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Selective Equality: Social Democratic Parties and the Referenda on Same-Sex Marriage in Eastern Europe

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Abstract

One of the core principles of social democracy is the equality between citizens. However, in Europe, several social democratic parties have recently supported referenda against same-sex marriage. This paper aims to examine factors which drove left-wing parties to disregard the principle of equality by comparing the four most recent same-sex marriage referenda in Croatia, Romania, Slovakia, Slovenia between 2013 and 2018. Results of the qualitative analysis indicates that these behaviours can be explained by a combination of electoral decisions, government strategies and other ideological components.

Keywords: political parties, social democracy, referendum, same-sex marriage

Introduction

The legacy of the Soviet domination is somewhat reflected among the former socialist countries *inter alia* in the similar patterns with regards to family politics and gender issues (Gal and Kligman 2000). The accession process to the European Union (EU) has been seen as a window of opportunity for revising these dimensions since EU membership is conditioned upon approval of anti-discrimination provisions, among others – on the ground of sexual orientation (Forest 2015, 2–3). Yet the degree of legal equality for LGBT individuals and social attitudes towards homosexuality differ significantly across the region. For many Central and East European member states the issue of homosexuality clashes with discourses of national identity (Mole 2016). Takács and Szalma (2013, 40) go further and conclude that “the contest for the title of the most homophobic country is still an on-going event in the region”. Thus, it is safe to say that the European East/West divide in terms of attitudes toward homosexuality has been preserved (Fitzgerald, Winstone, and Prestage 2014; Kuyper, Ledema, and Keuzenkamp 2013). Whereas large number of Western and Northern European countries allow same-sex marriage, five other EU member states explicitly ban them; Hungary, Bulgaria, Poland, Latvia, and Lithuania.

Although in most countries the legislation on same-sex marriage was adopted by parliaments, four post-communist countries (Croatia, Romania, Slovakia and Slovenia) let their citizens decide in a referendum on this matter. Despite the increase in public support for same-sex marriage in all these societies (Andreescu 2018) the outcome of the referenda differed. The Croatian (2013) and Slovenian (2015) public voted against same-sex marriage, while the Romanian (2018) and Slovak (2015) referenda on banning same-sex marriage failed due to low participation. All referenda were bottom-up with various civil society organizations driving the proposal to organize them. In all these countries social

democratic parties were in government when the referenda were initiated. In theory we would expect such parties to favour same-sex marriages due to their ideological emphasis on equality, inclusion and human rights. In practice, their positions varied; some supported the same-sex marriage, others were divided over the matter, while a third group of parties campaigned against the same-sex marriage.

This paper aims to explain these different behaviours in the four East European referenda on same-sex marriage between 2013 and 2018. It focuses on all the social-democratic parties with presence in parliament at the time of the referendum: the Croatian Labour Party (HL), Croatian Social Democratic Party (SDP), Smer-Social Democracy in Slovakia (Smer-SD), Social democratic Party in Romania (PSD) and the Social Democrats in Slovenia (SD). The size and relevance of these parties differs across the four political systems. This is useful for the comparative approach of this article because it provides insights into the behaviour of different types of political actors. This study combines qualitative content analysis of the party manifestos, party websites and statutes with the analysis of secondary data from national and international media reports or referendum campaigns. The results indicate that the different approach of the social-democratic parties towards the same-sex marriage referenda had strategic and ideological reasons.

The remainder of this paper proceeds as follows. The next section briefly reviews the theoretical arguments according to which one could expect social democracy to support the idea of same-sex marriage. Next, we present the references to equality and family made by these parties in their core documents. The fourth section describes the electoral support and the government vs. opposition status of the investigated parties. The fifth section provides a brief overview of the four referenda, which is followed by a description of the positions taken by the five social democratic parties. The next section includes an analysis of the factors triggering the behaviour of the five parties under investigation. The conclusion summarizes the key findings and discusses the implications of our study for the study of parties and referenda.

Social democracy and equality

Social democracy is a political philosophy that seeks to reconcile market capitalism with social responsibility rooted in working-class communities. It is a political tradition with ideas about justice and equality at its core, a way of governing which systematically takes into account the needs of the poor (Keating and McCrone 2013b). Social democracy has assigned an important role to the state as an agent of social change (Keating and McCrone 2013a). Historically, as capitalism flourished in the 19th century, it led to unprecedented economic growth accompanied by dramatic economic inequality, producing unequal societies. Various political theorists advocated the idea of a more equal society and their ideas were later picked up by political parties.

Many social democratic parties were formed in Western Europe before the First World War, with a gradual integration into political systems between the two World Wars. The period after the Second World War enabled them to gain considerable influence,

notably through the creation of the welfare state system – 1945 to 1975 were Golden Age of Social Democracy, the “Thirty Glorious Years” (Delwit 2005). The underlying context was that parties on the right spectrum, advocates of free market liberalism, were greatly discredited by the experience of Great Depression and fascism. This simultaneously created a broad demand for collectivism and social solidarity (Berman 2006). After facing major political setbacks in the course of the economic and social crisis of the seventies, Social Democracy experienced a “magical return” in the late 20th century - the “Third Way”. Tony Blair’s “Third Way” politics was, in essence, an approach of “whatever works”, a way to reconcile the “statism” of Old Labour and the Thatcherite free-market neoliberalism. It welcomed the dynamics of the market but it did not abandon social justice, the state became more entrepreneurial and encouraged people to help themselves (Bell 2005).

