



SCHOOL OF GLOBAL STUDIES

“I don’t see a future being gay in this country”

A non-legally binding charter and its consequences for queer women in Poland.

MR 2501

By Annie Magnusson

Supervisor: Hauwa Mahdi

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Abstract

LGBTQ rights are under attack in Europe. Poland is one of its most homophobic countries and many municipalities have announced themselves 'LGBT-free zones' by adopting the Family Charter (henceforth the Charter), which is a policy document of a homophobic organization. This thesis examines the hostile environment towards queer women in Poland and the ideologies that inform it. It also examines how queer women experience societal changes that stem from the introduction of LGBT-free zones and what resistance strategies they use against homophobia and transphobia.

Previous studies describe the homophobic rhetoric used by the Catholic Church and the Polish government and the intertwined relationship between those institutions. Previous studies also contextualize the topic within European LGBTQ resistance.

Ideology analysis of the Charter is used to explore the underlying ideologies behind the societal hostility. Five semi-structured interviews with queer women in Poland were conducted. The interview data is analyzed using content categorizing, while feminist, queer, and resistance theory is used to analyze the data.

The thesis concludes the Charter's reestablishment of heterosexual marriage as the sole foundation for society, which constructs LGBTQ people as deviant. The Charter affects the lives of queer women by inciting public hostility towards them and constructing them as the 'other', a threat to heterosexual families and children. Their human rights and liberties are restricted as they are discriminated against for their sexual orientation. The interviewees practice resistance against the oppressive power, which often makes them more vulnerable to hate crimes but also unites the community. Ultimately, the hostility results in their situation being unsustainable and leads to many of them planning to move abroad.

1.2 Terminology & Abbreviations

CEDAW= Convention on the Elimination of All Forms of Discrimination against Women

ICESCR = International Covenant on Economic, Social and Cultural Rights

Cisgender = A person who identifies with the same gender they were assigned at birth.

CFR= EU Charter of Fundamental Rights

CRC= Convention on the Rights of the Child

ECOSOC = United Nations Economic and Social Council

The Charter = Local Government Charter on the Rights of the Family

ICCPR= International Covenant on Civil and Political Rights

LGBTQ = Lesbian, Gay, Bisexual, Transgender & Queer. It is the established and most commonly used term to include a variety of subaltern sexual orientations and gender identities. When other sources are cited, other variations of the abbreviation may occur.

NGO = Non-Governmental Organization

PiS = Polish: Prawo i Sprawiedliwość. English: Law and Justice. The ruling party in Poland.

SRHR = Sexual and Reproductive Health and Rights

Queer = An umbrella term for LGBTQ identities.

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1. Introduction

On March 11th, 2021, the European Parliament voted to adopt a resolution announcing all of Europe an ‘LGBTIQ-freedom zone’, a symbolic act to point out several human rights violations against LGBTQ people in Europe. The resolution was introduced after the homophobic killing of a man in Belgium and was also directed towards Poland and Hungary. Concerning Poland, the resolution mentioned the Regional Charter of Family Rights, also called the Local Government Charter on the Rights of the Family (henceforth the Charter). The EU resolution condemns the fact that the Charter opposes ‘LGBT ideology’, encourages local governments to withdraw funding to any organization that promotes equality, and “refrain from any action that would encourage tolerance towards LGBTIQ people” (European Parliament, 2021). The so-called ‘LGBT-free zones’ in Poland have attracted attention in international media, beginning in 2019 when they were first enforced (Ash, 2020; Morris, 2020; Picheta & Kottasová, 2020). The EU has taken action against Poland’s LGBT-free zones by withdrawing funding to any municipality that announces such a zone (European Parliament, 2021).

This thesis focuses on the experiences of queer women, and gender is therefore part of the framing of the issue. Gender is a central part of the Human Rights paradigm and is used in this thesis as a foundation for the understanding of sexuality. However, LGBTQ rights have not always been an established part of the Human Rights paradigm. In the 1990s, pioneering academic work was written about sexual orientation as a Human Right and it then became a more established part of the Human Rights discourse (Holzhacker, 2014, p. 32). At first, transgender rights were mainly left out of the discourse but were developed over time to be connected to gay and lesbian rights (Holzhacker, 2014, p. 29). As a result of academics theorizing about the subject, Human Rights NGOs were able to advocate for LGBTQ rights and

it was later institutionalized in national and international law. Although LGBTQ rights are now an established part of the academic Human Rights discourse, important Human Rights instruments such as the UN treaties do not mention sexual orientation and gender identity. Holzhaecker (ibid.) writes that the research about LGBTQ issues within the Human Rights paradigm is mainly focused on legal and political aspects, namely the institutionalization of LGBTQ rights within governments as well as regional and international human rights law. The effects of local non-legally binding documents are less explored within the Human Rights paradigm. This thesis builds on previous research about how LGBTQ is framed as a threat to families, children, and the national identity of Poland as well as how LGBTQ resistance against homophobia plays out in other European countries. However, during the work on this thesis, no research has been found that focuses on the Charter in Poland. Therefore, there is a need to examine the underlying ideologies in the Charter and how they in turn affect queer women's liberties and right to non-discrimination based on sexual orientation.

1.1 Aim & research questions

This thesis aims to examine the hostile environment for queer women in Poland and the ideological tendencies that informs it. Ideology analysis of the Charter has been made to find out the underlying ideologies behind the vast declaration of LGBT-free zones. The aim is also to see how queer women in Poland experience societal changes that stem from the introduction of LGBT-free zones in many municipalities and what strategies they use for resistance against homophobia.

The research questions for this thesis are the following:

- What ideologies inform the hostility towards the LGBTQ community in Poland?
- How does the Charter affect the daily lives of queer women in different regions of Poland?

1.2 Delimitations of study

This thesis deals with women's rights to non-discrimination based on sexual orientation. However, the LGBT-free zones affect the whole Polish queer community and not solely women. The reason this thesis focuses specifically on women is that queer women face double oppression since they are exposed to both sexism and homophobia. Although the thesis deals with the situation for women, non-binary people were also included in the search for

interviewees. That distinction was made because some non-binary people are assumed to be women by society and therefore experience oppression like women. To frame the thesis to instead explore the rights of queer women and non-binary people would have been too broad and would call for many more interviewees to get a wider range of experiences.

The reason that the Charter was chosen to represent the declarations of LGBT- free zones was partly that it was the only document of that kind that was available online and in English. Since the Charter has also been used by the President of Poland, Andrzej Duda, it seemed to have a strong enough political position to justify only analyzing the Charter. The Charter contains seven principles. Number six and seven were left out of the results section due to limited space and since they did not contain much ideological argumentation. Number two and three are only briefly mentioned due to the same reason.

All of the readings of previous research, news articles, or other information were read in English. It is therefore likely that a deeper understanding of the subject could have been achieved if the researcher had been able to understand Polish sources in their original language.

Gender and sexuality are both central theoretical concepts for understanding the hostile attitudes from the Polish state and the Catholic Church towards so-called ‘gender ideology’ and ‘LGBTQ-ideology’. Queer theory is also a very relevant perspective to understand the topic at hand. In this thesis, queer perspectives are embedded in the section ‘a theory of gender’ rather than standing on its own. Resistance as a theoretical concept was chosen to focus on the agency and strength of the interviewees rather than simply collect stories of oppression. In doing so, the aim was to give space for a more hopeful debate that highlights what the people affected by the oppressive system of power do to change society for the better.

The researcher in this thesis is a Swedish, white, queer, cisgender woman. The researcher does not have a lived experience of the Polish culture or being queer in Poland. The interviews were held in English even though neither the researcher nor the interviewees had English as their first language. It is therefore possible that some information or nuance got lost due to language and culture barriers.

Ideology analysis was chosen as the method for text analysis because of its resonance with the research question that explores ideologies. The reason a narrower method was not chosen is

that the analysis aims to set the document in a societal context, something that ideology analysis gives a better possibility to do. Since the Charter is not a legally binding document but more of a normative one, a typical method of policy analysis that focuses on the direct effects of policy would not be suitable. Lindberg's development of Tingsten's approach to ideologies was chosen because of how it is fit for criticism of ideologies, which is suitable because of this thesis' critical approach to the Charter (Lindberg, 2018). A semi-structured style of interviewing was chosen to be able to steer the interviewees to different themes and still give room for follow-up questions. Content categorizing and content condensation were both considered as possible methods of analysis for the interviews, but content categorizing was chosen since it does not rephrase the interview data but lets the reader know how the interviewees originally expressed themselves.

1.3 Background

The societal attitudes towards LGBTQ people in Poland seemed to improve from 2010 and on, until 2017 when Poland started falling behind on the "Rainbow index" (Council of Europe, 2020). To show his support for the LGBTQ community, the Mayor of Warsaw signed an LGBTQ+ charter in February 2018. The charter contained several measures to increase safety and inclusion for LGBTQ people, including anti-discrimination in sex education, ensuring homeless shelters for LGBTQ people, and establishing a mechanism for monitoring hate crimes (ibid.). The Warsaw LGBTQ+ charter instantly received criticism from prominent church leaders and politicians, saying that it will result in a normalization of pedophilia instead of protecting children's rights (ILGA Europe, 2020).

The phrase 'LGBT-free zone' was coined by a far-right Polish newspaper in July 2019 (ILGA Europe, 2020). The first anti-LGBTQ declaration used by a local government, "Świdnicki County Free from LGBT Ideology", was registered in March 2019. Out of the over 100 municipalities who have declared their cities "free from LGBT-ideology", around 30 have also adopted the Charter or variations of it, making it a commonly used document for that purpose. The Charter was drafted by the Catholic lobbying organization Ordo Iuris¹ and supported by other conservative NGOs. Ordo Iuris has consultative status with the UN Economic and Social Council (ECOSOC) since 2017 (United Nations Economic and Social Council, 2018). Since

¹ The name Ordo Iuris means 'legal order' in Latin. Ordo Iuris is a large organization of lawyers that push conservative values.

their admittance to the Committee of NGOs at the UN, they have submitted anti-abortion comments (OHCHR, 2020). In their role as an accredited lobbying organization of the European Parliament, they have also strongly criticized efforts from the EU to protect LGBTQ people from hate speech (Ordo Iuris, 2020).

The Charter focuses on the marriage between a man and a woman as the foundation of society and deals with the question of sexual education for children, where it seeks to protect parent's rights to influence their children's education per their own values (Ordo Iuris 2019). The other municipalities used their own "anti-LGBT declarations" which included intentions of fighting "homo-propaganda", "sexualization of Polish children" as well as declaring the municipality "free from LGBT ideology" (Council of Europe 2020, p. 5). Not only has the Charter been used at the local government level, but it was also central in the current president, Andrzej Duda's, re-election campaign in 2020 (Walker, 2020). He also promised that he would not allow same-sex couples to marry or to adopt children (BBC, 2020). In his attempts to discredit LGBTQ people he has said that they are "not people, but ideology" (ILGA Europe, 2021). The Charter is not legally binding but influences the LGBTQ community through stigmatization, exclusion, and discrimination and has resulted in hate crimes against LGBTQ people (ILGA Europe, 2020; Council of Europe, 2020).

1.3.1 Relevance to Human Rights

This section describes what Human Rights laws are relevant to the case. It starts with International Human Rights Law that Poland is bound by, followed by regional provisions in EU law and then relevant Polish law. Finally, the Yogyakarta Principles are presented, which are not legally binding but attempt to address the failure of the Human Rights system regarding LGBTQ rights.

Although sexual orientation is not explicitly mentioned in any of the UN core conventions, the human rights of LGBTQ people are protected by the UN. ICCPR Article 26 states:

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion,

political or other opinion, national or social origin, property, birth or other status. (UN General Assembly, 1966)

The “other status” includes sexual orientation according to OHCHR (2012). The general comments to CESCR and CRC mention sexual orientation and gender identity. Even though CEDAW does not mention sexual orientation, its committee regards sexual orientation as a ground for discrimination in practice. For example, the CEDAW committee criticized Kyrgyzstan and demanded that the penalty for lesbianism be abolished (Human Rights Watch, 2008). In 2011, the UN Human Rights Council adopted resolution 17/19 on sexual orientation and gender identity. The resolution is a response to “acts of violence and discrimination, in all regions of the world, committed against individuals because of their sexual orientation and gender identity”.

The EU Charter of Fundamental Rights (CFR) art. 21 states that discrimination on any ground, including sexual orientation, is prohibited (Council of the European Union, 2007). It does not, however, mention gender identity. Art. 23 shows that the CFR takes a binary stand on gender by stating that “equality between men and women must be ensured”. A Polish LGBTQ organization have pushed for the EU to examine whether Poland has violated the principles of respect for human dignity, equality, and freedom in Treaty on European Union art.2 (KPH, 2021). Although the CFR does not mention gender identity and views gender as binary, the European Union has pressured Poland to add gender identity as a ground for non-discrimination in their equal treatment act (European Council against Racism and Intolerance, 2015, p. 10). This shows that the EU includes gender identity in practice even though it is not explicitly mentioned in the CFR.

Poland 2010 equal treatment act art. 3 prohibits discrimination and harassment on several grounds, including sexual orientation (Polish Commissioner for Human Rights, 2010). The act applies to different societal spheres, i.a legal actions related to family life. Since the Charter bases its arguments on the Polish constitution, it is particularly noteworthy that non-discrimination based on sexual orientation is protected by Polish law, although not by the constitution.

