovak society. It allows the Catholic church “to use all the suitable means for moral formation of the citizens of Slovak republic in favour of common good according to the principles of Catholic teachings” (Slovenská republika a Svätá stolica 2000), independent of their own religious convictions. Besides that, the agreement conserved the conception of family in its heteronormative meaning. When the parliament voted about this law, 100 out of 113 present representatives agreed with the bill. This means that not only the coalition parties supported it, but the opposition as well (Pietruchová 2002).

This period also includes the propositions for the adoption of registered partnership bill in Slovak legislative assembly. Conference of Bishops of Slovakia stood strictly against such proposals. They argued that the partnership of people of the same sex goes against the common sense, biologic as well as societal order. Moreover, they added that catholic representatives have moral responsibilities to vote against such proposals (KBS 2003). Many politicians shared this view, as shown in the assessment of the media above.

In the second part of this period, after the elections in 2002, Christian democratic SDKÚ led the governing coalition. Although having the adjective “Christian” in its name, the party included conservative as well as liberal streams. However, the party did formally declare that it has Christian-democratic foundation, and it did become the member of European People’s Party. Christian Democratic movement was also part of the coalition, and their place was crucial especially in adopting the anti-discrimination law, which was required by the European union, as described above.

Thus I may consider the influence of the church on the politics as strong in this period of time, therefore I will code this variable negative (0), as many of the positions of the church were adopted by the legislators.

#### Assessment of the left party

After the elections in 1998, a wide coalition of right wing as well as left wing parties was formed. SDĽ was an important member of this coalition. However, as early as 1999, the most popular politician of SDĽ, Rober Fico, currently the prime minister of Slovakia, left the party, and acted as an independent representative for the rest of the term. He founded a new party called Smer, which would eventually replace SDĽ on the left side of the Slovak political spectrum. I will therefore analyse the programs of both of these parties.

SDĽ as a government party pronounced its ideological opinions in the program before the 2002 elections (Strana demokratickej ľavice 2002). The party declares itself as a party of the modern left, aiming to defend the values of solidarity, justice and plurality. They intended to support the minorities and the disadvantaged in their socio-cultural development. In addition, the party stated that it would not countenance any form of discrimination based on difference, with sexual orientation included in the list. The party also mentioned its international affiliation to the Socialist International and the Party of European Socialists, as well as its European direction. Although the party focuses more on the “bread” themes, I can still judge it as socially liberal. However, the party was unable to attract enough voters, and it did not enter the parliament following the 2002 elections.

It was the Smer party, which replaced SDĽ. However, their party program for the 2002 elections shows little traces of modern, European social democracy (Smer - Tretia Cesta 2002). The party program claims that its ideological foundations are of the third way. The respect for democracy and entry into the EU as a target are pronounced, but there is no explicit mention of human rights discourse, anti-discrimination, minority protection or equality, as we would expect form a social democratic party.

By the 2006 elections, the party changed the addition to its name – from Third way to Social Democracy, thus completely self-identifying as a leftist party. Their membership within the Socialist International and the Party of European Socialists is mentioned as the first point of the program (SMER - Sociálna demokracia 2006). They proclaimed the willingness to pursue the values of solidarity, justice and the equality of opportunities. However, their program mentions mainly economic themes, promising reduction of the negative effects of the reforms of the previous right wing governments. There is no mention of human rights or minorities protection. Even such an important theme as gender equality, which I found among all other left parties that I studied, is not present.

Considering the facts that SDĽ lost its support in the elections in 2002, and that Smer focused primarily on economic, rather than social-liberal issues, I will not consider socially liberal left party as present in this case. Therefore, the variable will be coded as negative (0).

#### Assessment of the movement’s international relations

Several associations of the LGB community were united in a common platform called Iniciatíva Inakosť. This association conducted the most of the important projects of the movement.

One of the most important events that took place in this period of time was a colloquium about the situation of the LGB rights in Slovakia, and the possibilities of the legislative change. Participants from the Czech Republic and Sweden came, and many examples from different countries were presented. The event took place with the financial support of the Friedrich Ebert Stiftung (Iniciatíva Inakosť 2001).

In addition, several protest marches took place in several towns of Slovakia. Although they were not called “Gay Pride”, and they were missing festival-like activities, they allowed the movement to present itself to public. The movement also found an international support, as several participants came from friendly organizations in the Czech Republic and Hungary (Jójart 2002). Besides that, Gay Film Festival continued its operation with international participation until 2001 (FFi 2014).

The movement did organize several events, which attracted international participants. Nevertheless, the scale and the number of the events were quite limited, therefore I will code this variable as negative (0).

#### Assessment of the government aims

The program of the coalition government after 1998 (Vláda Slovenskej republiky 1998) elections declares the intentions to respect the human rights and other freedoms in an equal manner. Tolerance and solidarity with weaker people are a part of the proclamation. The government also declared its intentions to improve the situation in the area of human rights of the ethnic minorities in cooperation with the international institutions. In addition, there is a commitment to improve the political situation in Slovakia in accordance with the European criteria, as the membership in the EU is declared as one of the priorities of the government.

The government proclamation of 2002 (Vláda Slovenskej republiky 2002) largely copies the previous one. Human rights are mentioned only twice. The first instance states that the government is dedicated to guarantee civic freedoms and general development of human rights. Secondly, the government declares intentions to improve the area of human rights in relation to the ethnic minorities. Other than that, minority agenda is widely elaborated, although it only concerns ethnic minorities. Targeting to join the European Union remained the priority. Cooperation with Europe is also mentioned in the minority agenda.

The commitment to the human rights development is limited, even though the situation improved as compared to the previous case. Nevertheless, I will have to code this variable as negative (0).

### Case no. 9 (2006 – 2010)

This case includes the period of years between 2006 and 2010, when the social democratic Smer led the coalition government, which also included nationalistic SNS and populist HZDS parties.

#### Assessment of the media

In this period, the movement continued with its campaign towards the legislation of the registered partnerships, but also some informing campaigns about the LGB identity.

Year 2007 was named as the European Year for the equal opportunities. During this year, initiative Inakosť focused not only on legislative struggle, but also on reducing the homophobia in the public. The movement organized one of the informing campaigns around the international day against homophobia on May 17th 2007. The initiative was using the examples of the European institutions, which considered homophobia as a problem. The leading politicians did not issue a statement about the topic (SITA 2007a).