Freedom, equality and solidarity, though originating in old humanistic thoughts, are the core values of Social Democrats. The claim for equality is the primary dividing line between the left and right parties in Europe; equality serving as a basic value for most social democratic parties, but not for most Christian democratic parties (Bobbio 1996). Social democracy’s traditional goal of equality has been its most prominent claim. Although, equal rights under the law were demanded during the French Revolution, the call for equality has not lost its significance until today. Despite the fact that most countries have provisions in their constitutions stating that “All human beings are born equal in dignity and rights”, discrimination against, instance.g., religion, race or sexual orientation remains a reality (Kastning 2013). Inequalities find reflection in various domains, including political participation. Lijphart (1997, 1) speaks about “democracy’s unresolved dilemma”; “Unequal participation spells unequal influence (...) the inequality of representation and influence are not randomly distributed but systematically biased in favor of more privileged citizens – those with higher incomes, greater wealth, and better education – and against less advantaged citizens.”

Apart from equality under the law, 'equality of opportunity' is another important demand of social democrats that refers to the right to education, access to jobs and health care independent of gender, origin, religion or economic status (Kastning 2013). Accordingly, social democrats are considered to sympathise with minorities, whether defined by ethnicity, religion or sexual orientation, and to support the rights of women for full participation in social, economic, and political life (Keating and McCrone 2013b). As history shows, the fight for women’s suffrage on the European continent was led by the mass socialist movements of the working class. Many leading social democrats viewed female suffrage as a natural demand for justice seeing women denied of equality (Evans 1980). Earlier research shows that in countries where the social democratic parties govern gender-equality friendly policies are implemented (Sörensen and Bergqvist 2002).

Equality and Family in the Party Documents

This section briefly outlines the emphasis laid by the social democratic parties on the idea of equality in general and on that of family and equality between genders in particular. By

party documents we understand the manifestos, programmes or statutes. In general, we analysed the party documents from the year closest to the referendum. However, in some instances, due to data availability, we scrutinized the party manifestos published immediately after the referendum.

For the HL, equality, social justice and solidarity are prevailing themes throughout party documents related to economic issues. The Party statute explains that it embodies a vision of freedom and solidarity, stands for inclusive democracy and sees as a state duty to “ensure equality of citizens” (HL Party Statute 2018). Its founding declaration reads “all Croatian citizens... deserve equal opportunities” (HL Founding Declaration 2010). In its 2011 election program, HL aspired to be “the locomotive of the struggle for social justice and the welfare state” intending to “rehabilitate the pension insurance as the part of generational solidarity” (HL 2011a; HL 2011b). Party documents do not explicitly mention family, though they stress “the right to a happy childhood” (HL Party Statute, Art. 1, 2018).

The Social-Democratic Party of Croatia (SDP) is more eloquent on the issue of family. The party statute (Art. 1.2) mentions family as a guaranteed right along other rights, such as health care, education, social care and work. Moreover, it affirms gender equality and strives for “achievement of social and national equality of citizens” (SDP 2012). Recent party program (Art. 3.1) envisions “Helping young families decide to buy their first real estate through liberation from real estate sales tax” (SDP 2018).

The PSD in Romania places the equality of opportunities and of rights among its top priorities. In the short list of 10 issues that the party promotes, equal opportunities are mentioned at the top of this list as the opening statement. The last issue mentioned on the website is the promotion of multiculturalism and gender equality (PSD 2018a). The most recent statute, adopted several months before the same-sex referendum states, on article 10, paragraph 3 that the party “elaborates and supports programs that ensure (...) social equality for all country citizens, the promotion of human values”. Article 38 of the same document highlights how the party promotes principles that should guide behaviour in contemporary societies such as the equal opportunities and treatment, and the absence of discrimination (PSD 2018b).

The references on family are quite broad. For example, article 10, paragraph 4 of the Statute refers to the respect for individuals and families, while article 185 speaks about the importance of protecting families and improving their status (PSD 2018b). The electoral manifesto used for the 2016 legislative elections in Romania uses the same vague rhetoric about families. For example, the PSD speaks in general about how the each family should have equal opportunities to thrive (Gherghina and Chiru 2018). There are no references about the composition of families but the PSD often refers to children as a crucial component of families (Gherghina and Chiru 2018). Another example is when referring to the support for the young families, the PSD explicitly mentions the provision of special places with specialized care in which parents can leave their children when they are at work (Gherghina and Chiru 2018). While none of these is an indication about the definition of family in the view of the social democrats, the close connection between families and the

existence of children reflects their discourse in the same-sex marriage referendum in the country.