The “Yogyakarta Principles on the application of International Human Rights Law in relation to sexual orientation and gender identity” were commissioned by the High Commissioner of

Human Rights in 2005 (O’Flaherty & Fisher 2013, p. 270). It originated from the need to create consistency between Human Rights Law and practice regarding sexual orientation and gender identity and consists of 29 principles of how to apply International Human Rights Law to ensure the rights of LGBTQ people (O’Flaherty & Fisher 2013, p. 8). In 2017, the ‘Yogyakarta + 10’ which included nine additional principles was adopted. Even though the Yogyakarta Principles is not a legally binding document in itself, it summarises the rights that already exist in International Human Rights Law, and therefore all States must comply with it (International Commission of Jurists 2017, p. 5). The Yogyakarta principles that are especially relevant to this thesis are the following:

- Principle 2, the rights to equality and non-discrimination regardless of sexual orientation and gender identity. This principle specifies, in 2C, the right to non-discrimination in the public sphere.
- Principle 20, the right to freedom of peaceful assembly and association, specifically mentions the right to peaceful demonstrations.
- Principle 24, the right to found a family, establishes the right to found a family is not limited by sexual orientation or gender identity.

In conclusion, Poland is bound by international, regional, and national laws to prohibit discrimination based on sexual orientation and gender identity, although the category of sexual orientation has a stronger position in most of these laws.

1.3.2 Sexual orientation as a women’s issue

World Health Organisation (2015, p. 4) defines sexual health as “the integration of the somatic, emotional, intellectual and social aspects of sexual being, in ways that are positively enriching and that enhance personality, communication and love”. Being able to be open about one’s sexual orientation without the fear of stigma or discrimination is key to sexual and psychosocial health. CEDAW mentions women’s reproductive rights but not sexual rights and health (UN General Assembly, 1979). Sexual and reproductive health and rights, SRHR, in the context of women’s rights are often narrowed down to the right to abortion and contraception. The EU Commissioner for Human Rights did a country visit to Poland in March 2019 and later released two reports on the Polish human rights violations. One report was on the situation for women, where the issues raised were access to abortion and contraception. Poland has recently imposed a law that considerably restricts the right to abortions, banning almost all grounds for abortion (Mortensen, 2021). The other EU report was on the stigmatization of LGBTQ people. The fact

that sexual orientation was mentioned neither in the EU report on women's rights nor in CEDAW would seem to suggest that LGBTQ discrimination is not seen as a women's issue by the EU and UN. I argue that the right to one's sexual orientation is an integral, although often overlooked, part of women's SRHR. Many women are homo- or bisexual, transgender, queer, or intersex and are therefore directly affected by policies both on gender equality and LGBTQ rights.

2. Method

This Chapter will describe how the study was conducted, using the methods of ideology analysis of the Charter and content categorizing of semi-structured interviews. The reason two different types of data were analyzed is to give a deeper understanding of the Charter and its effect on the daily lives of queer women. To only analyze the content of the Charter would provide a theoretical understanding of the document but would not say much about the effects it has on the daily lives of LGBTQ people since it is not legally binding. To only analyze interviews would give an understanding of how the interviewees experience the LGBT-free zones but would not say much about the underlying ideologies and the reason that the LGBT-free zones first came into place. Therefore, the analysis of the Charter and the interviews complement each other and together they give a fuller picture of the issues and the challenges that affect queer women in Poland.

2.1 Method of data collection

The researcher's experience of being a queer woman in Sweden brought about the interest in the Human Rights of queer women in a less tolerant society. Although the situations in Sweden and Poland are very different, being able to relate to the group in this way brought a deeper understanding of the subject than if the researcher had not been queer or a woman. The researchers' own identity likely affected the content of the interviews as well as the analysis and result. Having a personal experience that relates to the interviewees can be a positive factor as it adds to the knowledge and understanding of the topic. However, it also affects the reliability of the thesis since another researcher using the same methods but with a different frame of reference may have asked more explanatory follow-up questions and therefore ended up with a different result.

2.1.1 Selection and retrieval of the Charter

To answer the first research question, ideology analysis of the Charter was done. The Charter was chosen to represent the ideologies that inform the hostile environment towards LGBTQ people in Poland because of its prominent political use. The Charter is deemed to have an inherent bias since it is an argumentative text. However, since the purpose of the ideology analysis is to examine those arguments, its bias is not deemed to be negative. As stated in the Background Chapter, the Charter has been used both to announce LGBT-free zones and by the current president to state his conservative values. There seem to be no other documents that have had a similar impact on the hostile environment towards LGBTQ people.

The Charter was first published on the Ordo Iuris website as a document of a little more than three pages. It was first published in Polish and English on the 29th of March 2019, around the same time that the LGBT-free zones started appearing. The Charter can also be found in a slightly different version on a different website, which is also copyrighted by Ordo Iuris. The second version is longer, 11 pages, and does not state a date for publishing except for the year 2020. The earlier version explicitly mentions LGBTQ people and an LGBTQ campaign, while the longer version does not mention LGBTQ. Apart from that difference, the version from 2019 and the version from 2020 contain largely the same types of arguments. President Duda signed a version of the Charter in 2020 that seemed to be tailored to his re-election campaign and could not be found in English. Duda stated that he would protect children from LGBTQ ideology, something that the 11-page version does not mention. It is therefore likely that the version used in his re-election campaign most closely resembles the early version of the document.

The earlier version of the Charter was selected for analysis based on the fact that it was the first version used to announce LGBT-free zones, and because explicitly mentions LGBTQ. The Charter could not be found on any website more reliable than that of Ordo Iuris. Since the official language of Poland is Polish it must be assumed that the translation to English has been done by Ordo Iuris. That raises ethical questions around translation. There is a risk that they would want the content of the English version to appear more acceptable to international media. However, since Ordo Iuris was the original author of the document, it could also be assumed that they wanted to translate the document as true to the original as possible. There was no possibility to examine the language differences of the Polish and English versions, and therefore

it has been assumed in this thesis that the English version is similar enough to the Polish version for it to be relevant for analysis.

2.1.2 Interview data collection

To answer the second research question, five qualitative interviews with queer Polish women were made. The interviewees were respondents who answered semi-structured questions about their own lived experience, and not informants whose statements could be used for background understanding of the problem (Morse, 1991). Semi-structured interviews were chosen to enable follow-up questions in addition to the questions in the interview guide, and thus receiving more in-depth- understanding of the topics (Kvale, et.al., 2009, p. 39-48) The issue of authenticity and neutrality of interviewees can be difficult to assess. Given that the interviewees talk about their own experiences there is an inherent bias to their stories. However, since the aim of the study is to explore the lived experiences of the interviewees, the tendency does not negatively affect the reliability of the study (Leth & Thurén, 2000, p. 26). The authenticity of the interviewees, that they really are queer women, could not be confirmed any other way than to trust what they say about themselves.

Ensuring anonymity for the interviewees was an important factor during the process, especially since some of them live in areas of Poland where it could be dangerous to be identified as an LGBTQ person. Since this thesis was made during a pandemic and international travel was not recommended, the interviews were held over Zoom, a digital tool for video calls. The nature of digital interviews demands that the interviewee has access to a safe space where it is possible to talk about LGBTQ issues. People who are not open about their sexual orientation or live with homophobic parents may not feel safe to participate in an interview because of the risk of being overheard. The conducted interviews may therefore not reflect the experiences of certain vulnerable groups. Some interviewees were found using a dating app, a method that is discussed below. Using a dating app meant that the selection of interviewees became mostly young, single women. All of the interviewees were white, which was not an intentional choice but turned out that way because of the lack of racial diversity on the dating app. The lack of diversity regarding age and race as well as the small number of interviews means that this thesis in no way claims to be generalizable and representative of a larger population. The number of interviewees may also affect the validity of the thesis since a larger and more diverse selection of interviewees would have given a more nuanced picture.

2.1.2.1 Interviewee sampling and the use of a dating app

The interviewees were found by purposive sampling strategies, not to represent a larger population but according to the following criteria: they needed to be queer, women or non-binary, above 18, and live in Poland (Robinson, 2014, p. 35). Efforts were made to ensure that the interviewees lived in different regions by setting the dating app location in different cities. The interviewees were between the ages of 18 and 28. Three of them lived in Warsaw and two in smaller cities. The interviewees have each been given a fictive name. For a more detailed presentation of the interviewees, see chart 7 in Appendix.

Emailing relevant NGOs resulted in two interviewees. One interviewee was found using the snowball effect, meaning that an interviewee found on the dating app connected the researcher with another person appropriate for the study and willing to be interviewed (Robinson, 2014, p. 37). Due to the pandemic, it was not possible to travel between Sweden and Poland and find interviewees that way. Since established methods of sampling did not give enough interviewees, a more creative method had to be used – dating app sampling. For this study, the dating app was a helpful tool to quickly find appropriate interviewees.

Blog posts by the Ph.D. candidate Anya Evans (2017) was used as starting point for ethical deliberation. Evans discusses the potentially problematic nature of looking for interviewees in a forum where people look for romantic partners. Evans did not seem to be very clear about her intentions with her potential interviewees as she was open to dating them as well as interviewing them. Not clearly stating one's intentions is a dangerous route as it opens up the possibility of people agreeing to be interviewed in hopes of starting a romantic relationship. In this thesis, the intentions were clearly stated in communication with potential interviewees.

The profile presentation in the dating app included two neutral pictures of the researcher and the following text: "I'm looking for people to interview for my master's thesis on the situation for queer women in Poland. Swipe right if you are a queer woman/ non-binary person interested in hearing more about it and want to be interviewed. Just for research, not looking for friends/ dates." When people showed interest in being interviewed, they received a short description of what the study is about, an estimated time for the interview, and the information that they can choose to drop out of the study at any time. After they agreed to take part, email addresses were exchanged, and all further communication was done by email.

2.2 Method of analysis

Two different methods of analysis are used because two different types of texts are analyzed, one for each research question. To answer the first research question about ideologies that generate the trend of hostility towards LGBTQ people, ideology analysis of the Charter was done. To answer the second research question, about how the Charter affects the lives of queer women, content categorizing of the interviews is used. Bergström & Boréus (2017) emphasizes the importance of selecting the right method for achieving the kind of answers that the research aims to discover. Since the thesis looked for different kinds of answers from the two different types of text, it was necessary to use two different methods that would each be suitable for the type of text and research question that they deal with. The following sections will describe the methods and how they were used.

2.2.1 Ideology analysis

Van Dijk (2006, p. 116) defines ideology as a foundational belief system socially shared by a group. Ideologies provide “coherence to the beliefs of a group” and control the group’s attitudes towards different issues. Tingsten’s approach to ideologies focuses on action and practical thinking and views ideologies as abstract ideas that motivate action (Bergström & Boréus, 2017, p. 141). Another commonly used ideological approach is that of Marx, whose approach is centered around class conflict. He argues that each socioeconomic class believes that everyone lives under the same circumstances as themselves, and the ideologies of a certain class will therefore be based on their interests (Bergström & Boréus, 2017, p.143). However, since this thesis does not deal with the aspect of class conflict the approach of Tingsten is the most useful for analysis of the Charter.

Lindberg’s method for ideological analysis, which is used in this thesis, is a development of Tingsten’s approach to ideologies (Lindberg, 2018). The Lindberg method can be a tool for ideology criticism, which is valuable in this thesis since it has a critical approach to the ideologies found in the Charter. Lindberg (2018, p. 145) argues that ideologies have three dimensions: a dimension of value, a descriptive dimension, and a dimension of action. The

three dimensions combined do not only describe the world around us but also provide a reason for, and possible ways of actions. The underlying values are the base of the descriptions of reality, which in turn justify the suggested course of action. Ideology analysis as described by Lindberg (2018) provides a concrete tool for analysis. The first step is to identify different types of statements. Lindberg distinguishes between statements of values, statements of description (D), and statements of prescription (P). Statements of values describe normative ideals, preferences, goals, or interests and can in turn be categorized into basic values (V) and practical goals (G). Statements of description describe an opinion about the state of things. They can either be descriptions of situations (D sit) or descriptions of what methods can be used to reach a certain goal (D m). Statements of prescription express what a desirable course of action can be in a certain situation.

Lindberg (2018, p. 146) also differentiates between two types of levels that arguments can belong to; the foundational level describes an outlook of a society and its foundational values. The operational level deals with practical problems and concrete goals. Lindberg writes that the underlying values, goals, and descriptions are used to lay the foundation to argue for a certain course of action. Statements and phrases from the Charter were organized and structured according to the Lindberg template to analyze the argumentative components of an ideological system (ibid.) During the coding of the Charter, it became clear that descriptions of methods and prescriptive statements often look similar as some sentences included both an invitation for local governments to act a certain way, and a description of what that action should look like. Therefore, statements that start with “local governments should...”, or similarly, have been coded as prescriptive, while statements describing what conduct that needs to be implemented have been coded as descriptive.

Chart 1: a translation and summary of the method of ideology analysis presented by Lindberg (2018, p. 147).

	Values	Descriptions	Prescriptions

Foundational level	Ethical, social, cultural, or political values	Philosophical assumptions about society, the nature of humanity, etc. Generalizations and general descriptions about foundational functions of society	General principles for social and political action that are stated as legitimate and suitable
Operational level	Concrete goals	Concrete descriptions of the situation or the issues at hand and descriptions of methods to reach a certain goal.	Concrete/ situation-specific prescriptions of action

2.2.2. Content categorizing of interview data

This section describes the method used to analyze the data from the interviews to answer the second research question, about how queer women are affected by the Charter.

