

**Cultural war or “business as usual”?**

**Recent instances, and the historical origins, of a “backlash” against women’s and sexual rights in Poland**

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**ABSTRACT:**

This paper focuses on the current wave of “backlash” against women’s and sexual rights. It explores recent attempts to implement the conscience clause in the Polish healthcare and education systems. The “Chazan case” (Chazan was the director of a public specialist hospital in Warsaw who refused to provide a legal abortion in Spring 2014 because of a "conflict of conscience") and the proposal to provide teachers who oppose gender equality and sexual education with the right to use the conscience clause are sometimes interpreted as instances of a religious or cultural war that has taken over the Polish public sphere. While these cases mark a dominant, or in the opinion of some experts, expanding role of the Catholic Church in the public sphere, they are certainly not the first signs of backlash against women’s and sexual rights in Poland. The second part of the analysis links the current ultraconservative, anti-women phenomena to its origins and the previous waves of backlash in Poland: a period of “thaw” between 1953 and 1956, and the transformation from state socialism after 1989. I will argue that in these processes’ local legacies, combined with transnational forces, have led to the consolidation of the profound impact of the Catholic Church on Polish political and public life and shaped the internal public debate on gender and sexuality.

**Introduction**

In her 2003 article “Lost between the Waves? The Paradoxes of Feminist Chronology and Activism in Contemporary Poland”, Agnieszka Graff offered one of the first interpretations of the Polish backlash against women’s and sexual rights. She argued that “if we were to apply American chronology to this particular moment, we would probably have to call it a third wave form with a second wave content in a backlash context” (Graff 2003, 102)<sup>2</sup>. But she also observed that such a paradoxical moment for Polish feminism is “precisely what calls for a new analytical framework, one tuned into local specificity and political context, as well as the dynamics of cultural borrowing” (Graff 2003, 103). It has been a longstanding tradition to assess the social processes that take place in Eastern Europe and post-socialist states from the perspective of Western historical narratives. Social transformations and the developments of civic movements that take place in the region are often seen as reflections of global and transnational process and trends. Yet what is often missing or understated in such assessments is the local context, one that shapes the modes and the intensity of

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<sup>2</sup> Agnieszka Graff “Lost between the Waves? The Paradoxes of Feminist Chronology and Activism in Contemporary Poland” , in the *Journal of International Women’s Studies* Vol 4 #2 April 2003

both conservative and feminist rhetoric and practices. This article focuses on the ways in which the current backlash against women's and sexual rights that is taking place in Poland can be traced to two historical moments: the post 1953 "thaw" and the 1989 systemic transformation. The most recent instances of Polish backlash, the "Chazan case" (Chazan was the director of a public specialist hospital in Warsaw who refused to provide a legal abortion in Spring 2014 because of a "conflict of conscience") and the proposal of the "conscience clause" for teachers, are sometimes interpreted as instances of a religious or cultural war that has taken over the Polish public sphere. While these cases mark a dominant, or in the opinion of some experts, expanding role of the Catholic Church in the public sphere, they are certainly not the first signs of a backlash against women's and sexual rights in Poland. Nor they are these processes particular to the Polish political scene. While they certainly have to be considered as a part of the transnational process of backlash against women and sexual rights, they can also be traced back to the historical moments that secured the unique position of the Catholic Church in Poland - one that allows this institution's representatives to express their opinions and views from a position of power and to claim their indispensability to Polish culture, society and politics.

### **The "Chazan case"**

In July 2014, 36 year-old Agnieszka X reported Professor Bogdan Chazan to the media – he was a director of Warsaw's Holy Mother Hospital who had refused to legally terminate her 22-week pregnancy. The woman claimed that while she was informed that her foetus was severely damaged - it did not have a skull and lacked most of its brain - she was denied a legal abortion procedure. Professor Chazan refused to perform the legal abortion, referring to the "conscience clause" that allowed him to refuse to perform services that were not in accordance with his beliefs.