The party statute of Smer-Social Democracy (Art. 3) reads that “Smer... promotes the principles of freedom, democracy, equality, social justice, solidarity” (Smer-SD 2018). Its party program supports “the principles of freedom, democracy, equality, social justice, solidarity and environmental responsibility through parliamentary and direct democracy” (Ondria, Kováčik, and Kosír 2010, 99–100). The electoral manifesto for the 2012 parliamentary elections highlighted various priorities of the party; among others “promoting the principles of gender equality”, providing “a flexible response to change, rebalancing the economic, social, political and environmental development of society and avoiding inequalities...” and “guaranteeing social justice” (Smer-SD 2012). However, the party program presents family along traditional lines defining it as “a basic cell determining the quality of life and security of citizens”. The program lamented the changes that the concept of family has undergone in recent years and concluded: “all this manifested itself in the suppression of the importance of the only form of family so far recognized by Slovak society, namely the traditional married family” (Smer-SD 2012).

The Social Democrats in Slovenia (SD) are the only party that, apart from the general equality rhetoric, explicitly supports same-sex unions demanding “equal rights for partnerships regardless of sexual orientation”. Equal opportunities, responsible solidarity, fair social system, access to education for everyone are further pro-equality claims of the party. SD goes even further and suggests “parity in the formation of government – equal representation of women and men” (SD 2012).

This overview of references to equality and family across the party documents reveals that the investigated political parties adhere to the mainstream ideological stances of social democracy; there are no deviant cases. Some of these parties devote more space to the idea of equality and cover it in relation to gender or family. Others are limited in their assertions about equality to economic issues, since these lie at the core of their messages, e.g. the HL in Croatia. Four parties refer broadly to the idea of equal rights within society and family. One party is very specific about the promotion of equal rights for same-sex couples. In spite of these minor differences, the parties share the core principles of social democracy about equality and family. As such, we would not expect deviating behaviour in supporting the same-sex marriage across the board. The existence of differences in their behaviour in referenda against same-sex marriage determines us to identify other variables outside the core ideology.

Electoral Support and Government Status

The SDP is one of the two major parties relevant for the Croatian political landscape. It was formed in 1990 as the successor of the League of Communists of Croatia and achieved its best electoral result (40.4%) in the 2011 parliamentary election, by leading the centre-left Kukuriku coalition. The coalition won a majority of 81 out of 151 seats in the parliament and Zoran Milanovic from SDP subsequently formed the government from the members of the

coalition (Antić 2012; Ferić and Posavec 2013). Throughout the following year, the support for the government fluctuates between 31% and 43% (CRO DEMOSCOP, 2012a).

The HL was formed in 2010 by Dragutin Lesar, former trade unionist and member of parliament from social-liberal People's Party. HL's biggest success was in the 2011 parliamentary elections as it won six seats, receiving 5.1% of votes. In the following year the party's support ranged between 5-10% (CRO DEMOSCOP 2012b). One week before the referendum opinion polls indicated 10% of public support (Crobarometer, November 25 2013). This was the peak of the party's popularity. In 2014 EU elections, HL got 3.4% of votes but no seats. In the wake of upcoming parliamentary elections in 2015 HL made a strategic move and joined the Kukuriku coalition as its popularity was dropping and two months before the election day the party had only 0.7% support according to opinion polls, well below the 5% threshold (Milekic 2015).

The PSD is the successor of the Romanian Communist Party and has dominated the post-communist politics in Romania. It emerged in 1992 after an internal split of the Romanian National Salvation Front and won the popular vote in all but one national legislative election (Gherghina 2014). In spite of these results, it has not always been part of the government coalition, e.g. in 2004 the President appointed the leader of the electoral alliance ranked second to form the government. The party has a strong core of voters with an average electoral support around one third of the electorate in many elections. In the 2016 legislative elections, the PSD won almost 46% of the votes and needed only a minor coalition partner to secure a minimal parliamentary majority. Facing a fragile opposition in Parliament, the PSD immediately pushed for legislation that could negatively impact on the anti-corruption measures. In essence, the Romanian legislation forbids individuals with sentences to occupy public office. The PSD leader had a suspended sentence for electoral fraud in the 2012 impeachment referendum and thus could not become prime-minister, as he strongly desired. He appointed a series of cover-ups for puppet governments ran by himself and pushed for legislation to change the existing provisions. These actions led to a series of street protests that contest the authority of the government (Ciobanu 2018) and to criticism from the European Union. The protesters reacted to the interference of the government with the fight against corruption and to the changes proposed to the penal code.

The credibility of the PSD rule was further undermined by frequent changes of prime-ministers and poor government performance. The PSD's pursuit for change in legislation determined a prioritization of this topic at the expense of other policies. For example, the GDP growth decreased from 7% in 2017 to 4% in 2018 (World Bank Group 2020). These actions shed a negative light on the PSD and led to a constant loss of public support. Less than one year and a half after the 2016 electoral success, the PSD lost a great deal of its support. In March 2018 only 29% of respondents in a national poll would have voted for it (Gros 2018). This low level of support was confirmed at the 2019 European elections when the PSD got second with 22.5% of the votes.