As far as the registered partnership legislation is concerned, the movement was optimistic about reducing the inequality. The press informed about the educative actions of the movement, but it also noted that the attitudes of the politicians, such as the minister for social affairs and vice premier for human rights, are rather lukewarm (SITA 2007b, SITA 2007c). Although there did exist supporting voices for the registered partnership from the side of European political structures, as well as socialist member of European Parliament Monika Flašíková-Beňová (TASR 2008), the voices of the Slovak decision-makers remained denying (ČTK 2008).

Before the elections in 2010, initiative Inakosť started a campaign directed to the members of the Slovak parliament, in order to persuade them to adopt concerned legislation. The message found its way into media, however, the argumentation was not framed in either European or human rights perspective, rather it emphasized the need for equality of the citizens (SITA 2009). The campaign did not seem to have much of an impact, as the prime minister claimed that the issue of registered partnerships was “absolutely insignificant” (SITA 2010).

The last major event of the LGB movement in this period was “Rainbow march” organized in May 2010. On the eve of the event, the newspaper informed that there would be a march; however, the article did not relay the demands of the movement. Rather, the newspaper informed about the viewpoints of the opponents of the movement, would it be Christian organizations, but also nationalistic parties and associations. On the other hand, the newspaper did mention that foreign embassies and NGOs supported the event (ČTK, TASR, SITA 2010). The report from the event itself was rather sensational, it treated the problems, which organisers had to face. Those were especially the attacks from the radical-right groups, who disrupted peaceful march (Kern 2010). Interestingly, the commentaries, which showed support to the event did not mention the demands of the movement neither in European nor human rights frame (Hvorecký 2010).

The situation with press portrayal of the movement did not change much from the previous period. Although the framing of the messages was not always in accordance with the movement’s demands, the media was quite supportive for the cause. Therefore I will code this variable as positive (1).

#### Assessment of the church

In this period, Catholic Church loss access to the government through its most powerful ally, KDH. We can trace the new direction already in the programmatic declaration of the government, which did not include any mention of Christianity as the source of its ideology (Vláda Slovenskej republiky 2006). The Catholic Church thus only retained its position within the society, while its position towards political decision makers weakened.

The Catholic Church had several demands, which they wanted achieve through political decisions. The concordat with Vatican, approved by the previous government included passages, which required additional legislative action. The government did not approve. Nevertheless, Prime Minister Fico informed the Church that no major changes would occur during his term. This includes the situation with the financing of the churches, for which the state is responsible. Additionally, Fico promised no changes around the issue of partnerships of LGB couples (Sme.sk 2006). The government remained on its position throughout its term (Uličianska 2008).

The religion, however, did play a part in the presidential elections in 2009. A catholic priest publicly criticized the right wing candidate Iveta Radičová because of her positions towards interruptions. Nevertheless, the Bishops’ Conference did not use its voice to recommend whom to vote for, as it did in previous elections (Vražda 2009).

Because the church lost its strongest ally in the government, KDH, and because the government of Fico was not openly pursuing the agenda of the Catholic church, I can consider the church as weak at this period. Therefore, I will code my variable as positive (1).

#### Assessment of the left party

After the 2006 elections, Smer-SD rose to be the only relevant party on the left side of the political spectrum in Slovakia. In their programmatic orientation document form 2010 (SMER - sociálna demokracia 2010b), the party pronounced its aims.

Although the party declared its intentions to preserve solidarity, and create equal opportunities, the party program focused mainly on economic themes, as did the previous one. The party declared that it prefers building a strong and larger state. There is no mention of the citizen’s involvement in the political process; neither declared support for non-governmental sector in influencing the politics. There is a vague reference to human rights, plurality and minority protection as basic principles of the European community, but no explicit statement that the party is also committed to these values. In the statement released with the program, the party expressed the fear from Hungarian chauvinism and revisionism, with phrasing similar to nationalist parties (SMER – sociálna demokracia 2010a).

In addition, the party formed a coalition with nationalistic SNS party, for which the Party of European Socialists temporarily interrupted its membership (SITA 2006b).

To conclude, the issues commonly present in the programs of social democratic parties are not included in the program of the party Smer-SD. It cooperated with nationalistic forces, and partially adopted their extremist frames. This leaves me with no option, but to code the variable for the presence of a socially liberal left party in this case as negative (0).

#### Assessment of the movement’s international relations

Initiative Inakosť continued to be the most important LGB association in Slovakia during this period. The initiative organized and participated at several activities.

The European Party of Socialists organized one of the most important events and happened in the European parliament. Participants from different countries attended, including the members of the European parliament. Initiative Inakosť sent its representative to present the current situation of the LGB movement in Slovakia (Iniciatíva Inakosť 2006). A representative of the European commission was also present at the roundtable organized by the government of Slovakia, where they discussed the discrimination of the people of LGB identification (Iniciatíva Inakosť 2007). Another meeting with the members of the European Parliament from the socialist faction took place in 2008 (Iniciatíva Inakosť 2008).

In the cultural sphere, the movement also organized many activities. A film festival with international participation was reintroduced. Several foreign embassies pledged their support for the event. Besides that, the initiative organized several conferences and exhibitions with international participation, especially from the neighbouring countries. British embassy supported a happening with commemoration of the Stonewall events. The ambassador took the patronage over the event (Iniciatíva Inakosť 2009).

The movement was able to find substantial foreign support during this period. I will therefore code the variable as positive (1).

#### Assessment of the government aims

The government that came to power after 2006 elections clearly pronounced its commitment to the protection of the human rights. In the introductory chapter, the government states that it considers Europe not only as a space for free movement of people, goods and services, but primarily as a union based on the principles of solidarity, dignity, democracy and respect of human rights, including the minorities’ rights. The question of human rights is then mentioned in several areas, including the social policy, democracy and the rule of law. The government also mentions its commitment to take part in construction of human rights policies of the European Union. However, minority policy only focuses on the ethnic minorities, and it is only limited.

There was a pronounced commitment by the government to improve the human rights during this period. Although there was no mention of the LGB community, I believe I can code this variable as positive (1).

## Slovenia

### Case no. 10 (1991 – 2004)

This case includes the period between the years 1991 and 2004, when LDS was the leading force of the government of Slovenia.