Content categorizing, a form of content analysis, was used to analyze the interviews (Kvale, 1997, p. 174). Content categorizing here is not used in a quantitative way to make charts of how many times a word or statement occurs in the text. Rather, the qualitative aspect of the method was chosen, and the analysis relies on the researcher to identify what main messages appear in each category. Using content categorizing means coding the interviews into different categories based on what themes they are talking about (Kvale, 1997, p. 174). Kvale describes how the categories can be decided upon beforehand or developed during the process of analysis. Once the data is organized into categories, quotes that summarize the respective categories are selected to highlight the message of the collected data in that category. Several quotes can be selected to show the nuance and possible contradictions in each category. It was important to keep the original quotes to maintain the authenticity of the data and do the interviewees justice.

At first, sentence condensation, another form of content analysis, was also considered as a possible method for analyzing the interviews. Sentence condensation is an inductive method where statements are rephrased into shorter sentences and the general categories are not chosen beforehand but based on the content of the interviews (Kvale, 1997, p. 174). Content

categorizing was deemed a better alternative for this thesis because it allows the interviews to speak for themselves as the researcher does not rephrase anything but simply select what quotes represent the data in the best way.

The categories that were first selected were: ‘resistance’, ‘incidents of hate’, ‘before & after LGBT-free zones’, ‘specific situation for queer women’ and, ‘future implications of hostility and resistance’. Those categories were found in the theory and in central themes from the interview guide. The categories were each given a color for coding the data in a way that was easy to overview. As the data was worked through, it became clear that the interviews also contained another theme that was also relevant to the research question, namely the theme of ‘restricted liberties’. Restricted liberties, as opposed to incidents of hate, did not involve direct homophobic attacks but rather what consequence homophobia or transphobia have in terms of restricting the lives of the interviewees. ‘Restricted liberties’ was added to the list of categories and given a color for coding. The initial category ‘before & after LGBT-free zones’ was replaced with ‘societal shift’ since the interviews pointed out that societal attitudes had changed on two events rather than just after the introduction of the LGBT-free zones. All categorized data was added to a separate document where all statements from the different interviews were collected and organized by category. That way, all paragraphs where the interviewees talked about, for example, the category of ‘resistance’, were merged to a longer section where all statements of ‘resistance’ were collected. The same was done for the other categories.

The second research question contains the phrasing “in different regions of Poland” because the initial plan was to be able to compare the stories of interviewees who live inside the LGBTQ-free zones and those who do not. During the analysis of the interviews, it became clear that there was not enough data for such a comparison to produce any significant result. However, the phrasing of the research question was kept, emphasizing that the interviewees lived in different regions of Poland and their stories are likely to be influenced by regional differences. Similarly, the category of ‘specific situation for queer women’ was initially included in the interview guide as well as in the coding of the interviews. As the analysis progressed, it became clear that the interview data from the category did not give such significant information that would justify for it to be a category in the results section. However, one account of what it means to be both a woman and queer was included in the category of resistance. Thus, the final content categories were the following: Societal shift, incidents of hate, restricted liberties, resistance, and future implications of hostility and resistance.

2.3 Research ethics

This Chapter will deal with ethical areas that Kvale et.al. (2014) states are important to consider while undertaking qualitative research interviews as well as which steps were taken to avoid those issues. The Chapter will also deal with relevant ethical risks as stated by the Swedish Research Council (2017). Important ethical areas according to Kvale et.al. (2014) are informed consent, confidentiality, and consequences. Since the ethical issues of using a dating app for finding interviewees have been dealt with in section 2.1.2.1, it will not be further discussed in this section.

Informed consent means that the interviewees know what the research is about and participate voluntarily (Kvale et.al., 2014, p. 107). The interviewees for this thesis received information on the general topic of the thesis at first contact and then again at the beginning of the interviews. At the stage where the first contact was made, the specified aim of the thesis was not yet determined and therefore couldn't be communicated. The interviewees were well informed of their right to withdraw from the study. The assessment was made that the thesis is not likely to stir up any conflict that would make it necessary to make a written consent form since the reach of the study will likely not be very broad.

Confidentiality was an important factor to consider since it may be dangerous for the interviewees to be identified as LGBTQ in Poland, especially for those who live in the LGBTQ-free zones. This relates to the principle of protection of the individual, meaning that research subjects should be protected from the risk of harm that would be unproportionate to the benefits of the research (Swedish Research Council, 2017, p 13). The interviewees were informed that their answers would be made anonymous to the extent that identification of an individual by the reader would be made impossible. Each interviewee was asked if a few identity markers could be written out under their quotes as contextualization. Identity markers such as gender identity, age, city of residence, or sexual orientation shape people's experiences and can therefore be important to know to understand what position someone is speaking from.

Kvale et. Al (2014, p. 110) argue that the consequences of the interviews must be considered, both in terms of potential harm to the interviewees and the good that the study might do. The benefits of the study must justify the potential harm to the interviewees and the group they

represent. Consequences in qualitative research can be difficult to identify and predict (ibid.) This thesis concerns emotional subjects as talking about homophobic incidents and oppression can bring up trauma. It is therefore important that the researcher is sensitive and makes sure the interviewees know that they are not obligated to answer or elaborate on any questions. A positive consequence that partaking in an interview might bring is to be able to contribute to a body of knowledge on the situation for queer Polish women. The interviewees may not be able to talk about their experiences openly where they live, and it could therefore be considered an empowering experience to talk about their lives in a safe space.

The Swedish Research Council (2017, p. 25) states that transparency is important for the credibility of the research, meaning that another researcher must be able to check the results. Because of the sensitive nature of the interviews and the protection of the interviewees, the full interviews will be kept confidential. All of the interview data used in the analysis has been presented in the Results section, which means that the demand for transparency of data has been met.

3. Previous research

This Chapter introduces the reader to relevant previous studies regarding LGBTQ and Human Rights in Poland and examples of LGBTQ resistance in other European countries. The section on homophobia from the Catholic Church describes the influence of the church in post-communist Poland. The next Chapter describes the functions of the State in enforcing homophobic ideas and how that ties in with the rise of conservative values in Europe. The Polish State and church are closely intertwined, and the next section describes how that relationship is used to enforce heteronormativity and homophobia. The last section gives examples of LGBTQ resistance against those norms in European countries comparable to Poland, describing the mechanisms of resistance and what effects it can have.

3.1 Homophobia from the Catholic Church

To understand the ideologies that inform the hostility towards LGBTQ people in Poland, one must first understand the influence and rhetoric of the Catholic Church during and after

communism. The Church plays a key role in forming public opinion about LGBTQ and has a lot of political influence (Heinen & Portet, 2010). There is a strong connection between the Catholic Church and the Polish national identity (Chu, 2011, p. 636; Heinen & Portet 2010, p. 1008). Poland became a communist country after the 2nd World war and remained so until 1989. Since the communist ideology believes religions are harmful, the societal power of the Catholic Church was subsequently minimized after the adaption of communism in Poland (Jedynak, 2018, p. 222). During that time, the Church took a stand for civil liberties such as religious freedom – the freedom to remain Catholic - and worker’s rights (Chu, 2011, p. 636). Identifying with the Church was seen as an act of opposition to communism (Heinen & Portet, 2010, p. 1009). This way, the Church had a central role in the collapse of the communist regime in Poland (Chu, 2011). An important part of the Church’s opposition against communism was to promote traditional family values and protest the liberal view on sexuality and reproductive rights that was included in the communist regime. The Church saw their role as protectors of the Polish nation against the communists. (Heinen & Portet, 2010, p. 1009).

The Church has had a growing impact on the political climate in Poland since the end of communism in 1989, with the moral values of the church influencing policies (Binnie, 2014 p. 248). The Catholic NGO Ordo Iuris drafted the Charter, which was used to declare the so-called “LGBT free-zones”. Just like the Church constructed communism as the enemy of the State, Church leaders today construct LGBTQ people as the enemy. They claim that there is an ‘LGBTQ ideology’ that seeks to undermine the national identity of Poland through dismantling the traditional view of the family and destroy the Catholic Church (Korolczuk, 2020b, p. 166). They claim that children are in danger of moral degeneration, sexualization, and pedophilia (ibid.). This thesis seeks to further the research of the above-mentioned scholars by taking a closer look at the Charter and its role in forming public opinion about LGBTQ people.

3.2 State homophobia

Not only is the Catholic Church a key actor in forming the hostility towards LGBTQ people, but so is the Government. This section describes how the leading party is failing to realize Human Rights for LGBTQ people and instead frames them as the ‘other’, a threat to the nation. Ayoub (2016, p. 176) argues that the framing of LGBTQ as a foreign threat is closely linked to the fear of foreign invasion. Polish values are constructed as more conservative than the tolerance of homosexuality that is believed to come from Western Europe, which makes

LGBTQ people associated with the foreign occupations that have occurred previously in Polish history. Making that connection is a powerful tool to instill fear and make people believe that the nation is once again under attack. Ayoub points out that Serbia, which has a history of more beneficial relationships with other countries, also has a high prevalence of homophobia but LGBTQ people are not framed as a threat to the national identity like it is in Poland. Ayoub (2016, p. 162) believes the Polish politicization of homophobia is only partly about morality, but also about Poland's position in the EU. This idea is backed by Graff (2010, p. 600), who argues that Poland has positioned itself as a conservative country in the EU and takes pride in not complying with EU directives. The Polish opposition against the EU is seen as a way to prove that Poland can 'afford' to be homophobes and in that way keep their political distance from the ideas of Western Europe.

The increasing homophobia in Poland seems to be closely linked to the political power of the Law and Justice party (PiS) (Binnie, 2014, p. 246). PiS has been a part of the Government twice, the first time in a coalition government between 2005 – 2007 and the second time as a majority government from 2015 – present. The current president, Andrzej Duda, is an independent but closely associated with PiS. A campaign in 2004 called 'Let Them See Us' by the NGO Campaign Against Homophobia aimed to increase the visibility of same-sex Polish couples received backlash and became associated with an increase in homophobia in the public discourse around this time, which also coincided with the first election of PiS (Binnie, 2014, p. 246). Council of Europe (2020, p. 2) states that attitudes towards LGBTQ people seemed to improve again until around 2017. However, In ILGA-Europe's recent Rainbow Index (ILGA Europe, 2021), Poland ranked among the worst EU-country regarding LGBTQ+ rights. President Duda has said during his re-election campaign in 2020 that his parents resisted communism and "they did not fight for this so that a new ideology would appear that is even more destructive" (BBC, 2020). Similar anti-LGBTQ sentiments are prevalent among members of PiS, among others the deputy minister of education who has previously compared gay marriage to bestiality (Hume, 2021). In April 2020, the parliament was set to vote on a bill called 'stop pedophilia' that would penalize sexual education for minors and sentence teachers of sexual education to three years in prison (Human Rights Watch, 2020). The bill was drafted by Ordo Iuris and submitted to parliament by PiS. The bill has, however, still not been voted on. To summarize the anti-LGBTQ discourse from the State, their main argument is that "LGBT ideology" aims to destroy families and children. They seem to want to scare citizens by comparing "LGBT ideology" as a threat to the nation even worse than communism.

3.4 Intersection of Church and State

This section highlights how the Catholic Church and the Polish Government are closely intertwined when it comes to conservative values and forming hostility towards LGBTQ people. To talk about homophobia from the Polish Church and State as two completely different phenomena can be misleading. Heinen & Portet (2010, p. 1007) writes that it is common among Polish conservative politicians to align themselves with the powerful Catholic Church, something that President Duda also has done. Korolczuk (2020b, p. 166) writes about how ultraconservative forces have changed their scapegoat since 2019 from ‘gender ideology’ to ‘LGBT ideology’. They view ‘LGBT ideology’ as a force aimed to undermine the traditional family, the Catholic Church as well as the nation, Poland. The combined effort of political discourse and the Church seem to have succeeded to convey the message of ‘LGBT ideology’ being an enemy of the Nation. A survey showed that “the majority of young men and older people declared that their biggest fear is the threat of the ‘gender ideology and LGBT movement’” (Korolczuk, 2020b, p. 167).

Ordo Iuris operates as an ideological link between Church and State. Their promotion of conservative values encouraged by the Government, can be seen as the center of the combined anti-LGBTQ efforts of the Church and State. Their Charter laid the foundation for the declarations of so-called LGBTQ-free zones. The declarations were made in an attempt to “protect children and families from ‘homosexual propaganda’ and ‘moral degeneration’” (Korolczuk, 2020a). In March 2019, the county of Świdnik was the first to declare such a zone (ibid.). Many other municipalities followed the example and declared their area free from ‘LGBT ideology’. The development of anti-LGBTQ discourse was heavily encouraged by the Catholic church and particularly the archbishop of Kraków who stated that a ‘rainbow plague’ “wanted to control people’s souls, hearts, and minds” (Korolczuk, 2020a).

To summarize, the authors above argue that ‘LGBT ideology’ is the new joined scapegoat of the Church and the Government, framed to threaten families and children. Poland seems to be unique, at least compared to Serbia, in that LGBTQ is framed as a threat to the national identity. Poland’s hostility against LGBTQ people also seems to serve as positioning against values that are perceived to come from Western Europe.

3.5 European LGBTQ resistance

This section describe research about resistance by LGBTQ people in two European countries where religion plays a central role, namely North Macedonia and Northern Ireland. The conclusions drawn from the previous research in this section contribute valuable perspectives on resistance. This thesis will build upon these articles and aim to deepen the perspectives found in them. The purpose of this section is to provide a wider European context to the Polish LGBTQ resistance that is explored within the second research question.