Smer was founded in 1999 by Robert Fico, the party's most popular politician, as a result of break away from the post-communist Party of the Democratic Left. Initially, it had the tendencies to be viewed as a left-centrist political party. A more differentiated look reveals that, in terms of its rhetoric, it is a traditional socialist party that addresses the poorer strata and advocates a welfare stat. However, in reality, Smer pursues strict austerity policies. Although it promotes itself as a left-wing political party with a sense of social democracy, Smer is a typical catch-all party with centrist and partly inconsistent programmes, appealing to ever-wider audiences, pursuing votes at the expense of ideology (Malová 2017; Pinterič and Žúborová 2012). The party was at the peak of its popularity in 2012 winning 44.4% of votes in the national elections marking a historic moment for Slovakia. It was the first time since the country's independence in 1993 that any party was able to secure enough seats to rule without a coalition partner (Kulish 2012).

The peculiar coalition between Smer and Christian Democratic Movement (KDH) emerged in the wake of presidential elections in 2014. At that time, two topics were dominating the Slovak domestic politics – changes in the judiciary (supported by Smer) and the protection of traditional family (supported by KDH). The coalition was a political calculation for Fico that served simultaneously two goals: first, Smer would receive the needed support in the parliament to push through the constitutional amendments; second, the alliance would help Fico to establish an image of 'Defender of Traditional Values' and mobilize conservative voters behind him (Krivošík 2014; Terenzani 2014a). In the end, Fico came second in the elections, however, with widespread corruption and high unemployment in the country his popularity was on the decreasing slope. According to the polls conducted in the month of the referendum, Smer was supported by approximately 36% of the population (Kral 2016). The downward trend continued until the following elections in 2016 when the party suffered a major loss of support and was able to get 28.3%.

The SD in Slovenia are the descendants of the Slovene branch of the Yugoslav League of Communists. Under Borut Pahor the party became more modern and progressive social democratic party (Terry 2014). The July 2014 elections were won by a political novice – Miro Cerar's freshly formed Modern Centre Party (SMC). Taking advantage of voter dissatisfaction with the existing parties, SMC received 34.8% – the highest percentage of any party at the national level since 2000, whereas SD saw its vote shares decline down to historically low 6% – minus 4.5% (M. Novak and Radosavljevic 2014). Subsequently, the more or less ideologically coherent centre-left government was formed with SD as a junior partner. From there on SD started growing in the polls and by December 2015 it reached around 16% of public support. Moreover, around 45% of its voters evaluated the government's performance fairly well (Roglič 2015).

An Overview of the Four Referenda

In Croatia the legal recognition of same-sex couples took place with the adoption of the Same-sex Civil Union Act in July 2003 under the government of the SDP (Kuhar 2015). The 2013 referendum on same-sex marriage was initiated by the organization "In the Name of

the Family” (U Ime Obitelji), which came into action as the SDP-led government proposed a law that would allow homosexual couples to register as civil partnerships (Bieber 2013). With the massive support from the Catholic Church the group quickly gathered over 750,000 signatures, around 20% (instead of the required 10%) of all eligible voters in the country of 4.4 million (Golob 2013; Šljivak 2013). The Catholic Church provided financial and infrastructural help and encouraged priests to support the referendum (Cepo 2013). The institution of the church is quite powerful in Croatia where 86% of the population are Catholic (Hopkins 2013). As shown in Table 1, the referendum was adopted with 65.9% voting in favour of the amendment, with a turnout of 37.9%.

The same-sex marriage referendum regarding the definition of the family in the Romanian Constitution took place in October 2018. The referendum followed a citizens’ initiative launched by the *Coalition for Family*, which gathered more than three million signatures (500,000 are required) for a constitutional amendment referendum. The organization argued that the constitution is too vague about the composition of a family and insisted on explicitly prohibiting the same-sex marriage. Supported by the Orthodox Church and by the PSD in government since December 2016, the referendum on defining family as the union between a man and a woman was approved by the lower Chamber of the Romanian Parliament in May 2017 but it has been organized one year and a half later. The PSD-led government and other parties supported the referendum, whereas it was consistently and explicitly opposed only by a newly formed party (Save Romanian Union), which got third in the national legislative elections in 2016. One of the reasons behind the broad political support for the referendum was that the Romanian public was considered quite conservative and religious, the high number of signatures giving a false impression. The camp opposing the referendum asked for a boycott since the threshold for validity was set at 30%. The result was invalid due to low turnout (21.1%), though 93.40% of those voted in favour their number was only marginally higher than the number of signatures collected in the first place.

The Slovak referendum on family in 2015 was initiated by the Alliance for Family, a civic organisation established two years before. Three questions were put on the vote: whether marriage can only be a union of a man and a woman, whether same-sex couples should be banned from adoptions, and whether children can skip classes involving education on sex and euthanasia. Over 400,000 signatures were collected in a 5 million-inhabitants’ country demonstrating unprecedented civil engagement with over 10,000 volunteers and more than 100 pro-life associations (Rybar and Sovcikova 2016). Similar to the Croatian case, the Catholic Church was one of the main players in the referendum. The opponents, mainly the LGBT minority represented by some NGOs, insisted on boycotting the referendum by abstention (Minarechová 2015; Valkovičová 2017). The referendum was not valid due to the low turnout of 21.4% as opposed to the required 50%, over 90% of voters were in favour of all 3 questions.

