Extending the Boundaries of Civic Membership

Polish NGOs as Change Agents

Beata Czajkowska (ed.)

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Cover picture: Equality march in Krakow, May 2011. Photo by Adam Reising.

Preface

Reconstituting Democracy in Europe (RECON) is an Integrated Project supported by the European Commission's Sixth Framework Programme for Research, Priority 7 'Citizens and Governance in a Knowledge-based Society'. The five-year project has 21 partners in 13 European countries and New Zealand, and is coordinated by ARENA – Centre for European Studies at the University of Oslo. RECON takes heed of the challenges to democracy in Europe. It seeks to clarify whether democracy is possible under conditions of pluralism, diversity and complex multilevel governance. See more on the project at www.reconproject.eu.

The present report is part of RECON's work package 8 'Identity Formation and Enlargement', which has two interrelated objectives: to clarify how much trust and commonality is needed to establish democracy, as a means of collective will formation at the various levels of governance of the compound EU polity; and to understand the formation of collective identities with regard to enlargement processes, with an emphasis on comparing the 'old' and the 'new' member states.

Erik Oddvar Eriksen
RECON Scientific Coordinator

Acknowledgements

The project we present in this report was conducted for RECON work package 8 'Identity Formation and Enlargement.' The report explores social and political changes taking place in contemporary Poland from the perspectives of women's and sexual minorities' non-governmental organisations (NGOs). We focused our research on groups of citizens who are excluded from fully exercising their rights in a democracy – women whose rights have been in retreat for the past twenty years and sexual minorities whose rights are largely unrecognised and unprotected by the Polish state. We wanted to examine how these excluded minorities organise themselves and how they challenge the traditional and conservative views of the majority on what constitutes Polish identity.

It has been a fascinating project. In the course of it we learned more than we imagined and met scores of wonderful people whose dedication and enthusiasm make us believe that change in Poland is possible and that Polish society is becoming an open European society. The NGO leaders and activists offered us their time, hospitality, opinions and insights without which this project would have never been possible. Our gratitude goes to all of them.

We also would like to thank Prof. Zdzisław Mach and our colleagues at the Institute for European Studies at the Jagiellonian University in Krakow for institutional support. At ARENA, University of Oslo, we want to thank Prof. Hans-Jörg Trenz for encouraging this project from the start and recognising its results. We also want to acknowledge the editorial contribution of Kadri Miard to the report.

Finally, it is a privilege of the editor to extend her personal gratitude to the team I had a pleasure to lead. Olga Brzezińska, Agnieszka Sadecka, David Skully and Natasza Styczyńska, who collaborated on research and writing this report, were willing to challenge all the assumptions of the project, argued over and discussed every aspect of our research, accepted impossible deadlines and maintained a sense of humour throughout the process. I do apologise for disturbing your summer holidays

(several times) asking for ‘just one more revision’. Thank you! I also would like to thank Piotr Skrzypczak whose experience and knowledge of the NGOs sector in Poland as well as superior interview skills were invaluable to the success of this project.

Beata Czajkowska

Table of contents

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Chapter 1

Theoretical context and conceptual framework

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Introduction

The present study of women's and sexual minorities (lesbian, gay, bisexual and transgender – LGBT people)[1] non-governmental organisations (NGOs) in Poland is a contribution to a research program on *Identity Formation and European Enlargement*. The focus of which is the "analysis of identity conflicts emerging in the process of EU constitutionalisation, democratisation and enlargement."[2] This research program lies at the intersection of normative political theory and applied social research. The key issues in political theory are whether and how the European Union can emerge as a democratic, legitimate system of government. The viability of the nation state is viewed as compromised by globalisation, particularly by the negotiated ceding of some traditional nation state sovereign competencies to international organisations (WTO, IMF, UN

[1] The organisations in this study, working in the communities of and for the advancement of civil rights of sexual minorities, describe their constituents as lesbian, gay, bisexual and transgender (LGBT). In this paper, we follow their self-classification and use the acronym LGBT to refer to the community of sexual minorities in Poland.

[2] Work package 8 'Identity formation and enlargement' of RECON, see the project website at: http://www.reconproject.eu/projectweb/portalproject/WP8.html.

organisations) and, in the case of EU member states, to the European Union. The discretionary powers of such international and supranational institutions are not directly accountable to the individual citizens of member countries and their institutional decision processes often lack transparency or scope for public input and deliberation. The imbalance between input and output can give rise to a democratic deficit and weaken institutional legitimacies.[3]

One line of investigation considers the institutional changes necessary for the European Union to strengthen and maintain its democratic legitimacy: this concerns the institutional kratos of democracy.[4] Another line of investigation, the one our research addresses, concerns collective identities. One element contributing to the legitimacy of a government is that those governed belong to the polity. They share a collective identity and common frames of reference that allow for meaningful deliberation: they constitute a demos. The current form of the European Union, existing as a confederation of national states sharing common zones of free circulation of goods and persons, may not require a collective identity beyond the various collective identities of its member states. A more federal multinational or post-national European Union, however, may require a post-national or cosmopolitan collective identity to sustain democratic legitimacy.

Political theory and the empirical social sciences (particularly sociology and social psychology) have different perspectives on collective identity. Political theory concerns formal structures and processes, as embodied in constitutions or in modalities for convening constitutions and the formal and procedural requirements for ensuring democracy and system legitimacy. The RECON polity framework contributes to a literature on the construction of a democratically legitimate multilevel system of government. It builds on the tripartite CIDEL polity typology and posits: 1) a confederation of nation states; 2) a multinational state or federation; and 3) a post-

[3] For the debate on the democratic deficit in the EU see Føllesdal and Hix (2006), Moravcsik (2002), and Majone (2000); for democratic deficits generally see Norris (2011).

[4] See Eriksen and Fossum (2009a) for an in-depth survey of all work-package components of the RECON project.

national, cosmopolitan system.[5] One of RECON's theoretical innovations in designing a legitimate, democratic post-Westphalian order is to dissolve Arendt's trinity of people-territory-state by proposing a non-state, post-national polity. This allows for the construction of a civic or rights-based demos which can transcend value-based notions of the nation or the people; it also leaves diffuse the territorial boundaries of the polity.[6]

The distribution of power between levels in federal and other multilevel systems is zero-sum: to minimise conflict, a clear division of competences is necessary along with a formal system of resolving conflicts of laws between levels. This zero-sum power relationship necessarily holds in multilevel systems once a constitutional contract is concluded; pre-constitutional deliberation is concerned with designing the division of competencies and processes for the resolution of conflicting claims. In each system a citizen knows where to go to seek redress or to exercise voice on public policy: one goes to a level with the relevant competence.[7] In a formal perspective that views citizens as logically interchangeable autonomous individual agents, the question of legitimacy is a question of process and construction: Is the system sufficiently deliberative? Are fundamental human rights safeguarded? The collective identity or identities of citizens as group only become salient when questions of communication are posed: Is rational deliberation possible among citizens? What minimum common conceptual frame is necessary to sustain deliberative democracy?

Collective identities in political theory are often equated with the polity, consistent with ambient Westphalian assumptions. The current RECON framework on collective identity, for example, has

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[5] For an exposition of multilevel government see Marks et al. (1996). On multilevel constitutionalism see Pernice (2009) and Joerges and Petersmann (2006); and for application to the RECON typology see Joerges and Rödl (2009). Examples of other tripartite typologies include Delanty (2000), Giesen and Eder (2002) and Gillispie and Laffan (2006). The CIDEL (Citizenship and Democratic Legitimacy in the European Union) typology is lucidly explained in chapter 4 of Eriksen (2008).

[6] Arendt (1973: 232); particularly relevant is her discussion of 'Tribal Nationalism' (1973: 227-243).

[7] See Imig and Tarrow (2001) for empirical evidence on citizens' contestation of policy at the Member State and European Union levels.

been constructed by replicating national solidarity at the federal European level or universalising it, in the multilevel case, to sustain a non-territorially-bound cosmopolitan order.[8] This results in a tripartite system of collective identities: national, European, and cosmopolitan. In addition, Góra et al. (2009) transpose the zero-sum relationship between Member State and federal-European competencies to a mutually-exclusive relationship between national and European collective identities. Imposing the zero-sum assumption to collective identities is neither logically necessary nor empirically valid: it unnecessarily restricts the universe of possible collective identities. The following paragraphs show how the scope of theoretical and empirical inquiry is broadened when the limiting zero-sum assumption is relaxed.

The empirical social science literature finds that collective identities are not one-dimensional. They are not limited to polities: the sociological and social psychological literatures do not find a one-to-one mapping between collective identity and polity.[9]

> People can feel a sense of belonging to Europe, their nation state, their gender, and so forth. It is wrong to conceptualize European identity in zero-sum terms, as if an increase in European identity necessarily decreases one's loyalty to national or other communities. Europe and the nation are both "imagined communities" and people can feel that they are part of both communities without having to choose a primary identification.
>
> (Risse 2010: 39-40)

It is to be expected that citizens of European member states often express a sense of belonging to both their nation state and to Europe (among other affinities) given the current division of competencies between member states and the European Union: they have standing at both levels, depending on the competence.[10] The capacity of

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[8] Eriksen and Fossum (2007, 2009b) and Góra et al. (2009), the latter article sets forth the zero-sum thesis on identities.

[9] See, for example, Billig (1976), Brown (1995), Hewstone and Brown (1986), and Tajfel (1981).

[10] This is what the research of IDNET (Europeanization, Collective Identities and Public Discourses) finds; see Gillespie and Laffan (2006) and Risse and Maier (2003).

citizens to embrace multiple collective identities is most obvious within European federal polities such as Germany, Spain and Switzerland.[11] India provides a non-European example of a vibrant multi-ethnic, multi-lingual democracy, as does Nigeria.

The logical problem with the typology of Góra et al. (2009) is illustrated in the table 1.1 below. The rows of the table employ two dichotomies. The first is Eriksen's (2009) distinction between value-based collective identities (which includes ethnic and heritage-based solidarities) and rights-based or civic collective identities. The second draws on Risse's (2010) distinction between exclusive and inclusive nationalists. In the European context, an exclusive nationalist is one who self-identifies only as a Member-State national; an inclusive nationalist self-identifies as both European and as a Member-State national.[12] The columns of the table correspond to the three RECON models and the cells marked with X represent, for each model, the basis of collective identity necessary to sustain democratic legitimacy asserted by Góra et al. The table draws our attention to its many empty cells: are these empty cells necessarily empty? Risse (2010) finds that inclusive nationalists outnumber exclusive nationalists in the European Union: Góra et al. exclude this inclusive group by assumption, leaving the middle row of the table empty. The democratic legitimacy of model 1 and model 2 can be sustained by a demos (or demoi) of inclusive nationalists or by a mix of inclusive and exclusive nationalists such as we observe in Europe today. Models 1 and 2 can also be sustained by a rights-based collective identity. For example, polities such as the United States, Canada and Australia are not nation states as they explicitly lack a national, value-based identity. Their collective identities are civic, rights-based and grounded in a contractarian, Lockean-liberal form of constitutional patriotism.[13] Thus, all the cells in the columns for models 1 and 2

[11] See, for example, Balfour and Quiroga (2007) and Risse (2010: 23).

[12] Risse (2010: 37-62) examining the EU-15 for 1992-2004 finds about 50 percent of respondents qualify as inclusive nationalists and about 40 percent qualify as exclusive nationalists. About 5 percent define themselves exclusively as European and the remainder responds "don't know."

[13] On the construction of the civic identity and democratic demos in former British colonies see Wood (1969). The civic groundwork does not imply the absence of nativist sentiments and movements; as we stress below collective identity discourse is contentious. A democratic polity is a locus of conflicting identity narratives and

represent plausible bases for democratic legitimacy. Model 3 can also be sustained by a value-based, inclusive collective identity, which Eriksen and Fossum (2009a: 31) characterise as communitarian as opposed to cosmopolitan; a communitarian regional-European democracy might define itself by its Christian heritage, for example. The only cell in the table that can be confidently excluded a priori is the (shaded) upper right cell: a democratically legitimate post-national polity is logically inconsistent with an exclusive-nationalist collective identity. Relaxing the restrictive assumptions imposed by Góra et al, expands the number of plausible cells from three to eight.

Table 1.1: Matrix of collective identities and RECON polity models

	Model 1	Model 2	Model 3
Value-based, exclusive	X	X	
Value-based, inclusive			
Rights-based			X

The matrix of collective identities and RECON models and our discussion above underscore the coexistence of multiple collective identities within a polity. Collective identities are imagined communities, but this does not imply that there is one canonical image accepted homogeneously within the polity: even in the most apparently homogeneous polities (such as Poland) we observe active rivalry among competing visions and narratives of collective identity. Indeed, contestation between individuals and organisations adhering to different collective identities provides much of the substance and subtext of political discourse and debate.[14] Our study examines the actions of non-governmental organisations advocating women's and

justifications: on the U.S. see, for example, Nussbaum and Cohen (1996); for Australia see Galligan and Roberts (2004); and for Canada see Fossum et al. (2009).

[14] For imagined communities see Anderson (1983). Douglas and Ney's (1998) framework of cultural conflict is also relevant in this context. The border changes and population movements of the Potsdam Agreement (1945) created for the first time in its roughly thousand-year history, a relatively homogeneous Poland – in ethnicity, language and religion. The fractionalisation indexes of Alesina et al. (2003) for Poland are: 0.1183 for ethnicity, 0.0468 for language and 0.1712 for religion. Perfect homogeneity (no fractionalisation) is defined as zero and maximum fractionalisation is defined as one. Comparable measures for countries mentioned above are: Germany (0.1682, 0.1642, 0.6571); Spain (0.4165, 0.4132, 0.4514); Switzerland (0.5314, 05441, 0.6083); India (0.4182, 0.8069, 0.3260); and Nigeria (0.8505, 0.8503, 0.7421).

LGBT rights in Poland and the often contentious dialogues in which they engage. We seek to determine whether and how their constructions of citizenship, civic membership and collective identity, among others, correspond to the matrix of collective identities and RECON polity models. Rights-advocacy organisations are likely to express a rights-based orientation to citizenship. If this is observed, we can determine whether a rights-based approach corresponds with the post-national, model-3 orientation, as initially suggested in the RECON framework. Alternatively, given that the political competencies of interest to women's and LGBT rights' groups exist only at the nation state or European Union level, do we find that a rights-based orientation is compatible with a nation state (model 1) or federal-European (model 2) orientation?

Beyond the polity

In the previous section we argue for widening the range of possible constructions of collective identity associated with the three RECON polity models. In this brief section we introduce a further extension: that the analysis of collective identity and demos should include institutions beyond the polity. We use the term full civic membership to characterise the common goal of the NGOs in our study. Civic membership means being free from legal discrimination: that is, having equal civil rights. This is a negative definition, however: having equal rights does not necessarily mean that one can exercise them freely. In contrast, full civic membership draws on the capabilities approach to social justice to construct a positive definition (Nussbaum 1999; 2000a; 2000b). Capabilities are defined in terms of "being able to…" for example, "Having the social bases of self-respect and non-humiliation; being able to be treated as a dignified being whose worth is equal to that of others. This entails provisions of non-discrimination on the basis of race, sex, sexual orientation, ethnicity, caste, religion, national origin" (1999: 42). A social basis of non-humiliation requires an enabling system of social classifications and norms; this is beyond the capacity of the state, although state policy can foster or inhibit its development; classification and potential domination is distributed among multiple institutions.[15]

[15] Nussbaum's list of capabilities is explicitly not exhaustive, but it enumerates those capabilities necessary for one to lead what (in Nussbaum's interpretation) Aristotle considered 'a dignified human life.' These capabilities include: "Being able to be

Broadening the range of discourse beyond the state or polity is consistent with the discursive approach advocated by RECON Work Package 8:

> The major aim of WP 8 is to introduce […] a discursive understanding of collective identities to systematise the relationship between European polity building and democracy. The discursive paradigm simply states that collective identities emerge as a way of structuring and controlling the boundaries of social relations. This is done through codes of distinction that classify inclusive and exclusive relationships and specify how the two can be meaningfully linked together. Collective identities are at the same time tied to justificatory practices, through which people claim belonging and recognition by others.
>
> (Góra et al. 2009: 274)

This study examines the activities of women's and LGBT NGOs in Poland using the multi-institutional politics approach to social movements (Armstrong and Bernstein 2008). The key innovation of this approach is that the state or polity is not the only institution that matters for social movements. Society is a multi-institutional system: many non-state institutions are engaged in social classification; they reinforce and reproduce social distinctions, maintain codes of what constitutes proper behaviour, and can perpetuate discriminatory practices.[16]

The multi-institutional approach emerged from the failure of resource-mobilisation and political-process approaches to provide coherent explanations of the development of many identity-based

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treated as a dignified being whose worth is equal to that of others." "Bodily integrity: Being able to move freely from place to place; being able to be secure against violent assault, including sexual assault and domestic violence; having opportunities for sexual satisfaction and for choice in matters of reproduction." (1999: 41-42)

[16] In the course of writing this study Fligstein and McAdam (2011) was published. The article outlines a general theory of strategic action fields, which encompasses the synthesis advanced by Armstrong and Bernstein (2008), unifying organisational and social movement theory, as well as the work of Bourdieu and Giddens and fills major lacunae in these theoretical frameworks. We draw on aspects of Fligstein and McAdam (2011) but retain the terminology of Armstrong and Bernstein (2008).

movements that have emerged since the 1960s. The gay movement, for example, demands equal treatment from the state for gays. This aspect of the movement can be accommodated within the resource-mobilisation and political-process approach: the focus is on mobilising resources to influence the state and change policies and laws. In this aspect it resembles movements for the abolition of slavery, for women's suffrage, for workers' collective bargaining rights, and the U.S. civil rights movement. But the gay movement is also an identity movement and this poses a problem for polity-centric narratives. Because gay identity has no obvious correlative in law or public policy, it was viewed as 'expressive' or as one of many new or post-materialist social movements preoccupied with lifestyles and personal values and which did not correspond to traditional, 'instrumental' social movements. Thus, identity movements are an anomaly in polity-centred social movement theories.[17]

In a multi-institutional perspective, gay identity is inseparable from the demand for equal treatment from the state. As Armstrong and Bernstein (2008: 85) succinctly put it: "a gay movement is unthinkable in societies lacking gay identity. Without a category for a gay person, a movement advocating for the rights of such persons makes little sense." Equal treatment under law is necessary but not sufficient: respect is also required. Gay identities emerged from a long and continuing process of contesting social codes and cultural classification in an ever-widening variety of institutions; in each forum recognition and respect is demanded. Domestic violence provides a second example: it is a criminal offence in most countries, but incidents of domestic violence are seldom reported. When they are reported they are not always treated as seriously as other criminal offenses by law enforcement officers and judicial systems. Until the category 'battered spouse' with socially recognised claims to justice is constructed, domestic violence remains implicitly sanctioned as a private or domestic issue.

By focusing on other institutions than the state the multi-institutional perspective necessarily changes the focus of empirical research. The

[17] For canonical expositions of the political process model, see McAdam (1982) and McAdam, Tarrow and Tilly (2001). On the new social movement literature, see Cohen (1985) and Inglehart (1990).

locus of contention is no longer limited to the state; the point of contention can be a norm, rather than a law or public policy. In social movement (or strategic action field) theory there is an existing pattern of norms. These codes of proper behaviour are maintained by incumbents who act to enforce, perpetuate and continually legitimate existing standards. Challengers can contest these codes, but the probability of a successful challenge is generally very low: social life is characterised by norm stability and tensions, not by frequent norm changes. The onset of contention can emerge under several conditions that increase the probability of success: these include an increase in internal tensions, a weakening of incumbent power or legitimacy, changes in neighbouring fields, and technical (strategic) innovations.

This general description can be complemented with concrete Polish examples. The Polish regime change of 1989 convulsed all incumbents; there was a systemic decentralised reallocation of resources and legitimacy; the opening of borders and communications, particularly to the West, brought Polish society into proximity with formerly distant alternative codes and organisational modes. Poland's membership in the Council of Europe in 1991 provided Polish citizens standing the European Court on Human Rights (ECHR); this was a new and external venue for challenging Polish domestic law which has dramatically increased the probabilities of successful challenges regarding formal law. The 1993 Concordat between the Vatican and the Polish State effectively ceded control of several areas of social policy to Church purview, among them women's reproductive rights. This increased conservative incumbent power in this field and increased internal tensions.

Poland's accession to the European Union in 2004 brought with it the *acquis communautaire* which necessitated changes in or harmonisation of many Polish laws and public policies. Accession also provided Polish NGOs standing or access to a new set of institutions. Social-movement organisations often exploit differences or contradictions between institutions, 'venue shopping' for the most favourable institution to contest or, in some cases, with which to ally (Baumgartner and Jones 1993). Success in one forum can provide a

basis for contesting other institutions.[18] Jacquot and Woll (2003; 2010) introduce the term 'usage of Europe' and 'using Europe' to describe the phenomenon of 'venue shopping' in an EU-polity context.[19] Another aspect of accession was an increase in Polish labour migration to other EU Member States (and Norway). Contact with non-Polish societies and norms often confront migrants' internal codes (Rabikowska 2010). The direct and indirect effects of increased income and remittances has shifted relative resource endowments and challenged traditional hierarchies, particularly in rural areas (Elrick 2008). Moreover high emigration rates destabilised collective bargaining patterns in Poland (Hardy and Fitzgerald 2010).

In this perspective the goals and strategic and tactical choices of social movement organisations and the motivations, perspectives, and identities of individuals active in these organisations become salient. The narratives of those engaged in the process of contestation are essential to understand the institutional loci of contention, the sources of social domination and the contours of identity construction.[20]

Research questions and methodology

This study analyses social and political change in Poland from the perspective of women's and LGBT NGOs. A primary objective of this study was to investigate views and opinions of women's and LGBT NGOs on changes in attitudes, society and politics that are occurring in contemporary Poland. The study presents their actions, visions and assumptions about the democratic foundations of the polity and society. The research issue central to the study is the contestation of boundaries of identity – group, local and national. The study poses several questions about the NGOs and identity:

1. Can the NGOs – through outreach, public advocacy, lobbying and service provision – challenge collective identity and the traditional notion of Polishness?

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[18] See, for example, Friedland and Alford (1991), Keck and Sikkink (1998), Clemens and Cook (1999).

[19] Sudbery (2010) explored the 'usage of Europe' by Polish NGOs.

[20] Other examples in the multi-institutional/strategic action field research program are Rupp and Taylor (1999), Bernstein (1997), Polletta and Jasper (2001), and Armstrong (2002).

2. Can the NGOs influence changes in social attitudes towards women and sexual minorities?
3. Do the NGOs have impact on policies essential for the development of modern civic identity-full civic membership?[21]

We understand that full civic membership based on universal human rights is not exclusively European. We do, however, focus on the European context because, for Poland, the accession and the membership in the European Union accelerated processes of social transformation and policy change. The Polish state and the EU institutions are interlocutors in the dialogue with NGOs but their perspective is presented from the viewpoint of women and sexual minorities.

The study is based on empirical research conducted among leading women's and LGBT NGOs in Poland. We used an open-ended interview script [see Annex II] to elicit responses on: the organisations' strategies and activities; cooperation with local, national and international partners, financing and fundraising. We asked about challenges, barriers and stories of success. We also explored the NGOs' views on the accession to the EU and Poland's EU membership; we asked what impact these seminal events had on the organisations, the community and Polish society at large. We examined if the EU shapes the agenda of the NGOs: Has the accession to the EU fostered or challenged the activities of women's and LGBT NGOs in Poland? Finally, we asked our respondents to comment on Polish and European identities.

After a web-based background research (review of mission statements, programs and annual reports), the research team[22] interviewed 27 leaders of 23 NGOs between May and November 2010. In addition, we interviewed the secretary to the European Parliamentary Intergroup on LGBT Rights which cooperates with

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[21] Magdalena Góra and Katarzyna Zielińska of Jagiellonian University (Kraków), who were engaged in the initial development of this project, contributed to the formulation of research questions for the study and drafting of Research Questionnaire [Annex II].

[22] Olga Brzezińska, Beata Czajkowska, Agnieszka Sadecka, Natasza Styczyńska of Jagiellonian University (Kraków) and Piotr Skrzypczak of Maria Curie-Sklodowska University (Lublin).

Polish LGBT NGOs.[23] We interviewed NGOs in different size cities across Poland to avoid bias due to studying only the capital and large urban centres: Dąbrowa Górnicza, Gdańsk, Lublin, Katowice, Kraków, Sosnowiec, Poznań, Warszawa. Human rights'/ women's/LGBT NGOs are most active in cities because, globally, the cities and urban populations are generally more modern, diverse and open to inclusion than closed and more traditional rural communities. Research team members also participated in three conferences: Annual Conference of International Lesbian and Gay Association (ILGA Europe) in The Hague, 12th International Conference of Women Against Violence – Europe in Warsaw, and 20th Anniversary of the Democratic Women Union (Demokratyczna Unia Kobiet – DUK) Conference in Warsaw. Finally, we attended the two most important and most visible events showcasing women and LGBT issues that took place in Poland in 2010: Second Congress of Women in June and EuroPride week and parade in July (both in Warsaw).

The characters: selecting NGOs for the study

The NGOs chosen for the study represent leading voices for women's and sexual minorities' rights in Poland. We selected organisations that participate in public debates, have presence in the media, organise legal challenges, participate in local and national governments' advisory boards, sign open letters and public petitions. Our criteria of choosing the opinion-making organisations did not require engagement in all of the enumerated activities. Some organisations have lobbying capacity to pressure national government while others are using their local name recognition to organise local awareness-raising events. They are not broad-based grassroot organisations; rather, they are issue-driven and professionalised. They were established to fix deficiencies of the system (in services, education, legal framework) and to induce change in the society around them. Several have gained national prominence – Campaign Against Homophobia (KPH), Women's Rights Center (CPK), Karat Coalition (KK), Association for the Cooperation of Women – Network of East-West Women (NEWW), Feminoteka (FEM), Polish Association for Anti-discrimination Law (PTPA), Amnesty International Polska (AI) – as well as international

[23] Interview in the Hague, the Netherlands, conducted during the Annual Conference of International Lesbian and Gay Association (ILGA Europe).

recognition (KPH, KK, CPK, NEWW). Others are active local players representing and serving their communities, for example League of Polish Women (LPK) in Katowice, Active Women Association (SAK) in Sosnowiec, Women's Space (PK) in Kraków. A complete list of all organisations that participated in the study, along with acronyms used for their identification throughout the report is shown in Annex I.

Among the organisations in the study, some work directly to advance women's rights (for example, CPK, DUK, FEM, KK, LPK, NEWW); or sexual minorities' rights (for example, FR, KPH, LW); or both (for example, FA, PK, SK, US). The NGOs working on the broader packet of universal human rights (for example, AI, HF) include programs for women and/or sexual minorities. Although some organisations are instantly associated with women's issues (The Congress of Women) and others with gay and lesbian rights (Campaign Against Homophobia), the divisions between the organisations – as seen in their mission statements, projects, constituencies and in the declarations of their leaders – are few. Women's and LGBT NGOs presented in this study share a common ground against discrimination and for equality. They share a vision of full civic membership based on respect and recognition of their identities. It does not mean, however, that the results of advancing women's and LGBT issues are proceeding in parallel. We discuss the particulars of women's and LGBT movements in the case studies (chapters 4 and 5) and in the conclusions (chapter 6) to the report.

The empirical findings are presented in chapters 2 and 3. Chapter 2 examines how women's and LGBT NGOs attempt to induce social and systemic changes in Poland. The chapter discusses strategies used by NGOs – public campaigns, empowerment activities, actions aimed at systemic change and service provision to communities – followed by discussion of formal obstacles they face – financing and cooperation challenges. Chapter 3 presents organisations' views on identity change in the context of Poland's accession to the European Union. The accession as a source of hope as well as disappointment is an entry point to the discussion of Polish and European identities.

Chapter 2

How do they do it? The strategies and challenges of NGOs' work

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Non-governmental organisations support development of civic culture and full civic membership by dissemination of ideas, values and norms as well as targeted programmes and projects. Unlike state institutions that are obligated to implement national and EU policies and directives, NGOs can select areas of interest and engagement based on local needs and/or the preferences of their activists.[24] The women's and LGBT NGOs, that are a subject of this study, focus on combating discrimination and inequality regardless of the scope of their activities. The concerns compelling women organisations to act are broad: discrimination, inequality in private and public spheres, limited access to services, violence against women and children, neglect of women's achievements and contributions to history and society. The LGBT organisations are motivated into action by threats of homophobia, hate speech, discrimination, incidents of violence against sexual minorities and the lack of legal protective measures. Thus, these NGOs take responsibility to design and implement programmes and activities that raise awareness and educate about

[24] In cases of women and LGBT NGOs, we found strong imprint of leaders' views and experiences on programming, interests and scope of the organisations.

individual rights, deliver services (for example, legal and psychological counselling), build the self-esteem of their recipients as well as organise public events, monitor government and lobby on behalf of their constituents. Through their activities NGOs open society to diversity and build constituencies for change. They share a vision of Poland as a country different from one they live in – a country without discrimination, stereotypes and prejudices; a country where universal human rights are respected and guaranteed to all citizens; a country where all citizens can lead a dignified life.

