



Quality in Gender+ Equality Policies

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Report Analysing Intersectionality in Gender Equality Policies for Poland and the EU

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1. Introduction

PROBLEMS WITH APPLYING INTERSECTIONALITY IN POLAND

After 1989, when Western feminism appeared in Poland, there were a lot of debates regarding whether it is realistic to apply Western patterns of struggle for women's rights into an Eastern reality. There were concerns about whether feminist ideas developed in very different cultural and economic reality are good for post- communist society which does not have a tradition of civil mobilisation or public debates on human rights. The very first feminist journals intensely debated how the feminist movement is going to develop in Poland and whether or not it should be similar to the Western feminist movement.

Similar questions may be asked about intersectionality. An intersectionality approach was developed in societies that for decades had experience of dealing with multiculturalism and problems of various inequalities. In those societies, issues such as gender, race, class, religion or post- colonial heritage were the subject of many political, social and academic debates. This raises the question: is this approach going to work in a very different Polish reality?

Poland is mono- cultural country, consisting of 98% of Polish citizens, white, mostly Christian Catholics. According to Episcopate, 89% of society belongs to the Catholic Church. Opinion polls show that 55% of Poles accept the teaching of the Catholic Church¹. According to data gathered in 2005, 45% of members of the Catholic Church attend Sunday Mass.² There is little racial, ethnical, or cultural diversity. Ethnically, Poland is one of the most homogeneous countries in Europe. 96.7% of all Polish citizens declared Polish nationality (excluding those people who did not respond to the nationality question, this percentage is even higher – 98.7%).³ There is almost no linguistic variation. Polish is a language spoken all over the country, and regional differences are small.⁴ Cultural, ethnic, religious, and racial homogeneity is the first reason making intersectionality difficult to apply.

There is a lot of research on intersectionality between gender and race or gender and class in Western scholarship, but that research is hardly applicable to the Polish context. It is almost impossible to analyse inequalities based on race or ethnicity, because there is almost no racial diversity. After the collapse of the communist system, the category of “class” is hardly ever used in the social sciences since it is associated with totalitarian ideology.

In addition, there is no tradition to approach policy making from a gender perspective. One of the most intense political debates after 1989 (except for debates on abortion) was debates on the “Law on equal status of women and men”. Creation of such a law was absurd for most of policy makers and for a large part of society. It is difficult enough to discuss gender based discrimination and to convince society and policy- makers that gender based discrimination really exists. It is even harder to imagine political debates on multiple inequalities.

Another important problem is whether or not the intersectionality perspective is a good strategy to achieve gender equality. This dilemma will be developed further in the report, but two

1 http://pl.wikipedia.org/wiki/Ko%C5%9Bci%C3%B3%C5%82_katolicki_na_%C5%9Bwiecie#cite_note-12

2 <http://www.kosciol.pl/article.php/20060520115254964>, quoting “Rzeczpospolita”

3 <http://www.business.gov.pl/Business.practices,83.html>

4 <http://www.business.gov.pl/Business.practices,83.html>

directions are possible. The first is that adding additional inequalities shifts attention from gender and gender based discrimination. Often any other form of discrimination is considered to be more important than discrimination based on gender. In such a situation, the best strategy would be to avoid intersectionality and produce policy documents and reform proposals that treat women as a homogenous group. For this perspective, gender based discrimination is the most important one, while any other ground of discrimination is of secondary importance.

The second approach claims that intersectionality may be a very good strategy for achieving feminist principles in Poland. According to this approach, intersectionality (and multiculturalism) should be a very broad frame for policy documents, political and public discourse. In short, intersectionality and multiculturalism should build a frame to replace nationalism. It should be noted that the most important debates on gender and gender equality very often used the notion of “nation”. Polish political discourse treats “nation” as the most important aim. Such framing insists on traditional gender role division and makes articulation of feminist aims and gender equality impossible. As many researchers argue, the nationalist frame presents women in a very specific way: they are placed in the private sphere and as responsible for reproduction. Citizenship is defined as masculine [Mizielniska 2001, Holtz 2004]. Issues of gender (in)equality are strongly associated with problems of nation and nationalism. For this reason application of very different frames, such as “Europe” or “multiculturalism”, may be a good tool to dismantle nationalistic discourse. As “nation” seems to be the main source of discrimination against women and the lack of gender equality policy, disappearance of “nation” may open possibilities for new discourses and give space to re-frame the meaning of gender and equality policy.

Moreover, there is third possibility in between the hypotheses suggested above. It is possible that in certain issues adding another ground of discrimination has a negative impact on gender equality, while in some others intersectionality has a positive impact on gender equality. This suggests that there is no overall structural pattern for using intersectionality as a policy approach, but that it should be always strategic and context- oriented.

MAIN QUESTIONS

In addition, there are other questions that will be addressed in this report:

What are the implications of the intersection of multiple inequalities for the quality of gender+ equality policies in particular fields?

Does intersecting various inequalities always have the same impact on gender equality policy?

Is there a general pattern of the relationship between gender discrimination and other inequalities, or are they rather context- related?

When and how does intersectionality of inequalities support gender equality policies, and when and how does it silence gender equality policy?

How are inequalities and their intersections conceptualised in terms of their structure and mechanisms?

Are various intersections always conceptualised in an explicit way? If not, why and how are some inequalities not openly visible in the discourse, but addressed in the policies?