#### Assessment of the media

Although Slovenian LGB movement was quite active, it took a while before they were able to get proper media attention. The first message that talked about the LGB movement ŠKUC-LL did not concern the LGB issue, but a question of gender relations (STA 1997). Later, the movement gained attention when they protested against the harassment within the society, and called for equality of rights (STA 2001a). This was a reaction to the decision of the government, to call for a referendum on the possibility of medically assisted insemination. As the representatives of the movement claimed, this was interference in the area of women’s human rights (STA 2001b).

The media offered the movement more attention in the early 2000, when the government considered adopting a law on registered partnerships. In 2002, the speaker of the parliament invited the representatives of the movement for a formal meeting. They asked for elimination of discrimination and called for equality, which the press relayed (STA 2002a). The cooperation between the movement and the state on drafting the bill continued. The movements declared hope that the parliament would accept the bill as soon as possible, calling the parties and the government to pursue equality of citizens (STA 2003a). However, one of the government parties, namely SLS, did not support the bill. The movement considered such position as discriminatory and opposite to human rights and efforts towards equality before the law (STA 2004a).

Beside that, the press have informed about first pride events since its first instance in 2001. The media relayed the viewpoints of the movement, namely the struggle for equality and human rights (STA 2001c, 2002b, 2003b, 2004b) Also, the agency reported on the meeting of the formerly Yugoslav LGB movements in Ljubljana. The program of the meeting was to exchange the perceptions of the situation of the LGB communities in the respective countries, as well as to discuss about human rights and equality. The press presented this message (STA 2002c).

The media informed quite thoroughly about the movement, with frames of either human rights or equality always present. I will therefore code this variable as positive (1).

#### Assessment of church

During the era of state socialism in Yugoslavia, Catholic Church was an important public sphere actor. It was the only public institution, which the communistic party did not directly control. This changed in the period after the declaration of independence from Yugoslavia, as new democratic society emerged in Slovenia. An independent public sphere grew rapidly, which decreased the power of the Catholic Church (Jakelic 2004). Although the Catholic Church did try to regain its central position within the society, it failed (Črnič, et al. 2013).

The relationship between the state and the church in this period was regulated by the constitution, which maintains that the “state and religious groups are separate. Religious groups have equal rights. Their activity is free“(Republic of Slovenia 1991, article 7). Catholic Church sought to regulate its relationship with the state as soon as 1992; however, the working committee of the government and the church representatives ceased their cooperation without any concrete results in 1996. The government dismissed further propositions of the Church to establish concordat with Vatican. This comes from the fact that the government of the liberal party pursued the politics of laicism. Personal religious affiliation was perceived as an individual choice, and thus the state did not recognize the role of the church in the society. This included the schools, where no kind of confessional education was possible (Stres 2000).

Nevertheless, the Catholic Church and Slovenian state did arrive to an agreement about regulation of the relationship in 2001. The agreement with Vatican was signed, which was later approved by the Constitutional court as well as the parliament in 2004. However, the agreement only maintains the religious equality as provided by the constitution, with Slovenian law being superior to the agreement. Furthermore, the ecclesiastic and lay marriage laws are separated (Schanda 2005).

During this period, there existed Christian democratic parties. There was SLS as well as SKD, who later merged with each other. They also participated in the governments together with LDS. Nevertheless, they were unable to influence the lay nature of the Slovenian politics, which the liberals pursued. In the year 2000, it was these parties, which ruled the government together with Social democrats. During this short period, they were able to begin the cooperation with the Catholic Church, however it only led to the limited agreement as described above.

It is also important to mention that legislative proposals for regulation of the partnerships for the LGB couples did occur during this time. Because of the lay character of the governments led by the Liberal party, the proposal of 2001 was quite extensive, with adoption being the only important right restricted to the heterosexual majority. At this point, the Catholic Church did not release any particular statement. However, voices from the governmental SLS claimed that no regulation, whatsoever, was necessary. Other parties with Christian democratic background mainly contended that a heterosexual marriage should maintain privileged position, arguing against the adoption (Šarkić 2001). Nevertheless, by the end of the election cycle, even the SLS declared more accepting position, disagreeing only with the right to adoption (Ćurković 2004).

Considering the lay nature of the early Slovenian state, limited involvement of the Church, as well as the fact that the criticism of the legislation about the rights of LGB couples was almost missing, I may consider the church as weak during this period. Thus, I will code the variable as positive (1).

#### Assessment of the left party

In the early existence of independent Slovenia, several left-oriented parties sought electoral support. These parties joined to form a united list for the elections in 1992. I will explore the political programs of the left in this period, in order to ascertain its position.

The first electoral program of the ZLSD, which I was able to get hold on, was from the party second congress in November 1995. The program is called Social Democratic program for Slovenia (Združena Lista Socialnih Demokratov 1995). In the preamble, the program sets its target to build Slovenia on principles of equality and solidarity, as well as tolerance and freedom for different ideologies, religions, races, ethnicities, generations and gender. In addition, the focus on human rights is present. Latter chapters of the program include explicit mention of tolerance for sexual minorities as well as possibilities to realize new social relations and social policies in this respect.

ZLSD released another document in 2000. It was supposed to be a guide of the ZLSD politics in the government (Združena lista socialnih demokratov 2000). The party promises to defend inter allia the values of freedom, justice and equality. Additionally, focus on sexual tolerance and equality is pronounced. Besides that, the party pronounces the intentions to enter the European Union.

The placement of ZLSD among the social-liberal left can be further supported by their international affiliation. The party achieved full membership in the Socialist International in 1996 (Socialni Demokrati 2015).

Although I only have limited sources for this variable, I believe it is possible to say that the left party was socially liberal in this period, and thus I will code this variable as positive (1).

#### Assessment of the movement’s international relations

Slovenian LGB movement is the oldest and the most active of all the movements in this research. Their history goes as far back as 1984. I will only focus on the relevant era between the years 1991 and 2004. The movement released a document mapping their activities (Velikonja 2004). It will be my primary source.

The representatives of the movement soon started to attend different conferences and meetings dealing with the LGB issues. In 1991, Roza club, an association uniting Slovenian lesbians and gays, sent its representation for the ILGA conference in Prague. The movement continued to send out its representatives to other events organized by ILGA and other LGB friendly associations around the World. The movement organized a number of such activities themselves as well.