Table 1: Overview of the referenda included in the analysis

Country	Date	Question	Yes %	Turnout	Quorum	Outcome
Croatia	December 2013	Defining family as a union between a man and a woman	65.9%	37.9%	None	Adopted
Romania	October 2018	Defining family as a union between a man and a woman	93.4%	21.1%	30%	Invalid
Slovakia	February 2015	Marriage as a union between a man and a woman;	94.5%			
		Adoption ban for same-sex couples;	92.4%	21.4%	50%	Invalid
		Children's right to skip classes involving education on sex and euthanasia	90.3%			
Slovenia	December 2015	On bill legalizing same-sex marriage	36.5%	36.4%	None	Rejected

Among the former Yugoslavian states, Slovenia has clearly been a forerunner with regards to the rights of homosexuals and kept pace with developed Western European countries with the demand for legal equality of homosexual and heterosexual partnerships (Krasovec 2015, 304). Following an unsuccessful referendum in 2012 on the same topic, the United Left - ZL, a coalition of leftist parties formed before the 2014 parliamentary elections, made a proposal for a new law on same-sex marriage (Krasovec 2015). The National Assembly took the decision to amend the Slovenian Marriage Act (B. Novak 2014, 6–7; Toplišek 2017). The amendments passed in March 2015 according to which marriage was defined as a union between two consenting adults, thus, granting same-sex couples the right to adopt children. One day after the changes were adopted, the opponents started collecting signatures for a referendum. The National Assembly rejected a referendum motion arguing that marriage is a human right and, thus, cannot be subjected to a popular vote (Krasovec 2015). In October 2015, the Constitutional Court overruled the decision of the National Assembly by a narrow majority of 5 to 4 judges (The Slovenia Times 2015a). The necessary 40,000 signatures were quickly collected by civil society opponents of the law and the referendum date was set just before Christmas – on 20 December 2015 (Surk and Chan 2015). In the referendum, 63.5% voted against the amendments with a turnout of 36.4% (Krasovec 2015).

Taking sides in referenda

This section provides a brief account about the attitudes of the social democratic parties in the four countries towards the same-sex referenda. There were three types of attitudes: in

favour of same-sex marriages (Slovenia), divided social democracy over the issue (Croatia) and against the same-sex marriages (Romania and Slovakia). The first sub-section covers the cases in which social democrats were either in favour or divided on the issue. The second sub-section looks at the Romanian and Slovak cases in which the social democrats went against the equality principle for which they stand.

In favour or divided about same-sex marriage

In Slovenia, the division between political parties was clear: the left parties were in favour of granting same-sex couples more rights, while the right-wing parties were against. The same ideological positioning was visible already along the previous same-sex referendum of 2012. The draft law was supported by all left parties, though not by all the MPs of the government Democratic Party of Retired Persons (DeSUS). The government itself that supported the law did not participate in the campaign as a whole, but rather the coalition parties separately were advocating their position in favour and were engaged in the coordination of other campaign organizer (RTV Slovenija 2015). The main opposition party, the SDS, NSI and SLS were aligned against the law (The Slovenia Times 2012).

Two opposing sides were clearly visible: the No camp – united under the umbrella of ‘Children Are at Stake’ group and the Yes camp - united under the slogan ‘It’s Time for Yes’ (Krasovec 2015). The European Commission and EU parliamentarians from liberal and left-wing political groups urged Slovenia to vote Yes, so the Slovenian President Borut Pahor and Prime Minister Miro Cerar and his ruling Modern Center Party (Oliveira 2015; Rettman 2015). As it has almost become a tradition with same-sex referenda, Pope Francis addressed the Slovenians and expressed his wish to ‘communicate my gratitude to the entire Church in Slovenia for its efforts for the benefit of the family. I wish to encourage all Slovenians, especially those in public capacity, to preserve the family as the basic unit of society’ (The Slovenia Times 2015b).

In Croatia, the left-wing parties were generally against the proposal (Vukic 2013). The Prime Minister belonging to the ruling SDP explained for the state television: "In this initiative I see a lack of tolerance towards a minority group. Marriage is not threatened by same-sex groups but by the modern way of life..." (The Guardian, December 1 2013). The SDP Minister of Social Politics and Youth said the referendum “is unnecessary and we will spend almost one month’s worth of social welfare payments on it” (Index, November 5 2013). The No camp considered the referendum to infringe on basic human rights whereas the supporters framed it in terms of democratic will expression and universal values related to marriage and family (Slootmaeckers and Sircar 2014).

The Croatian HL had an ambiguous and inconsistent position on the LGBT rights, being internally divided during the referendum. In the 2011 election campaign, their vice-president emphasized the liberal stance of the party, stating that minority rights - from sexual to national – constitute the very base of a modern democratic society, advocating marital equality of same-sex couples with their heterosexual fellow citizens (Hrvatski laburisti – Stranka rada, November 23 2011). Accordingly, the first Croatian gay politician

and Croatian Labour candidate for the European Parliament declared in March 2013 that if Croatian labourers came to power, the same-sex marriages would be legalized (CroL, March 27 2013). The only Member of the European Parliament elected in 2013 from the HL's lists expressed his doubts over the constitutionality of the referendum issue and called it undemocratic since the majority was to decide on the rights of the minority.