While the doctor had a legal right to refuse to provide a legal abortion, in the Chazan case this decision was communicated to the patient too late; as a consequence she was not able to undergo an abortion in another hospital. Moreover, the doctor did not provide information about the possibility of accessing the service elsewhere – something he was obliged to do by the 1996 Polish Law concerning the Medical profession. In addition, the doctor aimed to convince the woman that she should give birth; he claimed that the damage to the foetus was not fatal and argued that the child could live for a long time and undergo several medical procedures. He also suggested that the baby would suffer less being born "naturally" than during an abortion procedure. And finally, he suggested that the child could be adopted and provided the patient and her husband with information about child hospices<sup>3</sup>.

Following the woman's claims, the National Health Fund initiated an inspection of the hospital led by Professor Chazan and punished his unit with a 70 000 zloty fine (about 15 thousand Euros). In addition the doctor faced a prison sentence of between 3 months to 5 years for the crime, described in the penal Code (article 160 paragraph 2), pertaining to a person who, having an obligation to care for a person in danger, exposes her/him to the direct threat of losing life or health. Finally, a couple of weeks later, the President of Warsaw, a longtime sympathiser and supporter of Professor Chazan, dismissed him from his position as director of the hospital<sup>4</sup>. After the announcement of the inspection's results, Professor Chazan claimed that his right to a defense had been violated. He also argued that his actions could be seen as civil disobedience.

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<sup>3</sup> [http://wyborcza.pl/1,75968,16299596,Chazan\\_zwolniony\\_probleem\\_zostaje.html#ixzz3AZYrxORQ](http://wyborcza.pl/1,75968,16299596,Chazan_zwolniony_probleem_zostaje.html#ixzz3AZYrxORQ)

<sup>4</sup> [http://wyborcza.pl/1,75968,16299596,Chazan\\_zwolniony\\_probleem\\_zostaje.html#ixzz3AZYQb3Zx](http://wyborcza.pl/1,75968,16299596,Chazan_zwolniony_probleem_zostaje.html#ixzz3AZYQb3Zx)

As an immediate response to the Chazan case, some feminists groups, including the Feminoteka Foundation, *Codziennik feministyczny* [Feminist Daily], and the 8<sup>th</sup> March Women's Association, organised a protest in front of the Polish Parliament in Warsaw. The demonstration was called "Medical care, not Vatican care". The activists' argument was that the Minister of Health, Bartosz Arłukowicz, permits a situation in which women have only limited access to health services. Since women cannot exercise their rights in Poland they have, like Alicja Tysi c, to turn to international institutions such as the Tribunal of Justice in Strasbourg. On Facebook 4700 people declared their participation in this event<sup>5</sup>.

### **The "Conscience Clause" and the "Declaration of Faith" in healthcare and education: the Polish context**

During the summer 2014 debate concerning the Chazan case, it was no surprise to find out that the professor was one of over 3 thousand doctors to have signed the "Declaration of Faith" which recognises the "priority of the God's law over human law" and calls for the need to act against the "anti-humanitarian ideologies of contemporary civilization". He is also one of the doctors who in their work repeatedly invoked the law on conscientious objection.

In Poland the conscience clause is a form of conscientious objection and was introduced into the Polish legal system in 1996 by The Law on the Medical Profession. The law granted doctors and dentists a limited right to refuse to provide certain services based on their conscience, beliefs and values<sup>6</sup>. Since 1996 the conscience clause can be used by a doctor who does not want to take actions that are opposed to his/her beliefs. These actions include: performing abortion for medical reasons, in-vitro insemination, and providing a prescription for contraceptives. There are several amendments in the clause that set forward conditions that must be fulfilled for a doctor to invoke it. Firstly, the clause cannot be invoked in the case of emergency, when a patient's life or health is in serious danger. In these instances a doctor, regardless of his or her belief, has to provide a patient with assistance. Secondly, a doctor who refuses to provide certain services has to provide information about the "real possibilities" of accessing these services - they have to direct a patient to another doctor or medical unit. And finally, a doctor has to provide an explanation for his/her decision and the case has to be documented. If a doctor is employed on a permanent contract, they have to inform their superiors of their actions.