This chapter analyses strategies utilised by women's and LGBT NGOs to contest social and institutional norms, social policy, legal standards and practices that, taken together, perpetuate exclusion of women and sexual minorities from full civic membership. The contestation is not limited to the state; norms and practices are a fabric of social and political culture built in Poland on traditions of Christianity and patriarchy that perceive multiculturalism and celebration of otherness as alien, external and foreign. In democracy, the boundaries between 'native' and 'foreign' change continuously. What might have been a radical novelty, for example, right to vote for women or decriminalisation of same sex acts, over time becomes an unquestionable civil right or a basic right to privacy. These shifts require legislative and legal changes as well as adjustments of social perceptions. Using Armstrong and Bernstein (2008) multi-institutional approach to strategic action field theory, this chapter explores how norms and standards are changing through social and political activism of non-governmental actors. Social change actors, in the case of this study women's and LGBT NGOs, work on expanding definitions of what constitutes discrimination (absence of civic partnerships), what is socially desired (respect granted to women and sexual minorities), what is offensive (sexism and homophobia), among others.

The empirical evidence presented in this chapter shows multi-layered and multi-institutional approaches used by women's and LGBT NGOs to challenge the existing social, political, legal and behavioural patterns in the context of Polish political and social life. After a discussion of strategies for effecting change (public campaigns, empowerment, lobbying and service delivery), problems that NGOs encounter in their work (financing and cooperation) are analysed.

Political and social context

With the accession to the European Union, Poland gained economic and security privileges available to the member states. The country is also well integrated into the networks of regional development (Organisation for Economic Co-operation and Development, or OECD), regional (Organization for Security and Co-operation in Europe, or OSCE) and international (North Atlantic Treaty Organization, or NATO) security. Polish democracy, developing on the heels of neo-liberal consensus, efficiently administers policies for the functioning of market economy – Poland is the only state in the EU that has, so far, avoided recession. For the vast majority of Polish citizens, albeit not all, as there are pockets of rural and post-industrial poverty and exclusion, the standard of living has improved and with it the quality of life. The educational and professional opportunities increased with the proliferation of institutions of higher education, several EU countries opened their labour markets to Poles, open European borders (Poland is party to the Schengen Agreement) facilitate travel.

Poland, however, is less successful when it comes to building and improving the quality of citizenship, inspiring and explaining changes that are taking place, engaging citizens in public debates and conducting civic education. These, of course, are not exclusive duties of the state. Political parties can be a forum for shaping and discussing opinions and preferences but are not trusted as institutions.[25] Also, in the Polish case, political parties are engaged in internal fights to the detriment of citizens' representation. Additionally, Polish society maintains its adversarial relation to the state that results in low participation rates, estrangement, or, in the worst case, alienation from the public sphere.[26] The contentious

[25] Among the European citizens, political parties were the least trusted (17 per cent) among the 15 institutions in the Eurobarometer 66 survey. There is also a considerable gap between the trust of the government (30 per cent), second from the bottom of the institutional trust list, and the parties. Source: Eurobarometer 66.2: Public opinion in the European Union 2007.

[26] Poles revealed the lowest level of interpersonal trust of the EU27: 10 per cent of Poles choose "most people can be trusted." The average for the EU15 is 33 per cent, for EU 27, 29 per cent, and for the 10 (in 2004) New Member States, 15 per cent. (Question QD3 INTERPERSONAL TRUST: Generally speaking, would you say that most people can be trusted, or that you can't be too careful in dealing with people?).

relation with the institutions of the state is grounded in the historic experience of long periods of foreign occupation and the four decades of communism. The state and its institutions (either foreign or externally imposed) were perceived as illegitimate and thus distrusted. Elections remain the most common form of dialogue between a citizen and the state, but such sporadic participation is insufficient for the development of civic responsibilities: election turnouts are low.[27] If citizens do not identify with the state and/or institutions that represent them, they do not feel responsibility toward these institutions. A pluralist civic culture "based on communication and persuasion, a culture of consensus and diversity, a culture that [permits] change but [moderates] it" (Almond and Verba 1963: 8) barely exists in Poland.

The weakness of civil society has been identified as a problem more by international donors than by the Polish state. To address this weakness, from the start of the transition, international (United Nations Development Program, or UNDP), American (United States Agency for International Development, or USAID) and European organisations (through PHARE and the accession funds) provided funds to stimulate the non-governmental sector with capacity building, financial assistance and exchange programmes. Predictably, the sector grew but still only about 18 per cent of Poles are active in non-governmental organisations, devoting their free time primarily to organisations associated with education of their children (8 per cent) such as school committees and parents boards (Centrum Badania Opinii Społecznej [Public Opinion Research Center] 2010); it is also fairly insignificant economically.[28] Further, Poles feel very little

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Source: Eurobarometer 62.2: Agricultural Policy, Development Aid, Social Capital, and Information and Communication Technology, November-December 2004. Also, see Rose 1994.

[27] National level elections bring more voters to the polls than any other elections. For example, the turnout was 55.31 per cent in 2010 presidential elections but only 24.53 per cent in the elections to the European Parliament in 2009. Source: Państwowa Komisja Wyborcza [State Electoral Comission]: http://prezydent2010.pkw.gov.pl/PZT/PL/WYN/F/index.htm and http://pe2009.pkw.gov.pl/PUE/PL/WYN/F/index.htm. Last accessed 10 March 2011.

[28] Only 0.8 per cent of the workforce in Poland consists of people either employed by or volunteering in civil society organisations. Source: Johns Hopkins Comparative Nonprofit Sector Project, Salamon, Sokolowski, and Associates (2004).

need to share private wealth or to donate it to others.[29] In a country preoccupied with individual development and economic advancement, civic activity is not generally recognised as virtue. The rates of volunteerism are low with just about 12.9 per cent (approximately 3.8 million) of population involved in any volunteer activity in 2009; the EU average is 23 per cent (Ministerstwo Pracy i Polityki Społecznej [Ministry of Labour and Social Policy] 2011).

At the same time, the NGOs perform important roles in the space between the institutions of the state and the society. They offer services not provided by state institutions; they channel grievances, represent interests and promote and inspire change. The programmatic content of their activities varies according to local needs. The non-governmental organisations, associations and issue-based movements recognise their right to inform and to shape agendas, and to participate actively in public life. NGOs also form trans-national cooperation networks and ally with the government and/or the EU.

The non-governmental sector in Poland: an overview

In order to provide context for the organisations we selected for the study, the following section presents an overview of the non-governmental sector in Poland. The radical and more colourful organisations associated with, for example, the ultra-conservative Catholic *Radio Maryja*, football hooligans and various brands of anarchists are conspicuous in news media, but they occupy the margins of civil activity. The mainstream of the Polish non-profit sector is made up of hobby, sports, advocacy and service-delivery NGOs (Klon/Jawor Association[30] 2008). In early 2008, close to 70 000 non-governmental organisations (associations and foundations) were registered in Poland.[31] Klon/Jawor (2008) estimates that, among

[29] Poles' gifts to private philanthropy constitute just 0.39 per cent of the country's GDP. By comparison, the top three donors are the Netherlands (4.95 per cent), Sweden (4.41 per cent), and U.S. (3.94 per cent). Source: Johns Hopkins Comparative Nonprofit Sector Project, Salamon, Sokolowski, and Associates (2004).

[30] Henceforth also referred to as Klon/Jawor.

[31] The most comprehensive empirical research on the NGO sector has been published by Klon/Jawor Association in 2008. Unless otherwise identified, the data in this section is cited from: *Najważniejsze pytania, podstawowe fakty: polski sector pozarządowy*

them, 40 000 to 45 000 organisations may be considered active while the rest exists only in the official statistics. The growth of the third sector is a post-1989 phenomenon; only 10 per cent of currently registered organisations existed before 1989. Over half of Polish NGOs are less than 10 years old. After a peak in 1999-2000 when over 5000 new NGOs were registered, the 2000s show a decline in the number of new NGOs. It may be due to the general decline of civic engagement seen in less volunteers (a drop from 21,9 per cent in 2006 to 13,7 per cent in 2007 among adult Poles who volunteer[32]) and lower interest of citizens in joining any organisation (a drop from 22,4 per cent in 2006 to 13,7 per cent in 2006 of which only a third is active in practice). Further, it is possible that increased professionalisation of projects and skills required to run an NGO, for example, the ability to fund-raise and account for the money (that is grant-writing and sophistication in implementing projects), are raising costs of entry into the third sector.

Close to 40 per cent of all organisations declared sport, tourism and recreation and hobbies as their primary areas of activity. Around 12 per cent of NGOs are active in arts and culture, 12 per cent in education, 11 per cent in social work and social welfare, followed by health prevention (seven per cent) and local issues (close to four per cent). Only two per cent of NGOs declared human rights, law, and political engagement as their primary activities. Klon/Jawor (2008) has no data on the number of NGOs that identified women's or LGBT issues as their primary concerns. First, these organisations would be more likely to declare promoting democratic values and supporting human rights in their mission statements; second, feminist and sexual minority organisations are too few to be picked up as statistically significant separate category of the NGOs.

A subset of NGOs active in the areas of civil society building – including human rights NGOs, organisations supporting various forms of civic activism, civic education, providing legal advising and

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2008 [The most important questions, basic facts: Polish non-governmental sector 2008] (Klon/Jawor Association 2008).

[32] A more recent data collected by the Ministry of Labour and Social Policy (Ministerstwo Pracy i Polityki Społecznej 2011) shows rates of on volunteerism at 12,9 per cent of Polish population in 2009; the EU average is 23 per cent.

promoting democratic values – was analysed and compared to the 'average' NGO by Klon/Jawor in 2005.[33] In the report, Klon/Jawor (2005) finds distinguishing features of what it calls the "civil society sector" of NGOs. These NGOs are mostly urban – over 80 per cent are active in Warsaw and other regional cities and towns. They are more likely than other NGOs to attract members, work with volunteers and provide more paid positions than other NGOs (40 per cent to 33 per cent average in the sector). The NGO sector in general attracts more women than men (62 per cent of paid personnel are women); among the civil society organisations this proportion raises to 75 per cent. The civic-minded subset of NGOs is also younger (a third of the activists is below thirty) and even better educated than the already high sectoral average attracting 62 per cent of college graduates – law and human rights organisations lead with 77 per cent of activists who are university educated. The NGO sector, in general, is not well-off: 34 per cent of all organisations have none or only negligible income; the civil society NGOs fit the sad sectoral average. However, they are more likely than average to receive money from government programmes, foreign donors, Polish and foreign organisations and public campaigns. On the other hand, local government is less generous; only 13 per cent of civil society organisations' budgets is supported by local funds (the sectoral average is 22 per cent). The urban profile and well-educated leadership and staff does translate into a higher than average cooperation – the civic-minded NGOs are more likely to establish contacts with local media, academics and universities, national-level administration and institutions distributing EU funding.[34]

The women's and LGBT organisations in this study follow closely the statistical blueprint of a civic-minded, civil society building, human rights-concerned organisation characterised in the Klon/Jawor (2005) report. They were established (with the exception of the League of Polish Women) after 1989, mostly in the 2000s. The relative formal

[33] The features and data on the civil society subset of NGOs are cited after Wewnętrzne zróżnicowanie sektora. Podstawowe fakty o branżach sektora organizacji pozarządowych w Polsce. Społeczeństwo obywatelskie [Internal diversification of the NGO sector. Basic facts about non-governmental organisations in Poland. Civil Society] (Klon/Jawor Association 2005).

[34] Funding and cooperation of women's and LBGT organisations are analysed in detail later in this chapter.

infancy of some organisations, operating in their current shape for the past two to three years, does not equal lack of experience. Their leaders share a long track of activism and have worked almost exclusively (either voluntarily or in paid positions) in the third sector. Thus, when starting new NGOs, the leaders bring professional experience enabling them to effectively define the programmatic scope for the organisation and fundraise for it. Our data shows higher than the NGO sector average gender imbalance[35] – this is to be expected in a study investigating women's issues. All respondents representing sexual minorities' organisations were openly gay or lesbian. It does not mean that the organisations in the study are exclusive women's or LGBT clubs, although, most of their members and the beneficiaries of their services come from the communities they represent or serve.

NGOs' activism

The remainder of this chapter is devoted to the presentation and analysis of activities of women's and LGBT NGOs. We emphasise the position and grievances of groups that consider themselves excluded from full civic membership and are denied access to full participation in and the benefits of democracy. The voices we present belong to the organisations, not individuals. The activists we interviewed were leaders and senior team members with institutional memory and experience; often they were the founders of organisations and oversaw their development from a nascent idea to the present institution. We found strong identification of leaders-activists with the organisations they had built and were representing.

The NGOs contest social norms, formal and informal barriers to advancement through public campaigns and lobbying. They strengthen and develop self-reliance of communities by developing empowerment programmes and providing services. The codes of proper behaviour and the existing standards are maintained by the incumbents – social and political institutions, the state and its administrative bodies, indifferent and traditional society. Financing and difficulty to form and maintain coalitions have been discussed by the NGOs as formidable impediment to their challenges to the *status quo*.

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[35] Homo Faber is particularly sensitive to the issue of gender parity – position of a chairperson rotates between male and female members of its leadership core.

Public campaigns

For any change to happen, one needs to acknowledge a problem. Most of the NGOs in the study emphasised the importance of publicising their issues of concern and cited successful pioneering campaigns of awareness of women's and sexual minorities concerns respectively. The problem of domestic violence gained visibility through a stunning public campaign that included billboards showing the victims, mostly women, of domestic violence – 'Because the Soup Was Too Salty' (*Powstrzymać przemoc domową: "Bo zupa była za słona"* 1997). The campaign gave visibility to the hidden problem commonly considered to be private and isolated. It publicised the incidents of domestic violence as well as provided victims with information about where and how to seek help (Blue Line – *Niebieska linia*[36]); it also helped the victims to come out of the shadow of shame and overcome self-blame. Further, it empowered NGOs by justifying their work for and on behalf of victims of domestic violence and opened access to public funding for protection and prevention of the problem.[37] The campaign mainstreamed the problem of domestic violence and was a start of the debate about boundaries of public intervention into domestic matters. A 2009 public campaign against spanking children, 'I love – I don't spank' (*Kocham, nie bije*), demonstrated state's involvement in the issue and commitment to change social practice of punishing children. The campaign was prepared in cooperation between the NGOs, government ministries and the police. Significantly, public awareness, commitment of organisations working on behalf of victims of domestic violence and state's commitment to address the problem have led to the legislative changes. A bill on the prevention of domestic violence was passed on 29 July 2005 and was amended on 10 June 2010 to provide further protection of victims and to outlaw corporal punishment of children.

In 2003, Campaign Against Homophobia (KPH) embarked on a nation-wide campaign 'Let Them See Us' (*Niech nas zobaczą*) that most of our interviewees considered to be a breakthrough in publicising the

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[36] Blue Line [Niebieska linia] is an emergency telephone number and an internet portal linking help providers and services for victims of domestic violence (www.niebieskalinia.pl).

[37] For more on norm diffusion through cases of domestic violence policies see Fábián 2007.

LGBT community's demands: "[The campaign] broke a magic spell. In Poland after 1989, when it comes to LGBT rights, we divide time into pre and post campaign when we entered the mainstream public discourse and the conspiracy of silence was shattered. (KPHW2) The campaign showed that there are gays and lesbians in Polish society. For the first time the issue of sexual orientation entered the public domain. Through a series of billboards, the public was confronted with pictures of same-sex couples holding hands. The campaign shook the long-established conspiracy of silence about sexual minorities. Once the taboo was broken, the sexual minority issues have been discussed in public with increasing frequency. The ongoing campaign 'Love Does Not Exclude' (Stowarzyszenie Otwarte Forum: *Miłość nie wyklucza* 2010–2011) focuses on the issue of legal rights and, in particular, on the absence of civil partnerships in Polish law.

In addition to public awareness campaigns, issues of concern gain visibility through actions organised in public space, for example equality parades organised since 2001[38] and rallies celebrating International Women's Day on 8 March. Since it started in 1999, the Women's Day rally in Warsaw 'Manifa' has grown to a national event and is now bringing thousands of women and men to the streets. Similar, albeit smaller, rallies are organised in other major Polish cities. These events, usually organised by coalitions of NGOs, bring public exposure and gather support for the 'cause' from members outside the immediate community. Not only do such public events serve the community, but these also teach the general public the basics of social activism, which seems to be of particular significance in the otherwise weak civil society in Poland. Alongside mass public actions and campaigns there are numerous other events undertaken by NGOs – such as exhibitions, cultural events, talks, conferences – which aim at raising awareness and give public exposure to the issues of concern. The aggregate effect of all these endeavours is not only acknowledgement of the problem in private and public domain but, more importantly, recognition of the need to act.

[38] In 2004, the mayor of Warsaw (Lech Kaczyński, later a President of Poland 2005-2010) refused to issue a permit to the organisers of the parade. The decision was contested and Poland lost the case at the European Human Rights Tribunal in Strasburg on grounds of violation of three articles of the European Convention on Human Rights (case no 1543/06 Bączkowski et al. vs. Poland; Fundacja Równości was one of the plaintiffs in the case).

However, it would be overoptimistic to look at these processes as smooth and linear. In fact, the road to permanent change is very bumpy indeed. The campaigns and rallies frequently evoke mixed feelings and reveal serious divisions in society – people's reactions range from openly hostile, through indifferent, to timidly approving. Nonetheless, the issues of discrimination, violence and inequality have now gone public and this cannot be erased.

Empowerment

The rise of NGOs in the past two decades has significant implications for the improvement of the fallen status of women and the recognition of rights for sexual minorities in Poland. First and foremost, empowerment of the marginalised means educating, encouraging and enabling them to act on their own behalf. In advancing the goals of empowerment, NGOs contribute to the emancipation, to the overcoming of issues that hold people back from enjoying full civic membership. Most NGOs in the present study put empowerment high on their lists of priorities with an aim to foster social change, thus going beyond service provision. They facilitate and encourage the disadvantaged groups to claim their rightful share of power that has hitherto been denied. What is more, one crucial effect of empowerment of the community is that it restores a sense of self-esteem and strength to cope in their own capacity with the problems they encounter.

Women's and LGBT NGOs encourage and support women and sexual minorities (the primary beneficiaries of their work) to overcome their inhibitions and fears and to stand for themselves. The organisations help their beneficiaries develop a sense of their own value and overcome the culture of helplessness, powerlessness and victimhood:

> We do not provide for refugees, gays, lesbians but we want them to provide for themselves, we want them to say what they want to do. We want to give them power. We don't want to be an aid provider, we are all about empowerment. People hatch here and move on.
>
> (TIK)

The NGOs organise workshops and trainings to break stereotypes and to widen knowledge about social and legal opportunities available to women and sexual minorities to protect them from

discrimination or exclusion (FEM1, SK, NEWW, PK, US, LW, AI, TEA). The NGOs contribute to the empowerment of women and homosexuals by building inter-group consciousness (FEM, KK, LW, US, TEA):

> Our mission is to build positive identity. We do it by building a positive identity of people who are non-heteronormative. To a lesser extent we also build some wider acceptance, social tolerance and prepare people for change by making them more sensitive. […] Our goals are to give people support, create social change and build LGBT community. It is empowerment, but nowadays we do less basic help, like providing psychological or legal assistance. Now, we go more for creating a new offer for LGBT people so that they can develop their identity on a more advanced level. It's no longer only about accepting oneself and coming out to the closest relatives. We want to show the wider society that there are various models of life and human relationships, diverse lifestyles and private or professional activities.
>
> (LW2)

Women's organisations focus on contesting traditional constructions of femininity and masculinity (FEM1, PK, US, TEA) by encouraging teaching history from women's point of view ('her-story') and developing gender studies programmes. Feminoteka initiated a project '*Powstanie w bluzce w kwiatki*' (The Warsaw Uprising in a flowery blouse) about women who participated in the Warsaw Uprising in 1944. The female soldiers told stories about the uprising from their perspective discussing not only the military involvement and the heroic acts of bravery and courage but also about love, friendship, the clothes they wore and the everyday concerns such as hygiene. Feminoteka also runs a virtual museum of women's history that showcases the prominent personalities of the Polish emancipation (women's suffrage) movement. A similar initiative, the 'Krakow Women Route' developed by Przestrzeń Kobiet, recovered places on the map of Krakow that mark important sites of women's activities in the city. As part of the project, two volumes of a *She-Guide to Krakow* have been published (2009 and 2010), providing insight to the Krakow's feminist movement. Women's NGOs advance the development of Gender Studies programmes at Polish

universities by creating a database of texts (Feminoteka) or opening a gender studies reading room (SK).

Most of the above-mentioned initiatives are undertaken in a feminist spirit. Indeed, advancing the feminist movement and promoting feminist attitudes was declared by some NGOs as one of their goals (FEM, US, SK). However, not all of the women's NGOs defined themselves as feminist organisation. Many strive for advancing women rights without an ideological affiliation as one may be not particularly welcome by the recipients of their assistance and make it more difficult to cooperate with public institutions. The image of a 'feminist' is still a stereotype in Poland associated with radical initiatives and unreasonable demands (Bator 1997). The NGOs who help, for instance, victims of domestic violence focus on the immediate psychological, legal and material support and avoid ideological labels (CPK, LPK, AI). Others do both – promote feminism and provide immediate assistance to women in need (FEM, SK, TIK). In particular, the organisations operating in smaller cities, like Katowice or Sosnowiec, tend to be more pragmatic and try to respond to the needs of the community. For example, the LPK promotes healthy lifestyle for women, organises regular health check-ups and prophylaxis for women. To encourage active lifestyle among elderly women, a group that is often invisible and frequently socially excluded, the LPK created a Nordic Walking track for seniors. The NGOs also help women participate in the job market (CPK, SAK, LPK) and support women's entrepreneurship.

The NGOs provide support for building positive self-image by encouraging women to engage in activities both in the public and the private sphere (e.g., to become candidates in local elections, to form associations and groups, to start their own businesses) as well as by promoting various forms of creativity by women in arts and culture. Active Women Association promotes women's participation in political, social and cultural life through programmes tailored to prepare women to run in local elections, in order to "equitable representation of women in decision-making structures, both formal and informal, and their voice in the formulation of policies affecting their societies and to increase female participation in the decision-making processes" (SAK). Feminoteka initiated an action that lobbies for creating female names of professions, so that women's presence in the job market is symbolically underlined (FEM). Breaking barriers

and stereotypes can be done literally – WenDo is a self-defense technique stemming from martial arts which builds courage and assertiveness in women. WenDo trainings are organised for adult women and young girls in schools to encourage their self-expression that, in itself, is a challenge: "WenDo strengthens the model of a 'European' woman, as opposed to the Polish one, linked with the traditional national identity" (FEM2).

Empowering communities, building strong individual and group identity is as important to women as it is to sexual minorities. The LGBT NGOs encourage self-expression and emancipation of sexual minorities as well as promote a wider social dialogue about their rights. Campaign Against Homophobia (KPH) and Lambda (LW), two best known and most recognised LGBT NGOs support and encourage coming-outs, provide psychological help and group therapy for the community, run information and educational campaigns on homosexual rights, safe sex and HIV awareness, provide aid to male and female prostitutes. Members of LGBT community are encouraged to take part actively in the public sphere, get involved in campaigns to increase visibility of the group:

> First of all, there is the question of visibility: 365 days a year people live next to us and they don't even think about our presence. They don't know that there is a problem – and for us it is a daily problem; for example, whether our partners can inherit something from us. We want people to see that we are not some kind of aliens as media depict us, that maybe it would be good if we could legalise our relationships.
>
> (FR)

Another sphere where the LGBT community has been active is sport. VOLUP, the gay volleyball team from Warsaw contests stereotypes by competing with straight teams on equal footing:

> We want to show that gay sportsmen represent the same game level as other sportsmen. There is no discrimination here, we can show it by participating in the Warsaw league […] It is an amateur league divided into different [proficiency] levels. We started in the so-called third league and from one season to another we advanced. Now we play in the first league after beating dozens of heterosexual teams. We had a situation once

> when two members of the opposite [straight] team had a problem playing with us and they made it clear to us with stupid comments and remarks. In the first game we lost 3:0, then, in the next season, we lost 3:2, and finally we won 3:0. They left the field without a word. For me, this is the essence of the fight for our rights and showing the others who we really are.
>
> (VOL)

Such initiatives are not only aimed at a consolidation of the LGBT community and affirmation of its identity but also increase awareness of the community's achievements. The non-governmental sector also benefits from work on behalf of the underrepresented and the disadvantaged communities. By undertaking this work the NGOs professionalise, build alliances and get feedback from cooperation on local, national and transnational levels. This helps to build positive self-image of NGO activists and organisations alike, increases self-confidence and ultimately gives incentives to further their goals, advance interests and unceasingly advocate for the adoption of views and standards of behaviour they wish to become norms in the Polish society.

Influencing decision-making

Lobbying provides opportunities for identifying common goals for various NGOs and fosters informal networks and coalitions. Through cooperation NGOs become unified, at least temporarily, around a common cause. Identification of common goals and unification in their pursuit gives NGOs incentives to pool resources, expertise and human capital to exert influence on policymakers, decision-makers and authorities:

> We sent a clear message – we have to have a plenipotentiary [for the equal status of men and women] at high level, accountable directly to the Prime Minister because only then she would have access to all documents and legislative proposals. We knew exactly what we were working on. Our demands were clear […]. Some say that even the name of the office [that was created] was our idea – Office for the Equal Status of Women and Men.
>
> (KK)

Some organisations in the study formally challenge the Polish *status quo* by forcing legislative change and increased accountability of the institutions. These NGOs (CPK, FEM, NEWW, KPH, LW) believe that systemic changes influence the attitudes and social norms:

> Through politics we change society, we change reality. In Poland, a law can be changed [proposed] by the members of the Parliament, the senators, the president. That is how you can change reality. So in the long run, you can't change anything without being involved in politics. That is why lobbying was always important to us.
>
> (KPHW2)

The public aspect of NGOs activities contributes to a discussion of new legislative projects, poses wider social questions and improves functioning of public institutions in Poland. The NGOs inform the policy process by preparing reports and analyses of the current situation of women and LGBT communities, monitoring the participation of women in the job market and in the public sphere, raising the authorities' awareness about cases of discrimination based on gender or sexual orientation. The data that the NGOs collect is passed to the governmental bodies as well as supranational institutions and to the organisations in different European countries. Another role, performed by KPH in particular, is acting as a 'spokesperson' for the LGBT community. By becoming a voice of the non-heteronormative people, KPH engages in the dialogue with the society and public institutions because "our mission is a society without discrimination, intolerance and prejudice against LGBT community" (KPHW1).

The NGOs are pro-active and, often with backing by the EU law, they lobby the government to take action in the fields of anti-discrimination, women and LGBT rights, empowerment and education of young people. Women and LBGT organisations provide recommendations, give feedback and comment on the legislative projects pertaining to women and LGBT rights (FA, FEM, KPH, CPK, KK, NEWW, LW, AI): "The amendment to the law on the prevention of domestic violence was done, in some aspects, upon our request" (CPK). Once projects are initiated, the NGOs can push the authorities to move the process forward, monitor the implementation and act as watchdogs: "This is our role as non-governmental organisation: we

know [your obligations], what you have signed" (KK). Feminoteka, for example, initiated a watchdog project called 'Gendermeria' which monitors gender equality implementation by public institutions. Women and LGBT NGOs engaged in public policy and the formal dialogue with the institutions have a pragmatic approach to their activities:

> Great politics are what they are, there are fireworks, but when it comes to particular solutions, there is less politics and more concrete action. It isn't easy but the issues can be resolved more or less successfully. I think that we see two perspectives here: the grand political one and at the level of departments where the everyday work is done, where we can find partners for cooperation more easily than on the ministerial level.
>
> (KPHW1)

Only a few of the NGOs in our study have the capacity and expertise to engage in political activity: it is one of the modes of operation for KPH, PTPA, KK, CPK. These organisations recognise the need to influence policymakers in order to advance their interests. The practice of lobbying helped create and professionalise activists who have become public figures. People like Robert Biedroń (KPH), Urszula Nowakowska (CPK), Wanda Nowicka (Federacja na Rzecz Kobiet i Planowania Rodziny [Polish Federation for Women and Family Planning]), Krzysztof Śmiszek (PTPA) and Magdalena Środa (Congress of Women) are not only recognised within the community, but also by the wider public. They give face to the struggle for equal rights and for a society free from discrimination and violence, which helps gain public support for the cause. In this way, the policymakers in the state are also indirectly influenced with the changing public opinion they cannot ignore.

The NGOs working in Warsaw, the capital of Poland, have better access to the policymakers, the opinion-making elites and the media thus they tend to dominate the representation of the third sector in the matters of public policy. At the same time, access improves their efficiency and effectiveness: CPK successfully lobbied for passage of the law protecting victims of domestic violence; Congress of Women fostered a law establishing gender quota on voting lists; and KPH and PTPA were involved in drafting of anti-discrimination bill. Thanks to their political efforts, NGOs have become partners to the

state in legislative and decision-making processes, even though the state bodies may be reluctant to acknowledge their expertise and advice.