Kajevska (2016) presents examples of resistance strategies against homophobia used by LGBTQ NGOs and individuals in post-communist North Macedonia. The Orthodox Church has a strong influence over the government and is therefore comparable to Poland regarding the role of religion (Kajevska, 2016, p. 129). Kajevska describes the society as very homophobic, with a majority of citizens thinking homosexuality is unnatural and would be uncomfortable in the company of a gay person. An activist who was brave enough to talk openly about his sexual orientation on national TV was admired by many of his peers for his willingness to take risks and empower other queer people. He also received backlash from other gay men saying that his actions put them in danger and made them a target for violence. Kajevska describes the formation of a new 'LGBTI support center' in 2012 in a smaller city that focused more on public visibility. The new NGO was subjected to violence on the night of their opening and ten additional times shortly thereafter (Kajevska, 2016, p. 96). Kajevska argues that increased visibility of LGBTQ campaigns led to a wave of violence towards individual activists as well as NGOs. Parallel to the development of more LGBTQ organizations in North Macedonia since 2008, the homophobia endorsed by political leaders has also been growing (Kajevska, 2016, p. 107). Kajevska's article highlights the fragile balance of resistance in a deeply homophobic society while also protecting one's safety. She argues that visibly and unapologetically resisting homophobia can provoke opponents and lead to an increased number of hate crimes. Similar incidents can also be seen in Poland, especially through the example of the campaign 'Let Them See Us' in 2004, which Binnie (2014, p. 246) points out as a starting point for growing homophobia in the Polish society. The Mayor of Warsaw signing an LGBTQ+ declaration can be seen as resistance on a local government level, which the Charter is a reaction against. This thesis seeks to explore resistance done by individuals in Poland and the complicated considerations that are made about one's safety.

Drissel (2016) describes resistance in the case of Belfast Pride, emphasizing the importance of pride parades as public displays of queer resistance. Northern Ireland is, similarly to Poland and North Macedonia, a country where religion has a central role. Homophobia is prevalent in Belfast and seen as a socially “acceptable prejudice”. Drissel centers the social agency of the parade participants, describing the parades as rituals where the participants strategically perform their non-normative identities to reclaim heteronormative spaces. Drissel (2016) describes how the participants of Belfast Pride use transnational symbols of queer resistance and adapt them to a local context. One such transnational queer symbol is the rainbow flag. At Belfast Pride, some participants were seen waving the British Union Jack in rainbow colors, establishing a bond between pro-British Union locals and the transnational LGBTQ community (Drissel, 2016, p. 250). The adaption of the rainbow flag to a local political positioning symbolizes the demand of the LGBTQ community to get “the freedom to safely express their sexual and gender identities in public spaces” (Drissel, 2016, p. 250). Drissel’s article is included to provide a deeper background understanding of the statements about pride parades that the interviewees for this thesis talked about.

4. Theory

‘A theory of gender’ presents the interlinked theoretical concepts of gender and sexuality. The section serves as a background understanding of the system of norms that regulate what gender expressions and sexual orientations are considered socially acceptable or unacceptable. When those norms are enforced, those whose identities are deemed unnatural or unacceptable often do resistance to counteract the oppressive power. Lilja & Vinthagen (2009b, p. 47) argue that the study of marginalization needs to be combined with the study of individual and collective resistance and how they affect power relations in society. Resistance as a theoretical concept enables a deeper discussion about the agency and resistance used by the interviewees and how that correlates to the theoretical understanding of resistance. In the analysis, the concept of sexuality and resistance will be used the theoretical tools. The concept of gender is deemed too broad to be a useful tool for analysis in this thesis but is still central for the understanding of the issue.

4.1 A theory of gender

Feminist scholars have often based their work on the premise that gender is a stronger factor than sexuality in shaping societal relations, while queer scholars tend to emphasize the importance of sexuality (McLaughlin, et al. 2006, p. 2-3). This thesis attempts to join feminist and queer theoretical perspectives by recognizing that the two are interrelated. Their respective level of importance is contextual and will vary depending on what category is being politically and socially targeted in a certain situation (McLaughlin, et al. 2006, p. 4).

To understand the notions of gender and sexuality we must first have an understanding of patriarchy and how it shapes societal norms. Walby (1989, p. 214) defines patriarchy as “a system of social structures, and practices in which men dominate, oppress and exploit women.” She develops her definition by explaining six structures that constitute patriarchy:

The patriarchal mode of production in which women’s labour is expropriated by their husbands; patriarchal relations within wage labour; the patriarchal state; male violence; patriarchal relations in sexuality; and patriarchal culture (Walby, 1989, p. 220)

The notion of gender hierarchy is used to describe the patriarchal structure of power relations that puts men in a privileged position in relation to women. It lays the foundation of worldwide problems such as violence against women, unequal career opportunities, and unequal access to health care (United Nations, n.d.).

4.1.1 Feminist discourse

Queer theorist Judith Butler (2006, p. 34) argues that gender is constituted by one’s gender expressions and that gender is a social construction with no ties to the biological sex. However, feminist theorist Gunnarsson (2011) argues that although gender is socially constructed and self-identified, biology plays a part in how gendered power structures are functioning in society. Regardless of one’s gender identity, society assumes one’s gender based on the perception of one’s biology. Genders are not fixed categories or naturally given but rather a way of describing something complex and changing. Gunnarsson (2011, p. 33) “conceptualises women as those who occupy the position of woman”. In Western societies today, gender is constructed as a binary, with two opposite genders. This thesis acknowledges that non-binary people who, even though some of them were assigned female at birth and experience oppression on the grounds

of being perceived as women, occupy a more complex position on the gender identity scale. Therefore, they can occupy the social position of women because of how society oppresses them based on assumptions of gender. Likewise, this thesis acknowledges that trans women are women, by the power of self-identification, regardless of how society perceives them.

Gunnarson (2011) describes how the category ‘woman’ is a contested one in feminist academia as many avoid using it out of fear of being seen as essentialists. Gunnarsson argues that using the category ‘woman’ is necessary for feminist theory and not inherently essentialist or homogenizing. First of all, women are not only women but also individuals included in different categories of class, ethnicity, sexual orientation, etc. Crenshaw, as cited by Gunnarsson, emphasized that to intersectionally analyze power relations other than gender is important since factors such as race and class might be the primary source of oppression for some women. She called attention to the fact that many feminist scholars practically just meant white women when talking about women, and thus ignored the experiences of non-white women (Gunnarsson, 2011, p. 25). To acknowledge specific experiences of women who are not cisgender or heterosexual is also an important part of intersectionality, as queer women can be subjected to transphobia, homophobia, and gender discrimination as well as racism, ableism, class-based oppression, etc. There is therefore not one single way of experiencing the world as a woman since gender oppression as well as other forms of oppression play a part in how different women are treated. Although women’s experiences of oppression are shaped by other categories than gender, we should not reject the category altogether.

4.1.2 Queer discourse

Heterosexuality is the dominant sexuality in society and is institutionalized in law, society, and culture (Jackson, 1996, p. 30). An example of that is that marriage is reserved for heterosexual couples in Poland (Council of Europe, 2020, p. 4). Heterosexuality and cisgender are established norms and are seen as the default identity, making queer people expected to ‘come out’, meaning announcing their non-normative identity. The dominance of heterosexuality is recognized as heteronormativity. It constructs heterosexuality as the only sexuality that is naturally given and the foundation for interpersonal relationships which are necessary to uphold the functions of society (Richardson, 1996, p. 2-3). The idea that attraction to a different gender is the only logical or natural human attraction, forms an understanding of what kind of sexual behaviors are acceptable or appropriate, thus constructing non-heterosexual orientations as

deviant. Wilton (1996, p. 127) writes that heteronormativity “is a patriarchal narrative told about bodies and desires which polices women’s and men’s adherence to proper gender and erotic behaviours”. The queer woman can be interpreted as a threat by those who seek to uphold heteronormativity since she breaks the patriarchal rules of what women should do with their bodies, what their attraction should look like, and consequently what a family should look like (Jeffreys, 1996, p. 77). Queer theorist Sedgwick (1990) argues against the notion of homosexuality being ‘unnatural’ or an exception to the norm, meaning that a heteronormative society is denying a truth about itself. The heteronormative construction of queer people as deviant, or abnormal, lays a foundation for the legitimization of violation of their rights (Richardson, 1996, p. 18).

Butler has been criticized for having an individualized approach to her queer theory, lacking a “clear narrative for socio-economic change” (McLaughlin et.al., 2006, p. 11). However, although many LGBTQ activists also see identity as fluid, they have found it important to use identity categories as a starting point to claim their rights as a community of ‘othered’ (Garber, 2006, p. 81). One such collective identity is the word ‘queer’. Butler (2011) describes how the word ‘queer’ has historically been used to degrade non-heterosexual people and to pathologize their sexuality but has since then been reclaimed as an affirmation.

To uphold the patriarchal view of heterosexuality, gender is constructed as binary and opposite to each other. Expressing or identifying oneself in a way that is not normatively ‘male’ or ‘female’ is something that Wilton (1996, p. 127) calls “disobedience to gender”. Heterosexuality and the gender binary are therefore closely linked together since institutionalized heterosexuality is dependent on the construction of ‘opposite genders’ (Jackson, 1996, p. 28). Similarly, Sedgwick (1990) criticizes the binary homo/ hetero divide within sexuality discourse, arguing that both sexuality and gender are much more complex.

In conclusion, this thesis recognizes that gender is both self-identified and a societal structure of hierarchy at the same time. Queerness is seen as a marginalized position in a heteronormative society rather than just a private matter of sexual behavior or desire. Since this thesis aims to examine the environment for queer women in Poland, this understanding of gender and sexuality provides an understanding of how gender hierarchy and heteronormativity may affect the lives of the interviewees.

4.2 Resistance as a theoretical concept

Lilja & Vinthagen (2009, p. 47b) emphasize the relationship between resistance and power. They argue that resistance exists everywhere where there is power and that resistance changes asymmetrical power relations in society. It is important to note that power is not just political power. Lilja & Vinthagen (2009a, p. 34) argue that the ultimate form of power is the possibility to define reality. Hegemonic claims of truth create hierarchies of superiority and subordination. Individuals can either adapt to the norm or oppose it by being disinterested in adapting or openly confronting the norm. An example of normative power is the enforcement of heteronormativity, which leaves LGBTQ people excluded and in a subaltern power position. However, even in a subaltern position, it is still possible to exercise power. Resistance is the use of that power. Lilja & Vinthagen (2009b) highlight how resistance can be done both individually and collectively. Mobilizing a marginalized community is seen as collective resistance since it strengthens individuals and enables collective action. One way that the LGBTQ community has historically practiced resistance is by reclaiming words and symbols that have been used to shame them (Lilja & Vinthagen, 2009a, p. 42). That way, they counteract oppressive power by turning their perceived weakness into a tool for resistance.

There are multitudes of different definitions of resistance commonly used in academia. Kajevska (2016) does not define the concept of resistance but uses words such as struggle, protest, and activism. She mentions LGBTQ resistance in relation to other struggles, forming alliances to help each other's causes and the joined struggle for equality (Kajevska, 2016, p. 105) Drissel (2016, p. 258) takes a more theoretical approach, using the concept of resistance in terms of "reclaiming heteronormative public spaces" by showcasing non-normative identities. Both Drissel's and Kajevska's use of resistance fit into the definition of the concept, written by Baaz, et. al. (2016). Baaz, et. al. writes that resistance historically has been seen as destructive forces of violence and antisocial attitudes. They want to redefine resistance to emphasize that it can also be a productive force, incorporated into everyday life and used to change society for the better. Baaz, et. al. (2016, p. 142) defines resistance as follows:

Resistance could then, to summarize, be understood as a response to power from below—a subaltern practice that could challenge, negotiate, and undermine power, or such a practice performed on behalf of and/or in solidarity with a subaltern position (proxy resistance). Irrespective of intent or interest, we view resistance as (i) an act, (ii) performed by someone upholding a subaltern position

or someone acting on behalf of and/or in solidarity with someone in a subaltern position, and (iii) (most often) responding to power.

The above definition was chosen for this thesis because of its broad perspective that can capture a range of different accounts of resistance told by the interviewees. In situations where open forms of resistance such as public protest or revolution are too dangerous, everyday resistance is an alternative. Everyday resistance is small acts that are not as visible as organized resistance, but still are a tool for survival or an aim to undermine oppressive power (Baaz, et. al. 2016, p. 65). Examples of everyday resistance can be laziness, avoidance, and escape. Disguised forms of resistance can lay the foundation for more public displays of resistance.

5 Results

This Chapter is organized to first present the results from the ideology analysis of the Charter, and then the results of the interviews. Some quotes from the interviews refer to the Charter, and it is, therefore, helpful to be familiar with the content of the Charter before reading the interview results.

The dimensions of ideologies are built on the Lindberg method which includes statements of values, descriptions, and prescriptions of action². Together, these dimensions make up arguments for an ideology and suggest actions according to the goals of the ideology (Lindberg, 2018).

The following sections will describe how the different dimensions of ideology are used throughout the Charter to build an argument and justify the prescribed course of action. The section is divided into four subtitles, each presenting a theme that appeared during the analysis of the document. The themes are LGBTQ, Sexualization of children, Marriage & Family, and NGOs. Each subtitle is concluded with a chart summarizing the ideological dimensions raised in the section. The Charter starts with an introduction that frames the problem. The document then goes on to present seven principles, targeting local governments or schools with suggested courses of action. As explained in Delimitations, principles six and seven are left out. The principles are presented out of order since the data is organized according to themes. Therefore, principle 5 is presented before principle 1, etc. In section 5.1.5, a summarizing chart of the

² See Chart 1.

ideology analysis is presented together with reflections on the ideological arguments. For a complete view of the Charter, see Chart 8 in Appendix.