Detailed regulations of the conscience clause are to be found in the Code of Medical Ethics<sup>7</sup>. The Code points to the need for the doctor to be able to balance his/her beliefs with modern medical knowledge. While the Medical Law refers to the "refusal of services", the Code allows a doctor to cease "treating a patient", and there are some uncertainties as to the level of a doctor's autonomy in the case of the conscience clause. For instance, a doctor cannot refuse to prescribe contraceptives based on the Code, but he/she can do so based on the Medical Law. Some lawyers also point to the fact that the idea of a conscience clause is in contradiction to the other laws and also to the Polish Constitution.

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<sup>5</sup>[http://wyborcza.pl/1,75478,16150046,Opieka\\_medyczna\\_a\\_nie\\_watykanska\\_Manifestacja.html#ixzz3AY37PQad](http://wyborcza.pl/1,75478,16150046,Opieka_medyczna_a_nie_watykanska_Manifestacja.html#ixzz3AY37PQad)

<sup>6</sup> Ustawa z dnia 5 grudnia 1996 r. o zawodach lekarza i lekarza dentystry (Dz.U. z 2011 nr 277 poz. 1634).

<sup>7</sup> Kodeks Etyki Lekarskiej – uchwała Nadzwyczajnego II Krajowego Zjazdu Lekarzy z 14 grudnia 1991 z późniejszymi zmianami.

The clause also applies to nurses and midwives. Nurses can invoke the conscience clause and midwives can refuse to follow a doctor's orders and refuse to provide a medical service based on their beliefs<sup>8</sup>. In such cases they have to immediately inform their superiors about their refusal, and give reasons for it. In addition, some pharmacists have recently demanded the introduction of the conscience clause - this would allow them to refuse to sell prescribed contraceptives. Proponents of the clause have pointed to the resolution of the Council of Europe, which was adopted on October 7, 2010 ("The right to conscientious objection in lawful medical care"). They have argued that the lack of access to conscientious objection is in contradiction to paragraph 3 of the Pharmacists' Ethical Code, according to which the role of a pharmacist is to contribute to the protection of life and health and the prevention of illness, and also to paragraph 4, according to which a pharmacist's conduct should be governed by their conscience.

According to data from the Ministry of Health, in 2013 in over 300 Polish hospitals there were only two cases of a doctor invoking the conscience clause. This minimal number does not however represent the number of times that doctors actually refuse to provide an abortion. Professor Jarosław Kalina, a gynecologist and the head of the gynecology unit in the Regional Hospital I in Łódź, argues: "In conversations with patients doctors do not cite the conscience clause. Rather, they suggest that it is too late for an abortion, or just say, 'We are not going to perform an abortion'. Full stop"<sup>9</sup>.

While conscientious objection is written into Polish law, the new mechanism of refusing to provide certain services was introduced in 2014 and had a purely cultural and political character. In the spring of 2014, during the 90th Polish Doctors Pilgrimage to Częstochowa, three thousand doctors came together in Jasna Góra, Częstochowa, united around the idea that the Catholic faith is more important than the desires of patients, particularly those patients who do not share Catholic values. During the event the Declaration of Faith was disseminated – it was a document initiated by Wanda Półtawska, a medical doctor, known best for her long-term friendship with Karol Wojtyła (Pope John Paul II).

The declaration is based on the commitment to follow the idea that "the human body and human life, which are a gift from God, are sacred and untouchable from conception to natural death". In practice, signing the declaration means that a doctor commits to put their faith ahead of a patient's well-being in cases where legal provisions are in contradiction to Catholic dogma - these include abortion, contraception and other "morally controversial" services. The head of the National Board of Doctors, Maciej Hamnakiewicz, has argued that the medical authorities will not take an official stand on the declaration of faith and they will not issue a statement on whether or not the declaration goes against the Code of Medical Ethics.

In the meantime, the idea of the declaration of faith spread to another professional group: teachers. In 2014 the project "Declaration of Faith and Conscience of Polish teachers" was created by the blogger Janusz Górzeński, who describes himself as a "Catholic-Nationalist Polish Monarchist". The Declaration, geared towards "Catholic teachers" and pedagogy students reads:

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<sup>8</sup> Ustawa z dnia 15 lipca 2011 r. o zawodach pielęgniarki i położnej (Dz.U.2011.174.1039).