The movement dealt with other topics connected to the LGB issues, such as AIDS prevention, human rights and media freedom. Several conferences, workshops and educative actions took place, with the support from World Health Organization, United Nations, Amnesty International and other international and foreign institutions.

Moreover, the association cooperated with other regional organizations. This includes the participation at the events organized by the former Yugoslav movements, as described in the case of Croatia. Other activities of regional character include projects of mapping the situation of LGB people in the EU-candidate countries. The representatives of the movement created the reports and handed them to the European parliament.

Besides these, the movement started to organize an annual pride event in 2001. Although the first event was of small scale, in the consecutive years several distinguished guests attended, such as the head of the European Commission delegation in Slovenia, or Italian member of the parliament. Another annual event with international participation is Festival of Lesbian and Gay films, which had been happening yearly since 1984.

Evidently, Slovenian LGB movement was able to create quite wide and working international network, and therefore I will code the variable for this case as positive (1).

#### Assessment of the government aims

For this particular case, I was only able to get hold of the last coalition agreement from the years 2000-2004 (LDS, ZLSD, SLS+SKD, DeSUS 2000). I will use it to ascertain the position of the government.

As far as human rights are concerned, the usage of this frame in the coalition agreement is limited. The coalition promised to improve work of the police and the judiciary, so that the events of infringement of human rights do not occur. They also declared to diminish the discrimination within education along with the concept of human rights. The program mentions equal rights for the people of different sexual orientation. Although they do not use human rights frames within the section about the family policy, the coalition promised to amend the law concerning legal relationships “with respect to modern concepts of family which deals equally with different forms of family community” (LDS, ZLSD, SLS+SKD, DeSUS 2000).

Although there were some mentions of human rights, as well as equality concept, they were quite limited. Therefore I will code my variable as negative (0).

### Case no. 11 (2004 – 2008)

This period included the adoption of the bill recognizing the Civil unions for the couples of the same sex in 2005. The SDS led the government, together with Christian democratic NSi and several other smaller parties.

#### Assessment of the media

The media did inform on the actions of the movement in this period. One of the first press releases concerned the abandoning of the previously prepared bill on registered partnerships. The movement criticized this move of the new government and called for equality of rights, as guaranteed by the constitution (STA 2005a).The bill came back to parliament, at the initiative of the opposition representatives. The movement supported this initiative, arguing with equality and human rights frames (STA 2005b). However, the government parties decided to redraw the bill. The movement criticized this step, arguing that basic human rights and equality of citizens should not be a matter of political games. “Nor should Slovenia be inspired by those countries, which are lagging in the area of the protection of human rights” (STA 2005c). When the new draft was presented to the movement, they criticized it for its shortcomings in the area of social security and inheritance of couples, as well as the status of next of kin. The representatives of the movement were also disappointed that the government prepared the law without consultations with the movement’s NGOs (STA 2005d, STA 2005e). When the government adopted the law, the NGOs were not satisfied with the extent, as well as the vagueness of it. Nevertheless, they concluded that the law did was an increase towards equality (STA 2006a).

Besides the actions connected to the politics, the movement regularly organized pride events. The news agency informed about the events before they started and brought the reports of them as well. The movement aimed the program of the events towards reducing the public homophobia and discrimination on the grounds of sexual orientation. Equality of rights of citizens was also relayed (STA 2005f, 2006b, 2007, 2008).

During this period, the press covered the movement’s actions. Reporting on the events largely followed the frames of the movement. I will therefore code this variable as positive (1).

#### Assessment of the church

The political situation concerning the position of the church changed in this case relative to the previous. The government included several parties, which represented conservative value identification (Krašovec and Kustec-Lipicer 2004). This led to dismissal of the plans prepared by the previous government, and a new governmental proposal of the registered partnership bill, which was much less inclusive. Both the opposition and the LGB movement organizations criticized the bill as being discriminatory (delo.si 2005, 24ur.com 2006).

As for the proclaimed party positions, the leading SDS called for the dialogue between the Christianity and the “free-thinking”. The party did reject the Second World War clericalism, but at the same time, it opposed the laicism of the previous government. The party program also proclaimed effort to strengthen relations with the Holy See in the spirit of the previous agreements (Slovenska demokratska stranka 2004).

The Christian-democratic character of the ruling government can be further supported by the fact that three out of four government parties were members of the European People’s Party – this includes SDS, NSi and SLS.

The Catholic Church did not issue any statements concerning the vote or the adoption of the law. Nevertheless, church’s representative Archbishop Alojz Uran did get a chance to present the official position of the church in the press shortly after the elections. He relayed a non-hostile position towards homosexual inclination, but he condemned homosexual behaviour (Trampuš 2005).

Although the Catholic Church was not very active during this period, my coding of the variable for this case will be negative (0), as the church seemed to have enough powerful allies on their side.

#### Assessment of the left party

In this period, ZLSD continued to be the main left party in Slovenian political spectrum. The party changed its name to Social Democrats (SD) at the congress in 2005. At next congress, a new party program was also accepted.

In this program, the party declares it support to human rights, solidarity and equality, with respect for each other. The party also expressed the opinion that sexuality is a matter of individuals. They declared support for sexuality of “all forms and shapes” without moral judgement (Socialni Demokrati 2006).

The international affiliation of the Social Democrats also supports their social-left placement, as the party has been a full member of the Party of European Socialists since 2003, as well as socialist international (Socialni Demokrati 2014a).

It is thus possible to code the variable for the social-left party as positive (1) in this case as well.

#### Assessment of the movement’s international relations

Slovenian LGB movement remained to be active during this period. The domestic space used much of the movement’s effort, as the government was preparing to draft a bill legalizing partnerships for the LGB couples.

At this time, the movement appealed to the leader of the European parliamentary intergroup on gay and lesbian rights and to the European Commissioner for Social Affairs. The complaint concerned the homophobic and exclusionary behaviour of several Slovenian ministers in the process of drafting of the bill. The parliament postponed the demand to the leader of the commission Baroso. A dozen MEPs also released an open letter to the President of the Slovenian parliament, denouncing hateful and intolerant remarks in the parliamentary discussion. Around this occasion, the movement organized a roundtable about homophobia and intolerance in the politics, with Dutch MEP Sophie in 't Veld participating (LESBO 2015)..