5.1 Charter results

5.1.1 LGBTQ

The introduction to the document starts as follows:

Over recent months there have been attempts at the local government level in order to undermine the rights of families, including the rights of parents and children, as well as legal identity and constitutional position of marriage, which are all guaranteed by the Constitution (Ordo Iuris, 2019).³

What is referred to by the phrasing “attempts [...] to undermine the rights of families...” is the LGBTQ+ declaration signed by the Mayor of Warsaw earlier in 2019. It is already clear that the Charter argues that efforts to ensure the rights of LGBTQ people are endangering the rights of traditional families and the institution of heterosexual marriage. When presenting statements of value⁴, the Charter always refers back to the Polish constitution, seeking legitimation of the Charter by law. The paragraph above is directly followed by the next quote:

The LGBT+ Declaration signed by the Mayor of Warsaw, which contains a range of ideological postulates, which violate standards of ideological impartiality of public authorities, and the announcement of introduction of permissive sexual education in accordance with WHO standards to schools, which raises reasonable doubts in terms of the constitutional principle of children's protection against demoralization, have raised the strongest objections (Ordo Iuris, 2019).

Above, the WHO standards are put in opposition to the constitutional principle of ideological impartiality of authorities. To imply that the Charter protects the ideological impartiality of authorities means that the author of the Charter claims to be ideologically impartial. It is, however, clear that the Charter is an argumentative text built on an ideological agenda. The phrasings “raises reasonable doubts” and “raises the strongest objections”, mean that a reasonable reaction to the LGBTQ+ charter is to object strongly, and thus legitimize the arguments of the Charter and its endorsement.

³ Since the Charter was originally published without page numbers, no reference to page numbers will be made.

⁴ See Chart 2.

In October, leaders of the political LGBT movement used Polish schools in order to conduct a propaganda campaign called “Rainbow Friday” for the third time (Ordo Iuris, 2019).

The quote above is also a part of the introduction to the document and belongs to the operational level of ideology since it deals with practical problems. To “use” Polish schools for “a propaganda campaign” is a strong use of language that intends to solicit sympathy against the LGBTQ movement’s alleged endangerment of children for political purposes. The first principle states that the (heterosexual) family is a “natural and fundamental social unit”, framing LGBTQ as a threat to society.

Chart 2 summarizes the ideological dimensions found in the Charter regarding LGBTQ.

	Values	Descriptions	Prescriptions
Foundational level	<p><i>Ideological impartiality of public authorities</i></p> <p><i>Children’s protection against demoralization</i></p> <p><i>The “Rainbow Friday” by the political LGBT movement is a propaganda campaign</i></p>	<p><i>The family is a natural and fundamental social unit.</i></p>	

<p>Operational level</p>		<p><i>The LGBT+ Declaration contains a range of ideological postulates, which violate standards (of the constitution)</i></p> <p><i>The introduction of permissive sexual education raises reasonable doubts.</i></p> <p><i>The LGBT movement is using Polish schools to conduct propaganda</i></p>	
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5.1.2 Sexualization of children

Children’s protection against demoralization is a foundational value throughout the Charter.

5. *Integral upbringing instead of sexualization of children* (Ordo Iuris, 2019).

As opposed to other principles, “integral upbringing” has been coded as a goal instead of a method to reach a goal⁵. ‘Integral upbringing’ as an antipode to ‘sexualization of children’ makes it look impossible to disagree with the Charter since it is a value that most morally sensible people would agree with. In the next quote from the fifth principle, the author explains what they mean by ‘sexualization of children’:

Schools should “support an educational role of the family, promote an integral approach to human sexuality, shape pro-family, pro-health and pro-social attitudes” (§ 2 of the Regulation of the Minister of National Education of 12 August 1999[3]as part of such classes and teachers should strive to teach pupils to “appreciate values of the family and to be familiar with the tasks which it fulfils, respect human dignity, search for, discover and strive to achieve life goals and values, which are significant in terms of finding their own place in the family and

⁵ See Chart 3.

in the world” (Annex No. 2 to the Regulation of the Minister of National Education of 14 February 2017[4]) from which objections against such forms of education which would present one of these spheres in the manner isolated from others arises, which in relation to sexual education would mean distorting and presenting it only through the prism of sexuality (Ordo Iuris, 2019).

Vague phrasings are used to make it difficult to disagree with the message. “Pro-health and pro-social attitudes” are foundational values that most people would deem positive for children. However, the message of the principle is that teaching children about sexuality detached from family life means ‘distorting’ the subject of sexuality. This message further stipulates the value that sexuality belongs only in heterosexual marriage, and education that is tolerant to any other form of sexuality is guilty of distorting children’s view of sexuality and thus sexualizing them.

Chart 3 describes the ideological dimensions found in the Charter regarding the sexualization of children.

	Values	Descriptions	Prescriptions
Foundational level	<p><i>Children’s protection against sexualization.</i></p> <p><i>Integral approach to human sexuality, pro-family, pro-health and pro-social attitudes</i></p> <p><i>Presenting sexual education isolated from family life means distorting sexuality</i></p>		
Operational level	<p><i>Integral upbringing</i></p> <p><i>Children should learn respect human</i></p>		<p><i>Teachers should strive to teach pupils to</i></p>

	<i>dignity, search for, discover and strive to achieve life goals and values, which are significant in terms of finding their own place in the family and in the world.</i>		<i>appreciate values of the family.</i>
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5.1.3 Marriage & Family

Under such circumstances it is necessary to stand for the values stipulated in the Constitution of the Republic of Poland, i.e. identity of marriage as a relationship between a woman and a man, family and parenthood (Article 18), the right to protection of family life (Article 47), the right of parents to raise their children in accordance with their own convictions (Article 48 section 1) and the right of a child to protection against demoralisation (Article 72 section 1). [...]

- 1. Work of schools in compliance with the principle of educational priority (Ordo Iuris, 2019).*

The message of the first point is that schools should strengthen parents' roles in their children's education. It contains the phrasing "the family, which is a natural and fundamental social unit", establishing that the Charter centers the heterosexual marriage as a foundation for the family. The first principle also states that:

Care and educational institutions cannot replace family upbringing with content which is contradictory to them or which prejudices the natural identity of the family. Unfortunately, in practice, even statutorily guaranteed rights of parents are often ignored in the course of school education (Ordo Iuris, 2019).

Here, the author assumes that the values that children are taught by their families are in accordance with the values of the Charter⁶. If they are not taught traditional family values at home, schools should make sure the children still are taught about the "natural identity" of the

⁶ See Chart 4.

family, meaning heterosexual marriages. The Charter describes a situation of parents’ rights often being ignored, aiming to make parents feel like they need to defend their rights to influence the upbringing of their children. However, the author does not provide a source or an example to back up this statement.

Chart 4 describes the ideological dimensions found in the Charter regarding marriage & family.

	Values	Descriptions	Prescriptions
Foundational level	<p><i>The identity of marriage as a relationship between a woman and a man, family and parenthood.</i></p> <p><i>The right to protection of family life.</i></p> <p><i>The rights of parents to raise their children in accordance with their own convictions.</i></p>		<i>It is necessary to stand for the constitutional values concerning the identity of marriage.</i>
Operational level	<p><i>Care and educational institutions cannot replace family upbringing with content that is contradictory to them or which prejudices the</i></p>	<p><i>Schools should comply with the principle of educational priority.</i></p> <p><i>Statutory guaranteed rights of parents are often ignored in the course of school education.</i></p>	

	<i>natural identity of the family.</i>		
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5.1.4 NGOs

The first principle is concluded with the prescribed action⁷ that local governments should get consent from the parents' council before starting cooperation with an NGO. What is especially interesting about this statement is that the Charter is written by the NGO Ordo Iuris, yet they are hesitant about letting NGOs influence the education of children. The second and third principles of the Charter are the following:

2. *Transparency of information on cooperation between schools and non-governmental organisations.*
3. *Mechanism of double parental verification of non-governmental organisations and their teaching materials within the scope of sexuality and psychosexual development (Ordo Iuris, 2019).*

The second principle contains an invitation for local governments to make information about cooperation with NGOs and their teaching material available for parents. The third principle aims to make sure that children only get to participate in sexual education by an external organization after the informed consent of both parents. The only project by an NGO that is mentioned as an example of what kind of influence that undesirable is the LGBTQ initiative 'rainbow Friday' This thesis will not present the second and third principles in more detail as they mostly contain technical details about school conduct and less ideological argumentation.

4. *Suspension of public financing of projects undermining constitutional identity and autonomy of marriage and family.*

It is unacceptable to earmark public property or public means for projects whose nature assumes undermining constitutional identity and autonomy of marriage and the family, including, in particular, projects implemented within the scope of education (Ordo Iuris, 2019).

⁷ See Chart 5.

The message of the fourth principle connects to the earlier statements aimed to exclude NGOs from teaching sexual education in schools. This principle aims to further stipulate that organizations that do not agree with the values of the Charter should not receive any public funding.

Chart 5 describes the ideological dimensions found in the Charter regarding NGOs.

	Values	Descriptions	Prescriptions
Foundational level	<i>Autonomy of marriage and family</i>		
Operational level	<i>Public property should not be earmarked to projects that undermine the constitutional identity of marriage and family.</i>	<i>Transparency of information on cooperation between schools and non-governmental organizations.</i> <i>Double parental verification of non-governmental organizations within the scope of sexuality and psychosexual development</i> <i>Suspension of public financing of projects undermining the constitutional view of marriage</i>	

5.1.5 General summary

Chart 6 is a summary of the dimensions of ideology presented in the Charter. For the full version, see Chart 8 in Appendix.

	Values	Descriptions	Prescriptions
Foundational level	<p><i>The protection and rights of families and position of marriage as a relationship between a woman and a man.</i></p> <p><i>Children’s protection against demoralization</i></p>	<p><i>The family is a natural and fundamental social unit.</i></p>	<p><i>Schools should support an educational role of the family.</i></p>
Operational level	<p><i>Educational institutions cannot replace family upbringing with content that is contradictory to the natural identity of the family.</i></p>	<p><i>The LGBT+ Declaration is an attempt to undermine rights which are all guaranteed by the Constitution.</i></p> <p><i>Suspension of public financing of projects undermining the constitutional view of marriage.</i></p>	<p><i>Teachers should strive to teach pupils to appreciate values of the family.</i></p>

As described in Chart 6, the Charter contains statements of all three dimensions of ideology. It also uses a combination of the foundational and operational level to build its argument, from stating its foundational outlook on society to concrete requests of how local governments and parents should act. The argumentation is built according to a logic that starts with determining that heterosexuality is the natural way of building a family, and the notion that LGBTQ people seek to destroy the natural foundation of society and the innocence of children. The Charter discriminates against LGBTQ families but constructs the heterosexual family as “natural”, making LGBTQ families unnatural.

By framing LGBTQ people as challenging constitutional principles such as the impartiality of authorities, the institution of heterosexual marriage, and the integral approach to sexuality, the ideology of the Charter is legitimizing homophobia. It is especially concerning that the Charter is constructing LGBTQ campaigns as sexualizing children, as it might lead the reader to believe

that there is a connection between LGBTQ people and pedophilia. By building the argument like this, the author constructs the opponents of the Charter as not having children's best interest at heart and possibly even excusing pedophilia. The logical effect of that is to exclude LGBTQ-friendly NGOs and sexual education in schools.

5.2 Interview results

This section presents data collected from the interviews and explores the second research question about how the Charter affects the daily lives of queer women in Poland. The section is structured in chronological order. The different subtitles are named after the categories that appeared in the interviews and have been explained in section 2.2.2. Section 5.2.1 talks about two points in time where the societal attitudes towards LGBTQ people changed for the worse, namely, the introduction of the LGBT-free zones and the reelection campaign of Andrzej Duda in 2020. The category 'incidents of hate' is placed at 5.2.2. because most incidents of hate that the interviewees talked about were dated after the introduction of the LGBT-free zones. Since the section of 'societal shift' makes it clear that things have been getting gradually worse, it made sense to place 'incidents of hate' immediately after the section of societal shift. Section 5.2.3 talks about the restricted liberties that the interviewees experience as a consequence of the increasingly hostile society. The following section, 5.2.4, talks about the interviewees' response to the incidents of hate and their restricted liberties in form of resistance. Events that happened during the last two years were selected to exemplify restricted liberties, to let the section follow the chronological order of the Chapter. The final section, 5.2.5, deals with how the interviewees think about their future.

5.2.1 Societal shift

Three of the interviewees mentioned two events where they experienced a change for the worse in societal attitudes towards LGBTQ people: the introduction of the LGBT-free zones in 2019 and the reelection campaign of Andrzej Duda in 2020. Two of the interviewees focused only on the introduction of the LGBT-free zones as a catalyst for increased hostility. It is noteworthy that the Charter was used as an important document in both of those events. When talking about society after the introduction of the LGBT-free zones, Karolina said the following:

It's not like we did not have homophobia before in Poland of course, we did. Now it has become more and more acceptable to be openly homophobic or transphobic. You can get even praised for it sometimes. Normally a president would say something like "Oh guys, maybe stop?" Of course, more officially. Our president is doing the exact opposite of that. He is inciting that. (Karolina)

Karolina is tying the increasingly homophobic attitudes in society directly to the words and actions of President Duda. She also said that many people were shocked when Duda said that “it is not people, it is ideology”, a statement that Karolina interprets as him saying that LGBTQ people are not ‘normal’ human beings. Weronika also talked about the power that government officials have on the normalization of hostility towards LGBTQ people. An example of how the lives of queer people have changed after hostility has become increasingly sanctioned by the government is that Karolina used to use a rainbow bag before the introduction of the LGBT-free zones. However, she cannot use it in public anymore because her mother worries about her safety when she wears it.