Taking into consideration the national context, the most important questions for this report are “Is intersectionality possible in Poland” and if so, “What categories are intersecting with gender”?

What is the impact of EU equality policies on conceptualisation of intersectionality by Polish policy documents? How far has the understanding of intersections between inequalities and addressing them as a complex problem been reinforced by EU funds?

National context is extremely important when analysing the re-production of inequalities and gender + equality policy. Especially important is the use of the national frame in the equality related debates. How much does the notion of “nation” influence understanding of inequalities and implementation of anti- discrimination policy? How far is the notion of “nation” useful in explaining the quality of equality policy, mechanisms of producing inequalities and intersections of inequalities?

2. Literature review

The question of the relationship between gender and race has been asked by Crenshaw [Crenshaw 1991]. According to Crenshaw, black women should be treated as separate category of analysis, because their situation and experience of discrimination cannot be reduced either to sexism or racism. Use of a single axis of discrimination does not reflect the complexity of the situations faced by black women. They are victims of discrimination based on gender and race, and only by recognising this multiple discrimination is it possible to understand their experiences.

The concept of “intersectionality” is not used in Polish research on gender and other inequalities. There is no reference to Western literature or theory on intersectionality. There are at least two possible explanations for this: the intersectionality approach is not known to Polish researchers or intersectionality is not considered to be a useful frame for analysis. As mentioned above, Western research on intersectionality concentrates on intersections between gender and race or gender and class. The first intersection is almost never addressed in Poland due to the cultural and racial context (mono- racial and mono- ethnic society). The other is still rarely addressed because of historical implications i.e. the notion of class is associated with Marxism- an approach rejected and excluded from academic research after 1989.

Even if the notion of intersectionality is not explicitly used, there is some research dealing with multiple inequalities. In this section I will briefly present the most relevant research and policy documents on the intersection of gender and other inequalities. I will also suggest why intersectionality is not always addressed. The literature review below is divided according to the sub- issues analysed in QUING.

GENERAL GENDER EQUALITY

Very often gender equality is limited to institutional mechanisms assuring gender equality; when approaching gender equality, many authors concentrate on analysis of legal mechanisms related to gender [Zielinska 2002, Zielinska 2005; Fuszara, Zielinska 2006; Tarasiewicz, Walczewska 2005; Plakwicz, Serbeit 2003]. These analyses concentrate on women’s employment, violence against women, and other issues that may be relevant from a women’s perspective. Often this kind of literature is based on an idea of transparent, but gendered citizenship. Women do not have any features except for gender. Intersectionality of gender with class, disability, sexual orientation or any other possible axis of inequality is rarely mentioned. The only category that is given special attention is rural women [Tarasiewicz, Walczewska 2005].

Gender equality is approached as the sole problem. Intersection with other inequalities is

not visible in the documents analysed. Concentration on gender equality as the only axis of inequality may be strategic. Discrimination based on gender was a new concept in Polish political discourse after 1989. Most of the decision-makers rejected the existence of gender-based discrimination. For this reason most of the literature dealing with gender based discrimination attempts first of all to prove that gender based discrimination really exists, and seriously affects the life of women. It is possible that other grounds of discrimination are not mentioned in order not to blur the problem.

NON-EMPLOYMENT

Studies on employment and unemployment may be considered as one category of studies. They are not exactly matching the category of “non-employment” used in QUING studies. Economic and political transformation after 1989 dramatically changed the situation of women in the labour market. The issue of employment became crucial for academic research and political debates. Even more attention was paid to unemployment, an issue that became very problematic in the post-communist economy. Many studies addressing the problem of unemployment started to appear in the 90's and later. Most of them were gender-blind (or gender was not considered to be an analytic category), but some of the studies addressed the gender specific aspects of employment and unemployment. Studies on unemployment amongst women often gave policy recommendations on how to reduce women's unemployment, how to activate unemployed women and how to solve problems faced by women on the labour market. Studies on unemployment often show how modes of employment and unemployment intersect with other social inequalities. There is attention to how unemployment intersects with class, age, regional status (rural women) and disability. Studies on unemployment sometimes deal with discrimination against women in the labour market and see gender as the major factor having impact on patterns of unemployment.

Research on disability, even if sometimes using gender as an analytic category (when giving statistics on unemployment), is usually gender blind [Ksiazkiewicz 2004]. The research does not attempt to show the relationship between gender and disability in limiting access to the labour market, but only presents data divided by gender. There is no reflection on the different situations of disabled women and men, their different needs and required assistance.

Another category of studies analyses discrimination of women in the labour market. These studies are similar to the category “gender equality in non-employment” used in QUING research. The category of gender is usually very important. Gender often intersects with class (education, cultural capital, knowledge), age (special attention paid to young women having difficulties with entering the labour market and older women having difficulties in keeping a job or finding a new one). Studies of discrimination against women on the labour market include issues such as the gender-pay gap, discrimination in employment and promotion and sexual harassment in the work place.