Alongside the involvement in political processes at the national level, NGOs are engaged at regional and local levels. The great majority of NGOs in our study, usually based outside of the capital city, use their capacity and human resources to influence local politics. They promote and advocate for the representation of interests of marginalised groups through lobbying for funding for the prevention of domestic violence (SAK) or civic education (Stowarzyszenie Civitas [Civitas Association], SC). They are in dialogue with and watch over local authorities to assure transparency of public procedures and decision-making as well as accountability of public funding (HF). However, local governments differ in extending their welcome to the NGO community. Some are open to cooperation with NGOs (for example, in Dąbrowa Górnicza, Katowice, Warsaw, Sosnowiec), some have started only in 2011 (Lublin), while others remain oblivious, as is the case in Kraków where the NGO plenipotentiary of the City Council has not even been appointed. However, the work within the system, with the formal state institution, is important. As one of the NGOs poignantly summed up, "without the systemic change, all that remains is a revolution" (FA).

Service provision

All NGOs in the study provide services for the community and contribute to building the collective identity of women and LGBT groups: "Providing services to individual women deepens our collective understanding of the needs and concerns in our community" (SAK). All our interviewees emphasised that their organisations were created out of need to work for people and identify it as the basis for their existence:

> There is a great demand [for our services] among local women. The ladies are not interested in political life; the needs of families – especially the poorer ones – are not met, and they are left without any help. Our specialized services are important to them. We have counselling three times a week, all provided by volunteers […] we do it out of solidarity with other women.
>
> (LPK)

The NGOs create and operate the infrastructure of assistance to women and sexual minorities in response to the needs of the communities and directed some of their efforts to changing society as a whole by combating intolerance and introducing a notion of diversity into communities. Their direct beneficiaries profit from targeted programmes based on identified needs. NGOs offer services that the state does not ensure. In this regard the activities undertaken by organisations fill the void the state institutions do not wish to occupy:

> The third sector was created to complement what the first and the second don't do. I'm sometimes surprised when specialists evaluating different projects, in a response to our project write that it's good, but this should be done by the Polish state. Unfortunately, it is not done by the Polish state, so we take care of it, because this void has to be filled somehow.
>
> (CPK)

There is a growing recognition of NGOs as service providers in Polish society. In 2010 survey (Klon/Jawor Association 2011), 56 per cent of respondents noted that NGOs are more efficient that state institutions in helping people in need. The non-governmental sector is particularly active in the field of civic education either through specialised training or by providing hands-on opportunities for involvement to volunteers. NGOs also support individuals in overcoming life crises through immediate assistance as well as psychological and legal counselling (CPK, KPH, LPK, NEWW, SAK). All NGOs in the study engage in training activities, such as anti-discrimination (FA, CPK, FEM, SK, HF, NEWW, PK, KPH, AI)[39], self-defence (FEM, FA, SK, HF, US) or labour activisation of women (CPK, LPK).[40] Service provision is also a means of diffusing a set of values that drive the activities of non-governmental organisations. Communicating and promoting the values of diversity, equality and

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[39] Anti-discrimination trainings have proved so important and successful that the NGO community established an association of trainers (*Towarzystwo Edukacji Antydyskryminacyjnej* [Association for Anti-discrimination Education]) working in the field of broadly defined human rights.

[40] Labour activisation trainings constitute a marginal activity for women and LGBT NGOs due to the fact that commercial training companies appropriate the market in the sphere of human capital development and usually are generously funded by the European Social Fund

inclusion, influences opinions, attitudes and ultimately behaviour. The NGOs also direct some of their actions towards policymakers (FA, CPK, FEM, KPH, HF, TEA). They organise trainings for public officials, workshops for the police or health officials, provide information to teachers:

> We conduct a lot of our activities for the heterosexual part of our society, for the majority, the policymakers, the decision-makers or the other NGOs. We believe that focusing our activities on them will contribute to changing our situation, that they will change, they will open, and thanks to that our life as a community will be better.
>
> (KPHW2)

Engaging communities is a strategy of building constituencies for change. The NGOs want stronger, empowered communities that are able to articulate their needs and ask for change. Services also increase demand for community programmes. This can pose a problem for the NGOs and the authorities which may not be able to meet the demands and inflated expectations. Thus, service provision in particular requires communication among the groups in need, the NGOs and other service-provision and decision-making institutions. There needs to be agreements on policy, financial support and coordination. The next two sections discuss difficulties women's and LBGT NGOs encounter in their work due to complicated financial support for the third sector and lack of incentives to cooperate among the organisations and institutions.

Formal challenges: Financing of NGOs

NGOs require work, dedication, passion and enthusiasm to be successful. Money, however, is necessary to run programmes in the first place. Although, in the study design, financing was not a major topic of inquiry, the subject was discussed in considerable detail in every interview. The shortage of money and a shortage of available financing are primary formal obstacles for the NGOs with impact on their day-to-day operations as well as long-term prospects and plans. Like most NGOs, the organisations in this study, rely on multiple sources of funding. In general, the NGOs in the category of civic-minded human-rights civil society organisations diversify their sources of income more than an average non-governmental organisation (Klon/Jawor Association 2005).

The financing of most NGOs is a fragile and uncertain patchwork put together with grants, membership fees, income generating activities and donations. The donors are primarily public entities or organisations, national and local governments. The organisations receive grants by winning grant competitions. Some NGOs in the study – KPH, Lambda, HF, NEWW – that are designated as public benefit organisations are able to receive funding through citizens' donation of one per cent of their income taxes to an organisation of their choice.[41] NGOs can also raise revenue from income generating activities as long as any profits are used for implementing core programmes of the organisations. Foundations and associations can charge tuition for trainings, sell tickets to events or rent their space for other events. If an NGO is an association, it can collect membership fees. NGOs can also accept private donations. Since Poland does not have a developed a culture of private donors making, it is a negligible source of funding. The corporate sponsors are unlikely to fund women's or sexual minorities' organisations – corporations prefer to associate themselves with causes that would not be considered controversial or socially contentious, causes that may alienate their shareholders.[42] Membership fees, one per cent tax donation or small profits generated from activities are rarely if ever sufficient to sustain the operations and programming of the NGOs. Therefore, the majority of the NGOs in the study have to rely on uncertain and highly competitive public funding. The ever changing (or ever diminishing) public budgets are one problem. The conditionality is another.

Prior to the EU accession, donors emphasised general development and capacity building of the non-governmental sector: "At that time [the 1990s] the women's movement in Poland had huge international support, we were ahead of other countries at that time. I was getting

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[41] The Polish personal income tax form provides an opportunity to transfer one per cent of taxpayer's income taxes to the organisation of their choice. The organisations able to benefit from this program have to be certified as non-profits working for public interest. Public interest is broadly defined – from animal shelters and children services to hospice care.

[42] EuroPride 2010 attracted only one corporate sponsor, Google, willing to display its logo publicly. In the interviews the team was made aware that there were other corporate boards that donated money to some EuroPride events but they did not want to be named, thus their identity was not disclosed to us.

the experience; now after fifteen years I see it very clearly" (KK). Funding for study visits and participation in, for example, in the UN Conferences on Women enabled women organisations to gain expertise used later in Poland to advise on as well as critique policies on equality and gender: "The time before the accession was important and constructive for civil society. There was a lot of focus on strengthening of civil society, developing its watch-dog role, human rights" (US). The pre-accession European funding, as well as then more widely available American funding for democracy and civil society development, is fondly remembered as flexible, easy to manage and enabling to plan programmes in longer perspective:

> I liked American funding the best because their institutions understood that some things cannot be done in two months. Now, there are some interesting grant competitions but you have to do a program in something like four months. This cannot be done; education takes years not four months.
>
> (FKCZ)

Under the umbrella of democracy strengthening, organisations (for example, in this study, KK, FKCZ, CPK) were able to purse core programming based on their assessment of needs and set their own priorities over a period of time.

The EU accession brought significant changes in policy and financing of the non-governmental sector: "The European Union included our countries and wants to have a ready-made product, civil society, without investing in its development because we have already received the assistance" (KK). This critical perspective gets to the core of change which rides on the assumption that Poland, now the EU member state, has already developed civil society. The Polish state sees the NGOs in a role of supporter of state's efforts in providing services and implementting policies: "Right now non-governmental organisations are primarily brought in to implement economic policies of the EU which often have little to do with social justice, poverty eradication, equality, human rights" (US). The social change agenda of post-accession Poland focuses on human capital development understood in terms of improving labour qualifications, increasing participation in the labour market, building a knowledge society and increasing access to the labour market by socially excluded or disadvantaged groups. The National Development Plan

prepared by Poland in order to use European structural funds stresses economic development and labour activisation policies.
The non-governmental organisations are welcome to engage in the implementation of human capital development programmes.[43] But the available funding focuses on training to improve labour qualifications and access to technology. The empowerment and non-discrimination components of training are also geared toward workforce activisation. The programmes that are funded are perceived by the NGO community as safe and narrow, not geared toward a real change: "I think there is a lot of hypocrisy with using the EU money in Poland. European money is fine but European values are not. We would like to grab the EU money but keep our crosses and so on" (PK).

Setting social policy priorities in disbursing EU funds is a prerogative of the member state. Poland opted to concentrate on improving quality of life through labour market. It is a safe agenda:

> There is a shortage of people [in the government] with a vision, people who would inspire others to change, to do something not in line with Polish society. There are some but everything is connected and if the government has not other idea of addressing social exclusion but through the economic support, there is no money for anything else.
>
> (KPHW2)

The agenda of democratisation; including promotion of diversity and multiculturalism, assuring non-discrimination and equality, has not been a priority: "The democratic agenda no longer exists. We [the NGOs] are perceived as experts with experience and we are expected to share it now with others" (KK).

The NGOs competing for structural adjustment funds are expected to already have the capacity to implement projects, technical expertise as well as administrative capacity to handle extensive logistics and complex accounting. Women and LGBT NGOs have mostly excluded themselves from competing for human capital structural funds for

[43] The Human Capital Development Program is run by the Ministry of Labour and Social Policy.

two reasons. First, their priorities differ. NGOs define social transformation in terms of change of perceptions and opening political and social culture to diversity. KPH put it bluntly: "We have a conservative government that is running a conservative social policy. We do not fit into it because we are not running children's homes […] In general, we do not belong to the Polish government's interests" (KPHW2). Second, they lack capacity to implement large-scale projects and willingness to scale up for activities they perceive as programmatically restrictive.

KPH had an episode of 'mainstreaming' through implementing human capital development training programme for unemployed women with the European structural funds. KPH ran this project in 2005–2007 when the political climate was particularly hostile for LGBT activism and there were no other funds available. It did it "to survive [but] it was not a success" (PTPA). Similarly, KARAT which faced closure due to lack of funding after the EU accession in 2004 made a decision to partner with other organisations to implement training programmes; it was also a short-term organisation survival strategy. DUK's decision to transform itself from publicly engaged and politically influential organisation to an organisation focused on service provision and training caused a leadership schism along with the decline of DUK's influence and its political effectiveness. With the government priorities not fitting the objectives of women and LGBT organisations, these NGOs must look for other sources of funding.

Although the bulk of cooperation between the state and the third sector focuses on NGOs implementing human capacity development trainings, some funding remains available for support of a broad range of civic initiatives. In 2007-2009 (five grant competitions), with support of grants made by non-EU member states of Norway, Lichtenstein and Iceland, Poland administered a fund for non-governmental organisations (Fundusz dla Organizacji Pozarządowych [Fund for Non-governmental Organisations], FOP) designed to strengthen civil society. The Ministry of Labour and Social Policy runs a fund for civic initiatives (Fundusz Inicjatyw Obywatelskich [Fund for Civic Initiatives], FIO) that lists democracy building as one of the programme's strategic objectives. FOP and FIO grants allow creativity in programme design, do not restrict modes of programme implementation to trainings and allow operation expenses of the organisation to be included in the grant. The

downside of the funding is the small scale of the programmes and fierce competition.[44] FIO supports any sound civic initiative that can bring social impact and increase citizen participation. Thus, women and LGBT activities are competing, for example, with animal welfare, environmental protection, music camps for children, and recreation for seniors or citizens associations wanting to revitalise public spaces.

Every organisation in the study uses a patchwork of funding which include grants from Ministries, cities and municipalities, foreign embassies, foreign foundation, Polish Batory Foundation (which itself is funded by Open Society Fund, Ford Foundation, Trust for Civil Society in Central and Eastern Europe among others) or occasional dedicated programmes such as government funds for activities related to the Polish presidency in the EU in 2011. Some NGOs, ones active in international European networks and with the institutional capacity to handle complex collaborative projects compete for European funds directly (in this study, KPH, NEWW, CPK, KK). At the local level, municipal and regional funding for NGOs follows a similar pattern of general civil society grant competitions. However, several NGOs in the study noted that money administered by local authorities is more politicised and less transparent that the grants disbursed by Ministries and other organisations at the national level. The cooperation with local authorities was praised in Katowice (LPK), Dąbrowa Górnicza (SC), Sosnowiec (SAK), but criticised in Kraków for lack of sensitivity to NGO issues (PK) and heavy programmatic interference (TIK).

Women and LGBT NGOs compete for funding not only with civil society groups representing variety of interests but also with themselves: "When, once in a while, there is a really good call for proposals, everybody wants it for themselves; all of us are trying to squeeze

[44] FOP's total democracy budget was 12,6 million Euro and FIO's annual budget is around 10 million Euro. This enables only several hundred NGOs to get funding in a given year (FIO: 576 in 2010, there are over 4000 grant applications submitted for 2011). Sources: Fundusz NGO [NGO Fund] portal http://www.funduszngo.pl/pl/demokracja-i-spoleczenstwo-strona-glown/demokracja-i-spoleczenstwo-obywate.html and FIO portal http://www.crzl.gov.pl/component/content/article/86-aktualnopci/361-po-fio-2011-ogoszenie-konkursu-i-dokumenty-do-pobrania-; and http://www.pozytek.gov.pl/. Last accessed 18 April 2011.

into a bus that does not run often" (FKCZ). For example, several women NGOs may propose excellent programmes on, for example, empowerment or service provision for battered women, programmes that are needed and appreciated in their communities. In a perfect world, all would get funded but in reality only a few are selected for support in a given year: "I applied for two projects […] got money for one but not the other because some other organisation had an almost identical project. The idea and the implementation program were similar so something had to be chosen" (FKCZ); "Every year we apply for 10-15 projects and maybe get two or three" (FEM1). External perception of organisations is also an issue. Organisations become known for their expertise and find it difficult to cross over to other areas of interest: "The policies of funding follow the specialisations. I think it is easier for KPH or Lambda [LGBT organisations] than for us [a feminist organisation] to get money for LGBT projects" (PK). Competition is a serious disincentive for cooperation:

> If there is no threat, there is cooperation but if there is a perception of a threat, it is difficult to cooperate. There are attempts but they go nowhere. Somebody wants to pick your project, wants to force their solutions and either you agree or you are out.
>
> (LW2)

An LGBT organisation may work with feminists or human rights groups, because they "share interests but are in a different market. Feminoteka or Homo Faber is not going to eat up your market but KPH rides the same wagon" (LW2). As one respondent bitterly put: "The friendship ends when money comes because we compete with each other" (FKCZ).

Most grant-giving institutions require matching funding by the organisations applying for support. These can be in kind, cash or the combination of both. Some NGOs struggle with finding money to cover the required matching funds known as self-contribution:

> We work with an American foundation and it is a blessing because it covers our self-contribution to other grants. Without this money, there is no way we would be able to get our other

> projects. Our one per cent [from personal income tax contributions] is just not enough to cover self-contributions.
>
> (NEWW)

The amount of cash required for matching funds, sometimes up to twenty-five per cent of the grant, is also a formidable barrier:

> We cannot apply for most grants because we cannot afford the self-contribution. There is more money for our activities now, but bigger organisations with better financial stability can take advantage of it. The smaller ones like this one are stuck with small support from [local] public authorities.
>
> (LPK)

If a grant is awarded, there is lag of time before the money is disbursed. The activities, however, have to start immediately in order to execute the project. Each stage of the implementation requires extensive documenttation and detailed accounting stretching the capacity of smaller NGOs in particular. The administration of funding is a source of anxiety:

> The bureaucracy is preventing rational implementation of projects because you have to chase papers all the time. The bureaucrats are more interested if my receipts are in order than if I do four or five workshops. Nobody controls the purpose of spending money only the way money is spent. I think that sometimes the situation of our target groups is even worse after the project ended because we have inflated their expectations […] nobody cares about it, it is all about balancing the books.
>
> (FA)

Final grant review often takes time:

> It is a drama. In projects where money is refunded after the end of the grant (for example in the Southern Baltic programme after six months) we had practically no money to run other projects. We had to take a loan.
>
> (NEWW)

Short-term funding forces NGOs to constantly apply for new grants to assure liquidity and continuity of the organisation. The perpetual

cycle of ups and downs makes it difficult to run organisations: "We only have people on short-term contracts" (LW2); "We have big problem keeping people because, due to our dependency on grants, we cannot guarantee steady incomes and predictable terms of employment" (CPK).

Most funds are disbursed for one calendar year. However, the actual time allowed for programme implementation is even shorter: grant competition deadlines change from year to year and the review times vary.[45] Because the outcomes of applications are unpredictable, several organisations discussed the experience of lean and fat years. The shortage of funds is a problem:

> At some point our financial situation was so terrible that I thought I would have to close Karat, right after the EU accession we had no money. Some of our projects suffered. One was cut from three to two years.
>
> (KK)

"Last year was the worst ever […] we got no FIO money and no money from the City of Warsaw" (CPK).

The windfall also poses problems: "one year almost all worked out, something like 70 per cent of what we applied for got funded. I thought we were going to die [from overworking]; we grew from three to fourteen people. In my opinion it was the worst year" (KK).

Short-term funding is not simply and only an organisational burden but it has implications on the quality and effectiveness of programming. Fundacja Autonomia (FA) summed it up most poignantly: "It is difficult to influence social change if you have money for 10 months. Steady financing is necessary to support continuous programmes that become a base for change."

As difficult as it is for the organisations to solve the puzzle of financing activities, they manage to avoid making compromises on consistency and quality of their programmes. The organisations in

[45] For example, FIO grant decisions for 2011 were announced in May with the deadline for project completion of 31 December 2011.

the study work hard to stay true to their calling and search for resources that can help them fulfil their mission: "We keep close to our profile and do not apply for projects if there is not a LGBT or human rights component" (KPHW2);

> We have our priorities and search for money for them. Of course we try to write the proposal to fit into the objectives but if it requires too many changes, we do wonder if it is worth it. We gave up on most European Structural Funds because they are about the labour market and we decided that there are other institutions, firms and organisations already working on it. We should focus on activities and areas that are neglected.
>
> (FEM1)

Similarly, another organisation stated: "We have never applied for a project that was outside our mission only because there was some money available. We are trying to realise our objectives but there is so little funds for LGBT projects, for example" (PK). Some refuse to branch out: "After all these years we have our regular activities and we are not jumping into anything else just because a donor may want us to do it" (NEWW).

Finally, some projects the organisations are committed to carrying out are run without any external funding, often with minimal or without any money:

> A virtual museum of women's history is a voluntary project. We started it with volunteers, then we got a grant, later we finished it without funding, then another grant, now the volunteering again […] The same is when it comes to WenDo workshops for girls […] the parents paid some, we paid ourselves for lodging and we got the lowest possible rate for food. We don't shelf projects. We try to find some financing, for a part of it, start, finish, continue with volunteers.
>
> (FEM)

A conviction of doing things for others is important: "All our specialized services are very important [to the community]. We have counselling three times a week, all of us work here as volunteers […] out of solidarity with this [poor and disadvantaged] part of the community of women" (LPK).

> For the last eight years we run the only feminist summer camp in East-Central Europe. […] The camp is financed by participants' fees but these cover only cost of food, lodging and classrooms rental. All our work, running the classes at the camp and all the work preparing the camp is voluntary work.
>
> (US)

Projects can run on creativity, sincerity, passion and enthusiasm of activists, volunteers, friends and colleagues: "No money, we will do something without it. We can, for example, do a conference using our capacities, find a space for free, ask experts to volunteer their time. Everything can be done if you have a will" (FKCZ). Programmes and organisations can run on 'will' but the question is if they should, and for how long is this model sustainable?

Formal challenges: cooperation

One of the key questions in the present study was that of cooperation. Do non-governmental organisations cooperate with each other, with authorities, business and on what levels – do they engage mostly on a local, national or transnational level? According to Klon/Jawor Association data, which concerns Polish non-governmental sector in general, majority of NGOs cooperate with actors present in their most immediate surroundings – locality or county (powiat or gmina), and that involves local self-government, other NGOs and business. One third of all NGOs in Poland are active in their local environment and belong to federations or unions. Also, more than 40 per cent of them maintain informal, everyday contacts with other organisations.46 In the present study, our respondents are supportive of the cooperation and convinced about its advantages, yet in practice they indicate obstacles to establishing and maintaining permanent cooperation with other organisations, public administration and business.

Cooperation with public administration

Public administration should constitute an obvious partner for NGOs due to their contribution to the achievement of public policy goals. Further, NGOs receive the bulk of their funds from public authorities.

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46 *Najważniejsze pytania, podstawowe fakty. Polski sector pozarządowy 2008* [The most important questions, basic facts. Polish non-governmental sector 2008], Klon/Jawor Association, Warsaw 2008

The study conducted by Klon/Jawor Association reveals systematic decrease in contact with central administration (in 2004 half of Polish NGOs admitted to absolute lack of contact with state administration, whereas in 2008 as many as 68 per cent of the total) were in favour of relations with regional self-government and regional marshal offices. Since NGOs in Poland tend to be most active in their locality/county/city, local self-government becomes a natural collaborator. Klon/Jawor data shows that as many as 70 per cent of NGOs maintain regular contacts with regional or local self-government.[47] The Act of 24 April 2003 on Public Benefit and Volunteer Work[48] stipulates the rules for the cooperation between self-government and non-governmental organisations. Self-government units have created special offices or departments for the cooperation with NGOs or entrusted their employees with such a responsibility, which is meant to facilitate collaboration, creation of joint programmes and execution of public policies.

There are many instances of effective cooperation with local authorities – Dąbrowa Górnicza (SC), Katowice (LPK) or Sosnowiec (SAK):

> We have very good cooperation with the city authorities. Two years ago the Office for NGOs was created and generally there is good atmosphere for NGOs in Dąbrowa. There is a lot happening, because the plenipotentiary for NGOs also comes from the third sector and understands a lot. The Forum for NGOs was created and the Council for Public Benefit Organisations […] We can influence what is happening in the city.
>
> (SC)

Similar opinions were also voiced by other organisations: "I want to emphasize once again, that thanks to the openness of our city authorities we have excellent conditions for social work – in terms of the office or equipment to say the least" (LPK);

[47] Ibid.

[48] Dz. U. No 96, item 873, as amended in 2010

> We have enormously impacted on local authorities' attitudes. […] It has become a norm that our county financially supports our psychological and legal counselling activities. […] We have taught our county officials that people need to be assisted, that women develop and this development needs to be supported financially.
>
> (SAK)

One of our respondents indicates positive cooperation with administration, which is a result of their renowned expertise:

> CPK is so well-recognised in Poland and in Europe that we succeeded in changing a lot in the way the issue of domestic violence is thought of. We publicised the issue so much that I think the anti-violence bill mirrors our attitudes. We take part in various commissions; make up committees in municipalities, in cities and self-governments.
>
> (CPK)

However, contacts with public administration are not always successful. There is no widespread pattern in such cooperation – some organisations note positive experiences in contacts with public administration, whereas some complain about bureaucracy, lack of understanding and, above all, bias: "We started collaboration with the Ombudsperson, we cooperate with the police and human rights plenipotentiaries. The biggest problem, however, is the parliamentarians – it's getting worse instead of better, because our politics has become dreadfully populist and ignorant" (KPHW2);

> There is a lot of stereotypes and labelling about us. For some the label 'feminist' is disqualifying. Another issue is the perception of our organisation as lesbian. Indeed, we dedicate many activities to non-heteronormative women, which is a certain burden. […] In the allocation of municipal funds we lose at the outset, because we oppose the mayor or write protest letters.
>
> (SK)

Stereotypes and fear to become associated with LGBT movement impact the quality of cooperation: the authorities in Warsaw did not get involved in the 2010 EuroPride:

> We thought everyone was going to be happy that we would attract thousands of tourists from all over Europe, that it would be the advertisement for Warsaw as a candidate for the European Capital of Culture, but we were met with a wall of "there will be elections soon and we will not opt for anything". This is the first city among EuroPride organisers that did not support the parade.
>
> (FR)

> The city, its authorities and politicians did not rise to the occasion, EuroPride was not politically utilised. The city which is running for the title of the European Capital of Culture, does not understand what Europeanness, openness, diversity mean. This will project a view of Warsaw, of Poland, as a homophobic country.
>
> (KPHW2)

Cooperation with business

Although our respondents do not have extensive cooperation with business, there seems to be potential for development. The ongoing project 'Konkordia', which focuses on a dialogue between non-governmental organisations, business, self-government and academia, quotes research findings – 40 per cent of NGOs collaborate with businesses, but this mostly consists of events' sponsorship or donations. However, there are more and more instances of successful cooperation between NGOs and business. While the benefits (mostly financial) seem obvious to NGOs, business is starting to realise the importance of corporate social responsibility and is more willingly engaging in support of the third sector activities.[49]

The NGOs in the present study are beginning to realise that business could become a useful collaborator:

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[49] PBS DGA 'Współpraca organizacji pozarządowych z biznesem, samorządem terytorialnym oraz środowiskiem naukowym' [Cooperation between non-governmental organisations, local self-government and academia], quoted in Konkordia website, http://www.konkordia.org.pl/pl/aktualnosci/wspolpraca-z-biznesem.html. Last accessed 5 May 2011.

> We will be starting cooperation with business, which will provide us with relatively stable funding to help us function when we do not have projects. There has to be continuation of administrative and operational activity. We will start new programmes to combat economic violence and we will realise them with business partners.
>
> (CPK)

However, there is a lot of reservation on both sides – NGOs lack faith that they can get financial support from businesses. On the other hand, Polish companies frequently do not want to be associated with issues considered controversial and thus they practice a conservative policy of refusal to offer funding or sponsorship overlooking the fact that they are neglecting an important group of potential customers: "I think that in Poland there is no realisation that LGBT clients may be interesting. This has such negative connotations, that multi-national companies who engage in this sector abroad, in Poland are still afraid to do so" (VOL). While some companies do not want to be associated with LGBT50, other commercial actors decide to open up to cooperation with NGOs and fund projects dedicated to the underprivileged. One such example might be a project funded by Kompania Piwowarska S.A. (a brewery company) dedicated to single mothers in the frameworks of 'Warto być za!'[It is worth being for!] programme showcasing the corporate social responsibility.

Cooperation among NGOs

As vibrant as it is, the non-governmental sector in Poland still remains small. The segment of NGOs which dedicate their activities to the promotion civic attitudes, protection of human rights and minorities constitutes only a small subset of the NGO sector – only about two per cent of all Polish NGOs indicated that as their area of activity[51]. The size of the sector carries implications for cooperation among organisations. Rarely do they establish permanent coalitions or networks: 27,5 per cent of all Polish NGOs belong to various kinds

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[50] During the 2010 EuroPride in Warsaw there was only one officially displayed logo of Google, which financially supported its organisation. Other companies, despite having donated, did not want to be disclosed, as our respondents informed.

[51] *Podstawowe fakty o organizacjach pozarządowych. Raport z badania* [Basic facts about non-governmental organisations. Research report] , Klon/Jawor Association, Warsaw 2008

of branch, regional or nation-wide federations, associations or unions and this marks a decrease of 6,5 per cent in comparison with 2006.[52]

The LGBT and women's NGOs remain a fragmented sector, where there is more competition that cooperation. They have to fight for scarce grant resources, which does not help collaboration. Also, recognition seems to be of importance here – smaller organisations are afraid that the whole splendour of positive outcomes of their actions will be appropriated by big organisations:

> Where Lambda is a stronger organisation, the cooperation is smooth, our position is not threatened. But where there are stronger organisations, this does not work, because they are trying to dominate. Where there is not the feeling of threat, there is cooperation […] There are constant attempts and they constantly fail – someone wants to steal your project, impose their solutions –you either comply or are left with nothing.
>
> (LW2)

It is noticeable, however, that LGBT organisations unite easier than women's organisations. There seem to be two main reasons for that, as our respondents indicate. First, LGBT movement is better consolidated ideologically and focuses on equal rights and anti-discrimination on the basis of sexual orientation, whereas women organisation do not constitute a single-minded front: the interests are divergent and there is no ideological unity – some organisations define as feminist, some as lesbian, some refrain from such labels and opt for the term 'women's organisation'. The variety of interests they represent is broad: reproductive rights, equal chances on labour market, protection of sexual minorities, domestic violence prevention, and political empowerment. This diversity makes it difficult to create a common front and unite:

> The NGOs environment is not open, inclusive, there is constant struggle for recognition and representation. We can identify as feminist and LBT, but we are perceived as solely feminist. LGBT organisations appropriate representation of sexual

[52] Ibid.