The interviewees also talked about how society quickly had gotten more polarized after the introduction of the LGBT-free zones.

People have definitely become more radical on both sides. Those ones who were just casually homophobic became more aggressive and vocal about their hatred. [...] There are more allies and more antagonists but way less neutral. (Maria)

Similarly, Julia felt that she did not hear about many attacks before the LGBT-free zones but now she feels like she hears about it often, both assault on the street and she feels that the mental health of the LGBTQ community has gotten worse and more people are suicidal than before. Weronika linked the increased polarization to discussions in media, arguing that the topic is discussed so often which makes people take a stand.

Apart from a societal shift after the introduction of the LGBT-free zones, the interviewees also talked about how the re-election campaign of President Duda in 2020 changed things for the worse:

He used that [The Charter] in his campaign. [...] It was definitely worse after the campaign. Because, you know, it's a President. He holds power. So, the discrimination was worse after that. (Julia)

Here, Julia puts the President’s use of the Charter in direct relation to increased homophobia in society. Other interviewees also connected the reelection campaign to increased hostility.

Weronika believed that the Charter was used as a card in the campaign because the refugee crisis of 2015 was no longer possible to use as a threat, so they needed a new symbolic threat to convince people to vote for them.

5.2.2 Incidents of hate

As a result of the increased hostility towards LGBTQ people all of the interviewees talked about themselves or their friends being targeted with homophobic and transphobic hate. The quotes collected in this section all refer to incidents that happened after the introduction of the LGBT-free zones. Weronika talked about how she was targeted with homophobic hate for wearing a rainbow mask.

I had a mask on, with "Love" in rainbow colors. And I was crossing the lights. And it was a green light, I'm sure of that. One car stopped before me. I think they saw my mask. They tried to drive me over. [...] They touched me with the car. And then they stepped out of the car and they started to shout invectives, and all the bad slurs and all of that. Like "get out, what are you doing here you faggot". All of that. All the things because of a mask. (Weronika)

Weronika was assumed to be queer because of her rainbow mask. Rainbow symbols are consistently throughout the interviews talked as a symbol of queerness, a symbol that conservative forces like to bash, and LGBTQ people wear to oppose homophobia and transphobia.

Karolina talked about her experience with hearing news about other queer people being targeted for their sexual orientation and gender identity. Constantly hearing about hate crimes or young queer people dying by suicide makes her feel that she might be next. Belonging to a group that is being persecuted comes with the fear of being subjected to violence. The same interviewee said that she lives in a “constant state of being unsure what rights are they going to take away”. So even though she has never personally been the subject of a violent homophobic attack, the attacks that happen to other LGBTQ people affect her in a way that she is constantly stressed about her rights being endangered or being attacked herself.

Maria retold examples of serious threats and incidents that happened to other people. This quote gives an understanding of what kind of daily threats the Polish LGBTQ community live with:

I have a few friends who live in very homophobic households. Their parents would say things like "If you were gay, I would literally kill you". Or "I would disown you, make you leave the home" etc. One of my friends once got beat up for being next to a person of the same gender whilst going in public. Just next to, not even holding hands. Just for that. And I think, rainbow bag, this one from Tiger. So that definitely means they're gay, and if they're gay they need to be beat up. (Maria)

Two interviewees, independent of each other, talked about a specific rainbow bag from Tiger that has now become dangerous to wear.

5.2.3 Restricted liberties

The category of restricted liberties is a direct effect of the increased homophobia in society that is shown in the previous sections. As opposed to incidents of hate, restricted liberties are more subtle ways that homophobia affects the interviewees. Examples of the liberties that are restricted are the possibility of getting married to a same-sex partner and fear of reporting hate crimes to the police. Many of the quotes below talk about the theme of concealing one's queer identity in threatening situations. That includes altering their expression, not being able to introduce their partner to their family, or refrain from holding hands in public. The interviewees who were in relationships talked about being vigilant about when, where, and with whom it is safe to be open about being in a queer relationship.

Julia highlights a deliberation about when and where to be open about her queer identity:

It's annoying when my girlfriend is home and I tell their friends that it's just my friend, you know. And, well, it's scary, a bit, to walk on the street with my girl. I personally it took me more than a year to start walking with a rainbow. Just being open and fight and I was sometimes too scared to go on pride march or something like that. Just to be open on the street. (Julia)

Karolina also talked about taking precautions based on the fear of being a target of homophobia. Being bisexual, she has chosen not to pursue a same-sex relationship for the time being and is therefore not able to explore all of her dating options. Karolina considered herself an activist and is a volunteer for an LGBTQ organization. Still, she deemed it riskier regarding her parents' reactions to be in a same-sex relationship than being an LGBTQ activist. Other interviewees also talked about how they feel restricted in the way that they cannot publicly show affection

to their partner. It is clear that the homophobic attitude in society limits queer people in relationships both in public and when being around her family. Weronika talked about how she needs to carefully choose with whom she can be open about being in a queer relationship. Being openly queer and in a relationship comes with the risk that family relationships will be jeopardized, something other interviewees talked about as well. Julia, for instance, expressed concern about how Christmas would look like after the pandemic when the extended family would come together. Another issue that the interviewees talked about relating to relationships, is that there is no form of legal recognition for same-sex relationships in Poland, and no possibility of adopting children. These legal obstacles to starting a family are indeed a big issue that seriously restricts the liberties of LGBTQ people.

Maria talked about one time when she went to an anti-fascist protest and how she was scared for her safety because she was worried about becoming a target for transphobia.

There was once a counter-protests against some fascists, and I was very scared shitless, so I went completely in 'boy mode' but just for the first round so that I don't get attacked on the street before even coming to the protest. But when I get there, I took off my hat, wore my trans flag and started protesting. I even did some makeup on the run, which is kind of fun. And coming back I was still like I just described. So yeah, I'm pretty bold. Stupid, rather (laughs). (Maria)

The liberty that was restricted for Maria here was being able to live out her gender expression on the way to the protest. Other interviewees also talked about choosing when to make themselves identifiable as queer in public, for example through taking off queer symbols. For example, Karolina talked about the fact that when she is around homophobic people, she sometimes chooses not to talk about her queer identity as a way of staying safe.

In summary, the interviewees' lives are restricted in a way that they might not be able to start a family, feel safe enough to report a hate crime, or pursue a queer relationship. There is also seemingly constant stress and worry about being a target for hate crimes when being openly queer in public, or not being accepted by parents or extended family. The fear alone is restricting their lives in a way that prevents them from living on their own terms.

5.2.4 Resistance

As mentioned in the aim of the thesis, queer women's resistance against homophobia will be explored. The interviews showed that the interviewees used their agency to do resistance in a variety of ways. As the previous sections showed how society has become more hostile both regarding homophobic attitudes and hateful incidents, this section focuses on stories that the interviewees about what they do to fight back against such oppression. The interviewees were asked about whether their behavior changed after being subjected to homophobic or transphobic hate, to see if those experiences made them more or less likely to perform resistance. None of the interviewees made any clear links between changed behavior and incidents of hate, and it seemed that their ability to do resistance had more to do with their level of self-confidence as well as a general frustration over the development in society after the introduction of the LGBT-free zones. Some of the quotes are about pride parades since interviewees were specifically asked if they had participated in them. Pride parades have been a subject of political discussion in Poland and are seen as central parts of queer resistance in many countries.

About participating in pride parades, Julia said the following:

I think I wanted to show support to different people in my situation. It gives me strength. I think that it makes me more powerful to own my rights, to fight for them. Just walk in the street. It's a manifest. So I just did not want to be scared anymore. (Julia)

The quote above shows how coming together with other queer people made Julia feel strengthened and encouraged in her ability to fight for her rights. The experience of pride parades as a manifest, or protest against discrimination, is also shared by other interviewees who had all participated in parades. Julia also said that it took her over a year to wear rainbow symbols or participate in pride parades, which shows that she needed to build a certain degree of self-confidence to be able to openly defy her fear.

Resistance can also include taking measures to be able to defend oneself in the event of an attack. Maria and Zofia mentioned that they have learned some form of self-defense which gave them a feeling of safety.

I always have pepper spray with me. Because, you know, I am a woman. So it's not safe as a woman on the streets. But as an LGBTQ woman is even worse. (Julia)

Julia connects her dual identities of being both a woman and queer to being especially scared to exist in public places. The pepper spray provides her with a feeling of safety since she feels that she may be able to defend herself if she were to be attacked.

Julia highlights how resistance can be done through seemingly small acts, such as looking people in the eye while to show that she is not scared.

When I was scared, I just hide rainbow things or stop talking openly about my orientation. But nothing more. I do not want to be scared. I decided I do not want to hide. I do not want to be scared, if it helps anybody. Anybody on the street see me that I am not scared, that I'm not going to bend. If that helps, then it's everything. It means everything to me. So, you know, I try not to. [...] I walk straight with my head up. I smile and I look at people, in the eyes, who are not really happy to see my rainbow. I just try to intimidate them. (Julia)

All but one interviewee mentioned the complexity of wearing rainbow symbols and how they often choose to wear them despite the increased risk of being targeted with homophobia or transphobia. It is important to stress that the ability to wear queer symbols is much deeper than simply a fashion choice. As the quote highlights, wearing queer symbols is about opposing an oppressive power, supporting one's community, and being proud of one's identity without hiding. Some interviewees said that they had become more visibly queer in their expression during the last year, which they connected to being met with more hostility in public places.

The interviews showed that the mobilization of queer resistance has gotten stronger with the increased homophobic attitudes in society.

But now that I have my big ass network of allies other queer people, I know that if I get harmed in any way, or even in danger, I would have a way for some [rebellion]. So maybe my definite safety is not as big as it was before, but now I am certain of this level of my safety. Before, I knew nothing. (Maria)

Similarly, Weronika explains that at the same time as many queer people experience more hostility towards them, the queer community is also organizing grassroots initiatives a lot more than before. Weronika talked about an example of resistance by parents who are not necessarily queer themselves but choose to protect their queer children, showing that resistance is not only done by LGBTQ people themselves but that they in some cases are helped by parents and allies who stand up for LGBTQ rights. Mobilizing the community can be an effective way to support each other and push back against the oppressive power together. However, Weronika said that she thinks the community is on the verge of a big burnout, and that she is so engaged in activism that she has less time for everything else in life. That shows that resistance and activism is something they do because it is absolutely necessary and not because they have the luxury of

some extra time to spare. What is shown earlier about the daily fear of being the target of a hate crime, fear of additional rights being taken away, and frustration about not being able to live their life on their own terms, creates an urge to fight back.

5.2.5 Future implications of hostility and resistance

When talking about their future, all of the interviewees talked about a thought process regarding if they wanted to stay in Poland or not. Two of them said that homophobia strongly contributed to wanting to move abroad. Two interviewees were conflicted because they did not want to leave their lives in Poland but said that they might have to at some point. One interviewee said she had considered moving but also want to stay to “fix this place rather than leave the house burning down with everyone in it”. Some of the interviewees talked about “hard limits” they set up for themselves, circumstances that they would not accept and therefore feel the need to move if it got to a certain point.

Karolina was one of the interviewees whose decision to move abroad was influenced by wanting to escape the homophobia in Polish society.

Yes, that's one of the many reasons I'm planning to move out for university. Of course, it's not the only one, but when the thing in July started, an organization (...), they started putting out those rainbow flags on monuments and seeing how many people were just openly homophobic and how okay it was to hate on the community. That was one of the deciding incidents. I said okay, I'll move out.
(Karolina)

Karolina put her reasoning around moving abroad in a larger context of a trend where many queer Polish people move abroad. Even though she decided to move, it was not an easy decision as she felt guilty about leaving other queer people behind. She highlighted an internal conflict between protecting herself and protecting the community and talked about how she decided that she wants to be fully true to herself, something she feels she is not able to be in Poland.

Weronika talked about how her approach to moving abroad had changed over the years:

I don't think I will ever say that I'm never going to move, because I don't know what's going to happen. I think if they start closing the borders - not because of Covid but because of some other things- I'm just going to pack and leave. But if

you asked me three years ago what is going to happen, I would say if they use gas against me, I would leave. And they did and I'm still here. (Weronika)

When mentioning gas, she was referring to when she protested the new abortion laws at the end of 2020, and both the police and people from the far-right used tear gas against the protestors. She talked about how her “hard limit” had been pushed and that she chose to keep living in Poland even under circumstances she would previously consider unacceptable to live under. Zofia talked about starting a family in Poland as her version of a hard limit:

I was always concerned about how my future will look like if I would like to start my family. [...] I would not have all the rights with my family. I would not be the mother of my children, accepting the law in here. So that's... I don't actually see the future being gay in this country. There's no possibility that even if the government changes their mind, and we could get married, I don't believe that society would accept us. But I have my whole life here and I worked really hard to be where I am today. So, I don't want to consider that because I love someone. (Zofia)

Not only does she highlight the absolute lack of legal recognition for queer families, but she also argues that the unwillingness by society to accept those families is another factor that makes starting a family in Poland seem impossible to her. It would be a high price to leave the life that she built to get the legal rights that heterosexual families already have in Poland.

Maria also had a complex relationship to staying in Poland, and stated that she had considered moving but would also like to work on improving the conditions for queer people in Poland:

I'm not the one to run away from a fight. I usually want to stay here, fix this place rather than leave the house burning down and everyone in it. So, if I can do something I will, and I will keep on trying to save my home. I live here, come on! (Maria)

This quote shows that leaving Poland may be an easier choice for Maria, but that she looks at staying there as an act of resistance.