There are some studies dealing with the consequences of reform of the social security system and pension scheme [Wiktorow 2000, Tomaszewska 2000, Zielinska 2002]. This research presents regulations regarding the retirement age of various groups of women under the Polish pension system. It discusses both applicable legal regulations and the factual background brought by the regulations. Research compares the pension income of women and men and puts forward arguments in favour of both a different and an equal retirement age for women and men. Some research deals with gender and age, but age is not considered to be a factor producing discrimination. It is rather one of the arbitrary features used in the pension scheme system to

calculate pension. Tomaszewska [Tomaszewska 2000] examines the regulations of the new pension system and legal obstacles faced by those women who want to continue their employment beyond the statutory retirement age. This approach concentrates on a specific group of women (intersection between gender and age) to show the kind of legal problems they may have in the labour market.

Quite recently more attention has been paid to the reconciliation of work and family life. Gender is usually a central category of analysis. Gender often intersects with class and regional status. It is stressed that class significantly influences access to childcare facilities (as for most of these facilities a fee is required) and thus has a strong influence on the position of women in the labour market. Sometimes attention is paid to women offering childcare services- who are usually retired (rarely migrant) women who offer services in the grey economy.

There is quite significant number of research projects on the situation of lone mothers. Some research deals only with intersectionality between gender and marital status. Semenowicz [Semenowicz 2001] analyses policies aimed at regulating the problem of childcare amongst lone mothers. Various forms of legal protection concerning working hours, childcare and maternal leave are presented together with numerous cases of justified non-working periods. Tkaczyk [Tkaczyk 2001] analyses forms of social help for lone mothers: various allowances, childcare facilities, help with accommodation and institutions providing assistance at a national as well as local level. Another study [Rymsza, Raclaw-Markowska, Srodoń 2001] presents sociological portraits and the legal situation of lone mothers together with social policy addressing special needs of this group. Research recommends an individualised form of professional mobilisation among lone mothers, accompanied by an increase in employment based on flexible work-time.

There is also research dealing with intersectionality between gender, marital status and class (although class is never explicitly named or addressed). Cielag and Raclaw-Markowska address intersectionality between gender, marital status and class [Cielag, Raclaw-Markowska 2001]. They present statistical data concerning incomes, education, employment and non-employment of lone mothers and analyse reasons for the high non-employment of certain groups of those women. They argue that it is caused by social policy and the anti- motivational (or passive) character of social benefits. The authors propose policy solutions aimed at increasing the presence of lone mothers on the labour market (allowances for education, network of childcare facilities), arguing that professional work protects mothers from social exclusion. Kubicka examines the problems of homelessness amongst lone mothers [Kubicka 2005]. Sociological data and interviews (with mothers and social workers) present the structure of lone mothers' homelessness. Non- employment or unemployment is considered to be one of the factors of social exclusion of homeless lone mothers.

This research addressing intersectionality between gender and marital status is always gendered; exclusively addressing women. However, this does not show that the research is biased, but rather it is reflective of social practice. Care for children after divorce is in the vast majority of cases granted to mothers (in more than 90% of cases the mother is the main care- giver after the divorce). Lone mothers are quite a significant social group and their problems and needs are recognised by social research and addressed in social policy. However, as I will further suggest, strong interest in the issue may also have a political rationale.

As it was already mentioned, the issue of ethnicity or migrant status is not often addressed in Polish scholarship. One exception is the work of Coyle who analyses the situation of Polish women working as domestic workers and care givers in the informal economy in EU countries

[Coyle 2007]. The author claims that accession to the EU has regulated the conditions of employment of Polish migrant workers and increased their access to better paid work in the formal labour market.

Academic and policy research addressing the issue of employment and non-employment considers several intersections. Most attention is paid to the intersection between gender and marital status (and sometimes class). Lone mothers constitute a separate analytic category.

INTIMATE CITIZENSHIP

Most of the research on intimate citizenship deals with problems of the family, usually defined as the traditional, heterosexual couple with children. Usually research and policy documents refer to issues such as violence in family, family values in modern society, poverty and economic problems of the family. The most common approach to the family is gender blind. Women are perceived as an inseparable part of the family and their problems are hardly ever addressed as distinct problems.

After closing down the Alimony Fund in 2003 a lot of studies on single parent families and especially on lone mothers appeared. The studies and documents most often addressed intersectionality between gender, marital status and class. As mentioned in the previous section, a lot of attention is paid to the economic situation of lone mothers.

The issue of same-sex couples is present in the documents and research produced by NGOs [ILGA- Europe 2004, 2001, LAMBDA reports, CPH reports]. The situation of homosexual persons is analysed from a perspective of human rights. Documents deal with various forms of discrimination on grounds of sexual orientation and the problem of homophobia. Research covers issues such as financial entitlements, pensions, health care and tax deduction. Reproductive rights, such as fertility treatment, artificial insemination or adoption are never mentioned. When discussing rights of same-sex couples, intersectionality with class, regional status is hardly ever mentioned. The articles and research appears to concentrate on the rights of middle-class urban gays. Issues such as disability, poverty, and ethnicity are never mentioned. Also, the reproductive rights of lesbians are hardly ever mentioned. Concentration on one form of discrimination (sexual orientation) seems to automatically silence other possible forms of discrimination. The reasons and consequences of such an approach will be discussed later in the report.