<sup>9</sup> [http://wiadomosci.gazeta.pl/wiadomosci/1,114871,16303631,Klauzula\\_sumienia\\_w\\_bardzo\\_watplivej\\_praktyce\\_Pacjentka.html](http://wiadomosci.gazeta.pl/wiadomosci/1,114871,16303631,Klauzula_sumienia_w_bardzo_watplivej_praktyce_Pacjentka.html).

I, a teacher of the Polish Republic, pledge to fulfill my duty as a teacher and educator. I will commit myself to the full development and improvement of myself and my students in the spirit of patriotism and the Gospel, taking into account the Common Good and the Salvation of myself and my pupils. I commit to educate and teach the young generation of Poles in the spirit of Truth and above all the love of the Truth of God - because Jesus our Lord said of himself that he is the Truth greater than *Ego sum Veritas*<sup>10</sup>

The third point of the declaration states that a teacher should recognise the priority of God's law over human law, and that "atheist civilization" can lead to the "restoration of totalitarian genocide". Such statements link the idea of the declaration to previous year's discussion on "gender ideology" in which Gender equality programs introduced into Polish preschools, primary schools and secondary schools according to a recommendation from the EU, were called "ideological" and compared to the authoritarian and totalitarian practices of communist regimes.

The idea of the declaration of faith for teachers was supported by Polish MP Marzena Wróbel, who herself is a Polish language teacher. She argued that the declaration is not in conflict with "natural sciences" but that "it is impossible to bring up a child in isolation from any value system - a person has to believe in something, direct themselves through some ideals".

The Minister of Education, Joanna Kluzik-Rostkowska, on the other hand, has strongly opposed the idea and claimed that it could lead to "cultural wars" in Poland. She stated that she is committed to fighting for secular education in Polish schools. Similarly the government press representative Małgorzata Kidawa-Błońska has stated that the declaration is against the law. She emphasised that public schools should remain neutral and a teacher who is employed in such an institution should also commit to this neutrality, otherwise s/he will be breaking the law. "I hope" she added "that this document will remain a "project" and will not become the beginning of a "religious war" in Polish schools"<sup>11</sup>.

And finally, Magdalena Kuzmilas, a press representative of the Polish Teachers' Association, argued that that teachers are obliged to carry out an educational program to which evolution is a key component. She suggested that documents such as the declaration of faith can amount to an illegal attempt to replace with creationism the existing "teaching core", which is based on Darwinism. She emphasised that public schools will remain atheist. "If someone feels the need to turn to their faith, they can do so in a private Catholic school, even though even in these schools a certain "educational canon" remains intact".<sup>12</sup>

### **The broader context: cultural war or business as usual?**

The "Chazan case" and the idea of introducing a Declaration of Faith into the Polish educational system are often interpreted as symptoms of an impending cultural or religious war in Poland. As many feminist intellectuals and activists have already pointed out, they are not however isolated

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<sup>10</sup>[http://wyborcza.pl/1,75478,16395954,Kluzik\\_Rostkowska\\_Klauzula\\_sumienia\\_dla\\_nauczycieli.html#ixzz3AAJAf7mD](http://wyborcza.pl/1,75478,16395954,Kluzik_Rostkowska_Klauzula_sumienia_dla_nauczycieli.html#ixzz3AAJAf7mD)

<sup>11</sup>[http://wyborcza.pl/1,75478,16397460,Deklaracja\\_wiary\\_i\\_sumienia\\_nauczycieli\\_Ucze\\_myslac.html#ixzz3A4nzsdpU](http://wyborcza.pl/1,75478,16397460,Deklaracja_wiary_i_sumienia_nauczycieli_Ucze_myslac.html#ixzz3A4nzsdpU)

<sup>12</sup>[http://wyborcza.pl/1,75478,16397460,Deklaracja\\_wiary\\_i\\_sumienia\\_nauczycieli\\_Ucze\\_myslac.html#ixzz3A4nzsdpU](http://wyborcza.pl/1,75478,16397460,Deklaracja_wiary_i_sumienia_nauczycieli_Ucze_myslac.html#ixzz3A4nzsdpU)

instances of radical right-wing politics in an otherwise liberal and secular Polish state (as it is suggested to be by Polish government representatives). Rather, they should be seen as instances of a new strategy of right-wing politicians, one that is employed to achieve historically longstanding goals. As such, they are a continuation rather than the beginning of “ideological wars” in Poland. While they instantiate the widespread new wave of backlash against gender and sexual rights, which can be observed around the world, they can also be traced to the process that took place in Poland in the past, namely: the thaw period after Stalin’s death, and then the transformation of 1989.