5.3 Summary of results

This section explores linkages between the results of the ideology analysis and the content categorizing of the interviews. As the Charter results show, the Charter is an argumentative text aimed to strengthen the position of heterosexual marriage as a foundation of Polish society and

frame LGBTQ as a threat to the rights of heterosexual couples and children. Regulations around the sexual education of minors are used as a central tool. However, as the interview results have shown, the influence of the Charter has gone much further than just the area of sexual education. The interviews point at two events when the Charter has been used in politics, both of which had severely increased societal hostility towards LGBTQ people. The Charter has sprung from a previously existing hostility towards LGBTQ people and has also increased the hostility by its existence and political use. The ideology of the Charter⁸ can be understood as a foundation for and legitimization of homophobia. As a result, the interviewees witnessed incidents of hate directed towards them and how their liberty to freely express their sexual orientation has been restricted. The interviewees resort to different forms of resistance to oppose the increased hostility towards them as LGBTQ people. They speak about their situation being unsustainable, resulting in all of the interviewees having more or less concrete plans to leave Poland.

6 Analysis

This Chapter is structured to answer the research questions sequentially. Section 6.1 deals with the first research question by combining theory, previous research, and the results from the ideology analysis of the Charter. Since the second research question deals with the Charter in relation to the daily lives of queer women, where results from the interviews are looked at together with the analysis of the Charter. Section 6.2.1 connects to a historical context to understand how the Charter has affected societal norms. Section 6.2.2 focuses on resistance and looks at the interview data in the context of theory and previous research.

6.1 What ideologies inform the hostility towards the LGBTQ community in Poland?

The Charter is an example of the joined homophobic forces of the Polish church and Government since it was drafted by Catholic NGOs and used by politicians on the national and local government level. Ordo Iuris claim to be an organization built on human dignity and rights (Ordo Iuris, n.d.). They have, in their capacity of a member organization of the UN Committee of NGOs, submitted anti-abortion criticism (OHCHR, 2020). They are also an accredited

⁸ See Chart 6.

lobbying organization at the European Parliament and have criticized EU efforts to promote marriage equality for same-sex couples and protect LGBTQ people from hate speech (European Commission, n.d.; European Commission, 2020). In the Charter, they imply that they aim to protect the ideological impartiality of authorities, meaning that they claim to be ideologically neutral themselves. It is, however, clear that the Charter is an argumentative text aiming to influence the reader and society. In the Charter, they use phrasings such as ‘rights of families, children, parents and citizens’ to make it look like the Charter is a Human Rights document, even though the EU has strongly criticized the Charter for undermining the Human Rights of LGBTQ people (Council of Europe, 2020). Counteracting LGBTQ rights through claiming to defend children’s rights is rhetoric commonly used by the Catholic Church in Poland (Korolczuk, 2020b, p. 166). It seems that the Charter does not deny the existence of LGBTQ people and families, but also does not want to give them any legal recognition or rights, which in turn takes away the right of being dignified persons that are equal before the law. Judging by the hostility towards the interviewees, it seems that homophobia is a greater threat to the safety of children than LGBTQ-friendly education is.

Although Ordo Iuris is an NGO trying to influence the sexual education of minors, one of the aims of the Charter is to restrict the influence of other NGOs in that same field. Ordo Iuris is a large organization of lawyers that have strong ties to the government, the Church, and other conservative civil society organizations. Therefore, they seem to have such a privileged position that they can regulate what organizations get to influence children. A consequence of their influence is that NGOs that do not share the foundational values of Ordo Iuris, like LGBTQ organizations, can be ruled out from the approved NGOs in an effort to ‘shield’ children from exposure to pro-LGBTQ sentiments.

As section 5.1 shows, the ideology found in the Charter is built on the value of heterosexual marriage as the natural foundation of society. The document represents the same system of norms as Richardson (1996, p.2.) describes as heteronormativity. Wilton (1996, p. 127) writes that a way in which the patriarchy works is through regulating people’s ‘proper’ gender roles and sexual behavior. Ordo Iuris’ opposition to both abortion and LGBTQ rights shows that they seek to uphold the patriarchal structure of LGBTQ people as deviant and keep women’s bodies under institutionalized control. They use the Charter as a practical tool to reach one of those goals - the continued oppression of LGBTQ people. When the message is conveyed that LGBTQ people threaten the innocence of children, the blunt fear and hatred towards LGBTQ

people are legitimized. Thus, the Charter has been a devastatingly effective tool for restricting the Human Rights and liberties of Polish LGBTQ people, including the right to non-discrimination based on sexual orientation, which is protected by CFR art. 21 (Council of the European Union 2007).

6.2 How does the Charter affect the daily lives of queer women in Poland?

6.2.1 The normative power of the Charter

A striking aspect of the Charter is that it focuses on the relatively narrow field of sexual education for children, and still has had a massive normative effect on other societal areas. As the interviews showed, The Charter played a central part in both events that were pointed out as detrimental to the environment for LGBTQ people. When being asked about the Charter, most interviewees said they had not read it. It can therefore be assumed that most people in Poland have not read the document themselves but rather been informed about its message through the words of the President and local politicians. It, therefore, seems like the political use of the Charter has had a normative trickle-down effect and increased hostility it may not be widely read. Like the interviews highlighted, the use of the Charter has given it such a powerful position that it “allows people to express their hostility more openly”. As stated by Jedynak (2018, p. 22) and Heinen & Portet (2010, p. 1009), there is a history of identifying with the Catholic Church as the center for the Polish national identity, something that was especially common during communism. Liberal views on sexuality and reproductive rights were seen as connected to communism and therefore harmful (ibid.). With this historical context in mind, it is easy to understand the strong uniting power that the Catholic Church holds by forming public opinion about questions regarding sexuality. The Charter, the statement from the Archbishop of Krakow about a ‘rainbow plague’ and statements by the President connecting LGBTQ to communism, create a strong message that has enormous penetrating power on public opinion.

The interviews point at a polarized society where most people have taken a side in the issue of pro- or anti- LGBTQ. The use of the Charter seems to have encouraged both outright hate but also fear towards LGBTQ people, possibly due to people thinking that their own rights are being threatened. There are many examples in the interview of serious cases of homophobic hate on the interpersonal level. The interviews show that maintaining heteronormativity has become so integrated into Polish society that it makes some parents threaten to kill their own

children if they were to come out as gay. The experiences of the interviewees are that the use of the Charter has considerably increased the discrimination and hostility towards them and therefore restricted their Human Rights and liberties.

6.2.2 The relation between incidents of hate, restricted liberties, and resistance

The hostile environment towards LGBTQ people urges them to practice resistance. The interviews provide examples of different kinds of resistance, from everyday resistance to organized resistance by LGBTQ people and allies. Participating in pride parades means that many individuals who share a marginalized group identity organize to perform resistance collectively (Lilja & Vinthagen, 2009b, p. 56). The use of rainbow symbols in pride parades can be seen both as an expression of affiliation with the transnational queer community and as a way of counteracting oppressive power by claiming a symbol used to smear them (Drissel, 2016, p. 250; Lilja & Vinthagen, 2009a, p. 42). Lilja & Vinthagen (2009b, p. 56.) argue that to participate in resistance, some extent of self-confidence is necessary. Julia saying that it took her over a year to start wearing rainbow symbols highlights how even seemingly small acts of everyday resistance take courage in a society where rainbow flags are set on fire by conservatives and queer people are attacked on the street unprovoked. Resistance therefore also aims to challenge the effects of the Charter that have resulted in the restricted liberties of the interviewees and the increased hostility towards them.

Kajevska (2016) argues that increased visibility of LGBTQ organizations in North Macedonia resulted in increased hatred towards them, something that can be seen in Poland as well. The Charter starts by stating that it is a reaction against the LGBTQ+ declaration in Warsaw and the “rainbow Friday” campaigns. It seems that on a societal level, the resistance by LGBTQ organizations and allies was noticed by anti-LGBTQ forces and resulted in the drafting of the Charter. On the interpersonal level, some of the interviewees stated that during the last year their expression has become more visibly queer, which has led to them being targeted by homophobic or transphobic hate in public places more often. In the case of Weronika almost being hit by a car and verbally abused by the driver, she concluded that she was targeted because of the rainbow face mask she was wearing. It, therefore, seems that with increased resistance and visibility of LGBTQ people, conservative forces react with increased hatred. This is not to say that resistance is counterproductive, since it also creates an increased unity within the

community. The quote by Julia, *“I don't want to be scared, if it helps anybody. Anybody on the street see me that I'm not scared, that I'm not gonna bend. If that helps, then it's everything.”*, highlights how everyday resistance can be an act of solidarity and encouragement to others in a similar situation that may not be in a position where they can protest publicly.

It is also necessary to have an intersectional perspective on resistance, as this thesis focuses on the intersection of women and LGBTQ. As exemplified by Julia, she feels unsafe in public because of the risk of harassment associated with being a woman. Being queer adds to the feeling of being a target. As mentioned by Gunnarsson (2011, p. 25), a combination of different marginalized identities increases the vulnerability to different forms of discrimination and oppression. In this case, the intersection of being both a woman and queer makes Julia especially scared to exist in public places.

All of the interviewees said that they had considered moving abroad, and none of them talked about domestic relocation as a real option for avoiding the hostile environment. This thesis does not claim any generalizability for a larger population, but one can assume that these five interviewees are not the only queer people in Poland who feel that the homophobia and transphobia is too much to bear and therefore consider moving abroad. The situation has become so serious that the interviewees are framing staying in Poland as resistance in itself. They are presented with a situation where they feel forced to choose between being able to live freely and openly in another country or staying in Poland and fight in the “house burning down”, as phrased by Maria.

In conclusion, the Charter affects the daily lives of queer women in Poland by inciting public hostility towards the LGBTQ community and constructing them as the ‘other’ and a threat to heterosexual families and children. The hostility restricts the liberties of queer women in public and private life and makes them the target for homophobic and transphobic violence. They practice resistance against the power that oppresses them, which often makes them even more vulnerable to hate crimes but also unites them as a community. Ultimately, the hostility results in their situation being unsustainable and leads to many of them planning to move abroad.

7 Final Discussion

This thesis has shown that the ideologies that inform the trend of hostility towards LGBTQ people in Poland construct heterosexual marriage as a natural foundation for families and Polish society, framing LGBTQ people as a threat to children, families, and the national identity. I argue that the use of the Charter, first to announce LGBT-free zones, and then as a tool in the presidential election campaign, has had a devastating impact on the Human Rights of LGBTQ women in Poland. This has resulted in increased resistance by the queer community and its allies, and a strengthening of its mobilization. This thesis has also shown that that visible resistance can come with an increased risk of being the target of homophobic and transphobic attacks. I argue that if the LGBTQ-free zones as well as the state- and church-sanctioned homophobia are allowed to continue, it is likely that many queer people who are able to, will move abroad. That would leave the younger, more financially and socially vulnerable queer people left in Poland with a weaker community and less support than before. It is important to keep in mind that it is not the responsibility of the LGBTQ community to turn the situation around, but the duty of the Polish state to live up to its obligations to protect Human Rights. The Polish president needs to be held accountable for the hostile environment he is inciting and make sure and make sure LGBTQ people can see a future in Poland.

7.1 The role of International Human Rights bodies

Ordo Iuris, the organization responsible for the Charter, has special consultative status with the UN. The United Nations Economic and Social Council, ECOSOC, resolution 1996/31 states that the aim of NGOs with consultative status must “be in conformity with the spirit, purposes and principles of the Charter of the United Nations” (DPCSD, 1996). As stated in the Charter of the United Nations art 62, the purpose of ECOSOC is to promote “human rights and fundamental freedoms for all” (United Nations, 1945). It has become increasingly clear throughout this thesis that while Ordo Iuris may promote human rights for heterosexual cisgender people, it certainly does not aim to protect the human rights and fundamental freedoms of LGBTQ people. With access to direct communication and influence with the UN, Ordo Iuris are capable of doing further harm to the LGBTQ community internationally. Ordo Iuris’ special consultative status sends a message of legitimization of their work, the Charter. For the LGBTQ people who have been personally affected by the hostility that the Charter has encouraged, the legitimization of Ordo Iuris can be seen as a sign of disregard for LGBTQ rights by the UN. I, therefore, conclude that Ordo Iuris is unfit for special consultative status with the UN and their status should be withdrawn.

The symbolic action by the EU parliament to announce Europe a ‘LGBTIQ freedom zone’ can be seen as a positive declaration of intent, proving that the EU disapproves of the development in Poland. The EU has also withdrawn funding from municipalities that have announced themselves free from ‘LGBT-ideology’ (European Parliament, 2021). However, since the situation for the LGBTQ community in Poland is so serious and people are losing hope for the future, more needs to be done. It is imperative that the EU does not only provide ways for Polish LGBTQ people to settle in other EU countries but takes concrete measures to improve the situation for those left in Poland. It is not appropriate for the EU to criticize the Charter without also addressing the fact that Ordo Iuris is an accredited lobbying organization at the EU. The EU should therefore look over their regulations of accredited lobbying organizations to avoid crediting those whose values directly contradict Human Rights. The situation also calls for the State of Poland to live up to the requirements stated in CFR regarding the Human Rights of LGBTQ people.