There is an attempt to address intersectionality between gender and sexual orientation. It is often argued that lesbians and gays have different experiences of oppression and that their visibility and struggle for public recognition is also different. Graff argues that in public discourse homophobia is gendered and so is homosexuality [Graff 2007, Graff 2008]. Male homosexuality is constructed as the main enemy in nationalistic discourse. Such a situation has a double impact- on the one hand, it increases hate against homosexual men; they are a targeted and visible object of hate. On the other hand, it silences lesbian women and doubles their discrimination; they are discriminated against as women and as lesbians. Sexism and homophobia unite against lesbians. Mizielinska similarly analyses the intersection between sexual orientation and gender, but additionally notices aspects of nationality [Mizielinska 2001]. She investigates the relationship between Polish nationalism and the political rights of homosexual people. It is argued that nationalistic discourse silences voices demanding equal rights for homosexual people. Special attention is paid to the silence and invisibility of lesbians in official discourse that reinforces homophobia and increases pressure on lesbians to remain invisible.

The reproductive rights of women, including access to contraception and abortion, are very important for the studies conducted by women's NGOs [Federation for Women and Family Planning]. An annual report on women's reproductive rights and implementation of the Law on family planning, foetus protection and conditions of permissible abortion is prepared by the government. There are significant differences between reports on reproductive rights of women prepared by women's NGOs and the government. The main difference is concentration on the rights of women (NGOs) or on the rights of the foetus (government). However, in the reports intersectionality is explicitly mentioned. Class and regional status (situation of rural women) are the most frequently mentioned.

The Federation for Women and Family Planning, a women's NGO dealing mostly with reproductive rights, pays a lot of attention to inequalities intersecting with gender in the area of reproductive rights. It is frequently noticed in the reports that class significantly influences access to contraception and (illegal) abortion. Poor women are especially vulnerable to the strict anti-abortion law and high price of contraceptives. One of the reports pays particular attention to situation of rural women and their access to means of fertility control [Federacja na Rzecz Kobiet i Planowania Rodziny 2000]. It presents the opinions of rural women on issues associated with reproductive rights: access to family planning methods, access to sexual education and contraception. The impact of anti-abortion law on this group of women and their behaviour in situations of unwanted pregnancy are also discussed. The report recognises the particular economic, social and cultural situation of rural women. It examines the role of religion and the Catholic Church in shaping the reproductive choices amongst rural women.

There are very few research and policy documents dealing with gender, ethnicity, race, citizenship and intimacy. These issues are addressed most frequently when discussing trafficking in human beings. This lack of research on migration, ethnicity and gender may be related to the national context, especially the ethnic and national homogeneity of Polish society. The national and cultural context and its implications for intersecting inequalities will be discussed in more details in another part of the report.

GENDER BASED VIOLENCE

There is quite a long history of discourse on domestic violence. Policies and research on the issue are produced by NGOs, governmental bodies and state-established institutions dealing with domestic violence. There are some differences in approaching gender and other inequalities when approaching domestic violence. It seems that women's NGOs deliberately avoid intersecting gender with other inequalities. Domestic violence is presented as a problem potentially experienced by all women, independently of other identity features. There is no reflection on particular mechanisms addressing different groups of women. This very universalistic approach to domestic violence may be a consequence of the history of political discourse on domestic violence. For a long time the problem of domestic violence was denied by decision-makers. It was a non-existent issue. At the same time, domestic violence was limited to being presented as a class issue and as a problem related with alcohol-consumption, and explicitly with class. Such an approach to domestic violence concentrated more on alcohol consumption, than on the gendered character of domestic violence.

The intersection between gender and nationality (citizenship status) is most visible in the issue of trafficking. Women being trafficked are treated as a separate group with different needs. Gender and citizenship status explicitly intersect and the intersection is the core problem

addressed by NGOs and governmental documents.

MAIN INTERSECTIONS:

From the literature review it is clear that there are some examples of intersecting inequality in Polish policy making. The most important intersections are the following:

The intersection between gender and geographical status (“rural women”) is addressed in many policy documents. It seems to be the most interesting intersection from a theoretical and political perspective.

Intersectionality of gender and class is visible in the issue of intimate citizenship and reproductive rights. The issue of class is not openly addressed, problematised and theorised, but one of the main problems in access to means of family planning and abortion is considered to be economic status. From the reports produced by the NGOs, it is clear that poverty (or economic status) is one of the main obstacles to women’s reproductive rights. Modern methods of contraception are expensive, so are available only for some groups of women. A similar situation is suggested when considering access to abortion; free abortion in public hospitals is very difficult to obtain, but “underground abortion” or “abortion tourism” is available for those who can afford. Similar patterns appear in access to artificial insemination, but this problem is rarely addressed by the policy documents analysed in this report.

The intersection between gender and sexual orientation is also a very interesting one. The Polish example shows that the presence of other inequalities, even if seemingly supporting ideas of gender equality, can in fact reinforce sexism and gender-based exclusion. The intersection of sexual orientation and gender can be discriminating against lesbians, making male subjects the most visible in the public struggle for political rights.

The intersection between gender and marital status is also important; there are many policy documents addressing the problems of lone mothers, especially in issues such as non-employment, alimonies and economic status.

Intersectionality between age and gender is often present in the issue of non-employment. It is often addressed when discussing problems of accessing and staying in the labour market, and in the context of pension benefits. Sometimes gender and age intersect with the implicitly present category of class (e.g. when mentioning older women in low-paying professions).

Intersection between gender and ethnicity (national status) appears when discussing violence against women, especially trafficking in human beings. However, when referring to violence against women another problem is even more interesting; the lack of any intersections when discussing domestic violence.