In her reaction to the Declaration of Faith, Wanda Nowicka, Vice Speaker of the Polish Sejm and former director of the Federation on Women and Family Planning, posed a dramatic question: “Who is next? This is a signal that Poland is leading towards being a “religious state”, one in which religion— the Roman Catholic religion— will decide which law is primary in Poland. In the case of schools in particular, this will have an important impact on how we educate our children. It is not only about the statement of beliefs of certain teachers, but about much more.”<sup>13</sup> Nowicka has argued that it is only a matter of time before groups of people in other professions will start to ask questions about a similar clause. According to Nowicka, the proposition of the declaration of faith for teachers creates a dangerous situation in which a teacher can fear and shy away from science based on evolutionism. Even if they decide to teach according to scientific knowledge, they could implement a certain kind of self-censorship, and could distance themselves from such science. In her opinion the declaration is the next step in the process of the “ideologisation of Polish schools”. She added that doctors, and now teachers, should focus on their mission (that of helping patients and educating young people), not on themselves and their beliefs.

Nowicka certainly had reason to be wary of the growing expansion of the Catholic Church into the Polish public sphere, particularly the medical and educational sectors. As a feminist activist, she observed the demise of the secular Polish state during the abortion debate between 1989-1993 and the process of the ratification of the Concordat in 1993. As a person who has lived through the Polish transformation, she experienced the radical ban on abortion, and the introduction of Catholic religious classes that are part of the Polish educational system at the kindergarten, elementary and secondary level that were part of its outcome.

Other observers and activists agree that the current backlash represents a new way of achieving the longstanding goals of the Polish right wing. Commenting on the “Chazan case” and the doctors who signed Declaration of Faith, Agnieszka Graff, a feminist activist and academic, stated boldly: “They are not doctors, they are missionaries”. According to Graff, recent actions of right-wing activists mark a change in the political strategies used by conservatives. Firstly, as in the past, their actions were mostly directed at changing an already very restrictive abortion law, but now they aim at systemic change through the widespread utilisation of legal options, such as the conscience clause. Such an instance occurred in the case of the local government in Wołomin, which passed the mission document of the local hospital, which it supervises – the document stated that the hospital’s work is “governed by the unconditional obligation to protect human life”. Such a statement guarantees that even though the hospital will be receiving funds from National Health Fund, it will be impossible to fine its authorities for not performing legal abortion procedures<sup>14</sup>. Secondly,

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<sup>13</sup> <http://wiadomosci.onet.pl/tylko-w-onecie/wanda-nowicka-deklaracja-wiary-nauczycieli-mnie-przeraza/14ts9>

<sup>14</sup> [http://wyborcza.pl/1,75968,16299596,Chazan\\_zwolniony\\_probleem\\_zostaje.html#ixzz3AZYYutS0](http://wyborcza.pl/1,75968,16299596,Chazan_zwolniony_probleem_zostaje.html#ixzz3AZYYutS0)

according to Graff, conservatives aim to incorporate the representatives of state institutions into activism on behalf of conservative values. Such was the case with Michał Królikowski, a member of the Codification Commission, who publicly advocated further restriction of the abortion law in Poland.

As Graff rightly observed in her comments, these new practices combine ultraconservative “values” with the promotion of the neoliberal order – the same odd combination that was characteristic of the Polish transformation of 1989. Such a blend can be seen in the actions of religious fundamentalist like Jarosław Gowin, former Minister of Justice in the Civic Platform government (a government that supposedly represents the “progressive face of Poland”). He is a politician who supported capitalist reforms of the Polish state, while at the same time radically opposing laws on in-vitro fertilisation and preventing the Polish ratification of the Council of Europe Convention of Violence Against Women in 2013.