7.2 Suggestions for further research

As previously mentioned, there is a lack of research on the influence of non-legally binding documents within the area of Human Rights, as most Human Rights research about LGBTQ rights focus on the institutionalization of rights in jurisdiction and politics. This thesis contributes to the field of Human Rights and LGBTQ by providing an understanding of a non-legally binding document and its effects on individuals. The Charter seems to be a previously unexplored document within Human Rights research. This thesis focuses on the normative and societal effects of the Charter, even though the Charter itself focuses on sexual education for minors. In this thesis, it was not possible to interview children and learn about their experience with sexual education due to language barriers and ethical aspects. The effects of the Charter on the area that it intends to influence therefore remain unexplored. I suggest that future research examines the effect the Charter has had on school conducts and the experiences of queer children and families.

Although this study was conducted during the Covid-19 pandemic, it does not focus on the consequences the pandemic has had on the LGBTQ community in Poland. One interviewee mentioned a queer social meeting place being closed due to the pandemic, but other than that the pandemic was not discussed in the interviews. Future research could explore implications the pandemic has had on the LGBTQ community and their ability to do resistance.

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Appendixes

1. Presentation of interviewees

Chart 7 presents the interviewees and their age, location, gender identity and sexual orientation. Warsaw has not been announced an LGBT-free zone, while Świdnik and Krakow has.

Name (fictive)	Age	City of residence	Gender identity	Sexual orientation
Julia	21	Świdnik (LGBT-free zone)	Cisgender woman	Bisexual
Zofia	27	Krakow (LGBT-free zone)	Cisgender woman	Gay
Maria	19	Warsaw	Transgender non-binary woman	Bisexual
Karolina	18	Warsaw	Questioning/ demigirl	Bisexual
Weronika	28	Warsaw	Cisgender woman	Bisexual

2. Interview guide

The interview guide is attached to provide transparency regarding how the interviews were conducted. Since the interview were semi-structured, follow-up questions are not written below and varied depending on what the interviewees talked about.

Interview questions:

Information on the research subject & confidentiality. Is it okay if I record the interview?

Identity

How old are you? Do you work/ study or something else?

Where do you live now? How long have you lived there? Where did you grow up? (Timeline)
Where did you live in March 2019?

Do you know if the places you live/ have lived are so-called LGBT-free zones?

Are you interested in LGBT issues? Why? How?

Experiences of homophobia & resistance

Tell me about how it's like living in Poland as a queer person.

Are you ever worried about your safety? In what way?

Are you aware of other people's experience of homophobic incidents? When? How? (Possible follow up- question: Have you ever experienced homophobia yourself?)

Have you experienced homophobia in school or employment? When, how?

When homophobic incidents occur, how did you react? Did it change your behaviour going forward?

To what extent are you able to be open about your sexuality in public? (wearing pins, talking with friends, participating in pride etc)

Do the homophobic attitudes in society limit your life in a sense that you can't do certain things, or you need to do them differently? (e.g. dating, holding hands in public, getting a job etc.)

Have you participated in a pride parade? Why/ why not? If so, how was that experience?

Do you have queer friends/ partner?

Do you feel like your experiences as a queer woman are different than experiences of queer or cis men in Poland? If so, how?

Change in attitudes

Are you familiar with the Family Charter? What are your thoughts about it?

In your experience, have the attitudes in society at large changed since March 2019? If so, how?

Have you experienced any change in attitudes to you personally since March 2019?

Do you feel more or less safe now than before March 2019?

Looking forward

Are you concerned about your future as a queer person in Poland? In what ways?

Do you have any thoughts about moving to a more LGBTQ-friendly place? (other city/ country)

If you have moved within Poland, what was the difference between the different places in terms of attitudes towards you as a queer person?

What kind of help do you and the Polish queer community need from the international LGBTQ community?

Do you have any questions for me?

3. The complete Charter

Below, the full Charter from 2019 is presented (Ordo Iuris, 2019). The footnotes at the end of the Charter are the original ones published on the Ordo Iuris website.

Local government Charter of the Rights of the Family

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Over recent months there have been attempts at the local government level in order to undermine the rights of families, including the rights of parents and children, as well as legal identity and constitutional position of marriage, which are all guaranteed by the Constitution. The LGBT+ Declaration signed by the Mayor of Warsaw, which contains a range of ideological postulates, which violate standards of ideological impartiality of public authorities, and the announcement of introduction of permissive sexual education in accordance with WHO standards to schools, which raises reasonable doubts in terms of the constitutional principle of children's protection against demoralisation, have raised the strongest objections. Similar solutions have been already introduced, first and foremost, in Słupsk and Gdańsk to a smaller extent. In October, leaders of the political LGBT movement used Polish schools in order to conduct a propaganda campaign called "Rainbow Friday" for the third time.

Under such circumstances it is necessary to stand for the values stipulated in the Constitution of the Republic of Poland, i.e. identity of marriage as a relationship between a woman and a man, family and parenthood (Article 18), the right to protection of family life (Article 47), the right of parents to raise their children in accordance with their own convictions (Article 48 section 1) and the right of a child to protection against demoralisation (Article 72 section 1).

We urge all people, families, associations and local governments to adhere to this Charter and to join the defence of these values, striving to ensure that they are complied with by means of issuing legal acts and undertaking measures whose aim is to implement the following solutions:

1. Work of schools in compliance with the principle of parent educational priority

Constitutional principle of subsidiarity "strengthening rights of citizens and their communities" in relation to the family, which is a natural and fundamental social unit^[1] and community of citizens, is realised in the constitutional right of parents to raise their children in accordance with their own convictions (the principle of parent educational priority). The aim of care and educational institution is to support educational role of families in the manner which is not contradictory to the constitutional rights of parents (Article 1(2) of the Educational Law Act^[2]). Care and educational institutions cannot replace family upbringing with content which is contradictory to them or which prejudices the natural identity of the family. Unfortunately, in practice, even statutorily guaranteed rights of parents are often ignored in the course of school education.

Local government units should verify if statutory rights of parents are complied with in schools which they conduct, including, in particular, the requirement of obtaining consent of the parents' council on adopting a preventive and educational programme, as well as starting cooperation with non-governmental organisations, and the requirement of obtaining parents' consent on the child's participation in extra classes. Local governments should also inform parents about their entitlements.

2. Transparency of information on cooperation between schools and non-governmental organisations

Local government units conducting schools should create a publicly available and continuously updated document made available in the Bulletin of Public Information and on a given commune's website, informing about non-governmental organisations allowed to conduct activity in particular schools over three years and on the teaching materials obtained from social organisations which are used in a given school. Thanks to such a solution, parents will be aware of the activity of such organisations in a given school before taking a decision on entrusting tasks related to raising their child to a given care or educational institution, without the necessity to file a separate request.

3. Mechanism of double parental verification of non-governmental organisations and their teaching materials within the scope of sexuality and psychosexual development

A given school or institution should provide parents with a possibility to verify external organisations and materials used in the course of the educational process individually and collectively, by means of the parents' council. Headmaster can express consent on undertaking activity in a given school or institution by an external organisation or on the usage of materials of such an organisation in the course of the educational process only after obtaining positive opinion of the parents' council and after making available information containing the name and programme of classes, as well as the profile of such an organisation to each parent separately in a manner enabling getting familiarised with the content of these documents.

The mechanism of double verification is justified in the case of extra classes and all other forms of didactic and educational activities of a given school, which exceed core curriculum.

4. Suspension of public financing of projects undermining constitutional identity and autonomy of marriage and family

It is unacceptable to earmark public property or public means for projects whose nature assumes undermining constitutional identity and autonomy of marriage and the family, including, in particular, projects implemented within the scope of education. Regulations of local government competitions for non-governmental organisations should be supplemented with provisions excluding earmarking funds for activities undermining the principles of constitutional system or prejudicing the rights of citizens.

5. Integral upbringing instead of sexualisation of children

Schools and educational establishments should promote and implement the model of integral education as the "support of a child in the development towards full maturity in physical, emotional, intellectual, spiritual and social terms" (Article 1(3) of the Educational Law Act), which in relation to sexual education means that schools should "support an educational role of the family, promote an integral approach to human sexuality, shape pro-family, pro-health and pro-social attitudes" (§ 2 of the Regulation of the Minister of National Education of 12 August 1999^[3] as part of such classes and teachers should strive to teach pupils to "appreciate values of the family and to be familiar with the tasks which it fulfils, respect human dignity, search for, discover and strive to achieve life goals and values, which are significant in terms of finding their own place in the family and in the world" (Annex No. 2 to the Regulation of the Minister of National Education of 14 February 2017^[4]) from which objections against such forms of education which would present one of these spheres in the manner isolated from others arises, which in relation to sexual education would mean distorting and presenting it only through the prism of sexuality.

Local governments should monitor implementation of this model and intervene when it is violated to the extent permitted by law.

6. Support of families by guaranteeing parents a possibility to choose among different forms of care over the youngest children

Local government authorities should implement solutions, which allow parents of the youngest children to choose between institutional collective care, home care and other forms of care over a child, thus allowing for meeting different needs relating to care of different groups of parents and children. Such solutions would be also convenient for parents whose children cannot take advantage of institutional collective care.

7. Family mainstreaming in the process of creating local law acts

Creation of each local law act should be preceded by determination whether it will affect situation of families and scope of the rights of parents and children. If this is the case, comprehensive assessment of consequences of regulations within this scope should be conducted. It is particularly unacceptable to limit constitutional and statutory rights of parents, children and families by local law acts.

^[1] Article 16 section 3 of the Universal Declaration of Human Rights

^[2] The Educational Law Act of 14 December 2016 (Journal of Laws of 2018, item 996, as amended).

^[3] Notice of the Minister of National Education of 18 December 2013 on announcing consolidated text of the Regulation of the Minister of National Education on the manner of school education and the scope of content concerning knowledge on human sexual life, principles of conscious and responsible parenthood, family values, life during the prenatal period and methods and means of conscious procreation contained in the core curriculum for general education (Journal of Laws of 2014, item 395, as amended).

^[4] Regulation of the Minister of National Education of 14 February 2017 on the core curriculum for pre-school education and the core curriculum for general education in primary schools, including for pupils with moderate and severe intellectual disability, and for general education in first-grade sectoral vocational schools, general education in special schools preparing for employment, and general education in post-secondary schools (Journal of Laws of 2017, item 356, as amended).

4. Full presentation of the ideology analysis

Chart 8 contains all of the ideological dimensions presented in 5.1. Many sentences in the Charter contain more than one dimension of ideology. To avoid citing parts of sentences that are not grammatically complete in themselves, statements containing a dimension of ideology are slightly rephrased below rather than directly cited.

Descriptive statements, as described under 2.2.1, are divided into descriptions of situations and descriptions of methods. Both types of descriptive statements can appear at either the foundational level or the operational level. Therefore, each descriptive statement is followed by (D sit) or (D m) to mark what kind of description they are. Statements of values are divided into foundational values, at the foundational level, and concrete goals, at the operational level. Since these two types of statements are divided into different levels, no additional marking has been used for them.

Chart 8, full ideology analysis of the Charter.

	Values	Descriptions	Prescriptions
Foundational level	<p><i>The rights of families, including the rights of parents and children, as well as legal identity and constitutional position of marriage</i></p> <p><i>The ideological impartiality of public authorities</i></p> <p><i>Children’s protection against demoralization</i></p> <p><i>The “Rainbow Friday” by the political LGBT movement is a propaganda campaign</i></p> <p><i>The identity of marriage as a relationship between a woman and a man, family and parenthood.</i></p> <p><i>The right to protection of family life.</i></p> <p><i>The rights of parents to raise their children</i></p>	<p><i>The family is a natural and fundamental social unit.</i></p>	<p><i>Schools should support an educational role of the family.</i></p> <p><i>It is necessary to stand for the values stipulated in the Constitution of the Republic of Poland concerning the identity of marriage.</i></p>

	<p><i>in accordance with their own convictions.</i></p> <p><i>Integral approach to human sexuality, shape pro-family, pro-health and pro-social attitudes.</i></p> <p><i>Autonomy of marriage and family</i></p> <p><i>Presenting sexual education isolated from family life means distorting sexuality</i></p>		
Operational level	<p><i>Care and educational institutions cannot replace family upbringing with content that is contradictory to them or which prejudices the natural identity of the family.</i></p> <p><i>Integral upbringing</i></p> <p><i>Children should learn respect human dignity, search for, discover and strive to achieve life goals and values, which are significant in</i></p>	<p><i>Over the recent months, local governments have made attempts to undermine rights which are all guaranteed by the Constitution (D sit).</i></p> <p><i>The LGBT+ Declaration signed by the Mayor of Warsaw contains a range of ideological postulates, which violate standards of the constitution (D sit).</i></p> <p><i>The announcement of introduction of permissive sexual education in accordance with WHO standards to schools raises reasonable doubts and the strongest objections (D sit).</i></p>	<p><i>Teachers should strive to teach pupils to appreciate values of the family.</i></p>

	<p><i>terms of finding their own place in the family and in the world.</i></p> <p><i>Public property should not be earmarked to projects that undermine the constitutional identity of marriage and family.</i></p>	<p><i>The LGBT movement is using Polish schools to conduct propaganda (D sit).</i></p> <p><i>Join the defense of these values by issuing legal acts and undertaking measures whose aim is to implement the solutions stated in the document. (D m)</i></p> <p><i>Schools should comply with the principle of educational priority (D m).</i></p> <p><i>Statutory guaranteed rights of parents are often ignored in the course of school education (D sit).</i></p> <p><i>Transparency of information on cooperation between schools and non-governmental organizations (D m).</i></p> <p><i>Mechanism of double parental verification of non-governmental organizations and their teaching materials within the scope of sexuality and psychosexual development (D m).</i></p> <p><i>Suspension of public financing of projects undermining the</i></p>	
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