> minorities. […] We feel we are not included in LGBT movement.
>
> (PK)

Secondly, the feminist movement has not risen to its full potential after it has lost its political and social impact that it enjoyed at the beginning of democratisation in Poland:

> I think women's movement is retreating; it used to be much, much stronger. The League of Polish Women was a power in the 80s, even in the early 90s, maybe even in 2000 they had more clout. […] Women's movement is for sure experiencing enormous frustration about abortion, as we are going backwards in Poland.
>
> (KPHW2)

As our respondent noted:

> We are trying to show solidarity with other women's groups and cooperate […] But in my opinion this cooperation does not go smoothly and the way we would wish. Women's organisations do not have financial resources and people working there are volunteers. Often they do not have time to reply to emails. But we are trying to maintain good contacts – cooperation is mainly in the sphere of communication and information exchange.
>
> (SK)

With reference to conflicts among women's organisations, our respondents pointed to what inhibits unity and cooperation*:*

> It is about power, historic merits, who was first, who is a true feminist […] it is not all about money, but power and deserts and the understanding of what feminism is, how and if it is possible to maintain independence.
>
> (TIK)

"Once we wanted to formalise the activity of [WenDo] trainers and establish an association, but it fell through due to internal conflicts in the community" (FEM2). Notwithstanding difficulties, organisations get together to jointly realise common projects, such as feminist

summer camps for women:

> [Our organisation] Ulica Siostrzana is a sort of coalition, annual agreement (but of people, not organisations) for the sake of organisation of Feminist Summer Action […] As an informal group we always cooperate and benefit from the support of organisations that have legal personality. So far we have collaborated with Women's Association Konsola and Foundation Autonomia from Kraków […] The aim of this cooperation is to expand our outreach, increase of efficiency and enrichment of our perspective. We perceive cooperation [on Feminist Summer Action] as beneficial to our work and prospects of realisation of our goals also beyond the summer.
>
> (US)

There has been recent improvement in the cooperation of women's NGOs, or even a breakthrough which may mark a chance for re-consolidation. With the initiative of quota bill promoted by the Congress of Women – the definition of a common goal helped mobilise organisations in the pursuit of a common political goal.[53]

Despite the indicated potential personal or ideological conflicts, NGOs often engage in formal and informal coalitions set up for the sake of realisation of joint programmes or further common interests:

> I love doing projects in collaboration and partnership, for I think it expands the possibility to enrich the project or accessing the target group […]Where there is a will, you can do everything. I have a lot of partners with whom I am not bound by formal contracts, but we de facto collaborate. We act in a very practical manner.
>
> (FKCZ)

NGOs in the study choose to cooperate with local organisations:

> We cooperate locally with Jewish organisations. We have done that with Czulent Jewish Association and Jewish Community Centre in Kraków. This cooperation enriches us substantially,

[53] For more on the topic: see chapter 4

> offers a new perspective and I believe it also opened Czulent to gender path. Our local cooperation is like that – we gather to enrich each other.
>
> (PK)

Big organisations, such as KPH or KK, often ignite collaboration of NGOs:

> As for cooperation, we have huge experience, but it is us who most often initiate, for example Equal Chances Coalition, Coalition against Hate Speech, All-Polish Forum of Disabled Persons. After all the issue of discrimination is not only a problem for our community. It was also KPH which bred the need to establish PTPA, which has a very broad spectrum and expertise.
>
> (PTPA)

Moreover, women and LGBT organisations often display mutual support, especially during important events for both communities, such us equality or pride marches:

> We cooperate closely with women's organisations, we have always attended Manifa54, have always supported women's reproductive rights. For example with Polish Federation for Women and Family Planning we attend Universal Periodical Reviews at the UN, where shoulder to shoulder we report on LGBT and women's rights.
>
> (KPHW2)

Mutual support is also present in furthering common interests: "We have a common goal with LGBT organisations – civil partnerships" (PK).

Transnational cooperation

Only eight per cent of the total number of Polish non-governmental organisations belongs to foreign or international networks, and this

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[54] Manifa – annual feminist demonstration organised around the International Women's Day (March 8) in major cities in Poland.

percentage has decreased (from 11 per cent in 2004).[55] The present study shows that international cooperation is the domain of big organisations. They have the capacity, structures and personnel capable of and responsible for maintaining contacts with actors outside the nation state. KPH, NEWW, KK, PTPA are prime examples here:

> We are trying to be very active on the international arena. I am the coordinator of a lawyers' network – European Commission on Sexual Orientation Law, which associates 50 lawyers from EU and non-EU countries, and representatives of the EU and the Council of Europe. We enter international structures and cooperate with, for example, the Intergroup on LGBT Rights at European Parliament and ILGA Europe.
>
> (PTPA)

The Network of East West Women's objective is "to unite women organisations in a network in Central and Eastern Europe, former Soviet Union and Poland in order to improve women's situation and ensure equality between women and men" (NEWW), which is identified in their mission statement: "NEWW connects women's advocates,who work in partnership, to promote women's rights and to strengthen women's role within civil society. […] NEWW's overarching goal is to support the formation of independent women's movements and to strengthen the capacities of women and women's NGOs to influence policy regarding women's lives."[56]

In many cases foreign cooperation started with informal contacts and developed into more structured cooperation. For KPH Lublin, an organisation from the Netherlands served as a source of inspiration and a trigger to create formal structure in the region:

> We received most help from COC[57] Netherlands, Homo Faber

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[55] *Podstawowe fakty o organizacjach pozarządowych. Raport z badania* [Basic facts about non-governmental organisations. Research report], Klon/Jawor Association, Warsaw 2008

[56] NEWW's website, http://www.neww.eu/en/about/misja/0.html.

[57] C.O.C. (*Cultuur en Ontspannings-Centrum*, [Centre for Culture and Leisure]). Founded in 1946, COC is the oldest Lesbian, Gay, Bisexual and Transgender organisation in the world. Last accessed 18 April 2011.

> Association and Lambda Warsaw […] Mainly COC asked us as non-heteronormative people if we deem it necessary to create such an organisation. The answer was positive. Then we held another meeting, decided that we wanted it to be KPH […], elected the board and started to act.
>
> (KPHL)

Now the two organisations cooperate on a regular basis, and their cooperation consists of for instance:

> Exchange of experiences; they give us ideas how to act more effectively and how to act in general. They invited us twice to study tours to the Netherlands to let us see how COC is operating from behind the scenes. We had the opportunity to talk to the members, activists and politicians. […] Their support allows us to spread our wings as there are things which we cannot come up with ourselves or we are just too shy to reach for more as a group of volunteers.
>
> (KPHL)

Other organisations sought international contacts and support in their early days in order get support for their newly-established structures with financial aid and know-how. The leader of Active Women Association emphasises the value of international exchange programme she participated in:

> I was invited to France and there I visited the Law House where people come and receive legal assistance and psychological counselling free of charge. When I came back, I established here Information Centre of Women's Rights with legal and psychological counselling.
>
> (SAK)

Lambda in its endeavour to find partners on an international arena sought

> […] good models but also people with determination for change. Such were contacts with ILGA [International Lesbian, Gay, Bisexual, Trans and Intersex Association], IGLYO [International Lesbian, Gay, Bisexual, Transgender and Queer Youth and Student Organisation], etc. […] Then we tightened

> the cooperation in order to make use of all the opportunities which opened up with the accession.
>
> (LW2)

Our respondents emphasise the advantages of international cooperation, pointing to financial support, good practices, experiences exchange, but at the same time they claim that international cooperation provides for mutual learning – while Polish NGOs gain experience and learn good practices, international organisations, EU institutions and bodies learn Polish perspective and opinion:

> Thanks to our participation in international structures and projects we gain qualifications, contacts and have a chance to present our perspective and opinions on a European forum. During the debate on the European Commission's directive in the European Parliament, the case of Poland was invoked, which shows that activities on the EU level are justified by bottom-up perspective. We take part in both formal and informal cooperation networks, which enhances our competences, allows for exchange of experiences, views and information.
>
> (PTPA)

> The EU is learning 'the Slavic soul' and sensitivity. The Kaczynski's' [right –wing conservative nationalist] rule was quite a lesson. Now the EU is aware of the threat of what may happen in Central and Eastern Europe. The European Parliament's resolutions condemned homophobia. I think that the EU is taking us seriously as we are a big country and if we decide to do something, other countries will follow.
>
> (KPHW2)

The accession to the EU opened up an array of possibilities to cooperate with EU institutions. The organisations in our study frequently refer to their links and cooperation with the European Commission and the European Parliament. Taking advantage of EU instruments, NGOs remain active on this level. NGOs hold the Polish government accountable and always monitor progress in gender and sexual minorities' rights in Poland or lack thereof. They provide European institutions with information on the state of implementtation

of EU law (especially anti-discrimination directives) on a national level, instances of discriminatory practices where the state does not take a stance or even behaviour of civil servants (and such was the case of public display of homophobia by Minister Radziszewska [58]):

> The main organisation we cooperate with is Campaign Against Homophobia (KPH), I know Transfuzja, but we haven't worked directly together. We've cooperated with Otwarte Forum [Open Forum] – briefly on Radziszewska's remarks. We've cooperated with Stowarzyszenie Pracownia Różnorodności [Association Diversity Lab] on the presence of Radziszewska in the jury of EU Journalism on Diversity. Then, to come back to KPH, we cooperated and still cooperate on Radziszewska affair as well as on the petition to the Committee of Petitions to find out why Polish authorities refuse civil status certificates to Polish nationals who want to enter civil partnership or marriage with person of the same sex abroad. These are the most significant examples from our cooperation which has not started recently. We have worked together and stayed in touch for many years.
>
> (EP)

International cooperation is generally considered beneficial by our respondents, as it provides support, exchange of good practices, benchmarks and experiences. Many international partners of LGBT and women's NGOs in our study provide them with financial support, which in the light of too complex and erratic policy of the

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[58] Elzbieta Radziszewska, a government minister and a plenipotentiary for equal treatment, has been widely criticised for her obstructionist approach to reforms and lack of sensitivity toward the problems of women and sexual minorities. For example, she has publicly 'outed' her discussant during a live TV program calling him "a member of a homosexual community" and proceeded to discuss the allegedly well-known identity of his partner. Radziszewska'a behaviuor was immediately chastised as homophobic by the Polish left and the LGBT/human rights NGO community. However, the incident did not result in her dismissal. She completed her term in office but has not joined the government after the Parliamentary elections in November 2011. For more reporting on the case see: http://wyborcza.pl/Polityka/1,103835,8408967,Minister_Radziszewska_musi_odejsc_.html; http://www.krytykapolityczna.pl/Serwissamorzadowy/DarkiewiczRownoscwedlugRadziszewskiej/menuid-403.html. Last accessed 11 February 2011. The issue is also discussed in Chapter 4 (Case Study on the Congress of Women).

state on allocating resources is a great relief and allows for continuous functioning of the organisations. The conditions for the third sector on the national level do not facilitate the creation of cooperation networks among NGOs, which results in the fragmentation of the sector. The quality of cooperation relies heavily on human factor at the local level – depending on personal attitude of civil servants to non-governmental organisations in general or the issues they are representing in particular. There is a lack of regulations that stipulate the rules and execution of cooperation between NGOs and local government. Thus, self-governments remain unaccountable for the lack of collaboration with NGOs. The study reveals problems that inhibit cooperation among NGOs – the fear of smaller organisations to be dominated by bigger ones, competition for the limited pool of grant resources, and the fragmentation of organisations. The value of collaboration is realised mostly through informal and *ad hoc* coalitions, which are convened to realise joint projects or exert political influence to further the LGBT or women's goals. On numerous occasions NGOs in Poland have come together to form 'conscientious coalitions' to petition authorities, advocate legal changes or protest against hate speech and discrimination. In these informal coalitions, NGOs prove to be very efficient – they embody the spirit of cooperation to further common goals and such were the cases of quota bill initiative in 2010 and recently the civil partnership bill initiative.

Summary and conclusions

The extent of activities conducted by women's and LGBT NGOs in Poland is broad. From legal support for battered women in the Silesia region to a country-wide campaign for civil partnerships, these NGOs engage various sections of Polish (urban) society. They work with public institutions but also challenge laws, confront prejudices and combat indifference. This chapter highlighted the strategies women's and LGBT NGOs employ to induce change in Poland – contest social classifications and norms, policies, institutions, legal standards and practices which stand in way to full civic membership of two disfavoured groups, namely women and sexual minorities. The strategies used by the NGOs are not in themselves revolutionary. They come from a standard and well-tried menu of activities employed by non-governmental organisations. It is the programmatic content and the context that account for the innovation and originality.

The strategies utilised to support the development of civic culture

and full civic membership focus on two main fields – the policy process and the societal change. The first allows for legal and institutional change to reverse the decline of status of women and improve standing of sexual minorities so that they could enjoy equal rights on a par with other citizens. Societal change is inspired by the existential tension between the norms the NGOs are promoting and incumbent, domestically rooted, traditional classifications and codes of behaviour.

The chapter showed two general modes of operation by the NGOs: external and internal. The external mode aims at influencing the policy process by monitoring and inspiring legal changes and changing the norms and behaviour of the society at large by building public awareness, promoting dialogue and education. The internal one is focused on service provision, emancipation, education, empowerment and building group identity.

The externally focused strategies of women's and LGBT NGOs include raising public awareness of the status of disfavoured and disadvantaged groups and fostering debate between citizens by challenging the existing fears and stereotypes, educating the society, and exerting influence on the political level. Further, the NGOs bring to public attention the problems facing women and sexual minorities. Of the many tools employed in this effort, public/social campaigns proved to be very effective by publicising the problems of, among others, domestic violence against women and children ('Because the Soup Was Too Salty', 'I love – I don't spank') or the absence of rights for sexual minorities ('Love Does Not Exclude'). An early 'Let them see us' campaign helped breaking the taboo and silence surrounding gays and lesbians and served as a springboard for debate about equal rights, recognition and respect for sexual minorities. Confronted with the growing visibility of women's and sexual minority's rights, the incumbent social conservatism and existing norms are challenged and transformed. Through anti-discrimination educational projects, such as workshops, trainings, university courses, data collection and dissemination, the outreach of the NGOs significantly increases to encompass individuals in the society at large, civil servants and educators at all levels of formal schooling.

The internal NGOs' strategies are focused on building the communities of women and sexual minorities. The NGOs fill a gap in

demand for various services that the state does not provide. Hence, a bulk of the activities of the NGOs in our study is service provision, ranging from psychological and legal counselling to immediate shelter for the victims of domestic violence. Nevertheless, the projects implemented by the NGOs for the benefit of women and sexual minorities respectively go frequently beyond service provision. Through education, emancipation and empowerment strategies, the NGOs instil a sense of self-esteem and strength in the disadvantaged groups, which helps them to overcome the culture of powerlessness and act on their own behalf. The overall effect of the internally focused strategies is the creation and strengthening of individual and group identity.

Although few among the NGOs have capacity to act at the national level, most emphasise the necessity of systemic change to guarantee equality and non-discrimination for women and sexual minorities. Despite the requirements deriving from the EU membership, the Polish state has been slow in incorporating legal protection from discrimination. Thus far, Poland has met only low baseline requirements of the European Union (employment anti-discrimination and decriminalisation of same-sex acts) and the government is reluctant to take further steps (as can be seen in the cases of civil partnerships, sexual education or reproductive rights). Instances of new legislation inspired by the NGOs and the presence of non-governmental actors in policy process inform the institutional transformation. Among the successes of the non-governmental sector's work with the government have been changes in the legislation on prevention of domestic violence and protecting victims of abuse, the legislation to introduce gender quotas on electoral lists, or submitting a legislative proposal for legalisation of civil partnerships also to include same-sex civil unions. In addition, the NGOs exercise their political involvement by monitoring policy processes that concern women and LGBT issues and evaluating legal measures proposed and adopted by the government.

The analysis of the strategies employed by the NGOs advocating for women and sexual minorities rights provided two observatory fields – the level of state and the level of society. The two dimensions of the influence the NGOs can exert prove that change is possible and discernible; the work of NGOs matters for and in communities where they are active. Yet, the effectiveness of the NGOs is undermined by

institutional problems, primarily the policy of financing the third sector. Modest resources coupled with the complexity of procedures lead to institutional instability and lack of security that hinder long-term planning. Another challenge is human resources – most NGOs cannot afford full-time staff and rely on the work of volunteers who usually engage on specific projects on a short-term basis. Thus, institutional memory is not enhanced and the knowledge and experience gained by volunteers does not benefit the organisation in the long run. The non-governmental sector in Poland is relatively small and in the case of human-rights advocacy organisation even more modest. This brings a two-pronged effect. On the one hand most organisations and activists are familiar with each other and their agendas and strategies and this facilitates cooperation and fosters coalition building to realise common goals and propagate the same norms. On the other hand, the size of NGOs sector may inhibit cooperation – there is tough competition for limited financial resources and the recognition of the organisations' achievements.

Overall, for all the progress Poland made in the last decade, women's and sexual minorities' rights and concerns are slow in coming to social conscience and the national agenda. There is some, albeit difficult to measure, improvement in the increased visibility of issues regarding the problems of inequality and discriminations. From oblivion and silence surrounding women's and LGBT individuals' rights two decades ago, the discussion of equality and inclusion in civic life now forms a part of the public discourse challenging stereotypes and perceptions. There have been some changes in legislation and policies aimed at improving status of women and sexual minorities in Poland. The women's and LGBT NGOs are effective at the local level and are becoming rooted in local communities. However, the continued adversarial relationship between the sector and the state is a persistent weakness and a long-term obstacle to instituting change in Poland.

Chapter 3

Contesting Identities

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This chapter examines the perceptions of NGO activists regarding Poland's accession and membership in the European Union. The chapter has two sections, corresponding to the kratos/demos distinction. The first section concerns how NGO activists perceive the impact of EU accession in Poland. We ask whether and how EU membership changed the arenas in which NGOs operate and whether NGOs view themselves as agents of Europeanisation. The second section concerns the collective identities of NGO activists. Do they subscribe to one of three orientations introduced in Chapter 1 – exclusive nationalist, inclusive nationalist, and rights-based – or some alternative criteria of membership? The focus in both sections is on the points of contestation identified by NGO activists.

Attitudes towards the EU and European integration

When examining attitudes towards the EU and the process of European integration in new member states, the concept of Europeanisation is unavoidable. Here is a canonical definition:

> Europeanisation consists of processes of a) construction, b) diffusion and c) institutionalisation of formal and informal rules, procedures, policy paradigms, styles, 'ways of doing things' and shared beliefs and norms which are first defined and consolidated in the EU policy process and then

> incorporated in the logic of domestic (national and subnational) discourse, political structures and public policies.
>
> (Radaelli 2004: 3)

The Europeanisation research program includes top-down and bottom-up modes of Europeanisation. Top-down Europeanisation (Börzel and Risse 2003) focuses on the pressure placed on Member States by EU institutions to conform or harmonise. Bottom-up Europeanisation considers the initiative of civil society organisations within Member States to pressure national governments or local administration into conformity or harmonisation with selected EU models or best practices. The polity focus of Europeanisation research limits itself to the contestation of public policy; and, analogous to the political-process approach to social movements, it does not easily comprehend identity-based movements or the social fora where norms are in contestation.

The Europeanisation research program also risks explaining too much, as Radaelli and Pasquier explain:

> The classic problems of Europeanization research are: (i) prejudging the impact of the EU on domestic politics and policy; and (ii) assuming that if some domestic changes look similar to those proposed by Brussels, this must be an instance of Europeanization. One way to avoid prejudging the role of Europeanization is to specify rival alternative hypotheses (such as globalization, or domestic politics). So far, however, there has been more debate on how to specify mechanisms of Europeanization than on the mechanisms at work in rival alternative hypotheses. The risk of assuming that "if they do something similar to what Brussels want, they must be doing it because of Brussels" must be handled by using research designs sensitive to time […] and to the system of interaction at the domestic level.
>
> (Radaelli and Pasquier 2006:40)

Adopting a multi-institutional approach towards Polish women's and LGBT NGOs removes the constraints imposed by Europeanisation research. It allows us to focus on participants' definition of boundaries and motivations; it allows us to verify whether an action that from the outside appears consistent with Europeanisation is

viewed as such from the inside. Thus it allows the alternative hypotheses advocated by Radaelli and Pasquier. Centring the analysis on individual narratives and focusing on how social-movement organisations define their goals, motivations and strategy choices, also examines the process of contention from the point of view of the actors themselves. A multi-institutional perspective also provides a more inclusive alternative to the exclusive polity-centric focus of Europeanisation research.

Sudbery (2010) adopts a multi-institutional approach to explore whether, how and to what effect NGOs act as change agents in new member states. She builds on the bottom-up framework proposed by Jacquot and Woll (2010) who introduce the concept of using Europe. 'Using Europe' refers to how civil society organisations utilise the resources of the European Union to achieve their goals within domestic arenas. Sudbery provides refutable hypotheses about the relation between the kinds of resources available from the European Union and the kinds of strategies adopted by NGOs and their likelihood of success. She finds that when an EU competence exists, it greatly increases the likelihood of successful action in domestic policy, such as in employment discrimination; when there is no EU policy instrument, such as for women's reproductive rights, EU accession has little influence on the domestic policy arena. The issues of NGOs' strategy choice and success are explored in depth in Chapter 2; this chapter also touches on these issues, but its focus is on the justificatory frameworks of issue contestation employed by NGO activists.

The European Union and EU membership are favourably regarded in Poland. The majority of Poles (77.45 per cent) voted for the accession to the European Union in the 2003 referendum (PKW 2003).[59] After seven years of membership, Poland remains one of the most pro-European societies in the EU (Eurobarometer 2010).[60] The high level

[59] See: Państwowa Komisja Wyborcza [Polish Electoral Commission], http://referendum.pkw.gov.pl/sww/kraj/indexA.html. Last accessed 30.08.2011.

[60] Polish respondents agree 77per cent that EU membership is beneficial; this is the second highest level observed among the EU-27 (the EU-27 average is 53 per cent). 65 per cent of Polish respondents report satisfaction with how democracy works in the EU, this is the highest satisfaction level reported in any EU member state; satisfaction with how democracy works in Poland is lower: 54 per cent.

of support towards the EU is also seen within the NGO sector – almost all of the interviewed NGOs perceive accession as an asset to Poland and underline its positive effect of the on Polish public sphere. Most of the NGOs in the study stressed that the accession pressure put on Poland brought changes that would probably not happened otherwise:

> There would be nothing if we did not enter the European Union's structures. Ukraine had better anti-discrimination law than Poland. If we did not join the EU there would not be any kind of anti-discrimination law here. I hope they [the EU] will push us harder on this issue.
>
> (FR)

Joining the structures of the EU was a milestone, a confirmation of belonging to Europe and a promise of vast improvement in the areas of economy and politics. The NGOs noted that, with the accession, a big change was expected even if no one really knew what this change was going to bring: "The accession was like a treasure, we all waited for it to happen. We thought that it is going to be a salvation, and it really was. Now we do have much more tools that we can use" (KPHW3). TIK pointed out that the accession was "a great success of our country. It improved the human rights' compliance in Poland and it still pushes, unfortunately it has to push, the government to implement new laws in this area. And, of course, there is also the EU money" (TIK). The accession was also seen as conducive to the dialogue between the government and the third sector by contributing to the development of relations between the governmental and non-governmental institutions and the strengthening of civil society:

> The membership is a positive outcome, especially because it brings a growing openness in the society; a space for discussion has been created. The accession influenced the process of building social capital. There is a number of projects around that would not have been realised outside the EU framework.
>
> (FEM2)

Although most NGOs in the study saw EU membership as an opportunity and recognised that it provided new strategic resources, some organisations were more critical of it. One of the respondents

admitted that she "feels like a pawn in the EU [and that] the European Union has created new division of Europe" (KK). The activist also noted that the EU isolates itself from other countries, especially the ones outside Europe. This complicates cooperation with the organisations from the non-EU countries and reduces opportunities for democracy development: "The EU did not realise what would happen when the borders were moved east. Now we have to face different mechanisms that exclude other European (but non EU) countries" (KK). This is perceived as negative because it poses an exclusionary "*Fortress Europe*" and "the elimination of unwelcome newcomers" (TIK). The perceptions are that an exclusive Europe conflicts with a rights-based framework that seeks to advance rights in non-EU as well as EU member states.

The European Union as a model and a guarantor: two dimensions of accession.

Almost all of the interviewed organisations noted that the EU membership strengthens women's and LGBT NGOs in two dimensions: (1) normative, through providing a set of norms or standards and alternative policy models and (2) practical or instrumental, as a guarantor of the rule of law and the ultimate arbiter of disputes.[61] In general, it can be said that:

> [The accession] reframed Polish civil society and its organisations. You can call it a paradigm shift, it means that you not only consider national interests, but you consider Polish interests as part of close international community which has binding legal effects. This is where the NGOs work changes, they have new tools, Poland has new obligations, and there are new rights.
>
> (EPI)

[61] The European Court of Human Rights exists for the 47 member states of the Council of Europe and is independent of the European Union. Poland become a member of the Council of Europe on 26 November 1991 and ratified the European Convention on Human Rights on 16 December 1993. Polish citizens have had the right to apply to the ECHR since 1993. While EU accession did not change Polish access to the ECHR, it increased awareness of the ECHR and the rate of applications increased substantially following accession. In many of our interviews the ECHR was perceived as part of the EU and European integration.

For the NGOs, the European Union "became a reference point, a benchmark of what can be done, what has worked elsewhere. It is our lighthouse" (FEM1).

The EU, through the accession process and the membership, created a new framework for introducing and implementing domestic changes in Poland. The NGOs perceive the EU as the accelerator of social transformation:

> I am trying to imagine the situation that we are not in the EU[…] there are no directives that need to be implemented, there are no standards that come from the EU, no common laws. Without all those rules that come from the EU, there would not be even a discussion of gender mainstreaming policy. Without it, it would be very hard to convince anybody here in Poland, that this [gender mainstreaming] is a core issue.
>
> (PK)

As a member state, Poland is obligated to

> […] implement the European law and to harmonise the domestic law. There is no other option. Of course Poland will try not to implement some particular laws, especially the anti-discrimination law, but fortunately the EU has increasingly more efficient mechanisms to execute Poland's compliance with the EU laws.
>
> (KPHW1)

For many NGOs, the EU offers a guarantee of freedom and provides a higher, supranational institution which laws and norms may be invoked in disputes with the Polish state: "We can appeal to the anti-discrimination law in the Polish Labour Code. These laws would not exist if not for the EU" (FA). The role, whether actual or perceived, of the EU as a "protective shield" (SK) against the state was widely cited as important for the NGOs. The EU membership not only legitimates NGOs activities in the areas where the Polish state shows no willingness to act but provides a sense of security:

> I feel secure that even if our state would try to do something to us […] even if the state is successful in it, there is always some higher law we can appeal to. It is somehow calming to know

> that even if something really bad happens, the European Commission will react.
>
> (LW2)

The results of the EU membership are becoming noticeable in everyday relations between the NGOs and the institutions of public administration:

> I believe that we gained a lot due to the accession. There are changes going on in the country and I am able to see them. The ministries have to consult on different issues with us. No matter if they want to or not, they have to respond to our queries. Before the accession they were not obliged to do so. This process forces changes and it is good for all of us.
>
> (KPHW1)

However, "the EU is not going to act itself, it provides tools and it is up to Central and Easter Europe to use them effectively" (KPHW2). Among the tools available to the NGOs to exert influence domestically, on the politicians and the political process, is lobbying: "Poland's membership requires compliance with the common EU legal norms and practices. We can use this in lobbying and in putting pressure [on the state]" (AI). The exposure to the European norms is beginning to have impact on Polish politicians as well: "the politicians are learning to self-restrain. Look at [Minister] Radziszewska. She said some stupid things and the European Commission reacted to it […] the Commission made it clear that it was not proper behaviour" (KPHW1).