3. The range of the meanings or frames concerning gender equality in gender+ equality policies

3.1 The range of the meanings or frames of gender equality in general legislation and machinery

Many documents concentrate on legal issues of gender equality. They mention problems such as insufficient legal solutions to prevent gender based discrimination, no legal mechanisms to promote gender equality, and insufficient implementation of European directives on anti-discrimination. Quite often the quality of governmental policy is criticised and seen as problematic.

Documents identify several problems faced by women: low representation of women in the policy making, discrimination in the labour market, domestic violence, trafficking in women, strict anti-abortion law and low access to contraception and family planning methods, and no programmes for the advancement of rural women. Some documents produced by right-wing politicians are very critical towards ideas of gender equality and institutional mechanisms and actions aimed at achieving gender equality are evaluated as problematic.

Solutions are often related to implementation of legal and institutional mechanisms assuring gender equality and preventing discrimination. Attention is paid to equal access to goods, services, and labour for women and men. Proposed legal changes are aimed at counteracting discrimination in all spheres of life: employment, education, social insurance, and health care. Besides legal changes, documents propose co-operation with women's NGOs, monitoring of media, special machinery to ensure the implementation of equality legislation, and gender equality training for decision makers. Sometimes more general objectives such as "prevent discrimination" or "assure equal treatment" are mentioned. Documents mention specific areas where gender equality should be particularly promoted: in the labour market and public sphere.

There are documents rejecting actions to promote gender equality. These argue that the best policy action is to refuse counteracting discrimination and to refuse introducing any legal mechanisms which support gender equality and change in the traditional division of society. They propose instead implementation of policy to support the heterosexual family and promote motherhood and the 'natural' roles of women and men.

Documents most often refer to institutional actors, especially government and various governmental institutions. "Government" or "previous government" is often cited as an active actor responsible for insufficient protection of gender equality or for policy actions promoting gender equality. Particular governmental institutions are also mentioned. Documents quite often refer to the "Plenipotentiary for Equal Status of Women and Men" as being active in promoting equality policies and practices. Documents mention market actors, such as "hypermarkets", "erotic industry" and "employers". "Media" are sometimes mentioned as active actors. Documents also refer to very general active actors, such as "society".

Very rarely is there reference to civil society actors ("feminism") in the problem descriptions. This may suggest that civil society is not seen as an important actor in promoting ideas of gender equality. In the case of right wing politicians it also suggests that actions undertaken by civil society are not seen as very efficient and thus not particularly harmful to the traditional gender role division.

Documents sometimes refer to individual actors. "Men" (less often "fathers") are sometimes mentioned as active actors. They are mentioned most frequently in the context of violence and as responsible for the difficult social and family situation of women. "Women" are very rarely referred as active actors; they are mentioned once in the context of reproductive rights (evaluated as a deceptive way of emancipation).

Active actors are not constructed in an intersectionalised way. Mostly the active actors are de-gendered.

The frequency of references to institutional and individual actors in relation to passive actors varies. Documents almost never mention the government or state as being a passive actor. Civil society (especially "women's NGOs") is mentioned more often as passive actor. However, the most frequently cited passive actors are individuals, often gendered and often explicitly referring to "women" as passive actors. Men are never mentioned as passive actors. Frequently passive actors

are constructed in a de-gendered way, such as “person affected by discrimination” and “family”. Sometimes an intersectionalised perspective is present and documents identify “rural women” as a passive actor. The intersection of gender and regional status creates a separate category of social exclusion. In fact “rural women” is the intersecting category that is most often identified in the Polish policy-making process in general.

Documents mention a variety of actors as responsible for implementing policy actions and proposing solutions for the problems identified. Actors are almost exclusively institutions, mostly the state machinery and administration. Documents refer to “government” or “Parliament” and particular ministries. Quite often “Plenipotentiary for Equal Status of Women and Men” is mentioned as the institution responsible for implementation of gender equality policy. Sometimes decision making individuals such as “supervisors”, “directors” or “employers” are given responsibility for policy actions. Civil society is also quite often addressed. Documents mention “women's organisations”, “NGOs”, and “trade unions”.

The majority of objectives are addressed to individual actors. The group most frequently mentioned are “women”, but quite often gender equality actions are addressed also to “men”. Civil society actors (“women's organisations”) are also mentioned several times as target groups.

Policy actions have more diverse target groups when compared with objectives. Documents again most often address “women” and less frequently “men”. The target groups for policy actions are usually gendered. Documents rarely address policy actions to “person discriminated against”, but rather speak about women and men as possible victims of discriminatory practices. Target groups for policy actions are not limited only to women and men, but mention other social groups. Documents mention judges, employers, NGOs, trade unions, and local administration. This suggests that combating discrimination and promoting gender equality demands the creation of more developed networks of social relations and institutions responsible for it. Some groups mentioned when proposing solutions may be situated at the intersection of various inequalities: “rural women”, “disabled women”, “women from religious minorities”, or “women from ethnic minorities”. However, such an approach is quite rare and mostly documents address actions to the homogenous group of “women”.