The movement organized various other events. A conference on equal opportunity in employment took place in 2007, with participants coming from different European countries. Several transnational organizations pledged their support (Društvo ŠKUC 2007). Besides that, Ljubljana pride continued to be the most important public events of the movement. Embassies of the Netherlands and the Scandinavian countries supported them in various years (Ljubljana Pride 2015). In cultural area, the movement organized film festivals as in previous years.

The movement remained active in the international relations, and were able to obtain considerable support for their efforts from abroad. I will therefore code this variable as positive (1).

#### Assessment of the government aims

The government coalition agreed upon their cooperation in 2004. The term human rights is present almost only in relation to the European union and other international structures (SDS, NSi, SLS, DeSUS 2004). The government did declare its support to develop human rights, freedom and the rule of law in different regions with the help of international organizations. Additionally, the government declared healthcare as a universal human right. As for the minority politics, there is no mention of human rights development in this area whatsoever. The government promises peaceful development of the relationships between the state and the national minorities, sexual minorities or any other LGB agenda is not present.

It seems that the government position towards human rights development was limited, therefore I will code my variable for this case as negative (0).

### Case no 12. (2008 – 2015)

In this period, four different governments have been in power between 2008 and the current days. Most of the time, these governments included a leading liberal or social-democratic party, with the exception of one year period between February 2012 and March 2013, when a coalition led by SDS ruled. In 2009, the parliament reformed the Family Code, thus equalizing the rights of LGB couples with heterosexual majority, except of the possibility of a joint adoption. However, a popular referendum on the law did not approve it. Therefore, the legal arrangement was returned back to that of 2006. In 2015, yet another reform was approved, allowing LGB couples to enjoy all the rights of marriage.

#### Assessment of the media

In 2009, the constitutional court ruled that the law on registered partnerships is discriminatory in the area of inheritance rights, and therefore the parliament had to take steps to amend it. The government initially decided to change the entire family code, and thus equalize the partnerships of LGB couples with heterosexual marriage.

The movement was invited for the official meeting, to discuss the practice of the same-sex partnership up to that time, and cooperate in improvements of equality and human rights (STA 2009a). The ministry of family affairs soon declared that it would equalize LGB couples with heterosexual ones, including the right of adoption. The movement supported such change, arguing with human rights frames and equality before the law (STA 2010a).

However, the opponents of the LGB cause decided to call a referendum on the new family code, mainly arguing with traditional view of family as the only valuable possibility for healthy development of children. At the same time, the representatives of the LGB organizations pointed out that there do exist other than traditional forms of families, which include children, and the new code would improve their rights as well. The article relayed the frame of equality of rights (STA 2012a). Social scientists supported this view, considering new forms of families a social reality (STA 2009b). The media released a reaction of the Human Rights Watch as well. They welcomed the equalization of rights of LGB couples, arguing with human rights frame as well as with examples from other countries (STA 2011a).

Anyway, the population rejected the new Family code, and the government presented a new draft for registered partnerships to the public in 2014. Several parliamentary representatives initiated a change of the bill, so it became a piece of legislation, which would allow LGB couples to marry. The movement organizations cooperated on drafting the bill. They judged it as valuable in reducing discrimination and injustice (STA 2015a). When the national assembly adopted the law, spokesperson of the group Škuc, Tatiana Greif, called it a milestone in the history of human rights in Slovenia. Furthermore, she added that it ensures equality and reduces the stigmatization, and prejudice against a minority in a society (STA 2015b).

The media informed also about other events such as Ljubljana pride. The frames of the movement were clearly present. The pride marches differed in their themes, but they always focused on human rights and equality of rights. Among others, solidarity and tolerance were also important, especially after the incidents in 2009 and 2010, when homophobic groups attacked activists and participants. Thus, public awareness and proper enforcement of anti-discriminatory laws were also relayed (STA 2009c, 2010b, 2011b, 2012c, 2013, 2014, 2015c).

The media portrayal during this period was largely positive, with transmission of the frames of the LGB movement. I will therefore code this variable as positive (1).

#### Assessment of the church power

At this period, the church was involved in the politics. Before the 2008 elections, the Catholic Church released a statement, which called for the respect of Catholic values. The statement included guidelines for the voters on choosing the right candidates in the upcoming elections. The voters were encouraged to support such politicians who consider the marriage of one man and one woman as the foundation of the society or who would strengthen the relationship between the church and the state (Karitas, Komisija Pravičnost in mir pri Slovenski škofovski konferenci, Svet Katoliških laikov Slovenije 2008). A very similar statement was released also before the 2011 elections (Karitas, Komisija Pravičnost in mir pri Slovenski škofovski konferenci, Svet Katoliških laikov Slovenije 2011).

Besides these actions, the church retracted from directly interventions in the debates. Nevertheless, there existed (counter)movements which were supported by the church. One of them, Civil Initiative for the Family and the Rights of the Child was particularly active in calling the referendum on disapproval of the adopted family code. The church openly proclaimed its support for the initiative (Komisija Pravičnost in mir pri Slovenski škofovski konferenci 2010) as well as for the referendum (Komisija Pravičnost in mir pri Slovenski škofovski konferenci 2011). There were also individual priests who encouraged their parishioners to sign the petition needed to declare the referendum (Petkovič 2011).

The supporters of the referendum mainly opposed the possibility of adoption by the LGB couples. The opponents of the referendum claimed that it was contrary to the constitution, as the voting would be about human rights. The constitution does not allow that. Nevertheless, the Constitutional court allowed the referendum to take place (Ustavno sodišče Republike Slovenije 2011). The referendum was ultimately successful, 55% against 45%, with a turnout of 30%, and the new Family Code did not come into practice.

Political parties defending Christian democratic values remained active during this period. SDS, SLS and NSi all expressed satisfaction with the decision of the Constitutional court and they supported the referendum (STA 2011c). However, at least with the SDS the support for referendum is rather pragmatic. Their programmatic aims before the elections 2008, or the elections 2011 did not mention any references to the preservation of the traditional marriage arrangements, or connections of the church and state (Slovenska Demokratska Stranka 2008, Slovenska Demokratska Stranka 2011).

In the year 2015, when a new decision to legislate on the partnerships for LGB couples, only a limited opposition existed. I may further support this viewpoint by pointing out the results of the vote in the parliament: 51 deputies voted for the law, while only 28 of them were against (Reuters 2015). Although the countermovement has emerged in order to call a referendum, the Catholic Church has not yet released any rejecting statement.