The relations of the NGOs and the state, even with the opening of new opportunities and the structural improvements such as the consultative process, remain contentious. The language of these relations is combative. The activists spoke of 'pushing', 'forcing', 'pressuring' the state for change, consistent with the bottom-up variant of Europeanisation theory. The general perception of the Polish state is not favourable – the state will act only when it has to. Thus, the NGOs are in a relationship with the Polish state, but it is not a partnership. The European institutions, on the contrary, are seen as open, professional and seriously concerned about the matters addressed to them:

> There is a good cooperation with the European Commission when we make complaints about the Polish state. It is a very fruitful cooperation as they act and always answer our claims, which rarely happens in Poland. We observe their interest in the Polish case and the willingness to act, of course in the frame of the procedures that they have.
>
> (FEM1)

The EU's normative and institutional support for the NGOs empowers them. The NGOs, regardless of their actual participation in the European networks or their level of engagement with the EU institutions, gained an understanding of rights and have been strengthened by often just the knowledge of opportunities they have and the obligations of the state towards the EU and domestic civil society:

> The discourse changes. I would not be able to say if this is for worse or for better, but I am trying to say that there is a new social-legal framework, which allows the NGOs to step up and have a stand vis-à-vis their governments.
>
> (EPI)

The EU institutions and their programs also serve as a carrier of good practices and fora where the NGOs can learn new things and share their experience. For example:

> This year has been announced 'The European Year for Combating Poverty and Social Exclusion' and we already attended several conferences with the presentations of good practices. We were introduced to how things work in other member states, what tools and methods they use. It is possible to use their experience; this is useful that we can use their well-tried methods.
>
> (LPK)

EU membership has opened new arenas for NGOs to operate. It is also changing public discourse on norms; it is influencing the state and the society's framing of inclusion and non-discrimination. However, the changes already made in the area of law do not automatically translate into attitude changes. The implementation of common European norms is a longer and much more complicated

process: "The only area, where the homosexual orientation is discussed, is in the EU directives on labour and the policy of employment. Well…at least this is what we have" (KPHW3).[62]

Unfulfilled hopes and new challenges

Noting that Polish society is changing, not all of the respondents were convinced if this was a result of the membership in the European Union:

> The awareness is changing, that's for sure. There is a higher level of tolerance, openness for the other. But I am not sure whether it is because of the European Union or if this is just a natural process once people get to know other models of living, other values.
>
> (SK)

At the same time, the processes that the EU membership facilitates – freedom of movement, opening the flow of goods, services and labour – are bringing positive social outcomes, change attitudes and opinions: "As a society we are not so homogenous anymore, there is more and more people coming from abroad, more immigrants, we have minorities. I think that it is positive" (FA).

After seven years since the accession, the expectations have been adjusted. The NGOs reflected on their inflated hopes, unfulfilled expectations and disappointments:

> Now I see that our expectations were not realistic as we believed that the EU will do some magic here. Then we realised that it was not going to happen this way. When I look from my point of view I can see that the entry into EU was so stimulating, we felt to be a part of the European community, so full of values and aspirations. But I also imagined that the Commission or the Council of the EU will do much more than they really did. I know it may be a result of unrealistic expectations not the low level of the EU activity, but still I am a

[62] This is consistent with Sudbery (2010): the existence or non-existence of EU competence matters greatly.

> little bit disappointed that things did not happen as I expected them to happen.
>
> (LW2)

The NGOs perceive the pace of change as slow and not as efficient and effective as they could have been:

> When it comes to the human rights in Poland, I would say that the country did not really integrate. The change is so slow and not visible as if we did not need it. Let's look at the British Protocol[63] – it's a shame, but there were no objections to it in the Polish society. Maybe because the Poles are not very interested in international matters?
>
> (AI)

Some organisations pointed out that progress is selective and tied to the level of interest and financing available from the EU

> The fact that discrimination against women in the job market is now discussed in public is due to the European money – workshops, conferences, seminars, reports, articles and campaigns that happened. But other social areas are not supported so generously or not al all. There, the changes are much smaller, minor really. After the accession, with the structural funds, the opening of the borders, there should have been a bigger progress but it did not happen.
>
> (FEM1)

A development or rather a lack of development of civil society has been another disappointment. In the opinion of one respondent, civil society "does not really function in Poland. I expected that this would change after accession to the EU, but nothing is really happening" (NEWW).

The women's and LGBT NGOs are also coming to the realisation that their enthusiasm for the European values, the institutions of the

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[63] In the negotiations leading to the Lisbon Treaty, Poland and the United Kingdom (for different reasons) negotiated a protocol enabling Poland to opt out from signing the Charter of Fundamental Rights of the European Union.

European Union and what EU membership can accomplish may not be universally shared by the state and Polish society. The financial resources provided by the EU to Poland in areas of concern to women's and LGBT NGOs are distributed by the Polish state. The guidelines established by the EU leave considerable discretion; often the funds advance the agenda of the member state government rather than goals of the EU or of civil society. A respondent bitterly stated: "The EU funds are more welcome than the European values. We would like to rob the European Union of all the money we think we deserve, but still stick to our crosses" (PK). It is possible that changes will, eventually, come but it will not take place without participation of the state:

> Social changes will not happen for a while, especially if they are not supported by the government. Some changes are even hampered – for example the law on the equal status or the implementation of the anti-discrimination directives. This law could have been passed already in 2004, but there was no will from the authorities to do it.
>
> (FA)

The common framework revealed in our interviews is a contestation between NGOs and the Polish state. The European Union, its normative and instrumental resources, is employed when possible as an ally in this contestation. The alliance is most likely and successful when the EU has a clear competence, when hard law exists and NGOs can pressure the national government into compliance. EU financial resources, however, are often captured by the national government and unavailable for advancing NGO goals. The most common justificatory framework evidenced in interviews is rights-based and within the framework of the nation state. Activists perceive their actions as advancing rights in Poland; they use Europe toward this end but do not view themselves as willing agents of Europeanisation.

Identities

One part of the interviews with NGOs concerns identity and collective identities. There is a broad agreement among NGOs that they are contesting a constellation of incumbent traditional values and, in the process, contesting Polish identity. This section is organised along the primary axis of this contention. The first

subsection provides a portrait of the traditional Polish identity as perceived by NGOs. This is a second-order reflexive portrait: it depicts how the excluded view their excluders. The second section turns to the other face of the primary contention: it examines the how NGOs self-identify. Because they often feel excluded by the traditional Polish identity, we examine whether NGOs persist in self-identifying as Polish or as European, local, or something else. We also examine whether they believe European values exist and, if so, whether they can be distinguished from universal values. The objective is to determine the justificatory framework underlying the contention: are identities exclusive or inclusive? Or are they rights-based?

Contesting traditional Polish identity

Post-transformation Poland has become a country that is torn between its aspiration to modernity, Western lifestyle and open society, and the increasing desperate attempts to turn back the clock, a nostalgia for the 'golden past', the imagined idealised old times of unity and harmony. A symbolic vision of Poland based on a romantic, messianic myth persists, leading to the glorification of suffering and sacrifice, the special role of Poland as the chosen nation with Christian beliefs (Krzemiński 2007). This image is constantly questioned and challenged by the views represented in the community of women and LGBT NGOs who work to change Poland into a more open, future-oriented and diverse society. When asked about their national identity, many NGO respondents hesitated: "For me, it is hard to believe that there is some collective Polish identity, because, if it is not my identity, then would it mean I am not Polish?" (FA).

The respondents pointed out the difficulty of discussing national identity in an environment where the nationalistic, right-wing discourse has appropriated such notions as 'nation' or 'patriotism'. These notions refer to the idea of Polish identity based on Catholic and nationalistic beliefs, and on ethnic bonds deriving from a belief in a common origin, history and culture which are supposed to create a homogenous society. In such a society, any deviation from an abstract, monolithic norm is perceived in a negative way and otherness is not welcome. Because of the connotations of the nation with ethnic and religious nationalism, most activists of the organisations in the study hesitated to identify themselves only as

'Polish'. For example, the Education Society for Anti-Discrimination (TEA) experienced a heated internal debate on whether the adjective 'Polish' should be part of its name. Some members argued that 'Polish' would underline the nation-wide scope of the NGO's activities, but finally it was decided that because the organisation works, among others, with immigrants and refugees, the notion of Polishness could be associated with various forms of oppression – economic, educational, assimilation – the very connotations the members of the organisation wanted to avoid. TEA finally decided that "we would not use word 'Polish' in the name of the organisation, it was an identity choice" (TEA).

A monolithic construction of identity, based on nationalism and Catholicism, reflects the trends that have dominated Polish society in the uncertain and often difficult period of transformation. As one of the respondents noticed:

> The Polish society is going through an intense change. There is resistance from those who see their world crumbling, often they are the elderly, the less educated. [The resistance comes] from a homogeneous society – white, Catholic, dominated by men, where women have a career despite being women, by demonstrating male characteristics and by denying their femininity. A society that for over fifty years has lived in isolation from the world, from pluralism, from conflicts. The world was changing, the values were changing, there was pluralism, discussion, clashes, and in Poland there was no conflicts nor discussion. The political elites are a major problem – middle-aged men, who were once members of the Solidarity movement, and now they hate each other. The Church takes advantage of its role of ally of the opposition in the 1980s, but not all opposition was so religious […] The Church made use of the void that appeared after 1989 to muzzle [the public sphere], and it makes the situation even worse. The hypocrisy is incredible. […] In Poland everyone is sucking up to the Church. We have experienced so much as a country, in [other] societies the changes took place gradually, and in Poland [changes are so quick] that people can't keep up; for some people time has stopped.
>
> (KPHW2)

Numerous interviewees pointed out the strong Catholic and socially conservative discourse that has power over the narrative of Polish collective identity:

> In Poland, the Catholic Church still dominates. The issues that consist in the right to abortion, in the presence of women in politics, in what is their place in society, the issues pertaining to sexual minorities – generally all of these elements are totally in opposition with our values. The values at the national level are contrary to ours.
>
> (SK)

The Catholic Church claims to defend basic values, such as human life, family bonds, love of one's neighbour, but the way these values are interpreted often translates into discrimination (against women and sexual minorities, among others), support for patriarchal structures, indifference to if not tolerance for domestic violence and hate speech. The Church's influence on the state makes it difficult for NGOs to negotiate laws, political decisions and social policies that would be acceptable for all the citizens, independently of their beliefs.

Several respondents pointed out that the values of the state reflect values promoted by the Catholic Church. Therefore, NGOs' actions aiming at defying stereotypes, strengthening the presence of women and non-heteronormative people in the public sphere, are, in a way, a form of opposing the national-Catholic character of the state: "We fight for visibility – to break this Catholic-white-nationalist-male monolith, so that Poles know that the society is diversified" (KPHW2). It means not only breaking the supposed homogeneity of the society, but also promoting diversity and freedom to choose from various lifestyles:

> Poland is terribly homogenous in every aspect: religiously, ethnically, racially. Of course this is not true, but this is the myth, the 'national story', that we are all Catholics, and this translates in a lifestyle. […] Of course many things change, there are divorces etc., but still, this is how it is, it is the norm. It's obvious that if you are not white you can live here, speak Polish, but if you are not born here, where are you from? You are not Polish. In Poland diversity is not a value. It is something that is threatening for us. Our strength is that we are all the

> same. And that we stick together, everyone is Catholic. We have defended ourselves from the Germans, the Russians, the Prussians, we were all there, so we have to stick together. If there were other religions, everything would fall apart. This is the discourse.
>
> (KPHW3)

The current conservative-Catholic discourse is particularly difficult to accept for those organisations that grew out of the Solidarity movement and the former communist opposition elites that were close to the Church before 1989 and believed in an open-minded Christian attitude that entails respect for different cultures and beliefs. The Foundation for Christian Culture (Fundacja Kultury Chrzescijanskiej ZNAK, FKCZ) is an example of such a viewpoint. FKCZ continues the efforts to eradicate negative stereotypes and discrimination, but now it finds itself explaining that it does not endorse the contemporary 'mainstream' thought of the Polish church. Coming from a similar pedigree, the Society for Crisis Intervention (Towarzystwo Interwencji Kryzysowej, TIK) noted that even though some of its founding members have been close to the Catholic Church, the pre-1989 Church was a different one than the Catholic Church today.[64] The contemporary Polish Catholic Church is dominated by a hierarchy that fears modernity and opposes social change. One of the most belligerent and powerful Church figures nowadays is Father Tadeusz Rydzyk, the founder and director of Radio Maryja, known for openly racist, anti-Semitic, homophobic and other hateful statements. Although Radio Maryja represents the extreme, it is not opposed by the majority of Church leaders, thus, tacitly allowing such thoughts to permeate into the mainstream of the Polish Catholic church. The people formerly close to the liberal, open-minded wing of the Church, now feel isolated: "This phenomenon of using hate and anger, making politics by recalling the ghosts of our national identity, is scary. As TIK, we've always tried to strongly

[64] The Church has largely alienated the intelligentsia (the creative elites) who used to be its intellectual base fascinated by the charismatic leaders of the Polish Church such as Karol Wojtyła (John Paul II), Józef Tischner and Stanisław Musiał. At present, Polish clergy lacks such leadership making a true debate, a deep reflection on morality and ethics, and a metaphysical experience almost impossible (for more on this topic see: Madaliński and Makowski 2011).

oppose the signs of Polish anti-Semitism, the manipulation by hate" (TIK).

The Catholic Church has been seen by many (TIK, KPH, LW) as invading the public sphere, meddling in politics, focusing on achieving its own goals instead of having the well-being of its believers at heart. Together with the nationalistic, conservative discourse of some of the main political parties, it creates an environment where NGOs acting for a further opening, contesting the existing boundaries of identity, and lobbying for a more progressive policies feel marginalised and isolated. One of the tactics used by the NGOs to win back the public space for diversity is to show that the values they represent are not in contrast with Polish identity:

> We have this idea, especially where we have the attempts at appropriating space, referring to the national values, to take the white-and-red [Polish national] flags to the Equality Parade, so that we can tear these symbols away from the nationalists. They are the national symbols and as such are important to us too, they are part of our identity. One can be a Pole and a lesbian, gay or transsexual at the same time.
>
> (LW2)

Following the idea of reclaiming Polish symbols, the 2011 Equality Parade in Warsaw opened by playing the national anthem.

Nonetheless, the perception of an inclusive and open Polish identity has not yet been widely accepted by the society as a whole or by policymakers, state institutions and the media. Those who embrace this inclusive perception feel marginalised. This alienation from the dominant discourse makes the NGOs turn to other values, for instance European ones:

> If we use this slogan, these tags: European values and Polish values, I'm closer to the European values, but only because I feel very far from the Polish values. The Polish values bring to mind: Catholicism, homogeneity, strongly patriarchal and heteronormative culture, not diversified and not sensitive to diversity. That is how I imagine Polishness. With this romantic myth, the saviour of the world, mother of the nation etc. When I

> hear Polishness and Polish values, this is what I imagine and I know, I'm very conscious of it, that I don't take part in such values.
>
> (TEA)

Self-identification

The NGOs in the study challenge the principal and dominant monolithic, homogenous and monocultural model of Polish identity. Alternative concepts of Polish identity remain in flux, opening possibilities to search for identification on different levels – locally (within the realm of a city or a region), supranationally or globally. Europe provides a possibility for positive identification, although many respondents were uncertain whether one can talk about European values exclusively as they seem to be rather difficult to define especially in the context of global or cosmopolitan values.

Although not always sure how to define them, the NGOs in the study believe in shared European values. Among them, values such as openness, diversity, non-discrimination, the right to make individual choices and respect for human rights and civic attitudes were enumerated. For an LGBT NGO what matters is

> freedom to self-determination, as a main value, democracy and counteracting exclusion […] Recently, there is more and more stress on equality of chances regarding sex […] There is also courage – understood as courage to be yourself, to talk about the true you, the way you are. If I had to somehow categorise these values, I would place them between cosmopolitan and the European ones. The European values are sometimes more extensive than the cosmopolitan ones. These are values promoted in the process of European integration, and not necessarily promoted by the United Nations.
>
> (LW2)

Other NGOs added – in a more general perspective, regarding the society as a whole – openness, freedom, social justice, tolerance and acceptance of various lifestyles. Apart from the goal of improving the situation of traditionally discriminated groups, such as women and the LGBT community, the actions of most NGOs are aimed at promptly facilitating general change of Polish society.

At the same time, it was difficult for the respondents to define distinct European values: "I don't know if something like European values really exists, or is it just some kind of mental concept. As a mental concept it means for me striving for equality and some kind of social justice" (KPHW1). The European and global values were seen as complimentary:

> We really subscribe to being part of Europe and European values, but also the global ones, like the [ones promoted by] the UN; we promote these universal values regarding human rights and women rights. Just like Amnesty International, we reject cultural sovereignty (for example female circumcision), we support universal rights.
>
> (NEWW[65])

Human rights are transcribed in laws and regulations, created by global bodies such as the United Nations, and the bodies at the European level such as the EU institutions and the Council of Europe. The implementation of rights is however a different question: larger bodies, for example the UN, have a limited capability for enforcement, ultimately delegating the responsibility to the nation states. On the European level, there are values embodied in the preambles of treaties but they are also enforced by the European legal system that every member state has to accept. For most NGOs in the study, the requirement of implementation of European values (enclosed in laws, directives and declarations) is a crucial aspect of Poland's membership in the EU. It enables the NGOs to fight for the values they cherish with the presumed support of the EU institutions.

Human rights, democracy or equality are underlined by the EU as its core values, but they are also considered universal, promoted by

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[65] The remark on cultural sovereignty is an interesting one, since it is one of the most discussed questions in (Western) Europe, where societies with large numbers of non-European origin immigrants struggle with defining rights that would be in line with European values, but at the same time, respect the culture and tradition of a given group. The multicultural paradigm advocates granting rights not only to the individuals but also to groups, making cultural sovereignty possible. However, the example of female circumcision challenges a notion of cultural sovereignty that should/may be limited in the name of universal human rights that include women's sexual rights and the right to physical integrity.

international organisations like the United Nations or global NGOs, such as Amnesty International or Human Rights Watch. That is why, one of the respondents said:

> In our everyday work we change our environment, locally, but in a longer perspective, we think global. Global or European? Is there something like European values? […] I believe that Europe is built on certain values that have become global values. When we talk about European values today, we really talk about values worldwide, because human rights is a concept that has appeared in our geographical area and was then transposed on the global level.
>
> (KPHW1)

For women's and LGBT NGOs it is important to contribute with their local activities to the strengthening of certain more general values, whether the European or global ones. By promoting universal values, the NGOs feel a part of a global community that strives for the same goals, no matter whether the organisation works in Asia, South America, or in Europe. By giving an example of a good practice, the NGOs know that what works in one place can often be reproduced in other places of the globe. They are also open to learning from others, rejecting the Eurocentric view:

> We act locally, but I'm certain that our activities have global, not only European, impact. When I go to various conferences I see that our experiences, our know-how, our work has influence all over the world. I was recently in Brazil and I was talking about our activities, I was showing our experiences, I was also learning about theirs. I was in Kazakhstan, I was in many other countries and I see that our tiny brick contributes to a large construction of human rights that is emerging in the whole world and it is becoming stronger and stronger, thanks to the fact that these bricks make together a strong European foundation.
>
> (KPHW1)

Generally, the European values were perceived positively and were strongly internalised by the respondents, providing the base for shaping the activities of the NGOs. Moreover, none of the interviewees believed that European values are something foreign, or

even contrary, to the Polish ones. Among the NGOs, there was a strong conviction that the values stressed by the EU are worth enforcing and should be shared by all member states. As these are not far from values perceived as universal, by striving to put them into practice, the NGOs believe that they contribute to enforcing them globally.

The NGO respondents shared a belief in the European values, but were less convinced about the existence of common European identity. When asked about the European identity, the answers were not very clear. Some responses indicated that a common, supranational identity is forming:

> But generally by what we do we feel more European than Polish […] We are closer to these values that are inscribed in various EU directives concerning gender equality than what is not even included in the Polish law.
>
> (FEM1)

> There is a feeling in the society that we belong to this European community. It's a fact that we are proud of being Europeans, we boast about Poles being predominantly satisfied by the membership in the EU. This [feeling] is also positive for the perception of the equality issues. If it's not accepted in Europe to be intolerant, for us, as Europeans, it's also not acceptable.
>
> (KPHW1)

Belonging to the European Union evoked positive connotations among the respondents; however, it is probably too early to define them as a strong European identification. Being European is more of an aspiration than a real identity. Europeanisation is a slow process and much remains to be done:

> Surely Poland is still far from being Europeanised, even though I hear it quite often from others, in Belgium or elsewhere. For now, the values that we promote say that we are part of something larger, that Poland is not an island, that we are included. One can live in a different country, move around easily; there are a lot of mixed marriages. People become more open, a new feeling of a cosmopolitan community is constructed. But it's still not like that common for someone in

> Poland to say: I'm European, a citizen of Europe, rather than I'm Polish. Being Polish is so strong here that it has not passed that threshold yet.
>
> (KPHW3)

The European identity appears too abstract to compete with the strongly pronounced national identity. Even as the traditional model of Polish identity stands in contrast with the values shared by women and sexual minority NGOs, the European identity is a still confusing, or even controversial, concept:

> One can look at the issue of identity from different angles. Does European mean an EU-identity? What do you refer 'European' to – the ancient roots in Greek or Roman civilization? Or to the so-called pagan beliefs, or to the Judeo-Christian ones? It is difficult to answer this question, it depends how Europeanness and Polishness are understood. If Polish, then not European? It always depends on the point of reference – European, which means not American, Asian, African etc.? It is hard to answer such question.
>
> (US)

The respondent above made a reference to a popular belief, often encountered in the political statements, that one identity excludes another. Eurosceptics suggest that adopting a European identity is a threat to Polish identity, whereas the NGOs in the study perceive European identity as an additional layer in a complex inclusive identity construction that does not exclude other identifications.

The women's and LGBT NGOs perceive the European identity as a process that is not a top-down initiative of the European Union, but rather as an effect of intensified contacts with other Europeans, the result of opportunities to witness various models of identity and lifestyles. The EU makes building a common identity possible indirectly, by opening the borders, encouraging mobility and cultural exchanges. Poles can travel to other countries as tourists and in such cases they can be perceived as external observers, but by allowing Poles to work in several Western European countries, they become, at least for some time, part of the society of a given place. As such, they have contacts with employers, public institutions and regular inhabitants of that country and they are able to experience different

culture, witness openness and diversity as well as confront their and local prejudices about 'the others'.

The open lifestyle issues were of particular importance to the LGBT NGOS who pointed out that travel and exposure to diversity have positive impact on Polish society. Several respondents expressed their enthusiasm in describing how their Western European counterparts live:

> I feel like the society is generally changing. Also opening the borders changed a lot. Poles go abroad, see a different reality and notice that in the West you can live differently, they get in touch with the LGBT community. Many people from around Poland go abroad and they are exposed to it, they can become more open.
>
> (KPHW3)

> The integration created a larger space to observe various modes of life. It is a result of the fact that people go to work somewhere, they travel, there are people coming to Poland, the information on how people live in other countries is much more accessible. And it boosts openness.
>
> (LW2)

> Opening the borders made people travel and this enlarges their perspective. For instance, in Berlin one can see a gay district – one can see it and compare. There are two mothers going on a walk with their kids in the pram [in Berlin], and here in Warsaw when we hanged a rainbow flag on Nowy Świat [in the center of Warsaw], it got torn down. People get educated because they travel, but also because different people come here. We get educated because of this and it is good for the society.
>
> (FR)

Living abroad and observing other people is not only a learning experience. It gives Poles that belong to a sexual minority group a feeling that they are not alone, that if they wanted to live without the constraints of the Polish system, they could move elsewhere. Increased travel abroad leads to more openness and diversity, so does having more foreigners coming to Poland: "We are not so

homogenous any more, we have more and more people from abroad, we have minorities that maybe we can highlight more" (FA).

Nevertheless, it merits noting that the challenge to the traditional Polish identity takes place mostly in big Polish cities, while the rest of the country remains quite conservative: "Warsaw is an island. If someone from Warsaw wants to have a larger view of reality, they must go somewhere, or at least talk to people who live out of the capital, so that they don't have a Warsaw-centric point of view." (LW1). Finally, some respondents (SK, KPHL) underlined that a process of extending one's identity is not exclusively linked with the membership in the EU and cannot be explained only by the European integration. A web of contacts with other cultures and people from different countries has intensified due to the globalisation movements, the popularisation of the internet and the global media – all having impact on changes and shaping the outcomes of such encounters.

Discomfort with the traditional Polish identity and the uncertainty about the European one prompt some NGOs to look for anchors in their cities or regions. Developing local identities is a result of the day-to-day work and the function of how close the NGOs are to the people they work with and whose interests they represent. At the same time, local actions that the NGOs undertake are often a result of thinking globally and of applying European values to the local environment.

> [Model of identity] is definitely local, because we mostly act locally in Warsaw and the Mazovia region, we focus on that […] The outlook is rather cosmopolitan, but because of where we have our projects, Warsaw is a strong identity reference. We also engage in projects that are not LGBT-linked but are connected to Warsaw. Lately we joined the Critical Mass [initiative promoting bike riding]. We also got involved in some activities with Jewish organisations. There were several such projects. They are on the sidelines of our main activities but these projects are important for us too.
>
> (LW1)

> It is an expression of caring for Warsaw. We want more bike paths here […] Also, what can we do for Warsaw to make it a

> more friendly space to live. It's an action on the local level, but it results from our cosmopolitan values.
>
> (LW2)

Warsaw is not an exception. Other NGOs also identified more or less strongly with their cities: "I think local. Poznań is our point of reference" (SK).

The NGOs in the study are integrated into their local communities and draw satisfaction from working with them. However, the degree of welcome extended to the NGOs by local authorities impacts how locally integrated the organisations feel:

> Now, when the City of Warsaw is to organise a project concerning safe sex or some other issues of similar concern, we are the first in line to do it. It is due to what we have already done, they trust us to do the project professionally. The City is satisfied. […] We have very good relations with it. They treat us as a highly specialised organisation, a professional one.
>
> (LW1)

In the Silesia industrial region (Katowice, Sosnowiec, Dąbrowa Górnicza), women's NGOs shared multiple examples of good cooperation with local authorities and various public institutions – health clinics, schools, and the cultural centres. These NGOs (SAK, LPK, SC) consider themselves a part of the regional landscape. In Kraków, Przestrzeń Kobiet had just the opposite experience: "There was a complete lack of understanding [of what we do]. We tried to get funding for the Krakow Women's Route from the City Council, but nothing came out of it" (PK). One Warsaw organisation recalled a more extreme, homophobic reaction to a project: "Once we filed a request for funding for a film show and we got an answer more-or-less: 'get lost, you fags!'" (FR). The organisations repeatedly noted that local authorities avoid being associated with potentially controversial issues. The Mayor of Warsaw refused to grant honorary patronage to a EuroPride parade but she readily granted it to a dog show. Thus, while the NGOs may feel local, their localities do not always reciprocate.

Overall, even where there are reservations about local inclusion, particularly when it comes to the cooperation with public institutions,

local identity is taking hold. Although, the NGOs seem to be driven by the universally acclaimed ideals of freedom, equality, social justice and inclusion, they stay close to the local contexts and consider themselves to be part of local communities and groups they response to and represent.

In summary, several themes emerge from the analysis of identity and self-identity. First, NGOs contest an incumbent traditional Polish identity construction. In the process of contesting exclusion NGOs construct a more inclusive Polish identity. Second, although NGOs advance, explicitly or implicitly, an inclusive Polish identity, this is not their justificatory basis for membership in polity and society: they advance a universal, rights-based approach. Most NGOs view the labels Polish and European as adjectives describing accidents of birth and upbringing rather than some primordial bundle of essential traits and characteristics. The frequently voiced concern of NGOs that Poland is too homogeneous reveals the positive value they place on diversity; several NGOs express concern about the exclusionary potential of some EU policies: they find exclusion odious whatever the source, Polish or European.

Chapter 4

The Congress of Women in the context of Polish women's movement

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On a December day in 2009, a delegation of women carrying boxes full of signed petitions walked into the Sejm, the lower house of Polish Parliament. Their initiative was to gather support for gender parity in politics, a 50 per cent quota for women on voting lists. Thanks to enthusiasm and involvement of women from different spheres – academics, politicians, NGO activists, artists – over 150 thousand signatures of support were collected all over Poland. Polls showed that the majority of men and women considered the quotas as a good idea which might help women to enter politics.[66] As a result, the quota bill provoked long discussions in the media and in Parliament. The Parliament, being more conservative than public opinion on this issue, compromised on a 35 per cent quota. The bill was passed and signed into law by President Bronisław Komorowski on 31 January 2011. Although the demand for full parity was not fulfilled, the quota law is still considered a success, as it is a first step to reducing gender inequality in politics. It also is a step against

[66] The poll was commissioned by Gazeta Wyborcza at PBS DGA; according to the study conducted on 3-5 July 2009 on a representative sample of 1035 persons, 70 per cent of women and 52 per cent of men support the quota of 50 per cent of women on voting lists to the Parliament, http://wyborcza.pl/1,76842,6807518,Narod_za_kobietami.html. Last accessed 4 June 2011.

backsliding of women's issues and rights that gradually took place since 1989.