Documents locate the problem of discrimination in various spheres of society. Quite often policy is mentioned, especially when insufficient legislation or policy of government are discussed. Problems are quite often situated in the sphere of society (understood as stereotypes, social norms and practices, and education). Often the sphere of polity and society intersect and the problem is situated in both. Economy is often mentioned, especially in documents referring to discrimination and inequality in the labour market. Intimacy is less frequently mentioned. Documents do not discuss discrimination in the private sphere as a source of discrimination in the public sphere. Intimacy is usually mentioned in the context of reproductive rights, not in the context of labour and the division of childcare.

Locations in prognosis are quite similar. Most policy actions are situated in the sphere of polity. Economy is also often mentioned. More attention is paid to the private sphere and solutions aimed at reconciling work and family life and reforming the model of the family. Some policy statements locate the problem in all spheres of society, so gender based discrimination is seen as a very complex problem.

Many problems are related to the quality of policy process and legislation, so the underlying norm is often the rule of law or efficiency. Equality (gender equality) is also often mentioned in the texts. This value is particularly mentioned in texts produced by NGOs or left-wing governments.

Less frequently documents refer to values such as “democracy” or “human rights”. Texts produced by right-wing politicians often refer to family or natural gender norms as fundamental values.

Underlying values in prognosis are similar. Many objectives and policy actions refer to legal change, so for this reason underlying norms are often “rule of law” or “efficiency”. Equality is often mentioned, followed by democracy. Again, right-wing politicians usually refer to values such as “family” rather than to “equality”. They sometimes use the notion of “natural gender roles” or “nature” to stress the importance of the traditional, patriarchal family and domestic gender regime.

Documents, especially those demanding legal changes and implementation of gender equality laws and mechanisms, construct the “European Union” or “EU countries” as norm groups. It is presumed that the problem of gender based discrimination is less intense in the EU, because of better legislation preventing such practices. In addition, reference to the EU often appears in explanation of why the gender equality laws should be implemented in Poland. The European Union functions not only as a norm group, but also as a reference point and actor exercising pressure on national decision-makers.

The presence of many references to civil society as policy actors in prognosis is interesting when compared with the very few references to civil society when identifying actors in diagnosis. This difference may probably be explained by analysing the actors producing policy texts. It is possible that texts emphasising role of civil society in promotion and implementation of gender policy were produced by civil society and left-wing government. NGOs are seen as important partners in the implementation of gender equality. In comparison with this approach, policy documents produced by right-wing voices are “NGO- blind”, so they not only neglect the role of NGOs in promoting equality, but also do not see them as efficient actors in promoting gender equality, and thus they are not referred as active actors in causing problems.

Passive actors and target groups of policy actions are constructed with very little attempt to intersect social inequalities. “Women” often appear as a unified, homogenous category. While Western theory promotes “intersectionality” as a useful category in the analysis of social inequalities, Polish policy makers and NGO's are “intersectionality- blind”. Is this a failure of the policy making, or is this approach justified by the national and cultural context? I think the second hypothesis better explains the lack of intersectionality in policy documents. The existence of gendered citizens is still beyond the level of understanding for most of policy- makers. The attempt to add a gender perspective to the policy-making process and pay attention to discrimination of women was harshly criticised (as the coded documents prove). Constructing women as a united group may be an important step in putting pressure on decision makers. At this point power is in numbers rather than in multiple levels of inequality and intersecting inequalities. Introducing intersectionality would be like paying more attention to the margins, while neglecting the majority. In Poland gender is still the most common ground of discrimination. Unfortunately, the process of adding more grounds of discrimination moves attention away from discrimination against women; if they are no longer the only group discriminated against, then why pay attention to them? As a consequence, there is a risk that women might disappear as a category from anti-discrimination policy.

3.2 The range of the meanings or frames of gender equality in non employment

The sub-issue of tax- benefit policies consists of two issues: documents on family allowances and other means of financial assistance provided to family by government and documents on the pension system. Governmental texts concentrate on problems of an ageing

society. Despite the significant impact of the reform of the pension system on the situation of women these texts are de-gendered. The text produced by NGOs presents problems with the reform of the social security system and its negative impact on the situation of women. Documents on family allowances are also gender-blind and concentrate more on family and the well-being of family, without mentioning women.

The sub-issue of care-work considers various forms of institutionalised care: care of children (including surrogate families and adoption), care of elderly people, and long-term care. A lot of attention is paid to forms of surrogate care of children (including adoption, foster families, professional surrogate families, and emergency foster care). The civil society text and governmental text propose replacing state-governed surrogate care institutions with family-like centres. In the issue there is very little attention paid to gender. Documents are concentrated rather on the well-being of children and on forms of assistance that should be provided to biological families in difficult situations or to surrogate families/ professional families.

The sub-issue of the reconciliation of work and family life presents various opinions on policy mechanisms and reforms that should be introduced in order to make reconciliation of work and family easier. Both the governmental and NGO text see reconciliation of work and care as a fundamental problem due to the lack of childcare facilities and the more difficult situation of women in the labour market. Texts propose various mechanisms to make reconciliation of work and family easier: to increase the number of childcare facilities, flexible forms of employment, and promote the participation of women in the labour market. Government texts approach the problem from a perspective of demography and demographic decrease, while the NGOs pay more attention to gender equality.

The sub-issue of the gender pay gap and equal treatment in employment concentrates on legal changes aimed at assuring equality on the labour market.