These new strategies, however, do not represent a turn towards the right on the part of the Polish public. In fact, they illustrate how public discourse can be manipulated to represent the Polish public in a certain way. A recent survey from CBOS shows that Poles are against the declaration of faith signed by the doctors and medical students. 52% of the respondents are against this declaration and support the statement that doctors should primarily be devoted to a patient’s wellbeing. 73% agree that a doctor has no right to deny access to a prenatal examination, and 62% support the statement that a doctor should not have the right to refuse to direct a patient for a medically legal abortion. 59% of the respondents agreed that a doctor cannot deny a patient in vitro insemination. While Poles declare that they support a secular state, recent data from 2013 demonstrates that younger women (35 and younger) are less likely to terminate a pregnancy - 13% of them, in comparison to 36% of older women, have decided to have an abortion. The recent actions of the radical right can be interpreted as a strategy to fight back against the changing attitude of the Polish public, and as an effort to retain hegemony in Polish public discourse. In such light, the public discourse produced by both the Polish media and right-wing politicians aims to blur the diversity and ambivalence of the Poles’ attitudes towards the Catholic Church by representing them as a homogenous group, one supportive of Catholic values. On the other hand, however, the recent success of the ultraconservative right-wing party of Janusz Korwin-Mikke and the electoral losses of the openly anti-Church parties such as Janusz Palikot’s Twój Ruch Party and the Greens, suggest that right-wing politics prevail in the Polish public sphere, and that the general public’s changing attitude towards the Church does not translate into political decisions. As such, the recent backlash should be seen as a way of securing the already stable power position of the Catholic Church (it is not called to question by any major political force in Poland), one that is the legacy of historical processes and political decisions made in the past.

### **Local or transnational? The historical roots of the recent Polish backlash**

Without a doubt, the Polish backlash against women’s and sexual rights is a part of a transnational trend. This process includes a backlash against workers’ rights and minorities, within which the recent cuts in social services are justified by the global economic crisis. It also encompasses stagnation in the area of human and minority rights faced by international institutions such as the United Nations and the European Union. It is marked by the coopting of feminist ideas by neoliberal discourse (Fraser 2013), a crisis in feminist NGO activism and the inability of radical

(and) feminist activism to significantly impact on global and transnational politics on reproductive rights, violence against women and LGBT rights.

In the context of Eastern Europe and post-socialist states, the backlash also has to be analysed in the light of the historical trajectories of the region: the re-traditionalisation of the socialist emancipation politics after 1953, and more recently the resurfacing of neo-conservative and fundamentalist discourse post 1989. Within these processes the dominant position of the Catholic Church in Poland has to be examined as one that has not been challenged or questioned, neither by the socialist state post-1945, nor by the new democratic authorities post-1989. From such a perspective the Polish backlash has to be traced to both the period of thaw during which the Catholic Church's dominant position in the area of women rights was re-confirmed by the state, and to the period of post-1989 transformation that stabilised the position of the Church as a major political force in Poland.