The women who stood behind this nation-wide action were the organisers of the Congress of Women, which was held in Warsaw on 21-22 June 2009. The idea of the Congress emerged from conversations between several women, all from very different backgrounds, who shared a concern about the condition of women in Poland. First, it was a spontaneous idea of Magdalena Środa, academic, philosopher and former Plenipotentiary for Equal Rights of Men and Women, and Henryka Bochniarz, economist, businesswoman, former Minister of Industry and Chair of the Polish Private Employers Confederation 'Lewiatan'. They shared the idea of organising a rally for women with such well-known figures of the Polish public sphere as Jolanta Kwaśniewska, former First Lady; Barbara Skarga, philosopher; Danuta Huebner, first Polish Commissioner in the European Commission; Hanna Gronkiewicz-Walc, mayor of Warsaw, and Kazimiera Szczuka, feminist and literary critic. Together, these women decided that in the year when the twentieth anniversary of Polish independence is celebrated, the role of women has to be underlined and political-systemic changes must be made. It was their way of protesting against the exclusion of women from the history of Polish post-communist transformation and neglect of the recognition of their role in the opposition movement. Another goal of the Congress organisers was to bring together women from different environments (feminists, local activists, celebrities, politicians and house-wives alike) in an attempt to overcome the fragmentation of the women's movement. But the primary success of the Congress was moving the debate on women into politics, away from symbols, traditions and moralities.

This chapter discusses the Congress of Women in the context of women's movement in Poland. The chapter also focuses on tensions between tradition and modernity and the lingering challenges hindering the equality of sexes. The story begins with the presentation of the symbolic images of Polish womanhood: the idea of *Matka Polka* (Polish Mother) is contrasted with one of woman-citizen advanced by the emancipation (women's suffrage) movement. It follows with the documentation of advancement and retrenchment of women's rights and social role in the inter-war, the communist, and the post-communist periods. Finally, the chapter discusses the

role of the Congress of Women in addressing the fragmentation of the contemporary women's movement. The chapter applies an interpretative framework proposed by Armstrong and Bernstein (2008) and Fligstein and McAdam (2011) to the analysis of social movements. This multi-institutional politics approach to social movements is discussed in detail in Chapter 1 of this volume.

Symbolic *Matka Polka* versus woman-citizen

In Poland, a dominant female is figure of *Matka Polka* (Polish Mother) who symbolises an idea of motherhood and sacrifice, who safeguards the national spirit and is a vessel for the patriotic values. This symbolical image first appeared at the end of the 18th century when the strongly masculine culture of nobility, on which the statehood and nationhood was based, collapsed as a result of the partitions – Polish state and its independence were lost to foreign powers (Walczewska 1999). The brotherhood of knights and noblemen, united by masculine chores of fighting, hunting, and conspiring against the enemy created a community with no place for women. In this homo-social culture, a woman appeared in the form of a Mother, a pure and sacred figure that did not pose a threat to the brotherhood.[67] Sexuality was delegated to reproduction, and as such it did not challenge traditional morality (Janion 2006). Mother-Poland or Mother-Homeland (an image often associated with Virgin Mary) became a powerful representation giving women an illusion of belonging to the community of Poles by delegating them to the role of guardians of the national soul. Although, in times of the partition, women were involved in the underground activities against the occupying powers, provided aid to the insurgents, taught themselves and others Polish history and literature, and donated their jewels to the patriotic cause, they were not seen as fellow citizens to Polish men. Their patriotic involvement was worthwhile only on the condition that they raised loyal sons whom they were ready to sacrifice, along with their own happiness, to the grand cause of Poland, the survival of the nation and winning the independence (Walczewska 1999).

The image of Matka Polka is so powerful that it survived the

[67] For more on the homo-social culture see: G.L. Mosse (1985).

centuries and the cycles of wins and losses of national independence. It remains as an archetype of an ideal Polish femininity. At the same time, the symbol of Matka Polka has been challenged by generations of Polish women who saw their social, political and private roles differently; women who fought for the emancipation and campaigned to be treated as citizens equal to men. The beginnings of the Polish women's movement dates to the early 19th century, with the activists working for better education for girls and for the empowerment of women. For example, in Warsaw several local activists organised a so-called Flying University, which did not give any formal degrees, but formed the basis of a group of educated women.[68] However, due to the partitions, the activists were scattered around the three Polish territories and the consolidation of their efforts was difficult.[69]

The end of the 19th century brought the intensification of the women's activities in Polish territories. Discussions on women's rights, equality, emancipation and participation in the public sphere took place in newly created magazines.[70] In 1905, the first rally of Polish women took place in Kraków. The participants, underlining the necessity of common action, called for the first time for political liberty and the right to vote for women. Two years later, in Warsaw, another women's rally took place, featuring a speech by a writer, Zofia Nałkowska, who tried to convince the assembly that women should not be judged on morality and called for sexual liberation of women. This led to a scandal and caused temporary division between the activists. Many women of that time supported emancipation only on the condition that it served the national liberation movement; they rejected sexual or moral issues fearing that they would not be taken seriously and dismissed as eccentrics (Umińska-Keff 2007).

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[68] Among them were such famous figures of the time as: Marie Skłodowska-Curie (scientist, double Nobel prizewinner), Zofia Nałkowska (famous writer) and Kazimiera Bujwidowa (biologist, social activist).

[69] There were, however, some attempts to bring together women from all three partitions, for example in 1891 the clandestine organisation of Women Club of Poland and Lithuania organised a secret rally. The rally lasted for three days and about 200 Polish women attended. During the meeting, reports on condition of women in 20 Polish cities were presented and funds were raised for the Eliza Orzeszkowa Trust for support of scientific works by women.

[70] For instance: Przedświt, Ster, Nowe Słowo, Głos Kobiet and Bluszcz.

Tensions between modern and traditional models of Polish woman in the 20th century

The clashes between different visions of womanhood in Poland were present all through the 20th century. The proponents of the emancipation and involvement of women in the public sphere were confronted with those who followed the vision proposed by the conservatives and the Catholic Church who saw women as bearers of culture whose mission was to preserve tradition. For the conservatives "women's presence in the public sphere was accepted only when men were absent fighting for the homeland. On their return women were expected to revert to their traditional roles" (Zielińska 2010). This was the case after two World Wars and also after the transformation of 1989: in times of peace and relative stability, women were expected to return to their Matka Polka role. This constant shift between the two visions for women, a progressive and a conservative one, was a source of tension. Even when laws enabling women to participate in the public sphere were put in place, they often did not lead to a real representation of their interests. For instance, even though Poland was among one of the first countries to grant voting rights to women (1918), few women entered politics both in the interwar period (1918-1939) and under communism (1945-1989).[71]

The First World War brought independence to Poland and gave new energy to the women's movement. Already in 1918, Polish women assembled in Warsaw to create the League of Polish Women. Their claims of introducing a general election were supported by leading politicians of the time and in November 1918 Józef Piłsudski signed a decree changing the electoral law and granting women full political rights. As a consequence, women's organisations mushroomed: for female academics, for female workers, for Jewish women – to name just a few (Kałwa 2001). New civil rights for women were introduced in 1921 and women's issues started to be widely discussed. In Poland, there was a general consent among women that political equality with men does not mean that the differences between the sexes will disappear, which is why special regulations and laws for women were needed. However, there were various points of view about

[71] Poland was the fourth country in Europe, after Norway, Finland and Denmark, that granted women political rights.

women's participation in public life, whether their activity should be limitless or if certain boundaries should be set. Liberal women's organisations and women's newspapers argued for a model of a modern woman: one who has the courage to transgress boundaries and take part in new areas of social life. This optimistic attitude was not shared by conservatives, and most of all, by the Catholic Church which argued that women's emancipation might threaten family life and lead to moral decline. But even these groups moved towards supporting a more active role of women, under the condition that maternity and the interests of the family remained a fundamental value (Kałwa 2001). Nevertheless, the enthusiasm of women's rights activists would clash with social reality: there were very few women in public offices, the old laws that did not allow women to sign contracts and extended their dependency on their husbands, the freedom to choose one's career was limited. The proportion of women in the Sejm in the interwar period never exceeded four per cent (Żarnowska 2004). The women's movement of the time thus had a limited success (Umińska-Keff 2007).

After the Second World War, during which women were active in the resistance movement, struggled to provide for their families under the Nazi and Soviet occupations, and fought along with men; the time of peace brought a return to the traditional roles. Even though change in the political system seemingly brought progress in the status of women – according to the idea of equality – a more extensive participation of women in the public sphere did not occur. The legislation changes of 1945 introduced a civil marriage, divorce and equalised civic, economic and inheritance rights. Women received labour rights equal to men, rights to social benefits and the right to maternity leave. However, the communist system did not fully respect these rights – together with the lack of infrastructure, poverty and post-war traumas Polish women faced many hardships (Waniek 2010). Women did, however, massively enter the labour market as they were needed to fill in the workplaces of men who perished in the war. The post-war reconstruction and rapid industrialisation created a migration of women from rural areas to the cities. This made women more independent and less bound to the traditional morals still widely preserved in villages. The social support system (e.g. state-run daycare and after-school programmes for children) made possible for women to enter the workforce but their work was less valued than men's and the responsibility for

raising families continued to fall on women. The communist authorities did not see the need to advance the situation of women and promote equality in various spheres of life – they were convinced that the socialist system was so progressive that it did not require any further changes (Walczewska 1999). Women constituted a third of the Communist Party members, but there were just a few women in top positions in politics and in the management of state institutions and industries. As for social activism of women, the only possibility was to be involved in the League of Polish Women, but for many this was unacceptable, as the League was formally and ideologically linked with the Communist Party. Change did not happen fast, and due to the isolation of Poland behind the Iron Curtain, the debates taking place in the West about the status of women, women's rights and the theories of feminism were practically unknown to Polish women.

Solidarność-solidarity? Exclusion of women from collective memory

In the period of opposition activities, before 1989, many women were partners to men and involved in writing manifestos and articles in the underground press. However, their contribution to Polish democracy is much less highlighted in the collective memory than men's. Ludwika Wujec, one of the leading figures of the *Solidarność* movement, explains why women were not remembered as leaders:

> There were many women in the opposition […] Most of them were young and for family reasons (young children) did not want to be in the spotlight. […] Especially when we started publishing 'Robotnik' [The Worker]. We would write and edit, men would go around Poland, printing, distributing leaflets, and they were the ones who were getting caught. And only when caught, their names would be revealed […]. Also, for a long time if the Security Service (SB) suspected someone of an opposition activity, it would be a man, and we tried to keep them convinced about it, because first – it gave us more freedom of action, and second – it protected mothers from being arrested. Opposition activity didn't excuse us from raising our children. As a result, by the time of Solidarność, in its overt activity, there were few women in the spotlight.
>
> (Ludwika Wujec in Pawlicka 2010: 59)

When Solidarność started massive strikes in 1980, most notably the

one in Gdańsk Shipyard, led by Lech Wałęsa, it was women who saved it. When men wanted to agree to a compromise with the authorities, four women marched into the shipyard, and convinced Wałęsa that it was not enough to negotiate partial concessions for shipyard workers with the communist power, and that the strike must continue for the sake of all the others who supported the movement. This was the embodiment of the principle of solidarity which formed the basis of the opposition movement. Another achievement of women, again in the spirit of solidarity, was to include the cause of arrested activists in the negotiations, which led to granting them freedom. However, when it came to the negotiated exit from communism women were virtually absent. With one exception (Grażyna Staniszewska) all participants of the Round Table talks in 1989 were men. Since men were better-known, they were also the ones elected in the first free elections in June 1989. Why did women allow this to happen? Once again, the women were victims to the cause of the national, patriotic paradigm, which remained more important than their concerns of equality.

It took 20 years and women's own initiative, the first Congress of Women, to response to the appropriation of the Solidarity movement by men. According to Środa:

> When Poland was gaining freedom, Polish women were losing it. I'm talking about the return to the traditional roles of men and women, educational regress (there are more and more stereotypes in schoolbooks), about the anti-abortion law that limits women's freedom in issues concerning their maternity, about the strong entrance of the Church into politics. It was then, at the beginning of the 1990s, that a slogan was launched 'Mom is always home'. After years of communist fiction of full employment, the job market had to face the reality of a free-market economy – restructuration, privatisation and unemployment. Women became the main victims of that transformation.
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> (Środa in Pawlicka 2010: 11)[72]

[72] This problem was widely discussed, among others by Agnieszka Graff (2008) and Magdalena Środa (2009).

The year 2009 witnessed many ceremonies and celebrations commemorating the end of communism, however the issues important to women, their role in overthrowing the system, and their contribution to building the new reality, were rarely mentioned. That is why, the 2009 Congress of Women decided to award Henryka Krzywonos-Strycharska, a renowned Solidarity movement activist, with a title of Woman of the Twenty Years of Transformation (*Polka Dwudziestolecia*). When Krzywonos-Strycharska, working in 1980 as a tram driver, stopped the vehicle, it was a sign for all the public transport in Gdańsk to start the strike and join the protesters at Gdańsk Shipyard. By awarding her the title, the Congress claimed the forgotten memory of all women who were active in the opposition and whose fight for democracy contributed to the transformation.

Women's rights in recession: the (lost) battle over reproductive rights

Polish women paid a high price for democracy (Siemieńska 2005). In the first years of post-communist transition women found themselves at disadvantage due to the side-effects of economic reforms – unemployment resulting from the closure of state companies and the crisis in educational and health infrastructure (Waniek 2010; Pawlicka 2010; Fuszara 2000). The Catholic Church's support to the anti-communist opposition indebted the new political elites who agreed to its many ideological demands: religion was introduced in schools, crosses were hung in public offices, and the laws were changed to reflect Catholic values. The most controversial law in terms of women's rights was the anti-abortion law. Under communism, abortion was legal, accessible and free under the state health system. The first bill to de-legalise abortion was proposed in 1989 and immediately provoked a heated discussion. Olga Krzyżanowska, one of the members of the opposition and co-organiser of the Congress of Women, reflected on the dilemma of the issue:

> People with similar experiences as me were then very grateful to the Church for what it has done for us during the martial law. That is why we thought that if the Church is so strongly opposed to the existing [abortion] law, we couldn't turn away from it. There was this historical loyalty. But with time, the Church started to play an excessive political role.
>
> (Olga Krzyżanowska in Pawlicka 2010: 64)

Not everyone felt 'historical loyalty' to the Church: in the early 1990s, over 70 per cent of Poles supported right to abortion. The supporters gathered 1.3 million signatures demanding a referendum on the issue but it was never put to the public vote. Despite popular opposition, the Parliament passed a law severely restricting access to abortion (called 'the abortion compromise' because it did not de-legalise it completely) in 1993. The law remains in place.[73]

The fight over reproductive rights revealed deep divisions along the familiar lines of Matka Polka against the emancipated, independent Polish woman. The conservatives stigmatised doctors, used negative images of women who were seeking abortion, introduced false, incomplete, or one-sided information regarding sexual education in schoolbooks (Czyżewski, Dunin et al. 2010). The ideological undertone of the debate made a matter-of-fact discussion very difficult and made any topic concerning reproduction 'sensitive'. A recent discussion on whether the 'in-vitro' procedure (an infertility treatment of fertilising an egg outside the women's body) should be, at least to some extent, covered by the public healthcare system caused a hysterical reaction of the right-wing politicians and the Catholic bishops who published an open letter, claiming that such procedure is 'against nature' and comparing it to eugenics (Gazeta Wyborcza, 20.10.2010). Even though the discussion started with the question about funding, it led the conservatives to call for de-legalising all in-vitro procedures; the issue remains unresolved. This discussion illustrates how any discussion that refers to women and their reproductive rights escapes the frame of a rational and fact-based debate.

Fragmentation and localisation: the women's movement prior to the EU accession

The unfortunate yet spectacular defeat of reproductive rights was a

[73] Leading non-governmenal organisation working on the reproductive rights in Poland is *Federacja na rzecz Kobiet i Planowania Rodziny*. It publishes annual reports on the issue, monitors state's compliance with the law and the social consequncies of the law, provides information and support (including legal support) for women whose rights were violated by the state. In the official statistics, there are 500-600 legal abortions performed annually in Poland. The abortion underground is estimated at about 80 - 100,000 cases annually, although some estimates are as high as 150,000.

serious blow to the women's movement in Poland. Women's voices asking for reproductive rights were not heard and women's demands were branded by the politicians and some media as extreme. The Catholic Church, having a strong influence on public opinion, branded women asking for their rights as feminists who threaten the traditional model of family and Polish national identity and who stand against fundamental Christian values such as respect for human life (Graff 2008). The word 'feminist' acquired a negative connotation and became less used (Bator 1997).

At the same time, the discussions around the anti-abortion law gave women a new impulse to fight for their rights. Some scholars perceive it as the actual birth of a new women's movement (Einhorn and Sever 2003; Fuszara 2005; Anderson 2006).[74] Women felt mobilised to act and express their discontent. By 1999, the Directory of Women's Organisations and Initiatives counted about 200 groups active in Poland (Fuszara 2000). They focused on variety of issues ranging from organisations affiliated with the Church to issue-based organisations (for example, helping victims of domestic violence) and the feminist ones. The movement, however, was fragmented and lacked the umbrella organisation to link different groups around similar or shared interests.

Having lost at the national agenda, women's organisations focused on local issues. Their activities were often dispersed around the country making the movement (organisations, activists, beneficiaries) less visible to the public. They did not manage to stop the processes that gradually took place in all post-communist countries of Central and Eastern Europe: the masculinisation of politics and the degradation of feminine identity (Zielińska 2010). It was not for the lack of trying – there were initiatives to bring women's issues into the public sphere. For instance, at the end of the 1990s, feminist activists, most notably two professors of law, Małgorzata Fuszara and Eleonora Zielińska, started lobbying for the anti-discrimination law, a 'law for equal status of men and women'. Even though women were

[74] Quoted after Katarzyna Zielińska (2010) 'Challenging the nation. Polish women's quest for democracy and justice', RECON Report No 12, *Collective Identity and Democracy. The Impact of the EU Enlargment,* Magdalena Góra and Zdzisław Mach (eds).

equal to men in law, they were not equal in status as equal rights do not mean equal chances. The project involved defining discrimination on the job market, called for establishing Ministry for Equal Status of Men and Women and setting up local representatives for women's rights in each administrative region of Poland (Walczewska 1999). Women activists from different parties came together to form an informal group called 'Women Too!' (*Kobiety też!*) which lobbied for more participation of women in politics during the electoral campaigns of 1997 (parliamentary elections) and 1998 (regional governments elections). Despite the efforts, the law proposals were rejected. Katarzyna Zielińska (2010) identifies three reasons for that: first, a shared belief among the mostly male members of Parliament (MPs) that gender equality has already been achieved; second, that equality between men and women should not be enforced by law but achieved through social practice; and finally, due to the confusion of notions 'equality' and 'sameness'.[75]

Apart from the difficult struggle for the changes in the political system, women's organisations also concentrated on changing the attitudes of women themselves.[76] This was especially visible in the activities of the 'new wave' of feminist organisations extending their agenda to promote assertiveness of women through workshops and even self-defense techniques such as Wen-Do. One of the respondents stated that "Wen-Do strengthens the model of a 'European' women, as opposed to the Polish one, linked with the traditional national identity" (FEM). Feminist organisations encouraged learning 'women stories' (history from women's point of view – 'her-story') and, simultaneously, raised feminist consciousness aiming at empowerment of Polish women. However, the visibility of feminist NGOs remained quite low and the fragmented movement lacked a clear voice that could represent women's interest in the negotiations with state authorities. Funding has been another obstacle to effectiveness in programming and in dealing with the state (Coyle 2003); many organisations competed (and continue to compete) with each other for funding which hindered their cooperation.

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[75] It is worth noting that some arguments do not age in the Polish Parliament: these were recycled in the discussion of the quota law proposed in 2009 by the Congress of Women, albeit to a different result.

[76] For more on this topic see Chapter 2.

Engagement in politics

Since 1989, several attempts were made to introduce women's rights agenda to politics. One of such politically-minded organisations is the Democratic Union of Women (Demokratyczna Unia Kobiet, DUK), an NGO grouping activists and women politicians of the left. It exists since 1990 and among its members are such figures as Danuta Waniek, former deputy-minister of defence and later chief of the President's Office or Jolanta Banach, former government representative for women and family. Strong in its position and presence in the public sphere in the late 1990s, especially when the left-wing governments were in power,[77] DUK lost its importance after the 2005 elections, when the right-wing government adopted openly hostile attitude towards the advancement of women's rights. The weakening of DUK can also be linked to the weakening of the social-democratic party that many of DUK's members belonged to. The Democratic Left Alliance (Sojusz Lewicy Demokratycznej, SLD), which was a leading Polish left-wing party reaching over 41 per cent of votes in 2001, suffered a defeat receiving only a little over 11 per cent of votes in the 2005 parliamentary elections.[78]

Another attempt at enforcing women's rights and promoting gender equality was the creation of the Parliamentary Group of Women (Parlamentarna Grupa Kobiet, PGK). It was created in 1991 by women MPs from different, mainly left-wing, parties. The PGK goal was to lobby for women's rights independently of the political views of the group's members. There were several renditions of PGK in the course of different parliamentary terms. While some groups were more successful than others, all were met with hostility and/or mockery by male MPs. For example, two men became PGK members in 2007. One of them, Jarosław Wałęsa, admitted that, at first, he treated the membership as a joke, but when he later took some interest in the PGK's work, he was ridiculed by his party colleagues.[79]

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[77] These were the governments of Józef Oleksy (1995-1996) and Włodzimierz Cimoszewicz (1996-1997).

[78] Data according to Polish Electoral Commission, on 2001 parliamentary elections: http://wybory.pkw.gov.pl/sjg2_k.html.
and on 2005 parliamentary elections:
http://wybory2005.pkw.gov.pl/SJM/PL/WYN/W/index.htm.

[79] For more, see 'Powstanie Parlamentarna Grupa Kobiet... z panami' [The Parliamentary Group of Women …with men]. *Wprost* weekly, 7 December 2007.

Most of the 2007 group was made up of women MPs from the center and left-wing parties. When the Law and Justice women MPs were invited to join, they claimed that they have to ask for permission of their party leader[80] – a poignant example of the position of women MPs in the party and their subordination to male politicians.

In 2007, a group of women decided to go further than forming a non-governmental organisation and organised to actively enter politics. Inspired by writer and feminist Manuela Gretkowska, in 2007 the group registered a new political party – the Party of Women (*Partia Kobiet*). The Party's platform and motto, 'Poland is a woman' (*Polska jest kobietą*) was inspired by Gretkowska's 2006 manifesto. The manifesto spelled out key problems that Polish women experience: lower pay than men's, insufficient social assistance, lack of sexual education and affordable contraception, limited reproductive rights and unsatisfactory system of support to domestic violence victims.[81] In the words of Gretkowska: "Going to demonstrate in front of the Parliament, manifesting, collecting signatures [under projects of new legislation] are noble and heroic forms of protest, but – as it seems – not efficient ones. That is why women should enter the Parliament. [Women should] create a real political pressure group – a party. We don't have to only rebel, we live in a democracy and we can reach for our rights according to the principles of a democratic state."[82] However, aiming high, the Party of Women did not succeed in entering the Parliament in 2007 and received only 0,28 per cent of votes, failing to pass the minimum threshold of 5 per cent.[83] The Party planned to run its own candidates for the 2009 European Parliament elections, but due to insufficient resources, it decided to support candidates representing other parties "whose ideas the Party of

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Available at: http://www.wprost.pl/ar/119245/Powstanie-Parlamentarna-Grupa-Kobiet-z-panami/. Last accessed 7 July 2011.

[80] Idem.

[81] For more information, see: Partia Kobiet [Party of Women], http://www.polskajestkobieta.org/?page_id=924. Last accessed 8 July 2011.

[82] The full text of the Party of Women Manifesto is available at: http://www.polskajestkobieta.org/?page_id=924. Last accessed 8 July 2011.

[83] Data according to Polish Electoral Commission on the parliamentary elections of 2007: http://www.wybory2007.pkw.gov.pl/SJM/PL/WYN/W/index.htm. Last accessed 8 July 2011.

Women feels close to".[84] The Party of Women is also known for the publicity it received in their 2007 campaign when the members posed naked for a poster. The intention was to show that the Party of Women has nothing to hide and has the courage to represent women's interests in the male-dominated politics. However, this campaign move was criticised for presenting women as sexual objects,[85] for feeding male curiosity and for trivialising the Party. The poster was also perceived as linking women to the sphere of nature instead of the sphere of politics, reserved, in a patriarchal perspective, for men.

The efforts DUK, PGK and the Party of Women merit attention for the activisation of women, and bringing to public attention issues of gender equality, discrimination and insufficient public support for education and childcare. In the last couple of years, the public presence and visibility of DUK, PGK and the Party of Women decreased; their energy appears to have faded. Their political impact remains limited, none of the groups managed to maintain support for their ideas. However, their activities prepared a foundation for the Congress of Women. Sharing similar ideas, the Congress has been more successful in achieving visibility and wider support. Among the reasons could be the ability of the Congress to meet expectations of the progressive segment of Polish society frustrated by the absence of a public actor that would express their views and interests. The Congress has also benefited from the changing Polish context: further democratisation, increasing secularisation, intensified social mobility and growing public awareness about gender issues.

The (weak) impact of the EU accession

For a relatively weak and divided women's movement, the accession of Poland to the European Union in 2004 was a source of hope that their cause will receive more support. The accession was seen as a chance for the advancement of feminist issues, achieving more gender equality guaranteed by the EU laws, mainstreaming gender

[84] See: http://www.zieloni2004.pl/art-3343.htm. Last accessed 8 July 2011.
[85] See: Agnieszka Graff, 'Kobiety w męskim klubie' [Women in men's club], *Krytyka Polityczna*, 27 September 2007. Avaiable at: http://www.krytykapolityczna.pl/Teksty-poza-KP/Graff-Kobiety-w-meskim-klubie/menu-id-129.html. Last accessed 8 July 2011.

on both national and supra-national levels, and gaining access to European organisations where complaints on rights violations could be addressed. However, once again, this optimism faded in light of political developments. In 2005, the nationalist party, Law and Justice, came into power with a conservative agenda and extreme-right coalition partners openly sharing their sexist and homophobic views. The hard won (yet mandated by the EU) Office of the Plenipotentiary for the Equal Status of Women and Men created in 2001 was replaced with the Office of the Plenipotentiary for Women, Family and Anti-discrimination. The agenda shifted towards the Catholic point of view. The rights of women were again in retreat. The change of government in 2007 brought a more positive attitude towards women, however, it did not translate into many changes of public policy. Once again renamed, the Office of the Plenipotentiary for Equal Treatment was filled by Elżbieta Radziszewska who is widely criticised for her conservative approach to equality (Darkiewicz 2010; Grochal 2010). The EU membership, however, obligated Poland to comply with the directives on equality. After a delay and under a threat of financial penalties against Poland by the European Council, a law on anti-discrimination was finally passed in 2010.[86] The rights of Polish women are also upheld, on case-by-case basis, by the European Court of Human Rights: Poland lost two cases on the denial of legal abortion (Alicja Tysiąc in 2007 and R.R. in 2011).[87] The small victories are important but, "with the EU accession,

[86] "The Act on the Implementation of Certain Provisions of the European Union in the Field of Equal Treatment" (passed in late 2010, signed into law on 22 December 2010). The Act fulfills the obligations of the Polish government to implement four EU directives on non-discrimination: 2000/43, 2000/78, 2004/113, 2006/54. It provides protection from discrimination, with some limitations, in relation to gender, race, ethnic origin and nationality.

87 Alicja Tysiąc was a mother of two when she got pregnant again, and due to her ill-health, she was entitled to terminate the pregnancy as giving birth would put her health at risk. However, several doctors in the public health care refused to perform the procedure. Ms Tysiąc gave birth to a child, which resulted in a dramatic worsening of her eyesight, making her almost blind. She appealed to the court, but the case was remitted. With the help of the Federation for Women and Family Planning, she decided to appeal to the European Court of Human Rights and she won the case against the Republic of Poland, receiving a financial compensation. The case of Alicja Tysiąc was widely discussed by the media and she became the object of violent criticism from the conservatives and the Church who accused her of wanting to 'kill her child' and comparing abortion to 'murders committed in Nazi concentration camps' (Gazeta Wyborcza, 23. September 2009). In the R.R. case, the

the EU funds, the open borders, the change should be bigger" (FEM1). In the context of the EU membership, Poland fell into a pattern identified by Jacquot and Woll (2010) and Sudbery (2010) who find that the existence of EU competences greatly increases the likelihood of successful action in the domestic policy, such as in employment discrimination; when there is no EU policy instrument, such as for women's reproductive rights, EU accession has little influence on the domestic policy arena.

The Congress of Women: a step toward consolidation

To change the status of women in Polish society, education and empowerment are necessary. However, change through politics is required to assure that rights are upheld and pro-women legislation passed. To be successful in politics, unity, clear voice, visibility and recognition are essential. The Congress of Women (the two events in 2009 and 2010 and the Association formed to operate continuously) has been the most successful initiative created and run by women focused on bringing women into politics and, in turn, the political and social change in Poland in the last 10 years.