In contrast, the founder and the first president of the HL declared his support towards holding a referendum stating that he would not tolerate the tactic of hindering the referendum that was demanded by the people. Although he stressed that he personally believed that such a definition did not belong to the Constitution, the Labour party would “defend the right of citizens to hold such a referendum” (Jutarnji Vijesti, November 6 2013). While the party officially called on citizens to go to the referendum and vote against the proposed definition of marriage (Index, November 25 2013), their candidate for the mayor elections in the city of Dubrovnik publicly campaigned for a “Yes” vote, comparing homosexuals with pedophiles (Dubrovački Dnevnik, November 29 2013).

Social democrats against same-sex marriage

In Romania, the PSD was one of the strong supporters of the referendum against same-sex marriage. This support was already expressed during signature collection. The party's rhetoric on the issue was aligned with that of the Romanian Orthodox Church. This congruence of preferences is not surprising given the fact that the PSD is the successor of the former Communist Party, which had strong ties with the Church during communism (Gallagher 1995). The social democrats have a broad appeal – since they have won all but one of the popular vote in national legislative elections – but a large share of their voters is either located in the rural area or above 60 years old. The voters with this profile are usually more conservative, oriented towards the traditional understanding of the family, also because their degree of religiosity is higher compared to the urban and younger population.

The PSD pushed the same-sex marriage on the political and public agenda. The NGO collecting signatures could not have a strong voice without the solid back-up of the social democrats. The aggressive discourse promoted by them and the constant appeal to the traditional values of the Romanian society came in the context of a large electoral support in the 2016 legislative elections. The PSD received 46% of the votes, which allowed them to feel confident that their claims are legitimate to the electorate. The Referendum Law (no. 3 / 2000) specifies that the referendum is organized in one day. The PSD issued an emergency decree that modified this law so that the same-sex marriage referendum could be organized in two days, to reach the required participation threshold. The party was also heavily involved in the electoral campaign: different media reports indicate that it paid for publicity in the referendum campaigns and there is visual evidence (including videos on YouTube) about how the PSD politicians – including parliamentarians – campaigned throughout the entire country against the same-sex marriage.

Things are less straightforward in Slovakia since the political parties were not actively involved in the campaign. Nevertheless, the position of Smer could be easily observed from their pre-referendum actions and from the rhetoric surrounding the issue. The topic of same-sex marriage has hardly been on the political agenda of Slovakia (Rohac 2014). The question of family definition was not part of the government program (Programové zameranie strany SMER – sociálna demokracia na volebné obdobie 2012 – 2016. 2012). In spite of this low saliency of the topic, in June 2014 a constitutional amendment was passed by the government coalition led by Smer to define marriage as the “unique bond between a man and a woman”. This has been the initiative of the minor coalition partner, a Christian democratic party. In the presence of such legislation, the referendum was redundant in terms of policy effects. During the referendum the political elite refused to provide a clear position on a referendum topic, thus, ‘the overriding silence of high officials and political parties on the issue’ was one of the main peculiarities of this popular vote (Kral 2015). Nevertheless, the Smer leader Fico is conservative about the topic and his ideas go against the social democratic principles of equality. He stated that under his leadership Smer will never support same-sex marriage, but that he can grant specific rights to cohabiting couples (ILGA-Europe 2018).

Explaining the stances of social democrats

These developments point to the existence of three stances of the social democrats towards the same-sex referendum: for (SDP in Croatia and SD in Slovenia), divided (HL in Croatia) and against (PSD in Romania and Smer in Slovakia). Table 2 summarizes these stances and their explanations.

We argue in favour of two major types of explanations for the divergent positioning of social democrats. These types are the strategic reasons – with the sub-categories electoral and government strategies – and ideological elements. The two parties in favour of the same-sex marriage have similar intertwining characteristics in terms of electoral strategy and ideological consistency. The electoral strategy of the two parties consisted of riding the wave of popularity. Their public support was on the rise and they did not want to take risks by going against a) the values that they traditionally promoted, which are part of the general appeal to the voters and b) the tendency in Croatian society of increased support for marriage equality, one of the highest in the post-communist region (Andreescu 2018).

The size of the two parties differs considerably: the Croatian social democrats attracting roughly one third of the votes since 2000 in various coalitions, while the Slovenian social democrats gravitate around 10% of the votes. The SDP did better in 2011 compared to the 2007 elections and were trying to keep the ascending trend, while the SD started growing in the polls after the 2014 election (which was the lowest record of the party) until 2018 when it secured a new place in the coalition government. As such, the SDP in Croatia and the SD in Slovenia displayed ideological consistency: the equality promoted

in their programs and manifestos was reflected in their attitude and behaviour favouring the same-sex marriage.

However, the government strategy of the two parties was different. The Croatian SDP was in an alliance with several centrist and centre-left parties and could find it difficult to justify an anti-same-sex marriage stance that contradicts their shared values towards equality. The prime minister at the time of the referendum came from the ranks of the SDP and, thus, the pressure was even greater for ideological consistency. For the Slovenian SD the presence in government was a good opportunity to maintain the policy line initiated in 2011. Back then, the government led by the social democrat leader proposed a new Law on Marriage and Family Relations, the first comprehensive overhaul of family legislation last 35 years (The Slovenia Times 2012). However, it contained two aspects that triggered huge dispute: marriage was defined as a lifelong community of two persons of the same or opposite sex and the same-sex partners were granted the child adoption rights.