In her book “Women, Communism, and Industrialization in Postwar Poland”, Małgorzata Fidelis suggests that both the process of adjusting the communist project of “gender equality” to the specificity of Polish culture during the “destalinisation era” and also the 1989 transformation can be seen as instances of the same process of a decline of women's rights in Poland. While they provided greater political freedom in general, they also aimed to limit women's rights for the sake of an alliance with the Catholic Church. In Catholic post-World War II Poland, “radical” socialist solutions were introduced only briefly after the war, and the idea of making some of the “private” issues public never took hold. The project of women's emancipation had a different trajectory in Poland, partially due to the path that Polish socialism took after the death of Stalin. Fidelis demonstrates that the “thaw” that took place after 1953 had ambivalent consequences for the situation of women in Poland (Fidelis 2010)<sup>15</sup>. “On one hand”, she argues, “women did not have to work as much as in the early postwar era. The space for claims for the respect of workers' rights had opened and they could voice their opinions on various topics, including discrimination in the workplace. Some women, who wished to do so, could stop working and devote themselves to their households. The state liberalised the abortion law, making the procedure available and free of charge (Fidelis 2010, 170). On the other hand, however, the reforms that were introduced after 1953 aimed to reconstitute the pre-war gender contract, in particular to seal the existing gender division of labour, based on the unpaid work of women in families (Fidelis 2010: 172). The idea of the “Polish road to socialism” conceived by the First Secretary of the party, Władysław Gomułka, was based on the reconciliation of several seemingly contradictory legacies – those of Catholicism, nationalism and socialism. The “humane socialism” proposed after 1956 aimed to build a new order with old forces, and the socialist state was seen as based on a traditional family, to which the figure of “Mother Poles” remained crucial. In this context the new abortion law introduced in 1956 was not an expression of the state's concern for a woman's right to choose, but rather a way of supporting traditional families by controlling the number of children being born into them (Fidelis 2010). From 1956 the new abortion law was applicable only to married women who already had children. As it required a woman to get permission to have an abortion from a doctor and a social counsellor, the 1956 law did not give women the ultimate power to make a decision until it was amended in 1960.

The context of the Polish “bloodless transformation” of 1989 was similar. While the term “self-

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<sup>15</sup> Małgorzata Fidelis, *Women, Communism, and Industrialization in Postwar Poland*. (New York: Cambridge University Press, 2010), 170.

limiting revolution,” found in the title of Jadwiga Staniszkis’s famous book (Staniszkis 1984), is still widely used in reference to Solidarity’s political philosophy during the 1980s, the question of how this paradigm translates into the trajectory of feminism before, during, and after Poland’s peaceful transformation remains open. In one sense, Solidarity, and particularly the so-called Second Solidarity of the years 1985–89, was inclusive to women, both as members and as feminists. As Shana Penn and others have demonstrated in their work, women were the backbone of Solidarity’s success - as leaders of local branches of the union and as organisers of the post-1981 underground press, they contributed significantly to the overthrowing of the communist state (Penn 2003)<sup>16</sup>. But the paradigm of self-limitation worked against women directly after the revolution was over and the union’s male leaders’ emphasis on compromise and reform overrode the commitment to social change. While the paths of Solidarity and feminism crossed in the 1980s, they separated after 1989 when the patriotic “festival of freedom” suddenly ended with the seemingly urgent necessity to compromise with the Catholic Church. The compromise that was carried out by successive post-transformation governments, including left-wing and socialist ones, which refused to fight against the growing domination of the Catholic Church in the public sphere, persists. As a result, in Poland, women’s issues became subject to ideological manipulation after the fall of the regime, and feminists were cast as the enemies of the newly emerging independent state.

It was partially in reaction to the masculinist policies and the expansion of the Catholic Church into the Polish public sphere (Watson 1993), as well as Solidarity’s abandonment of the peaceful revolution’s ideals, that feminists appropriated identity politics based in liberalism. In order to resist an emerging nationalism and religious fundamentalism, many activists, including those formerly devoted to Solidarity’s ideals of social justice, turned to seemingly secular and liberal identities in the hope of resisting political Catholicism. For many activists, the strategy of identification with the West, used mostly by women representing the urban Polish intelligentsia, was a form of strategic essentialism, a necessary response to the consequences of Solidarity’s unfinished revolution rather than a simple desire to transplant Western-style feminism into the eastern European context.

The turn to “Western feminism”, of course, was not only an expression of a desire to establish a social movement that would resemble second-wave liberal feminism in the West, but also a certain strategy which activists, and notably the scholar Sławomira Walczewska, explained as follows: “in the situation in which Polish feminists have to, over and over again, explain that they are not camels, we developed certain survival strategies. On one hand there was a need to articulate oneself, on the other we had to separate ourselves from the representation of feminism as a re-growing head of the Hydra of Marxism”. As a result, the 1990s accounts of life under state socialism were mostly narrated in a language that represents women as passive witnesses to the workings of the system, caught up between the authoritarian socialist state - the “double burden” of professional work and household responsibilities, and the lack of sincere political representation. Feminist approaches to state socialism, which consider it an “alternative” mode of women’s emancipation when compared to Western capitalism, tend to suggest it was a system that did very little to challenge existing gender regimes and argue that in a socialist state, the foundations of male domination were “transformed but never eliminated”<sup>17</sup>. This work usually conceptualises the period

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<sup>16</sup> Shana Penn *Solidarity’s Secret. The Women Who Defeated Communism in Poland*, Kondratowicz (Ann Arbor: University of Michigan Press, 2005).