Over 3000 women, as it was a women-only event, who gathered on 21–22 June 2009 in the Palace of Culture in Warsaw for the first Congress of Women decided to get together, break the isolation of their local activities, join forces and make a stand in the public space. The women gathered under a banner 'Women for Poland, Poland for Women' [*Kobiety dla Polski, Polska dla Kobiet*] that became a mantra of Congress' operations. The women shared a belief that since change is not happening fast enough, there needs to be a common, their own, effort to make it happen. The participants came from all over the country to talk about themselves, their problems, their achievements and the experience of the twenty years of Poland's freedom. In an inaugural speech, an icon of gender studies and literature professor Maria Janion, discussed cultural constraints allowing for the subjugation of Polish women – a national culture dominated by Matka Polka. A broad discussion about women in the public sphere,

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ECHR ruled that Poland violated the European Convention on Human Rights on two counts: (article 8) the right to respect private and family life and (article 3) prohibition of inhuman and degrading treatment The latter is the first case when article 3 was invoked in the context of reproductive rights.

as well as the presence of the feminist concerns in the general debate,[88] was one of the first steps to break the constraints. The Congress addressed broad variety of topics of concern to women. There were panel discussions on the following topics: women in the labour market; women in local governments; women in science; images of women in the media; violence against women; women in business; women who fought for justice; women and trade unions; women in sports; women in politics; women and civil society; women's health; women over 50; women in culture; women, schools and stereotypes; women and minorities; and women at home. The size of the Congress, its prestigious location, accessibility of well-known female public figures (all women attending the Congress used an informal first-name only form of addressing each other) played a role for empowering and forging common identity among the participants. Arriving from all corners of Poland, women could see that they were not alone in their ideas, beliefs and their daily work.

For the first Congress of Women, political participation was a key issue. Although it is best known for introducing the idea of parity on voting lists, the participants called for more gender equality on all levels of government, more representation for women in public institutions, combating gender-based discrimination and raising gender awareness among public officials. One of the main demands of the Congress was the establishment of representatives for women and equality at the national and local-level governments and the commission for women and equality in the Parliament. The Congress urged public institutions to monitor the implementation of gender equality measures and underlined the need for gender mainstreaming and gender budgeting. These demands are in line with measures recommended by the European Union but have not been fully adopted by Polish authorities. Consequently, the Congress of Women assumed the role of a watchdog organisation, committing itself to monitoring how public institutions implement measures recommended by the EU. The Congress established closer cooperation with the EU; it received European support for the second event in 2010. The third Congress of Women, taking place on 17–18

88 For example, a speech by Agnieszka Graff, a feminist academic, was enthusiastically received by the audience.

September 2011, will be highlighted as one of the official events of the Polish Presidency of the EU Council.

The political theme continued through the second Congress of Women (18 June 2010). The main themes of the second Congress were women's participation in the public sphere and pressuring the policy-makers to support quota law, then still discussed in the Parliament. There was also a debate among the presidential candidates[89] (it took place during the campaign) who came to lobby for women's vote. However, a special address by Bronisław Komorowski, who in July 2010 won the presidential elections, was not well received. Although Komorowski expressed support for the quota, he remained non-committal on gender parity. Further, his 'chivalrous' behaviour towards women on stage (manifested by hand-kissing) was met with laud disapproval from all-female audience.

Critique of the Congress

The debates started by the Congress lead to media coverage of women's issues and concerns that continued throughout the parity debate. After decades of neglect, finally, women were the object – and the subject – of a serious discussion. These included criticism of the Congress and its agenda by the conservatives (as expected) as well as by some feminist activists. By opening an umbrella for a variety of women's issues and seeking political consensus, the Congress, in view of more radically-minded feminists,[90] became populist. It was chastised for mixing serious discussions with entertainment. However, the presence of celebrities helped, at least initially, to capture interest of the journalists and assured coverage of Congress in the mainstream media.[91] The event was also criticised for being too

[89] Notably, the conservative candidate Jarosław Kaczyński was absent.

[90] See: Ewa Charkiewicz, 'Nie w moim imieniu. O kongresie kobiet polskich', *Nowa Krytyka*, 14. September 2009. Available at: http://www.nowakrytyka.pl/spip.php?article502. Last accessed 5 June 2011; Agata Mrozik and Piotr Szumlewicz, 'Kongres Kobiet: stracona szansa', *Krytyka Polityczna*, 5. June 2009. Available at: http://www.krytykapolityczna.pl/Aktualnosci/Mrozik-Szumlewicz-Kongres-Kobiet-stracona-szansa/menu-id-48.html. Last accessed 5 June 2011; Małgorzata Bilska, 'Kobiecy populizm', *Rzeczpospolita*, 17 February 2011. Available at: http://www.rp.pl/artykul/435003.html?print=tak. Last accessed 5 June 2011.

[91] For instance, Gazeta Wyborcza and Rzeczpospolita, two large daily newspapers in Poland.

neoliberal, and simply not feminist enough (Sierakowski 2009). Among its organisers, there were businesswomen and representatives of multi-national corporations, which displeased the left, but thanks to their contacts, the Congress was able to receive significant financial support from the private sector.

Media coverage along with a country-wide drive for collecting signatures for the introduction of quota bill into the Parliament, publicised women's concerns and helped to build positive image of female activists. Even though the Congress was criticised for its top-down attitude, featuring many successful and well-known women, their presence showed politicians and the public that fighting for women rights is not a matter for radical feminist activists but it is a matter important for all women – affluent directors of companies, key women politicians, academics, teachers, nurses and housewives. The Congress placed women's rights in the centre and focused the language of discussion on issues (rights, equality, citizenship), not symbols. Sławomir Sierakowski (2009) summed up this achievement of the Congress:

> The accusations against the organisation of the Congress of Polish Women can be brought to one point: that it was a Congress of Women and it should have been a Congress of Feminists. There was no such choice. The choice was between the Congress of Polish Women and no action at all, or at least no action on such scale. Besides, isn't feminism about the fight for women's rights rather than rights for feminists? [...] Dear 'activists,' don't be ridiculous. You either do, or you just talk. Those who have to be approached with a special invitation are not worth approaching at all. They won't do a thing, but they will criticise. The history of social movements knows perfectly well of the examples of non-productive 'shoulds'.
>
> Sławomir Sierakowski (2009)

The Congress becomes an institution

The first Congress had a stocktaking role by bringing together women willing to act for change: whether by getting involved in the organisation of the Congress, its promotion, or simply through participation. Motivating groups of women to act turned out to be crucial for the collection of signatures under the petition for the quota law. In order to manage its activities and gain legal standing as an

organisation, the Congress formed, in January 2010, the Congress of Women Association [Stowarzyszenie Kongres Kobiet]. It is becoming a leading NGO in the mainstream of Polish women's movement. It has recognition, spotlight and first successes on its account. There is also criticism: the Congress was criticised by the Democratic Union of Women for lack of innovation and taking over Union's ideas on gender parity on voting lists.[92]

In March 2011, a new initiative of the Congress was launched. A Shadow Government was formed with a mission of inspiring policymakers, promoting good practices in creating laws and regulations, and to act as a watchdog through evaluation and analysis.[93] It is an all-women body whose members are experts sharing ideas of gender equality and respect of women's rights. The prime minister of the Shadow Government is Danuta Huebner, Jolanta Kwaśniewska is in charge of the Ministry of Foreign Affairs, Henryka Krzywonos-Strycharska – the Ministry of Labour and Social Policy and Magdalena Środa – the Ministry of Education and Sports (to name just a few). The ministries' names and competences do not reflect the current competencies of Polish government. There also are few new ministries that, according to the Congress of Women, are necessary for advancement of women's goals: a Ministry for Gender Equality and Combating Discrimination and a Ministry for State's Secularity and Multiculturalism. The members of the Shadow Report will prepare reports and analyses, as well as issues recommendations for policymakers to facilitate the process of actively shaping Polish politics.

Conclusion

The Polish women's movement started to reverse its decline and begun to reclaim rights for Polish women. It was strengthen by the Congress of Women. The Congress began as a spontaneous initiative to celebrate women's role in the defeat of communism, but, in less

[92] Criticism was expressed at the 20th anniversary meeting of the Democratic Union of Women (10–11 September 2010). The Union was an important organisation with political support of the Parliamentary Women's Group in early-mid1990s but it fragmented and localised in the 2000s when it changed its focus to service-provision.

[93] Stowarzyszenie Kongres Kobiet [Congress of Women Association] website, http://www.stowarzyszeniekongreskobiet.pl/gabinet-cieni-kongresu-kobiet.html. Last accessed 10 September 2011.

than three years, it transformed itself into an institution working on behalf of Polish women. By focusing initially on a single-issue of gender parity on voting lists, the Congress set a direction for its further development as an institution active in politics. A parity/quota issue was also a platform for engaging women country-wide in a pursuit of a common cause. With the 'cause' that was not particularly controversial and enjoyed support of the majority of Polish society, Congress appealed to a broad variety of women and women's organisations enabling them to be involved in changing their environment. An NGO activist told us in the study: "We feel that things are changing and that we are a part of it. […] the Congress of Women, the collecting of signatures, all this debate is the most noticeable example that the action brought a real effect" (FEM1). The success of the quota bill, albeit lower than proposed, was also symbolic. It showed that victory is possible and with that it erased the memory of defeat of the abortion law.

The electoral campaign, for the Parliamentary elections that took place on 9 October 2011, showed how the quota idea (and the bill) fair in practice. Overall, the number of women candidates has exceeded the 35 per cent quota. The analysis by the Institute of Public Affairs shows that women made up 43 per cent of all candidates, a significant increase in comparison to the previous election when only 23 per cent of candidates were women. With the quota law in place, women won 110 of 460 seats, or 24 per cent, in the Sejm. The quota law has already demonstrated that there are numerous women who want to enter politics. However, most women candidates have been assigned places towards the bottom of the party voting lists; places that carried minimal chances of winning a parliamentary seat under the current electoral rules that favour candidates in top slots on the ballot. The Civic Platform party introduced an additional, internal rule that guaranteed one place among the first three on the list to a woman candidate, thus, significantly increasing probability for winning a seat by a woman. The rule brought results: 72 women in the Sejm are Civic Platform MPs.[94] Congress of Women has already made plans to advocate and lobby for an amendment of the quota law that would shuffle men and women on the candidate list.

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[94] For statistical data on Polish Parliament see its website http://www.sejm.gov.pl/. Last accessed 5 December 2011.

The Congress builds its identity on politics not symbols. It (critically) acknowledged Matka Polka but its focus is on actions and initiatives that shape lives of contemporary Polish women. The Congress, although supportive of restoring reproductive rights, has not engaged in ideological debates. The women behind the Congress know the history of Polish women's movement well: they do not want a discussion on morality but on citizenship (full civic membership). The Congress is building unity on inclusion: the inclusion of views and inclusion into politics. It uses available tools and European funding to enter the system and change it. The Congress has advantages not matched by any other women's organisation: large-scale organisational and fund-raising capacity, the charisma of its leaders, policymakers' and media attention and the ability to rally grass-root support. It also benefits from social and attitude changes that are rapidly occurring in Poland – secularisation and anti-clericalism, growing awareness of diversity and inclusion of otherness. The Congress has momentum and if it can keep it along with support of other women's organisations, Matka Polka can depart for her long-overdue retirement.

Chapter 5

LGBT pride and sexual minorities in Poland

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"Democracy begins with sexuality" – a motto which has been displayed during pride parades in Berlin, Warsaw and other European cities encourages a reflection about the status of sexual minorities in a democratic polity. Democracy is recognised by international community as a universal value, "based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives"[95] and the foundation for the functioning of the European Union. The EU has fostered the advancement of sexual minority rights through legislation and policies which promote and safeguard equality and non-discrimination on the basis of sexual orientation. The European Union creates and enforces the implementation of legal standards in the member states and prompts public debate on the status of sexual minorities. The issue of LGBT rights is gaining momentum in new and consolidating democracies that emerged after the fall of Communism in Central and Eastern Europe. The return of Poland to the community of democracies in 1989 brought about unprecedented changes of economic, political and cultural

[95] United Nations General Assembly. Available at: http://www.un.org/en/events/democracyday/index.shtml. Last accessed 2 December 2011.

paradigms. The pre-established social classifications and codes of behaviour have been challenged due to free movement of people, goods and services as well as increased exposure to new ideas, lifestyles, values and norms. As Krzemiński succinctly put it,

> [t]he political consequence of this new cultural paradigm was recognition of human and civil rights as a crucial element in a democratic order and democratic state, thus also of politics, which gave the hitherto stigmatized 'others' equal rights in public life.
>
> (Krzemiński 2009: 72)

In the struggle for equal rights of the excluded, non-governmental organisations advocating lesbian, gay, bisexual and transgender rights come to the fore as change agents, mobilising resources and strategising to push for full civic membership for sexual minorities.

Unrestrained participation of sexual minorities in all aspects of political and social life in a democratic polity is analysed in a framework of full civic membership. Full civic membership posits two complementary requirements – the legal provisions of non-discrimination and equal treatment and the ability to live a dignified life (Nussbaum 1999; 2000a; 2000b). If ensuring legal protection against discrimination on the grounds of sexual orientation rests within the capacity of a democratic state; providing social basis for respect and non-humiliation requires a multi-institutional approach and the engagement of non-state actors (Armstrong and Bernstein 2008). The present chapter discusses the role of non-governmental organisations in advancing sexual minority rights and contesting the negative societal attitudes in Poland with a focus on LGBT public events such as demonstrations, marches and prides. NGOs advocating lesbian, gay, bisexual and transgender persons' rights deploy discourses of political equality, social justice and human rights in order to ignite a debate within the Polish society with an aim of bringing political and legal changes. The LGBT NGOs strategise to make Poland a place where people who do not conform to dominant gender and sexual norms can freely exercise their right to participate in all aspects of life without restraint, prejudice and fear of abuse. To this end, NGOs implement projects aimed at educating, raising social awareness, influencing policy process and intra-community empowerment. Among many strategies employed by non-

governmental organisations, pride parades and marches prove very effective in bringing the situation of sexual minorities to the public eye. Public demonstrations and celebrations of sexual minority groups do not only raise societal awareness and press for political change, but also serve the LGBT community itself by creating a sense of belonging, self-esteem and strength of the movement. The strategies of fostering change are discussed in-depth in Chapter 2 of this volume. In this chapter a broader context of sexual minority rights is explored. The overview of the LGBT demonstrations and pride events in Poland tells a story of the development of a new social movement for the liberation of sexual minorities.

LGBT movement in Poland

For many years sexual minorities in Poland have been suppressed politically and culturally. The strong influence of the Catholic Church on politics, national identity and codes of behaviour contributed to negative attitudes among Polish society toward LGBT people. The Communist system before 1989 and resurgence of conservative politics in the recent years reinforced the disfavoured status of sexual minorities. Thus, the beginnings of self-organisation of LGBT people in Poland were quite modest:

> The level of condemnation of homosexuality in the public discourse is so strong that undoubtedly it contributed to negative occurrences and did not foster, to put it mildly, open self-organization and association of homosexual persons. […] Social stigmatization of gays and lesbians – especially employed by Polish Catholicism – could strengthen anti-associating tendencies, present in the whole Polish social life.
>
> (Krzemiński 2006: 8)

The prejudices and intolerance of other sexual identities, coupled with lack of knowledge about non-heteronormative people inhibited the development of gay movement. In the 1980s, when the gay liberation movement in Western Europe was gaining in outreach and significance, in Poland homosexuality was still attributed with proneness to criminal offences, prostitution and sexual deviation (Giza 1963, Więch 2005).

It was not until the late 1980s that the topic of sexual minorities in Poland started to crack thick walls of the taboo that surrounded it.

Timid attempts at breaking the silence started with informal gatherings of people of homosexual orientation. Private apartments, cellars or cafes in Warsaw assembled circles of friends who wanted to unite and act for the sake of homosexual people. Without formal structure or status, these meetings constituted the very rudiment of a new social movement pressing for equality and non-discrimination of non-heteronormative individuals. The clandestine nascence of the movement in the 80s attracted more gays than lesbians, usually art students and people between 17 and30 years of age (Krzemiński 2006). The activities in these early years focused on providing support to the members of community, especially those who experienced ostracism and discrimination in their provincial communities on grounds of their sexual orientation. At the outset, the objectives of the early activists were limited – to positively influence public perceptions of sexual minorities and possibly, in the long run, combat inequalities that stifled homosexual citizens in Poland. The latter was perceived a far-reaching and ambitious goal without too much hope for its prompt realisation (ibid.). With time, mobilising structures which included "family units, friendship networks, voluntary associations, work units, and elements of the state structure itself" (McCarthy 1996: 141) developed and transcended the state borders – representatives of international organisations, such as ILGA, started to support the embryonic forms of LGBT activism in Poland through visits during which the stories, experiences and practices were shared injecting the idea that the community needs to form and stand for its rights.

Given the political and social context of mid-1980s Poland, marked with state control over the private sphere and the public invisibility of gays and lesbians, it seemed implausible for the pioneer activists to develop a broad, nation-wide movement. But their efforts, despite difficulties, were to bear fruits. Paradoxically, the communist regime's bias against homosexual people evoked a wave of mobilisation among the activists. Following the police action ordered by the communist state authorities against sexual minorities during which many gays were arrested, interrogated and humiliated in the process,[96] the need arose to create structures to protect LGBT

[96] Operation 'Hyacinth', ordered by the Ministry of Interior, was carried out by the police between 1985–1987 and aimed at creating a national register of homosexual

individuals from state's hostility and repression. Independent gay and lesbian organisations started to sprout: Warsaw Homosexual Movement,[97] ETAP Group in Wrocław, FILO Group in Gdańsk. The organisations operated underground and had very limited capacity to foster change on an institutional level; their main activism was focused at providing support and immediate help for the oppressed homosexual individuals.

In the late 1980s, the first organised structures for LGBT people emerged and contributed to gradually rising awareness of the presence of non-heteronormative people, their identity and lifestyles in the Polish society. It was not, however, a welcome realisation for the majority – a public opinion poll in 1988 revealed strong homophobic sentiments – 62 per cent of respondents declared that they abhor homosexuality.[98] The silence on sexual minorities of People's Republic of Poland was broken with the arrival of 1989, when gay and lesbian NGOs started to mushroom as "a natural consequence of the enthusiasm triggered off by regained freedom and hope for a fully democratic state" (Biedroń 2010: 83). LGBT-dedicated press was released, academic and popular literature on the topic came out, and publishing houses marketed translations of LGBT classics. This helped to publicise the community's issues and claims and introduced a subject of LGBT rights to the public discourse. The perceptible change is corroborated with numbers: while during the whole communist regime there were only 50 articles on homosexuality published in the public press, the 1990s saw an exponential increase with more than 1000 articles published over the decade.[99]

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people. An estimated number of 11,000 homosexuals were included in the database, interrogated and many times made to describe their intimate lives. The files are still stored in the Institute of National Remembrance.

[97] Warsaw Homosexual Movement was created in 1987; in 1988 Communist authorities refused to register it as an association. It was eventually registered as Lambda in 1989.

[98] 'Opinie o homoseksualizmie. Tolerancja czy potępienie?', Wyniki badań CBOS, Biuletyn', 1988, nr BDF/317/22/88, quoted in: Czarnecki, G. (ed) 2009. *Raport o homofobicznej mowie nienawiści w Polsce*, Warszawa: Kampania Przeciw Homofobii, p. 9.

[99] Quoted after: Kurpios, P. 'Poszukiwani, poszukiwane. Geje i lesbijki a rzeczywistość PRL'. Available at: http://www.dk.uni.wroc.pl/texty/prl_02.pdf. Last accessed 7 December 2011.

The year 2001 saw the establishment of *Kampania Przeciw Homofobii* (Campaign Against Homophobia, or KPH) which marked the beginning of the political movement for the rights of gays and lesbians. KPH is considered critical for the process of consolidating LGBT community in Poland and, as the author of the first and ground-breaking social campaign 'Let Them See Us' of 2003, is seen as an important change agent for the LGBT community. The goal of the campaign was to show that there are gays and lesbians in Poland. Through a series of billboards, the public was confronted with pictures of same-sex couples holding hands: sexual orientation entered the public domain. The campaign shook the long-established silence and invisibility of sexual minorities. Until then

> […] homosexuals functioned in collective consciousness a bit like extra-terrestrials: they exist somewhere, someone claims to have seen them, or even talked to them, supposedly they have green antennae. […] Poles were confronted with the fact that some of them actually were homosexual.
>
> (Warkocki 2004: 101)

The process of integration with European institutions and Poland's accession to the European Union in 2004 is considered an important landmark in the struggle for equal rights for LGBT people. The requirement for Polish legislation to comply with EU norms on equality and institutional leverage against discriminatory practices of the state gave the LGBT NGOs courage to intensify their claims for equality and full participation in public life. For the LGBT community the EU membership raised hopes for an institutional improvement of their situation as well as for change of the society's attitudes towards them. However, while in many aspects of democratic transition and consolidation Poland's records are exemplary, it maintains a lacklustre stance toward sexual minority rights, which "calls into question the consensus view of the country as one of the leaders of post-communist democratization" (O'Dwyer 2010: 24). Further, cultural and attitudinal patterns in society remain a barrier to full civic membership of sexual minorities in Poland. Contrary to hopes for linear improvement, in the period following the accession to the European Union, there have been reported numerous instances of state-sanctioned homophobia and intolerance toward LGBT community.

The years 2005–2007 proved very challenging for the LGBT community because of the prejudice shown by the conservative government. After the Parliamentary elections in 2005, Polish politics were dominated by the right-wing party, Law and Justice, committed to the protection and promotion of 'family values', patriotism-nationalism and religious affiliation with the Catholic Church. The presidential elections in 2005, as Graff (2006) notes, used as one of its key tests the candidate's attitude towards sexual minorities; a litmus test for views on modern democracy, Poland's westernisation, freedom of speech and 'traditional values'. The presence of non-heteronormative people in public life became a political topic: "There was escalation of hostile, even full of hatred language against homosexual persons and other sexual minorities. […] Certainly we can speak of an outburst of hate speech" (Krzemiński 2009: 7–8).

The worsening political and social climate between 2005 and 2007 had an impact on the situation of the LGBT people in Poland and the activity of NGOs engaged in the struggle for equality and anti-discrimination. The Law and Justice government closed the Office of Equal Rights for Men and Women, the funding for equality and non-discrimination projects was largely cut and the campaign against 'homosexual propaganda', led by Law and Justice party and its coalition partner, the League of Polish Families, unfolded. Growing homophobic sentiments and discriminatory practices of the government pushed LGBT NGOs to intensify their creative efforts in politicising the issue of gay rights and pursue a number of political initiatives with the new government, the Civic Platform which, in 2007, succeeded the Law and Justice party. The Civic Platform government, still in power, retreated from homophobia but it remains conservative on social issues.

The environment for activism has, however, improved. After the difficult experience of 2005–2007, some LGBT NGOs mobilise resources to influence policy processes to assure that there are permanent provisions protecting their rights and safety. The political engagement of the Campaign Against Homophobia and Polish Society for Anti-Discrimination Law stands out among the LGBT activism in Poland but the movement remains fragmented and is composed of small organisations with limited capacity and resources to develop political agendas. As O'Dwyer (2010) notes, the LGBT activists describe the movement they are part of as a network of

likeminded people with limited financial resources who operate in adverse conditions. This observation is supported by our research: the NGOs pointed out the absence of unified stand among the LGBT organisations and internal divisions that stifle the advancement of sexual minorities in Poland.

Development of pride

Increasing visibility has been the major focus of LGBT activism in Poland. A primary goal of public events such as parades, marches and demonstrations was, from the beginning, showcasing the LGBT community and their concerns to the public. Exposure and visibility foster identity that is necessary for the attainment of full civic membership and triggers a discussion about broadening the category of citizenship that sustains "certain assumptions about sexuality, in particular, hegemonic heterosexuality" (Richardson 2000: 257).

Pride parades and marches of lesbian and gay people constitute an important part of the social movement for the liberation of sexual minorities. Pride events are largely depoliticised in many countries in Western Europe where they offer a cause for celebration rather than demonstration. The first EuroPride parade was held in 1992 in London, following the foundation of the European Pride Organizers Association (EPOA) in 1991. The first pan-European event gathered an estimated number of 100,000 people[100] The parades were then hosted by other major European cities (Berlin, Amsterdam, Copenhagen, Paris, Stockholm, Vienna, Köln, Manchester, Hamburg, Oslo, Madrid and Zurich) and attracted numerous crowds, some as big 1.2 million people (parade in Madrid in 2007). These public events have spread across the continent: in 2010 Poland hosted EuroPride. It was an important step forward for Polish LGBT movement and the first EuroPride in a former communist country.

The beginnings of public demonstrations for LGBT rights in Poland were much more modest. In 1993 Lambda, the first Polish LGBT NGO, organised the first manifestation in Warsaw for the protection of homosexual persons. On Valentine's Day in 1993 a handful of gays and lesbians gathered to demand a right to be recognised and

[100] Based on the information retrieved from EPOA's website: http://www.europride.info.

protected from discrimination. The first Equality March took place in 2001, also in Warsaw. It brought more than 300 attendees and was "the first such a mass protest against discrimination of homosexual persons in the history of Polish gay-lesbian movement" (Biedroń 2010: 93). The event did not receive much media coverage but it opened a door to new wave of public activism. Graff argues that the first pride "allowed Warsaw's lesbians and gays to assess their forces […] Nonetheless, due to poor media coverage, it was hardly an important political event" (2006: 437). Following these first steps, the community grew in size and outreach. NGOs in other major Polish cities followed the path and organised public events: March for Tolerance (Kraków) and March of Equality (Poznań). The choice of the names was not coincidental. In order to avoid the association with the festivities of, for example, Love Parade in Berlin, the organisers resolved to the terms 'march' and 'equality' to emphasise that, while love matters, rights were the primary issue for Polish sexual minorities: "It was more cautious to appeal to 'equality', a conscious turn to the discourse of human rights and civil liberties" (Graff 2006: 438). In 2002, about 1,000 participated in the march on the streets of Warsaw and in 2003, the number grew to more than 4,000.[101]

The development of pride events was not an easy progress. The 2004 March for Tolerance in Kraków took place under extremely unfavourable conditions of hostility and violence. It was part of the four-day festival of gay and lesbian art and culture 'Culture for Tolerance'. The march was attended by an estimated 1,500 people who were attacked by an illegal counter-demonstration comprised of local politicians from the League of Polish Families, members of their youth branch, the AllPolish Youth, skinheads and football hooligans. The police had to the fence off the marchers to assure their safety and to protect them from violent attacks.[102] Despite security precautions, many participants of the Tolerance March were physically assaulted with bricks and stones. In the aftermath of Krakow's incident, the then Mayor of Warsaw, Lech Kaczyński, later a President of Poland,

[101] Based on the information retrieved from Warsaw EuroPride's official site: http://www.europride2010.eu.

[102] The youth branch of the League of Polish Families, the party on the extreme Right, known for their conservative stance on 'family values' and 'patriotic sentiments' and open hostility towards homosexual people.

banned Warsaw pride event. However, safety was not his concern but the need "to protect the morality and religious feelings of the inhabitants of the Polish capital."[103] The Warsaw march was banned again in 2005 with an argument that such an event would promote gay orientation (whatever it may mean). In an act of civil disobedience, about 3,000 people took to the streets of Warsaw in defiance of the ban. The protesters received support from celebrities and left-wing Polish and European politicians who attended the event, among them the then Deputy Prime Minister Izabela Jaruga-Nowacka and European Parliamentarians from the German Green Party. The participants, again, had to be cordoned off by the police against the right-wing extremists who chanted obscenities and hurled stones and eggs at them. Following the 2005 ban of Warsaw parade, Tomasz Bączkowski, one of the organisers of the march and a member of the Equality Foundation, brought a court case against the Republic of Poland to the European Court of Human Rights in Strasburg claiming that the freedom of right to assembly had been breached. On 3 May 2007 the court ruled against the Polish state citing violation of three articles of the European Convention of Human Rights.

After the violent March for Tolerance in Krakow in 2004 and the ban of pride march in Warsaw, LGBT activists in Poznań decided to organise a March of Equality, which took place on 20 November 2004. Faced with a hostile counter-demonstration, the march was diverted by the police to its starting point and the attendants were informed that police cannot guarantee their safety should the march be continued (Kowalczyk 2005: 41). The Mayor of Poznań did not permit the march again in 2005, arguing that it would pose a "significant danger to public morality and property" (Graff 2006: 438). The march was held despite the ban and was subject to a brutal intervention by the police to break it up. There was an enormous public outcry following the violence in Poznań with former dissidents and public figures speaking about threats to the fundamental human and civil rights in Poland. Graff argued that the Poznan event was no longer "so much about sexual minorities as about blatant violations of basic democratic principles" (2006: 441). Acting according with the

[103] Quoted in: Warsaw EuroPride's official site: http://www.europride2010.eu. Last accessed 11 September 2011.

procedures of democracy, the organisers of the Poznan march decided to challenge the ban in court which, in December 2005, declared the ban to be in violation of right to assembly and an impediment to free speech, rights guaranteed by Polish Constitution.