Table 2: A Summary of the stances towards same-sex marriage and explanations

Stance		Status	Strategy		Ideology
			Electoral decisions	Government strategies	
For	SDP (Croatia)	In government	Higher popularity	Coalition partners	Consistency
	SD (Slovenia)	In government	Higher popularity	Pursuit of own agenda	Consistency
Divided	HL (Croatia)	In opposition	Lower popularity		Inconsistency
Against	PSD (Romania)	In government	Lower popularity	Distract the public	Inconsistency
	Smer (Slovakia)	In government	Lower popularity	Distract the public Coalition partners	Inconsistency

The non-parliamentary centre-right New Slovenia (NSi) together with civil society organizations supported by the centre-right parliamentary opposition parties - Slovenian Democratic Party (SDS) and the Slovenian People’s Party (SLS) strictly opposed the proposed law and threatened with a referendum. The government, confronted with economic difficulties and having lost already four referenda in 2011, tried to avoid this referendum and modified the provisions – marriage was declared a lifelong community of men and women and two same-sex partners were allowed to adopt a child only if one of the partners was the child’s biological parent. Still these changes were not ambitious enough for the opponents and ‘Civil Initiative for the Family and the Rights of Children’ collected the 40,000 necessary signatures in order for the referendum to be called. It took place in March 2012 and the (by then former) government lost - the amendments were

rejected by 54.5%, the turnout was 30.3% (Krasovec 2015). In essence, the legislative provision subjected to referendum in 2015 was the natural continuation of the previous initiative and the SD showed a straightforward pursuit of its own policy line over time.

The HL was internally divided on the same-sex marriage. The reasons behind this were a combination of electoral strategies and low priority of the issue for the party. With regards to the former, parts of the party remained loyal the core electorate of the party and aimed to mobilize it through support for the same-sex marriage. However, the issue falls under the category of 'conscience' votes and for some politicians articulating blunt or appalling opinions can serve as an appropriate strategy. It helps profiling, can provide additional publicity and appeals to certain segments of voters with strong opinions over moral issues. One of the major problems of the party, as indicated earlier in the article, was the lower public support at the time of the referendum compared to the previous legislative elections. As such, some of the party elites were willing to go beyond the core voters of the party to target new segments of the electorate in the attempt to augment their support. In doing so, they were willing to defect from the general approach of the party. These actions result in ideological inconsistency, which has its origins in the relatively low priority of equality in the family life. The HL promotes actively the labour rights, equality, social justice and solidarity. These are prevailing themes in its rhetoric, but there are no explicit references to family. The absence of a clear-cut stance on family allowed separate opinions to be accepted within the party.

The two social democratic parties that opposed same-sex marriage pursued that path for several similar reasons such as distracting the public attention from pressing problems and eventually hiding their poor performance in office or the conservative approach towards the issue. At the same time, each party had particular reasons that consist of trying to improve their public support in the case of the PSD in Romania or the broader ideological inconsistency for Smer in Slovakia. To begin with the PSD, its support for the referendum took place at a time when the popularity of the party was on a descending slope. After the remarkable result in 2016, the party changed the prime minister twice within one year. The third prime minister was broadly seen as the puppet of the party leader who could not occupy public office due to previous convictions. The PSD government pushed for a reform of the justice laws that could allow the party leader to occupy public office, reforms that were broadly criticized by the EU and civil society, and which sparked waves of protest throughout the country. As earlier research shows, the referenda organized in post-communist Romania served the specific purposes of their initiators (Gherghina 2019). This was also the case of the 2018 same-sex marriage referendum, which was used in an instrumental manner by the PSD to appeal to voters and to distract attention from the poor performance in government.

Romania is known for its large share of self-declared religious people. The involvement of the Orthodox in the referendum and the entire debate about the morality of same-sex marriages could have provided access to large segments of society. Polls conducted prior to the referendum and presented by the PSD's coalition partners indicate

that a large share of Romanians would vote against the same-sex marriage in the referendum (Digi24 2018). Under these circumstances, the PSD could confidently target the electorate with a conservative message about the same-sex marriage. This topic was also a very good opportunity to steer the public away from the critiques received about the attempt to push for the change of the justice laws. The referendum also came half way through the term in office and a summary of the first two years did not show many positive things about the PSD's performance in office. As such, it tried to kill two birds with one stone with an aggressive message against same-sex marriage: boost their electoral support and evade poor performance in office. The party over-estimated the saliency of the issue for the population. The voters – especially in the rural areas where PSD is usually stronger – did not mobilize because the issue is of little relevance to them.

In addition to these strategic components of the PSD's actions, there is also ideological inconsistency with the social democratic goals (see the previous section on equality and family). The PSD's leader was heavily conservative about the issue and declared on several occasions that he would vote against same-sex marriage because this is what he got from his "Orthodox education, received as a child in the countryside, surrounded by the traditional family" (Cotidianul 2018). This party leader personalized the PSD, making many things revolve around him from the design of the party manifesto, policy issues or political alliances to the nominations of ministers and government composition. He was the main face of the PSD in the referendum campaign and he carried out the main messages about the topic. This resulted in a highly conservative rhetoric, even higher than the usual campaigns ran by the party.

