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Background information for workshop in Oslo "Limits of freedom in Poland" (14 December 2020)

Women's rights

After the end of World War I, Poland regained independence after 123 years. This is largely due to Józef Piłsudski. Two weeks ago, we celebrated 102 years anniversary of Polish women winning electoral rights. Poland was the fifth country in Europe to give women right to vote in 1918.

In 1932, Art. 233 of the Criminal Code legalized abortion due to medical indications and because of rape, incest or intercourse with a minor under the age of 15. Act of April 27, 1956, when medical indications regarding the health of the fetus or pregnant woman spoke for termination of pregnancy, when there was a justified suspicion that the pregnancy resulted from a crime, due to the difficult life conditions of a pregnant woman.

In 1993 Act on Family Planning, Protection of the Human Fetus and Conditions for Permitting Termination of Pregnancy. Pregnancy poses a threat to life or health of a woman pregnancy poses a direct threat to the woman's life - prenatal tests or other medical indications indicate a high probability of severe and irreversible impairment of the fetus or an incurable life-threatening disease pregnancy resulting from a prohibited act - the occurrence of this circumstance is to be confirmed by the prosecutor.

The judgment of 22 October 2020 of the Constitutional Court stated that the embryo pathological premise of termination of pregnancy is inconsistent with the Polish Constitution. Women in Poland cannot agree on this and go out protesting on the streets with this ruling.

Minority rights (LGBT)

Homosexuality was decriminalized in 1932 in Poland (in 1972 in Norway). Unfortunately, the World War II started with the Paragraph 175, due to which homosexuality was punished a concentration camp. In 1945, when Soviets came to Poland, the paragraph wasn't abolished. The aftermath of this provision in Poland in 1985 was the action "Hyacinth" of writing down and bullying homosexual men.

The first attempt to highlight rights of the LGBT people in Poland was made on April 2, 1997, in the Constitution of the Republic of Poland. Unfortunately, as the Church has a huge influence on politics in Poland, the Article 18 reads as "Marriage is a union of a woman and a man. Family, motherhood, and parenthood are under protection of the Republic of Poland. (Reference to the documentary "[Article 18](#)")

The Senator and professor Maria Szyszkowska was the first person in Poland to draft the act on registration of the same-sex relationships in December 10, 2003. Still, until this day, the only law that protects LGBT people is the one saying that "Everyone is equal before the law and for treatment by public authorities. Nobody should be discriminated on the political, social or economic background".

The Fourth Equality Parade was banned by the Mayor of Warsaw in 2004. In November 2018 the President of Poland proposes in an interview to forbid *homopropaganda*. This is the starting point for increased attacks on the LGBT people. *Liberal* mayor of Gdansk, Paweł Adamowicz, is murdered in January 2019; also due to the hate speech broadcasted by TVP1. The so-called LGBT-free zones are proclaimed in March 2019 by local authorities, in 100 cities. *Equality March* in Białystok in August 2019; we are struggling.



Practical part: "3 Doors". Analysis of cases in groups

Cases used are real, which happened in Poland for the last 2 years. Task: Read the situation and answer 3 questions in the group:

1. What would you do in this situation?
2. What could be an option for solving the situation?
3. What did you feel when you had to step into the role?

Case 1

Your name is Teresa Kowalska. You are mom of a teen who has thoughts of suicide after discovering that she is a transgender person. The 13-year-old feels discriminated by his peers, teachers, media, politicians, church, and cannot cope with stress anymore. Psychiatrist says these are teenage fantasies that will pass and uses consequently male name when the 13-year-old asks for use of the female name. Mom calls the psychiatric hospital for adolescents for help, but there is no place available at the hospital. The teenager has tried another unsuccessful suicide attempt. You feel helpless as a mother.

Case 2

You are Robert, 28 years old polish patriot, living with your parents. You are heterosexual, white, male and without a girlfriend. You go to church every week and the priest talks about LGBT people as if they are not human beings, but an ideology. Your parents watch TVP1 – and see protests against LGBT or women protesting against tightening the law on abortion. You go to soccer matches where your buddy screams "how do you play fagg?". You have ultra-Catholic and right-wing values. One evening on your way home you see two boys kissing at the Pier in Gdansk. You shout at them and attack them together with your friends. You beat the boys and one of them loses his front teeth, but does not go to police. You feel you have done nothing wrong, because local right-wing politicians say people like you are the heroes.

Case 3

Your name is Anna Maria. Two months have passed since your baby was born and died. The child had birth defects, but it is impossible to have an abortion in Poland. The child was born without a skull bone, a hole in the place of the nose, no eyes. A drastic view. You are Catholic and you are against killing healthy fetuses. You were forced to give birth even though you knew your baby would die after giving birth. You cannot afford the next whole IVF procedure. And you are not just talking about money, but about the psyche. The child died for 10 days ago. You are traumatized and do not have strength to go back to work.

For discussion and summarizing after group work:

- What did you feel when you had to be a "bad guy"/ discriminator?
- What did you feel when you had to place yourself in the situation of being discriminated?