The denial of basic human rights by the Polish state and its role in enabling violence against sexual minorities was noticed by the European Union. Following the events in Poland, the European Parliament passed two Resolutions against homophobia and racism in Europe in January and June 2006. The resolutions specifically addressed Poland as a country where homophobia is a serious threat to equality and human rights. The resolutions were received with strong opposition by the conservative Polish political elite but the LGBT movement welcomed them as a sign of support and assurance that if Poland fails to protect its citizens, the EU will. The EU resolutions and the court rulings were significant steps and an important lesson in the overall process of democratisation of Poland: the state has to protect the right to assembly and freedom of expression. Since the court rulings and the EU resolutions, pride parades and equality marches have been organised annually in Warsaw, Krakow, Poznan and Wroclaw without any major disruptions or incidents.

The 2010 EuroPride in Warsaw

In 2007, Warsaw LGBT activists decided to apply to EuroPride Organizers Association to host EuroPride in Poland. After a successful bid, the organiser *Fundacja Równości* [Equality Foundation] took almost three years to prepare a week-long gay pride festival and the parade. The calendar of events was impressive: the EuroPride festival (9–18 July 2010) was comprised of conferences, discussions (Pride House events), exhibitions, cultural events (EuroFilm festival, exhibitions and theatre plays) and clubbing entertainment. The Warsaw EuroPride parade was the largest public event of the festival. Equality Foundation dedicated the effort to "liberty, equality, tolerance, thus showing all nations that still struggle with homophobia that nothing is impossible."[104]

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[104] Based on the information retrieved from Warsaw EuroPride's official site: http://www.europride2010.eu. Last accessed 11 September 2011.

The day of EuroPride parade was one to celebrate and take pride in LGBT identity with rainbow flags, hand-holding by same-sex couples, the beat of Lady Gaga's songs and drag queens blowing kisses at the crowds from the floats. The 8,000 people who attended the parade could experience, in Poland, the scenes familiar from pride events all over the world. For the most part, the parade went smoothly, but there were instances of verbal abuse and physical violence from groups ill at ease with open displays of homosexuality. Groups of radical nationalists organised counter-manifestations along the route, although 2,000 men and women of the police designated to protect the EuroPride marchers, this time, rose to the occasion.

The parade attracted broad attention outside Poland: several EU diplomats attended, the representatives of major international human rights organisations and LGBT community joined the crowd in Warsaw for the landmark rally – flags and posters of organisations such as ILGA Europe, IGLYO were waving alongside rainbow and EU flags. The domestic response was more sobering. The European-scale event was largely ignored by Polish politicians and the Warsaw municipal authorities:

> We thought everyone was going to be happy that we would attract thousands of tourists from all over Europe; that it would be the advertisement for Warsaw as a candidate for the European Capital of Culture, but we were met with a wall of "there will be elections soon and we will not opt for anything". This is the first city among EuroPride organizers that did not support the parade.
>
> (FR)

> The city, its authorities and politicians did not rise to the occasion, EuroPride was not politically utilized. The city which is running for the title of the European Capital of Culture, does not understand what Europeanness, openness, diversity mean. This will project a view of Warsaw, of Poland, as a homophobic country.
>
> (KPHW2)

The political elite in Poland continues to evade taking a stand on LGBT issues for fear of losing political support among the presumed conservative Polish society. The only political party whose

representatives have regularly participated in pride events and openly support the rights of sexual minorities is the Democratic Left Alliance.[105] Other national political parties, that are not openly hostile to the LGBT cause, practice a tactic of 'see no evil, hear no evil, speak no evil' to avoid controversy in pursuit of electoral support.

With the Warsaw EuroPride, as well as other marches in Polish cities, the LGBT community made another significant step in challenging the domestically rooted negative attitudes toward sexual minorities. The exclusive Polish national identity was put into question: the hegemonic construction of true Polishness combined with religiosity, heteronormativity and zealous patriotism was challenged. The numerous presence of gays and lesbians at the prides proves that Poland is not a homogenous monolith – the society is much more diverse and homosexual citizens have to be included. They have demonstrated that through adherence to Polish national symbols in their banners and by carrying Polish flags.

The pan-European Pride in Warsaw was a test for the strength of democracy in Poland and the assessment of degree of tolerance and openness of the Polish society. It marked an important moment for LGBT community in Poland whose march toward recognition, acceptance and inclusion in the Polish society started only in the last twenty years. The assertion of the right to freedom of assembly and freedom of expression also showed the growing confidence and strength of the LGBT movement. Foreign participants of Warsaw EuroPride whom the team interviewed during the march concluded that Warsaw EuroPride was a very orderly parade that cannot be compared to the festive celebrations in Berlin, Amsterdam or New York. They perceived the heavy presence of police as a marker of the status of LGBT individuals in Poland - the protective cordon of police

[105] It needs to be noted, that the dedication to LGBT rights by the Democratic Left Alliance has worn thin in the run-up to the Parliamentary elections in the fall of 2011 – the party withdrew its promise to place Robert Biedroń, one of the most prominent gay activists in Poland and former president of the Campaign Against Homophobia, in one of the top positions on the voting list, thus reducing his chances to be elected to the minimum. A similar situation happened to Wanda Nowicka, a prominent activist for the reproductive rights for women, who dropped her candidacy due to a similar argument.

as a metaphor of the dividing line between hetero and homo- Polish citizens.

A homo citizen in hetero society

Poland in its recent history has little experience of diversity. Diversity is not considered a value. High on the list of Polish values are religiosity, patriotism/love for the nation and family but diversity, tolerance and inclusion are not considered priorities (CBOS 2011a). In such context, sexual minorities are perceived as a threat to the established, incumbent 'moral order.' Marta Abramowicz notes:

> As a result of many threats that afflicted Polish people in history (partitions, wars, communism), we became a closed society. A nation threatened in its identity unites and shuts off in order to survive. After the Second World War, Polish society was completely cut off from the outside world and new ideas and currents that flourished all over the world. The closing of the society contributed to maintaining hostile stereotypes and amplifying xenophobia.
>
> (Abramowicz 2010: 101)

A brief review of public opinion confirms the exclusion of otherness, represented by homosexuality, from Polish society.

A critical look at Polish public opinion surveys on societal attitudes on different sexual identities reveals a strong tension between heteronormative society and homosexual minority. The first available survey on attitudinal patterns toward gays dates back to 1988 and shows prevalence of strongly negative attitudes on homosexuality: 62 per cent per cent declared disgust, 51 per cent despise, 38 per cent remained indifferent, and 32 per cent expressed fear compared with a fraction of respondents who declared understanding (13 per cent) or interest (9 per cent) (CBOS 1988). Later research reports reveal a high rate of scorn regarding same-sex sexual acts (74 per cent) (OBOP 1995) and opposition toward legalisation of same sex relationships (82 per cent against same-sex marriage) (OBOP 2003). There is a correlation of more frequent positive general attitudes towards homosexuality among people who personally know a gay person; this does not, however, extend to the highly controversial issues such as same-sex marriage or child adoption by gay couples (Perdzyńska 2009: 18-19).

Although the majority of Poles are still ill-disposed toward non-heteronormative persons, there is a perceptible, yet slow, change of attitudes. In the public opinion poll carried out in 2010, 64 per cent of respondents considered homosexuality as wrong/unacceptable, a decrease of five points in comparison with earlier surveys (CBOS 2010b). Another survey conducted the same year revealed that a large majority (86 per cent) of Poles think of homosexuality as a deviant behaviour, although most of them believe it must be tolerated (63 per cent) against 23 per cent who claim it cannot be tolerated. The study showed, however, that since 2008 more people have postulated tolerance toward homosexuals (+11 points) and the number of intolerant attitudes has decreased (-8 points). One fourth of Polish people declare they have a homosexual friend or acquaintance (+9 points), an experience that influences their attitude towards people of different sexual orientation. Also, the number of people who are against public display of homosexual orientation and lifestyle dropped considerably from 78 per cent to 64 per cent (CBOS 2010a). There is significant opposition against same-sex marriage or child adoption by same-sex couples but the number of people supporting same-sex civil partnerships is slowly growing from 15 per cent in 2002 (CBOS 2002), 21 per cent in 2005 (CBOS 2005) to 25 per cent in favour in 2011 (CBOS 2011b). For comparison, civil partnerships between man and woman received support from 83 per cent of respondents (ibid.).

Social change is a complex and challenging process – there are no easy instruments which, in a foreseeable manner, could steer social attitudes and perceptions in the direction of acceptance and inclusion of sexual minorities. The commitment of the LGBT movement to changing Polish society is channelled through efforts to raise public awareness, public education and increased visibility. Social attitudes and perception change will be a long and difficult process. The advancement of rights for sexual minorities is more likely to precede any other changes because it is aligned with the common European framework.

There is a body of literature arguing that EU membership helped the new members to overcome the political legacy of the past – centrally planned economy, underdeveloped civil society and general disconnect between *demos* and *kratos* (Ekiert, Kubik and Vachudova 2007; Vachudova 2005) and contributed to Europeanisation of the

states through external incentives and social learning (Schimmelfenning and Sedelmeier 2005). O'Dwyer (2010) argues that the EU membership helped politicise the status of LGBT individuals by bringing to the national discussion the core EU norm – non-discrimination toward sexual minorities. The EU accession offered legal instruments for the protection of rights of sexual minorities: Poland had to implement EU equality directives[106] which establish a general framework for combating discrimination on grounds of, among others, sexual orientation or gender. In the process of their implementation, the most recent legislation on anti-discrimination is a bill passed by the Polish Parliament in 2010.[107] The bill does not explicitly ban discrimination on the basis of sexual orientation or sex (or, for example, disability) but it lays a foundation for rights-based interpretation of citizenship. In May 2011, the Democratic Left Alliance submitted to the Parliament a draft bill on civil partnerships, including ones for same-sex couples. The proposed bill covers a broad spectrum of issues – from the right to joint taxation to the inheritance following the death of the partner. The LGBT NGOs were engaged in the bill drafting process, thus exerting influence on its final shape. Another instance using legal tools available to domestic actors at EU level are referrals to the Court of Justice of the EU. Where the European legal framework and institutions are available, the likelihood of success for the challengers on domestic level increases.

The LGBT organisations operate at two interfaces to bring about

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[106] Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation; Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services; Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.

[107] Under pressure by the European Commission and a threat of financial penalties, Poland passed 'The Act on the Implementation of Certain Provisions of the European Union in the Field of Equal Treatment' (passed in late 2010, signed into law on 22 December 2010). The Act fulfils the obligations of the Polish government to implement four EU directives on non-discrimination: 2000/43, 2000/78, 2004/113, 2006/54. It provides protection from discrimination, with some limitations, in relation to gender, race, ethnic origin and nationality in all fields outside employment in which Poland had transposed equality directives before.

change in the status of sexual minority: between the state and sexual minority and between the society and sexual minority. In the first field they aim at advancing sexual minority rights through their pressure on the state. To this end, NGOs often make use of the available structures and institutions in Europe and engage in policy process. The membership in the EU provided sexual minorities with funding, instruments and legal framework to hold the state accountable for the policies and measures that are discriminatory toward LGBT people. The other interface is a field where the dialogue between hetero-norm and homo-citizens has only begun. LGBT NGOs through their actions contest social norms and challenge incumbent definition of Polish national identity. The equality marches and pride parades they organise trigger public debate that makes sexual minority visible. Increased public awareness contributes to overcoming the fear of different sexual identities among the society and forwards recognition. With changes in legal provisions safeguarding their basic human and civil rights, sexual minorities' situation in Poland is slowly improving. With increased presence of gays and lesbians in the public sphere, the society's pre-established norms and codes of behaviour are contested with an aim to ensure full civic membership for all, regardless of their sexual orientation.

Chapter 6

Conclusions

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Can one be a feminist and a Polish mother? Can one be gay and Polish? These seemingly absurd questions are real life challenges facing Polish women and sexual minorities who are excluded from full civic membership by their state and fellow society members. On the individual level women and men reconcile multiple identities and play multiple roles but their difference from the narrowly defined mean of traditional patriarchal society is not adequately protected by the Polish state and is a subject of ridicule (at best) or subject to violence (at worst). Those who diverge from an incumbent norm are outsiders in their own country. Some choose to leave; some retreat into the private sphere, complying superficially with the dominant norms; but some enter the public sphere and voice their demands for change.

Contesting and constructing identities

The outcome of social action is more effective when the contenders are organised. In modern democracies, such as Poland, challengers who face formal barriers cluster around the non-governmental sector, which is more open to new ideas than the party system and offers prospects for creative engagement with the state and the society. Using the multi-institutional politics approach to social movements (Armstrong and Bernstein 2008; Fligstein and McAdam 2011) this empirical study examines women's and LGBT NGOs that, by design, are involved in advancement of rights and development of opportunities necessary for achieving full civic membership that

encompasses respect and recognition of distinct and different identities. This project focuses on the two facets of NGO engagement: political, as advocates in the policy process, and social, as agents of societal change. Through analysis of strategies used by women's and LGBT NGOs, we found that the dialogues they engage to widen the traditional interpretation of Polish collective identity are often contentious. In the analysis, we took a middle-range approach that is broader than a case study of a particular project or advocacy campaign, but more specific than a general analysis of human rights advocacy in Poland. The study focuses on NGOs whose activities are geared toward safeguarding human rights of women and sexual minorities, but also toward contestation of the system of social classifications and norms in order to allow for an inclusive citizenship.

The shared agenda of rights-based women's and LGBT organisations, and more broadly, women's and sexual minorities' social movements, is to make Poland more inclusive by guarantees of equality and opening the state and society to diversity. Throughout the study, we found that for the challengers, the field of contestation is Poland, the nation state. It is the Polish context the challengers are out to change. The Polish state and its institutions, as well the incumbent traditional Polish (exclusive) identity, are the frames of reference. The environment in which women's and LGBT NGOs work to advance their objectives, that is to change norms and perceptions and to achieve full civic membership, is not a friendly one. Current and previous Polish governments are not interested in the progressive rights-based agenda. The EU funding available to member states allows them broad discretion over how it is used and what social policy a state will develop. Polish governments favour economic growth and equate job training with social development. The state is indifferent and occasionally hostile to actors and organisations that challenge its policies and highlight inadequacies; for example gaps in protections against discrimination or non-compliance with domestic and European laws. With few exceptions at the local level and few cases of cooperation at the state level (for example the III Congress of Women convened during the Polish Presidency of the European Council) women's and LGBT NGOs are not partners to the government. There is no trust between the government and the NGOs. The government perceives them as

liability; the NGOs feel excluded because their agenda is pushed to the margins.

The organisations in the study repeatedly pointed to their adversarial relations with the Polish state. Although they supply services not provided by the state and fill the gaps in civic education, the NGOs find themselves in the position of intruders struggling for public funding and recognition of their contributions to society. Faced with the limitations of the Polish state, women's and LGBT NGOs turn towards the EU and the European institutions to force changes on Polish government. We found their relationship with the EU to be pragmatic. They appreciate changes already made by the accession and EU membership – improved public administration, greater institutional accountability and transparency, but they do not, or no longer, expect the EU to be a universal remedy. The EU provides a general framework and tools to be used domestically. Europe and its resources – the know-how, experience, institutions and contacts – are used to support local reform efforts. The NGOs in this study, however, stressed that while the European tools are useful due to the EU membership context, the set of values the organisations put into practice extends beyond Europe – the values are universal human rights. Thus, the relation with Europe and the EU is not to make Poland European but to make Poland open and inclusive.

Europe matters because it affects the outcomes of social action. While women's and LGBT NGOs share convictions and pursue common goals, the outcomes of their activities are different and depend, partially, on the European framework. Throughout this volume we showed how women's and LGBT NGOs challenge the incumbent exclusive patriarchy and the Catholic tradition of Poland. From the evidence presented in chapter 2, we found that the NGOs use similar strategies to induce change – public campaigns, community empowerment, lobbying and service provision. The women's and LGBT organisations support each other's work, attend each other's events, and march in parades together; they unite against the existing norms. Although their cooperation is often hindered by absence of rights-based social policy and incentives for establishing networks and collaborative projects, several organisations spoke readily about their experiences of working together and doing joint projects outside of public funding schemes. It is, however, a set of formal obstacles

and the availability of EU competencies that has an impact on long-term effectiveness of women's and LGBT NGOs (as well as women's and sexual minorities' social movements).

The EU influences the opportunity set available to the challengers through formal measures and resources. The rights of sexual minorities are supported by the common EU anti-discrimination laws that member states are obliged to implement. Further, civic partnerships and other civil rights for sexual minorities are currently at the frontier of democratic debates in modern democracies. The European framework of rights enables Polish LGBT NGOs to pursue their goals – the recognition of civil rights of sexual minorities, which are at the same time domestic and universal. It also offers a friendly and hospitable environment from which the organisations can draw formal support and utilise the experience of like organisations. However, because the social issues that impede the rights of Polish women fall outside of common EU competencies, most significantly the restrictions of reproductive rights and limited social safety net provisions, women's NGO have a limited menu of European tools available to use domestically. From the human rights perspective of the NGOs, a major weakness of the EU is its lack of competency on social issues and especially the inability to challenge the Westphalian legacy of nation states ceding full or partial discretion on social policy to officially privileged religious bodies.

Our findings are consistent with Sudbery (2010) who finds that the presence of EU competencies increases the likelihood of successful action in domestic policy. When women's and sexual minorities' advancement can be remedied by legal measures and through political action, European support improves the challengers' standing against the Polish state. We found that the organisations are aware of a divergence of expected outcomes. The difference was best summed up by one of our respondents who expects that "civil partnerships will become legal sooner that the liberalisation of reproductive rights for women" (KPHW2).[108]

[108] A recent development on reproductive rights confirms the activist's assessment: on 31 August 2011, Polish Parliament narrowly (by 5 votes) defeated a bill fully and completely banning abortion, including in case of danger to mother's life. In a

'Using Europe' (Jacquot and Woll 2010) to change Polish norms and perceptions about rights and role of women and sexual minorities has limits as well. On the one hand, exposure to Europe and its perceived diversity and otherness induces some (mostly urban) Poles to welcome (or at least accept) more diversity at home. At the same time, the perception of Europe as source of secularisation, multiculturalism and ethnic diversity causes other Poles to retreat into the safety of patriarchal, traditional, Catholic society. We found that women's and LGBT NGOs counter incumbent norms by empowering communities and building constituencies for change with pride and symbols defined by the Polish, rather than the European, context: Women's organisations reclaim Polish history with achievement of Polish women, gays want to wear Polish national symbols in public.

Implications for RECON theory

The Identity Formation and European Enlargement working package of the RECON project investigates the relation between collective identities and the democratic legitimacy of the three RECON polity models. It seeks to identify for each model the common normative assumptions members of the demos adhere to and recognise. The normative theoretical elaborations of the RECON models assume that each model necessarily requires a distinct demos. The first and second models preserve Westphalian principles. The first model consists of member nation states bounded within a European audit democracy; a traditional nationalist demos, ethnic or civic, is sufficient for democratic legitimacy in each member state and for the full European polity. The second model, a multinational European state, is assumed to require a European demos. The third model breaks with the Westphalian legacy and establishes a non-state polity sustained by a demos constructed on the basis of universal human rights. Thus the third model is distinguished by a post-Westphalian demos. These three ideal types are logically consistent narratives. We question, in our introductory chapter, whether the one-to-one mapping between polity and demos is logically necessary and argue that there are other viable combinations of polity and demos. The

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separate vote at the same session, a bill liberalizing abortion gathered only 31 support votes (out of total 460).

table 6.1 below, reproduced from the first chapter, shows the eight possible pairings between demos constructions and RECON polity models.

Table 6.1: Matrix of collective identities and RECON polity models

	Model 1	Model 2	Model 3
Value-based, exclusive	X	X	
Value-based, inclusive			
Rights-based			X

A demos is never static: multiple normative conceptions of the demos are in constant contention within any polity. Rival justificatory narratives are continually retold and revised: this is the essence of politics and legitimacy in a democracy. Our study focuses on institutions and individuals advancing a universal human rights agenda and actively engaged in contesting an exclusive nationalist narrative within an EU member state, Poland. Thus we examine a demos–polity pairing excluded in the tripartite RECON framework. The contestation occurs near the border of RECON polity models 1 and 2: contemporary EU member states deviate from model 1 because they have surrendered too many competencies to the European Union; and they deviate from model 2 because too many competencies remain with member states.

Our empirical analysis finds that field of national identity in Poland is dominated by exclusive value-based (nationalist) incumbents. From the incumbent perspective, advocates of women's rights, gays and lesbians are deviants and non-Polish. Although the common justificatory framework evidenced in interviews with NGOs is rights-based and universal, the NGOs operate in Poland, a nation state. In contesting their exclusion from the incumbent definition of Polish identity NGOs work within the dominant national discourse and selectively challenge it. The proud display of national symbols in LGBT demonstrations, for example, publically asserts that one can be gay and Polish: by publicising an apparent contradiction (a gay Pole), it undermines the contraction. Polish gays exist: this public fact erases the contradiction and contributes to the de-legitimisation of the exclusion. Thus, NGOs' rights-based contestation of identity manifests itself as advocating an inclusive Polish identity.

These contending identity narratives of can be displayed as a column in a demos–polity matrix. Value-based, exclusive incumbents dominate the field of Polish identity; NGOs, working from a rights-based perspective, challenge the incumbents by appropriating elements of the traditional value-based, exclusive discourse, forcing it to become more inclusive. Thus all three cells in the column are activated in the Polish case. Support for the exclusive incumbent narrative is eroding; inclusive-national and rights-based narratives are largely allied in contesting incumbent authority.

Table 6.2: The field of contending identity narratives in Poland

	Poland
Value-based, exclusive	Incumbent
Value-based, inclusive	Locus of contention
Rights-based	NGOs

Our empirical findings that there is an active rights-based, post-Westphalian aspiration for Poland and that the alternative justificatory narratives are challenging traditional exclusive constructions of Polish identity indicate that RECON theory would be enriched by adopting a less restrictive, more inclusive perspective on the relationship between demos and polity. There are people who believe that cosmopolitanism is possible in one country (or one city); many of them, for example the individuals and organisations interviewed in our study, work full-time to challenge parochial social norms and exclusionary public policies to realise the goal of full civic membership for all citizens. There is no logical reason to exclude the possible emergence a rights-based demos in the first and second RECON polity models: it is certainly not unique to the third model. Similarly, an inclusive value-based narrative is a plausible basis for all three RECON models. Thus, drawing from the empirical experience and data, we conclude that the full demos-polity matrix should be incorporated into the normative theoretical structure.

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Annex I – List of organisations

	Organization	Website	Abbreviation
1.	Active Women Association *Stowarzyszenie Aktywne Kobiety*	www.aktywnekobiety.org.pl	SAK
2.	Autonomy Foundation *Fundacja Autonomia*	www.autonomia.org.pl	FA
3.	The Women's Rights Center Foundation *Fundacja Centrum Praw Kobiet*	www.cpk.org.pl	CPK
4.	Feminoteka	www.feminoteka.pl	FEM (2 interviews FEM1/FEM2)
5.	Karat Coalition *Koalicja KARAT*	www.karat.org	KK
6.	Konsola Association *Stowarzyszenie Konsola*	http://konsola.org.pl	SK
7.	League of Polish Women *Liga Kobiet Polskich*	www.ligakobietpolskich.free.ngo.pl	LPK
8.	The Network of East West-Women Poland *NEWW Stowarzyszenie Współpracy Kobiet*	www.neww.org.pl	NEWW
9.	Women's Space Foundation *Przestrzeń Kobiet*	www.przestrzenkobiet.pl	PK
10.	Sister Street *Ulica Siostrzana*	http://siostrzana.org	US
11.	Wasaw Volleyball Club Volup *Warszawski Klub Piłki Siatkowej Volup*	www.volup.pl	VOL

12.	Equality Foundation *Fundacja Równości*	www.rownosc.pl	FR
13.	Campaign Against Homophobia Lublin *Kampania Przeciw Homofobii Lublin*	www.kph.org.pl	KPHL
14.	Campaign Against Homophobia Warszawa *Kampania Przeciw Homofobii Warszawa*	www.kph.org.pl	KPH (3 interviews KPHW1/KPHW2/KPHW3)
15.	Lambda Association *Stowarzyszenie Lambda*	www.lambdawarszawa.org	LW (2 interviews LW1/LW2)
16.	Amnesty International	www.amnesty.org.pl	AI
17.	Society of Anti-discrimination Education *Towarzystwo Edukacji Antydyskryminacyjnej*	www.tea.org.pl	TEA
18.	Crisis Intervention Society *Towarzystwo Interwencji Kryzysowej*	http://crisisintervention.free.ngo.pl	TIK
19.	Christian Culture Foundation „Znak” *Fundacja Kultury Chrześcijańskiej ZNAK*	www.fundacja.znak.org.pl	FKCZ
20.	Civitas Association *Stowarzyszenie Civitas*	www.stowarzyszeniecivitas.org	SC
21.	Polish Society of Anti-Discrimination Law *Polskie Towarzystwo Prawa Antydyskryminacyjnego*	www.ptpa.org.pl	PTPA
22.	European Parliamentary Intergroup on LGBT Rights	www.lgbt-ep.eu	EPI
23.	The Congress of Women *Kongres Kobiet*	www.stowarzyszeniekongreskobiet.pl	–
24.	Homo Faber	www.hf.org.pl	HF
25.	Democratic Women Union *Demokratyczna Unia Kobiet*	www.dukwroclaw.pl	DUK

Annex II – Research questionnaire

1. **Activities, goals and mission of the organisation**

Please describe the activities of your organisation. What are your organisation's main goals/ mission? Who and when defined the goals and mission of your organisation? How were they chosen? What prompted your organisation to act in the chosen field?
Please describe values/norms/objectives that form the base of your organisation's activities. Who benefits from your activities?

What kind of projects do you implement? What are the main/most important projects you are implementing right now? What projects have previously been implemented?

2. **Transnational dimension**

Does your organisation cooperate with partners in project implementation? Who are your partners? Does your organisation cooperate with foreign partners? Who are they? What is the goal and scope of such cooperation? How do you form coalitions? What are their objectives? How do you evaluate their influence on your organisation's activities and mission/goals? What are the benefits and challenges of cooperation?

Do you, and in what capacity, cooperate with institutions of local and national government? What are the objectives and results of such cooperation?

Does your organisation cooperate with international organisations? If so, which organisations? Can you describe such cooperation? What are the objectives and results of such cooperation?

3. **Funding**

How do you finance your organisation's activities? What are your organisation's sources of funding? Are your activities funded from EU resources? If so, what programs? How do you fundraise? Does availability or shortage of financial resources influence activities/ mission/goals of your organisation?

4. **Activities and relations with society/community; frames of reference: local, national, European; identity**

How does your organisation define Polish and European identities?

Does your organisation contribute to the change of attitudes/opinions and codes of behaviour in Poland?

How do you envisage your organisation's impact on Polish society? Where do you see the biggest impact of your activities – local/ national/European levels? What problems does your organisation encounter in its activities? What challenges does your organisation face – social/legal/financial/human resources/other?

How do you view the impact of EU membership on non-governmental sector and civil society in Poland? How do you view the impact of EU membership on the operation of your organisation? Has anything changed?

5. Non-governmental sector and civil society

How would you define civil society? Who are the actors of civil society? How would you describe the role/mission of civil society/ NGOs in Polish society? Who benefits from the activities of non-governmental sector?

Do activities of your organisation foster change in Polish society? Does your organisation have resonance on a European level?

ARENA Reports

11/9 Beata Czajkowska (ed.): "Extending the Boundaries of Civic Membership: Polish NGOs as Change Agents" (RECON Report No 16)

11/8 Marianne Riddervold: "A Humanitarian Common Policy through Deliberation? On the Characteristics of EU Foreign Policy"

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11/1 Bernhard Aaboe Jensen: "En nasjonal, føderal eller regionaleuropeisk Union? En studie av Dansk Folkepartis og Venstres vurdering av EUs konstitusjonstraktat og Lisboa-traktat"

10/6: Pieter de Wilde: "How Politicisation Affects European Integration: Contesting the EU Budget in the Media Parliaments of the Netherlands, Denmark and Ireland"

10/5: Mathias Johannessen: "Single Sky – Single Interest? National Interest Organizations and Their Ability to Establish and Make Use of a Common EU-level Platform"

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The European Union faces multiple potential paths of democratic development. The RECON project suggests three viable democratic configurations: a confederation of nation states; a multi-national federation; and a post-national, cosmopolitan democracy. A polity requires a demos or collective identity to sustain its legitimacy. One question pursued in theory is what kind of collective identity or narrative is required for a federal European Union or a post-national polity? Does each *kratos* have a unique *demos*? Or can multiple demoi or collective identities coexist?

This report investigates empirically the contending narratives of collective identity in contemporary Poland, both a national state and a (relatively) new EU member state. It focuses on non-governmental organizations (NGOs) role in advancing the rights and civic membership of women and sexual minorities. Employing strategic action field theory, the report finds multiple contending narratives: a waning incumbent exclusive-nationalist conception of Poland; an inclusive-nationalist narrative; and, common among NGO activists, a Kantian rights-based conception of civic membership. Contrary to theories suggesting a static one-to-one mapping between *kratos* and *demos*, the evidence in this report suggests that continuous contestation among identity narratives is more characteristic of living democracies.

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