As in previous issues, institutionalised actors are most frequently pointed out as active actors. Mostly texts mention the government, but local governments are also mentioned. Institutions responsible for organising social assistance and adoption of children and social workers employed by the institutions are also sometimes mentioned. The system of justice (courts) and education are less frequently mentioned as active actors.

Documents also refer to institutions independent of the state. The most frequently mentioned is the "Catholic Church", but also media and "EU women's NGOs" are seen as active actors.

In documents on non-employment market actors such as "employers" are mentioned as actors responsible for causing the problem. There are also individual actors mentioned: "women" and "children" (or "difficult children") are referred to once or twice.

Active actors are usually institutions, so there is no intersectionality when presenting active actors.

Passive actors are usually individuals. The most often mentioned category is "women", quite often described using additional features related to age or social status. Quite often "families" are mentioned as active actors. Families are sometimes described in more details (families in crisis, poor families, families with many children, rural families) to indicate the most vulnerable categories of families. "Children" are also mentioned as individual passive actors. Children are sometimes given more characteristics: "orphaned children", "adopted children" or "children with difficulties". "Men" are mentioned as passive actors, but documents never mention them as the only actor. All documents mention "women" and "men" as passive actors in issues of inequality in

employment, the pension system or division of housework. Despite the documents positioning men as passive actors, they are not so much “victims” of inequality but rather persons gaining from inequality. Even if texts do not mention it, it should be emphasised that in fact they are passive actors in different way to women.

Documents, even if not always including intersectionality between gender and other inequalities when describing passive actors, present quite differentiated groups of individual passive actors. Families, women, and children are not presented as homogenous groups, but presented in a social context, with attention paid to individual situations and probably to individual needs. Documents make an attempt to additionally define actors in need of assistance.

Group actors such as “society” or “social groups at the highest risk of social marginalisation” are rarely mentioned. Non-individual actors such as “NGOs”, “civil society” or “Eastern European women's NGOs” are sometimes mentioned.

In defining active actors in the diagnosis documents quite often use intersectionality. The most commonly mentioned is intersectionality of gender and age. Documents detail groups of women who, due to age, are the most vulnerable to unemployment or losing employment. Less frequently documents mention intersectionality between gender and class (“women with the lowest education”, “women with low incomes”) when defining groups particularly vulnerable to unemployment.

As in all other issues, policy actors are usually governmental institutions. Documents most often mention “government”, “Parliament”, “state” or “authorities” as actors responsible for an action. Sometimes more specific governmental bodies are appointed: particular ministries, or political parties. “Local governments” are less frequently mentioned, with responsibilities often divided between various local actors (“starost”, “voivode”). Documents also mention various kinds of institutions responsible for providing social assistance, but rarely mention institutions independent of the state. Civil society is never mentioned, and only in some cases are “churches” or “religious groups” mentioned. “Media” and “schools” are also rarely mentioned.

Quite often market actors are referred to, and employers in particular are a frequently mentioned category (especially in issues related to reconciling work and care and equality in employment). In similar situations employees are mentioned.

Individual actors are rarely mentioned and when they are the documents usually refer to the “foster family” or “biological parents”. This reference appears in documents on adoption and surrogate care.

Objectives usually mention individual target groups; the most frequently mentioned is “women”, without additional characteristics (except for the category of “pregnant women”). Documents often mention “family” and various kinds of families: families in difficult situations, family with problems of violence, rural families, surrogate families, and families with many children. Children are also mentioned and often given additional characteristics: children with difficulties and children in surrogate families. Documents also mention other target groups including: elderly people, disabled people, and persons in difficult economic situations.

Objectives present a variety of target groups, but there is no intersectionality of gender with other inequalities. Women are presented as group without additional features. Such an approach contrasts with a lot of characteristics added to the category of “family”. It is possible to create the hypothesis that the lack of intersectionality with gender suggests that simply being a woman is sufficient to be particularly vulnerable to social exclusion, so no additional characteristic is needed.

In comparison, in referring to family (probably seen as a kind of norm), it is necessary to additionally justify why and what kind of family is especially vulnerable because it is not so obvious.

In policy actions the most frequently mentioned group are “women”. In contrast to the objectives, there are more characteristics given to women (age, pregnancy, class, employment status). Documents also refer to “employees” or “female employees” or “mothers”, especially in texts on equality in employment and childcare leave. Documents mention also “men” or “fathers” as target groups for policy actions.

“Family” is another category often mentioned in the texts. As in objectives, family is characterised in more detail: “family in need”, “family with many children”. “Children” are another category and they are also given additional characteristics: orphaned children, children in surrogate families, children of a certain age. Documents also present very long lists of persons eligible for various forms of assistance. This category is usually de-gendered but indicates various possible grounds of inequality: class, age, disability, etc.

Institutionalised actors are mentioned less often. This category includes religious institutions (churches), NGOs, institutions organising social assistance and various levels of local governments.

Categories in policy actions suggest intersectionality between gender and age (women of retirement age, young women, and women planning to have children). There is also possible intersection between gender and class (women from pathological environments, women with the lowest education).

Most frequently the problem is situated in the sphere of the economy, followed by intimacy. This is the main difference in location when compared with other issues. Policy is less frequently mentioned as a sphere. Society and civil society are rarely mentioned spheres of location.