The Church and the movements that it supported were able to call a referendum in 2012, which was their constitutional right. Nevertheless, they were unable to mobilize enough allies among the political decision-makers during this period. Additionally, the parties do not proclaim any connections to the Church or Christianity. Therefore, I will code the variable as positive (1).

#### Assessment of the left party

Social democrats remained the main left oriented party during this period. The manifest accepted in 2006 remained to be the main programmatic guide of the party. Consequent party congresses revised it slightly. Nevertheless, the focus on human rights, equality and solidarity, as well as acceptance and tolerance of diverse sexual identifications remained present (Socialni Demokrati 2013).

In the new programme prepared for the 2014 elections, explicit mention of the necessity of strengthening family life and partnerships irrespective of the sexual orientation is also present. As the previous programs, this one also includes references to respect of human rights and equality (Socialni Demokrati 2014b).

As for international affiliation of the Social Democrats, this remained the same as in the previous period, i.e. full membership within the Party of European Socialists as well as the Socialist International.

In this last period, no sudden change happened, thus I will again code the variable for the presence of the social-liberal left party as positive (1).

#### Assessment of the movement’s international relations

Although the previous government adopted a new law, which allowed LGB couples to create a legal union, the movement representatives were not too happy about the extent of the law. Thus the movement continued to target much of the effort towards the domestic issue.

In relation to this, the movement organized an international conference together with ILGA Europe in 2008. The theme of the conference was different legal regulations of LGBT families, and the desired outcome was to bring the issue to the European space. A similar event with foreign participation and the support of ILGA was held a year later as well (Velikonja 2010). Participants from different countries presented their views and observations of the living standards of the LGB families around Europe and the United states and exchanged the ideas of positive practices (Mirovni inštitut 2009).

The movement conducted another international project with their Serbian colleagues. This activity was based on previous projects concerning the discrimination and diversity in employment. Thanks to large experience of the association Škuc in this area, the movement was able to transfer its method and practices to their Serbian counterpart. The project was funded by the European commission (ŠKUC-LL 2012).

Besides that, the movement continued in organizing the Pride event. Various embassies, members of the European parliament and other institutions pledged the support to the organizing committee (Ljubljana Pride 2015).

The movement did maintain its international relations, which helped influencing the perception of the movement. Their relative stance increased so much that even the movement from other countries sought their aid. Therefore, clearly, I can code this variable as positive (1).

#### Assessment of the government aims

The first government in this period, which came to power after the 2008 elections, pronounced that human rights together with democracy and the rule of law are fundamental values of civilization (SD, Zares, DeSUS, LDS 2008). Therefore, the coalition agreed on these principles as the cornerstone of the agreement. Furthermore, the protection of human rights was developed in sections concerning justice, police and secret service. In addition, the coalition members agreed to help the development of human rights on the international scene. Besides that, they mention the protection and positive development of the relations with the minorities. Lastly, the government coalition explicitly agreed to increase the rights for the LGB community.

The second government in this period pronounced inviolability of human rights as one of the fundamental democratic and ethical values (PS, SD, DeSUS 2013). Furthermore, the coalition declared respect for the ethnic and other minorities. They also promised to refrain from intolerance, exclusion and hatred. With regard to family policies, the coalition wanted to create a system based on human rights and equal opportunities for whole society. Explicit mention of sexual minorities is not present, however.

Lastly, the current government also adopted its coalition agreement (SMC, DeSUS, SD 2014). The declaration of allegiance to democratic values and human rights is clearly present. One whole section of the agreement is dedicated to human rights, where the coalition promises to maintain a dialogue with the civil society. In addition, a creation of an independent body including the NGOs and the public institutions to overlook the developments in the area of human rights was proposed. Lastly, the coalition sought to develop human rights in the international space. In relation towards LGB minority, the coalition agreement promises elimination of all forms of discrimination, and zero tolerance of homophobia. This is in accordance with the policy of equal opportunities for all, which the government promised to pursue.

This period was turbulent, as far as the stability of the politics is concerned. However, all the researched governments did proclaim the development of the human rights, and some explicitly mentioned the LGB agenda. I will therefore code this variable as positive (1).

## Data evaluation

Based on the coding of the data, which I did after each of the respective cases’ variables, I have built a truth-value table (Table 2). Each case of my research supports one particular configuration.

#### Table 2: Truth-value table with dichotomized data

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Case, country | Positive Media | Weak Church | Liberal left | Movement’s int. relations | Gov. Human Rights | Outcome |
| 1. HR 91-00 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2. HR 00-03 | 0 | 0 | 0 | 1 | 1 | 1 |
| 3. HR 03-14 | 0 | 0 | 1 | 1 | 1 | 1 |
| 4. CZ 92-97 | 1 | 1 | 1 | 0 | 0 | 0 |
| 5. CZ 98-02 | 1 | 1 | 0 | 1 | 0 | 0 |
| 6. CZ 02-06 | 1 | 1 | 1 | 0 | 1 | 1 |
| 7. SK 94-98 | 0 | 1 | 1 | 0 | 0 | 0 |
| 8. SK 98-06 | 1 | 0 | 0 | 0 | 0 | 0 |
| 9. SK 06-10 | 1 | 1 | 0 | 1 | 1 | 0 |
| 10. SI 91-04 | 1 | 1 | 1 | 1 | 0 | 0 |
| 11. SI 04-08 | 1 | 0 | 1 | 1 | 0 | 1 |
| 12. SI 08-15 | 1 | 1 | 1 | 1 | 1 | 1 |

Tosmana software for QCA can produce a Venn diagram (Figure 1).

#### Figure 1: Venn diagram

Legend: 1P – Positive media portrayal, 2W – Weak church, 3L – Liberal left party, 4M – Movement’s international relations, 5G – Government’s human rights



As we can see, there exist five different empirical possibilities of configurations, which yield a positive outcome (1). One single case supports each of them. Besides them, seven configurations are negative (0). The white parts are the cases, which are lacking empirical support. Nevertheless, they are logically possible. I will use them in the analysis below.