<sup>17</sup> Eva Fodor “Smiling Women and Fighting Men: The Gender of the Communist Subjecting State Socialist Hungary” *Gender & Society* 16:2 (April 2002): 236.

of socialism as a time of “state patriarchy”, where the power of the state over all women replaced the power of one man over one woman<sup>18</sup>.

Yet this uncritical acceptance of Western-style liberalism backfired against feminism and can now be itself interpreted as a part of the backlash. While the Polish “decommunisation” consisted of rejecting everything that was related to the previous system, existing approaches to state socialism do not consider the right to legal abortion, maternity provisions, extended childcare and the mass presence of women in the labour market, which were all introduced in socialist states before they were in the West, as “successes” of the women’s movement<sup>19</sup>. Rather, like, Sławomira Walczewska, they evaluate the work of previous organisations as responsible for “the current passivity of women, and their inability to organise and defend their collective interests”<sup>20</sup>. Such a narrative does not however allow for the assessment of the process of post-1989 transformation as a process that was in fact part of the backlash against women, as the introduction of the free market economy that accompanied the transformation into liberal democracy was also marked by a backlash against the economic and social rights provided by the previous system.

## Conclusions

In her article *“War on Gender” from a Transnational Perspective - Some Lessons for Feminist Strategising* Polish sociologist Elżbieta Korolczuk refers to the supranational origins of the current backlash against women and sexual rights in Eastern Europe and Caucasus. She argues that the “war on gender” cannot be examined solely as a local phenomenon. The current political strategies used by the right-wing activists have to be seen as two-fold: as transnationally “designed” rhetorical and political tools to fight against progress in the area of LGBTQI and women’s rights, and as activities aimed at managing social fear and frustration triggered by the global economic crisis and diminishing levels of social security. The context of right-wing politics is indeed transnational, however, as I have argued in this paper, its actual reception depends strongly on the local context and historical legacies. For example, the processes of political thaw and transformation described in this article are without doubt global phenomena. They constitute crucial moments in transforming transnational politics, marking key shifts in the East-West political dynamics as well as global formulations of LGBTQI and women’s rights. As such they do not only apply to the “region”, but are also relevant in the discussion about international LGBTQI and women’s movements and about the current wave of backlash against them. While looking at these phenomena from the local perspective, recognizing locally available institutional and cultural tools that vary depending on the respective location (including differences between the countries in the same “region”, e.g. in countries within and outside the European Union), it is crucial to formulate appropriate strategies on the ground. To paraphrase American activist and feminist Charlotte Bunch, when struggling with the current backlash we should “think globally and act locally”.

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<sup>18</sup> Olga Voronina, “Soviet Patriarchy: Past and Present” *Hypatia* 8:4 (Fall 1997): 112, Katherine Verdery “From Parent-State to Family Patriarchs: Gender and Nation in Contemporary Eastern Europe” *East European Politics and Societies*. 8:1 (March 1994): 225.

<sup>19</sup> Susan Gal, and Gail Kligman, *Reproducing Gender: Politics, Publics, and Everyday Life After Socialism* (Princeton: Princeton University Press, 2000), Peggy Watson “Rethinking Transition: Globalism, Gender and Class”, *International Feminist Journal of Politics*, 2:2 (Summer 2000): 185, Barbara Einhorn and Charlotte Sever “Gender and Civil Society in Central and Eastern Europe” *International Feminist Journal of Politics* 5 (July 2003): 163.

<sup>20</sup> Sławomira Walczewska “Liga Kobiet: Jedyna organizacja kobieca w PRL”, *Pełnym Głosem*, 1(1993), 4.