Smer in Slovakia opposed the same-sex marriages for reasons related government strategy and ideological conservatism and broad inconsistency. The government strategy used by the party includes the desire to distract the public from government's poor performance and the willingness to maintain good relations with the coalition partners. Fico's critics accused him of manoeuvring between different camps in the search of political benefits: allying with the conservatives at one point and easily reconnecting with the liberals in the future if it served his strategic calculations (Krivošík 2014). The referendum itself was a welcome distraction from real problems for the government: rampant corruption, unemployment up to 30% in some regions and intergenerational poverty of the Roma population (Rohac 2014).

The constitutional marriage definition as a "unique bond between a man and a woman" came into existence as a result of a peculiar coalition between the Smer and the Christian Democratic Movement (KDH). Although the Christian Democrats barely accounted for 10% of votes, they revealed to play a key role in the coalition-building from 1999 to 2012 and enjoyed influential position in social and moral issues (Forest 2015). The Smer-KDH union emerged during 2014 presidential campaign in which both parties' leaders experienced defeat (Balogová 2014). The deal implied that Smer endorsed the KDH's definition of marriage, in return, KDH supported the judiciary reform proposed by the ruling party that was widely criticised for the provision foreseeing that already appointed

judges and candidates for judicial posts would have to pass clearances in order to become eligible for the job (Balogová 2014; Terenzani 2014b).

Smer mixes the social democratic approach with conservatism, being quite inconsistent in its ideology. In the 2012 election campaign it had a rhetoric of expanding the social safety net for the poor and raising tax rates for high earners and corporations (Kulich 2012). The equality promoted by Smer is only economic because in terms of minorities it shifted position. The Smer government passed a language law, which required public servants, from doctors to post office workers, to speak Slovak rather than Hungarian or any other minority languages (unless more than 20% of the local population speaks a minority language) under the risk of financial fines of several thousand euros (Terenzani 2009). In the 2012 elections Smer emphasized pro-European policies but in reality, under Fico, Slovakia experienced a geopolitical shift towards becoming Kremlin's defender. The Pro-Russian sentiments found reflection in the referendum campaign – for instance, the former Prime Minister and outspoken supporter of the referendum Jan Carnogursky warned against the “gender ideology” imported from the USA noting that “in Russia, one would not even have to campaign for this — over there, the protection of traditional Christian values is an integral part of government policy” (Rohac 2014).

Conclusion

This paper explored the different behaviours of social-democratic parties in the four East European referenda on same-sex marriage between 2013 and 2018. Using a combination of primary and secondary data, this qualitative analysis revealed that the parties supporting the same-sex marriage were determined to stay consistent with their key ideology, were on an ascending trend of popularity and did not want to endanger this evolution with an ideological twist. One of these parties was in a broader left-wing coalition and could not “betray” the shared values of its partners. The other party found in the same-sex marriage an opportunity to reveal policy consistency since three years before it was at the basis of a similar proposal on the same topic. The party that was divided over the issue ended up in that position due to its impetus for a greater share of votes and to the low priority of family on its policy agenda. The two parties opposing same-sex marriage were driven by electoral incentives since both were losing popularity at the time of the referendum, a desire to mask their poor performance in office and a conservative dimension to their social democratic ideology. The Slovak social democrats had a specific reason to pursue this rhetoric, i.e. their minor coalition partners were the Christian Democrats.

The implications of these results reach beyond the investigated case studies and provide valuable insights for the study of political parties and referenda. At a theoretical level, our analysis contributes to a broader understanding of parties' behaviour in referenda, especially in this delicate policy area of same-sex marriage. So far, much research focus on parties as initiators. In these referenda, none of the parties was the initiator and yet they played relevant parts in the development and even result of the referendum. For example, it is not a coincidence that the countries in which the

referendum was invalid due to turnout are the ones in which the two parties against same-sex marriage were on a descending slope of popularity. In general, political parties are important in the referendum campaigns and their behaviour is driven by a combination of factors.

The empirical implication of this analysis is that the party behaviour can be rarely understood by looking at a single cause. The elections, performance in government, coalition partners and supplementary ideological components are valid reasons for which political parties can follow or deviate from traditional ideals. The actions and reactions of the social democratic political parties can be seen either as a function of more long-lasting features, e.g. the more conservative take on PSD in Romania or the desire to increase voter support of small parties like the HL in Croatia, or as the result of contextual determinants, e.g. the coalition with Christian Democrats in Slovakia or poor performance in office.

This study can be expanded through further research investigating the behaviour of social democratic parties on equality, inclusion or human rights. This would allow an examination on the extent that the topic of same-sex marriage was unique or can be included in a broader trend. Such a study does not have to be limited only to Eastern Europe, expanding with comparisons across social democratic parties from new and established democracies. Future studies could enhance this analysis with supplementary interviews with party elites and campaigners on the reasons for their ideology towards the topic of same-sex marriage. This could reveal a solid causal link that substantiates these findings.

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