I now let the Tosmana software to reduce the excess variables of my cases and form a descriptive formula. This formula should describe all the cases, which I consider as positive:

positive media \* weak church \* liberal left +

positive media \* weak church \* movement's int. relations \* gov. human rights +

positive media \* liberal left \* movement's int. relations \* gov. human rights

* outcome

The first part of the expression explains cases no. 6 (Czech Republic 2006) and 12 (Slovenia 2015), second expression explains cases no. 2 and 3 (Croatia 2003 and 2014), and the last expression explains case no. 11 (Slovenia 2006). However, this formula is still quite wide and we can reduce it further. Using Tosmana software, we can consider all the logical possibilities not supported by empirical cases. The expression is thus reduced into following:

weak church \* movement's int. relations + liberal left \* gov. human rights 🡪 outcome

The first part of the equation supports cases no. 2, 3 and 11 (Croatian cases, and Slovenia in 2006), the second part supports cases no. 3, 6 and 12 (Croatia in 2014, Czech Republic in 2006 and Slovenia in 2015). We can visualize the solution on Venn diagram (Figure 2).

#### Figure 2: Venn diagram with solution shown by red stripes

Legend: 1P – Positive media portrayal, 2W – Weak church, 3L – Liberal left party, 4M – Movement’s international relations, 5G – Government’s human rights



### Interpretation

In the previous parts of the chapter, I collected the data, coded the values of each variable and ran the analysis in order to gain a simple equation describing the positive outcome. In the following paragraphs, I will try to interpret the results in relation to the theory and empirical data. I will first try to interpret the final equation in relation to the theory. Then, I will evaluate the findings and relate them to the hypotheses I proposed in my theoretical chapter. Lastly, I will show what contribution my research brings to the theory.

#### Evaluation of the final equation

Looking at the descriptive formula shows that all the different factors, which I included in my research, were positively represented in at least one of the expressions. However, we also see that different parts of the descriptive formula contain variables with opposite values. It is therefore not possible to generalize that all the factors mentioned lead to positive outcome. The final formula supports such thinking, as only four of my five variables are present.

Let me say in simple words, what I have found out. My equation shows two sufficient conditions, which should be behind the positive legislative change for the LGB couples. In order to generalize the results of my research, I can say that such a situation would occur in two types of configuration. Either in the presence of the Catholic Church with a strong influence over the politics, while the international relations of the LGB movement were lively; or when a left party was socially liberal and a government had the improvement of human rights as its target. Indeed, the number of cases supporting this explanation is limited. Nevertheless, this does not stop me from interpreting the results. Let us look at the two combinations of conditions separately.

##### First condition

The first condition says that a strong Catholic Church and lively international relations of the movement are sufficient for the improvement of the rights of LGB couples. A Catholic Church with strong influence over the politics may sound a little bit counter-intuitive; however, there may be a logical explanation. It shows that even if the Catholic Church is strong, there may be some improvement. Let us look at empirical cases that support this condition. It is the first positive case of Slovenia, in 2006, and both positive cases of Croatia, in 2003 and 2014. Second Croatian case (no. 3, 2014) is also included in the second part of the equation.

Let us look just at the cases of Croatia 2003 (no. 2) and Slovenia 2006 (no. 11). These two cases are early improvements of the rights of LGB couples. The governments practically excluded the movements in both countries from designing of the bill. Ultimately, the movements criticized the final documents as unsatisfactory. Therefore, even though an improvement occurred, the movement reaction was rather lukewarm. This may have been thanks to the strong position of the Catholic Church in the politics, where it found more supporters than the movements did.

At the same time, however, this necessary part of the sufficient condition seems to support the previous findings of Knill, Preidel and Nebel (2014). Thanks to the influence of the Catholic Church over the politics, the improvements of the rights did not achieve such level, which the movement would appreciate. Thus, we may say that a strong Church did not halt but retarded the improvement of rights of LGB couples. This makes sense, as both the movements in Croatia as well as Slovenia continued to pursue the equalization struggle. Slovenian movement achieved equality of marriage in 2015, when the Church was weak, as I coded it. On the other hand, Croatian parliament adopted a new piece of legislation on registered partnership in 2014. As the Church was still strong in this country, we may consider it the explanation why the marriage equality was not achieved.

The second necessary part of the first sufficient condition talks about lively international relations of the movement. Bringing examples from other countries and joining forces may have created enough pressure to change legislation. The movement in Slovenia had complained that Slovenia is at the tail of Europe in protection of the rights of LGB people. However, the government included Christian democratic parties. They were unwilling to adopt such kind of legislation, which they perceived as contrary to the values of the society. Therefore, only limited rights were granted. A similar situation obviously happened in Croatia, where the agrarian conservative party was a member of the coalition.

It would seem that only a limited improvement can happen, when the Catholic Church is strong in the country. Nevertheless, this condition clearly shows that the activities of the movement are relevant. Even though the movement does not receive full satisfaction, the international pressure, which it creates, may ultimately lead to at least partial improvement.

##### The Second condition

The second condition says that presence of both the socially liberal left party and the government, which targets improving the situation of human rights are sufficient to improve the rights of LGB couples. Cases no. 3, 6 and 12 are explained. All three of these cases include instances, when the movement was happy about the improvement. It brought quite wide rights of LGB couples. This includes the instances, when the socially liberal left was either a member or a leader of the coalition, and they were able to find enough of support among its allies to improve the situation of human rights satisfyingly.

Thus, by itself, a socially liberal left party is unable to achieve a change. However, if it is able to find enough allies from the centre and right side of the political spectrum, it may succeed. This is true for all of the supported cases. In Croatia, a liberal left coalition emerged before the elections 2011, and they were able to win over a half of the seats in the parliament. They formed a government coalition, which ultimately agreed on the law about registered partnerships for LGB couples. In the Czech Republic, although the coalition included Christian democrats, the government targeted improvement of human rights. The Prime Minister worked hard to find enough support in the parliament before the end of his term. Lastly, liberal tendencies had won in Slovenia as well, and it resulted in granting LGB couples equal rights of marriage.

A socially liberal left was crucial, but its allies were just as important. A failure to fulfil both the promise of a party and of the government could have very unpleasant consequences. It thus does make sense to connect these two necessary parts to one sufficient condition.

#### Overall assessment in relation to the theory

My research has shown support for the Europeanization track of the theory. Let me remind you that I was using a wider understanding of the Europeanization theory, not necessarily connected to the European structures. Rather, I was looking for informal connections between the movements across Europe, and inspirations by foreign examples.

This track of the theory is a part of my results, as each hypothesis (four and five) are included in the final equation, and positively influence the legislation on improvements of rights of LGB people. This supports the presumption of Kriesi (1992) and the findings of Paternotte and Kollman (2013). Thus, we can be quite sure that the international space is gaining in importance, and may have influential power when the movement seeks improvement of rights. Recent decision of the ECHR in case of Italian LGB couple (ECHR 2015) may also increase the importance of the institutional track of the Europeanization theory. Although the decision is not binding, it may create other ways for the movements towards the amelioration of rights. Kollman (2009) has already made some steps to uncover relationships between the European judicial institutions and a domestic area of reform.

The data and analysis supports the POS theory only to a point. Truly, a socially liberal left is a valuable ally for the movement to have. Nevertheless, we have seen an improvement also in its absence. This may have consequences for further research, which I will discuss below.

More importantly, positive media portrayal is not included in my equation. In the theoretical part, I argued that the media are a kind of a mirror of the public attitudes. If therefore the equation excludes the media, it behoves me to interpret it that the public attitudes are not overly important, as the politicians ultimately take the decisions. Nevertheless, we should not underestimate the power of the media towards their consumers’ attitudes, even if it seems that their power to shape the politics is lower. The change, which media may bring, can ultimately affect the decisions of the voters, and thus indirectly the course of politics. Anyhow, its impact is not large enough to become either necessary or a sufficient condition for the improvement.

Lastly, the effect of the church is rather surprising. I have already judged its paradoxical role above, I may conclude that its effect is rather retarding, but it does not stop the legislation from passing in all circumstances.

#### Theoretical contribution of the findings

There were several theoretical inconsistencies, which I came across during my research. Most importantly, the question of impact of public attitudes on legislation seemed to be most incoherent. I equated the media portrayal of the issue with public attitudes. My research has shown that the improvement of rights of LGB couples does not depend on positive media portrayal. Thus, I may conclude that the public attitudes are not the decisive factor in this area of reform. Furthermore, a simplifying argument, proposed by American scientists Lax and Phillips (2009) that the more liberal the attitudes are, the more liberal the legislation should be, does not translate into CEE space.

In addition, my research has supported the findings of Knill, Preidel and Nebel (2014). In those cases where an outcome was positive and the Catholic Church was strong, only a limited improvement was made. It thus shows the impeding power of the Church over the legislation.

Lastly, I also contributed to the possibilities of usage of the POS theory. The design of my thesis allowed me to account for the changing opportunity structures during the course of time. Therefore, I did not have to look for generally static factors, nor was I forced to simplify them. Hence, splitting research of each country into several cases, which yield different outcomes, was very valuable.

### Conclusive remarks on findings

My research question asked why the different countries of CEE achieved different level of equality of rights of LGB couples. The answer for this question is complex. Obviously, my research has shown that both the activity of the movement and favourable political conditions are important for improvement of the rights. Paradoxically, in the situation, which we may perceive as unfavourable, a legislative change may occur. However, the movement needs to be active. It is necessary that they show to the decision-makers that it is important to be a part of progressive European space. In another situation, the electorate may tend to vote more liberally oriented parties for various reasons. They make very valuable allies for the LGB movements.

# Conclusion

I have used a QCA method to shed some light on the issue of improvements of the rights of LGB couples in the countries of CEE. The method provided good instrument to simplify a great amount of data, which I gathered. Nevertheless, there are some disadvantages of the method used. First, I had to code my variables in a dichotomist fashion, which was difficult in several borderline cases. If somebody else would judge the values of respective variables, the results could be completely different. Other than that, it may be perhaps a little bit contra-productive to consider all the variables as equally important. This may as well distort the research.

However, the decision to use both negative and positive cases was a good one. It allowed me to limit the conditions in which the positive outcome occurs quite narrowly, which is valuable for the results of the research. Yet, there are some possibilities, how this research could be improved.

One of the shortcomings of the research is that it considered all the positive outcomes as the same. However, as I have written above, the movements in Croatia and Slovenia were disappointed after the first improvement occurred. I believe that accounting for this could bring results that are more accurate. It could be done for example by focusing on whether the movement was or was not included in the drafting and consultations of the bill. This would be also valuable in terms of appreciating the effort of the movement on actual change of legislation. However, this may prove to be a problem, as my biggest struggle was to look for the information about the movements themselves. It may also be that I coded some of the variables incorrectly, only because the information that the movements share about them on internet is very limited. Perhaps somebody must first conduct more thorough researches of the movements’ recent histories, in order to have data that are more valuable.

The number of cases was quite fair, but improvements are possible. Further research, which could explain the mechanisms that I sought, could be designed without too many changes to this project. I would suggest including another positive case of Estonia, where a law on cohabitation was recently adopted. To include a negative case, Latvia would be a good addition, as it shares similar characteristics with Estonia, as our pairs of countries do. They share past in the Soviet Union and they both have a large Russian ethnic minority. However, it would change a design of the research a little bit, as the predominant religion in those countries is Lutheran, not Catholic. Additionally, one could add Hungarian case of registered partnership, although Hungary does not have its federal counterpart. Such research could be done to improve the results of my thesis.

Considering this was among the first attempts to research about of the rights of LGB couples in the countries of CEE in a wider scope than just a pair of countries, my work is quite a scene-mapping effort. I applied the concepts, which researchers have used on Western European countries. It does not seem to limit the explanatory value of my thesis. However, I needed to use some specific concepts, which one would not need to consider in the West. Example may be the distinction if the left party is or is not liberal. We could find more of such nuances, possibly in the area of the professional performance of the movement, which I did not really distinguish. The Slovenian LGB movement obviously used the most professional approach. Surely, they have longer history of activity compared to other countries. It may also explain why LGB couples have gained equal rights with their heterosexuals counterparts, as the sole country in this region. Perhaps the relative power of the movement is much larger, than my research would predict. I did not focus on the timing of the reform, but the persistence and professionality of the Slovenian movement could have an important impact on the time and scope of the accepted legislation.

To conclude, my thesis may be used as a guidance for further research in the related topic and geographical area. It provides predictions, which may be valuable for the researchers, as well as for the movements, which wait for their chance to press for the change. Thus, I have fulfilled the goals of this thesis.

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1. Translation is mine. The translation of the last word may be various. [↑](#footnote-ref-1)