Solutions are mostly situated in the sphere of the economy (or similar category of “employment”). Intimacy and polity are also frequently mentioned. Only a few documents mention society as the location of the solutions.

The most frequent underlying norm is efficiency, followed by equality. Demography and economy (or economic well-being) are also mentioned as norms. Sometimes documents mention the rule of law. Documents quite often refer to the idea of social solidarity (solidarity, social inclusion). Human rights or reproductive rights are rarely mentioned.

The norm-group most often mentioned is men. This norm group appears in various contexts: equality on the labour market, pension system, and the reconciliation of work and family. Reference to “men” as the norm group is visible in texts produced by NGOs as well as in texts produced by the government.

As in other issues, the EU (EU countries, EU legislation) is often mentioned as the norm group. The

“natural family” (in documents on foster care) or “persons without childcare responsibilities” are also mentioned as norm groups.

The norm most often mentioned in diagnosis is efficiency (and sometimes the similar category of rule of law). Equality is also quite often mentioned. Economic well-being and social solidarity are also mentioned as underlying norms. The order of norms in diagnosis is similar to those in problem statements.

Diagnosis almost never mentions men as a norm group. This is an important contrast to the norm groups in problem statements. Most of the categories refer to “EU” or “EU countries” as to the norm group.

In the texts on non-employment it is difficult to show any patterns when referring to voice. Visibility of a gender equality perspective depends not only on the sub- issue being discussed, but also on the type of text (laws are de- gendered) and the actors producing the texts. In contrast to previous issues, NGOs actors do not always produce gender-sensitive texts. Particular in the text on foster care there is no reference to gender. Other NGO texts pay more attention to principles of gender equality. The perspective in the governmental texts depends on the sub-issue being discussed and on the political affiliation of the voice producing the text.

It is quite surprising, in comparison to other issues, that men are so often mentioned as the norm group in the context of equality in employment, pension system or reconciliation of work and family. It suggests that men are seen as a group not influenced by the problems on the labour market. Even if policies address men as a target group they are seen as less vulnerable in comparison to women, who are traditionally seen as responsible for providing care, and thus less valuable workers. The high number of codes indicating “men” as a norm group is consistent with the low number of codes indicating men as passive actors. As it was previously mentioned, “men” as passive actors are always mentioned with “women” when referring to equality on the labour market, pay or pension system. Even if the texts do not make it clear, it should be emphasised that “men” are passive actors in a different way to women; benefiting from inequality rather than being victims of it.

3.3 The range of the meanings or frames of gender equality in intimate citizenship

There are three main sub-issues in the issue of intimate citizenship: alimonies for children after divorce, the rights of same- sex couples and the issue of abortion and women's reproductive rights.

The first sub-issue presents the problems of single parents after divorce (usually mothers) in receiving alimonies from the responsible parent. Documents concentrate mostly on identifying legal and procedural problems: closing down of the Alimony Fund and its negative impact on the situation of single mothers and children; inefficiency in collecting alimonies from alimony debtors; and problems with the legal machinery (courts, bailiffs). Solutions refer usually to policy process and are aimed at increasing efficiency in collecting alimonies from parents.

Documents on the rights of same-sex couples are related to two main issues: the legal rights of registered same-sex partnerships and the problem of homophobia. Documents discuss the scope of rights protection proposed by the draft “Law on same-sex registered partnerships”, possible privileges of same-sex couples, immigration procedures, the status of children and divorce procedures. Policy actions propose legal solutions aimed at defending the rights of people living in same-sex couples and giving them rights to register their relationship. Texts refer also to the issue of homophobia. The governmental document is very critical towards the resolution of the European Parliament expressing its concern about increased intolerance due to racism, xenophobia, anti- Semitism and homophobia in Poland. It proposed to reject the resolution and to silence critical voices in the country. The document by the NGO concentrates on the difficult political situation in Poland, the increase of homophobia and discrimination against homosexual persons. Unfortunately, the text does not propose many policy actions but identifies mainly problems.

The sub-issue of abortion is the most diverse. It identifies different problems and proposes

different solutions, depending on the source of the document. Governmental documents concentrate on the problems of the population and health of the population, stressing the importance of protection of (unborn) life. Documents usually address women in the context of family and criticise behaviours that may be potentially harmful to the health of the unborn child. Policy actions propose legal changes to fully forbid abortion or actions to increase demographic growth. The NGO document approaches the problem of abortion from a perspective of women's reproductive rights. The document mentions problems such as the strict anti-abortion law, lack of access to contraception and lack of sexual education. The objectives of policy actions demand changes in those fields.

Documents sometimes identify active actors responsible for problems. Various institutionalised actors are most often mentioned. Present or past "government", "decision makers" and "Parliament" are the actors most often seen as responsible for causing a problem. Governmental actors being responsible for the problem are invoked in most of the civil society texts, but also in those produced by the government; governmental texts most often criticise the previous government as being responsible for a problem. Particular political parties are also named as active actors. Parties are named or referred to more generally as "right wing" or "left wing" parties.

State institutions other than government and Parliament are also mentioned as active actors. The institutions most often named are bailiffs (frequently mentioned in texts on the alimony fund) and the Alimony Fund. Health care institutions and doctors who are part of these are referred to as active actors (usually in texts related to abortion). Courts and court related institutions are sometimes mentioned.

European actors are sometimes positioned as active actors. Texts mostly refer to the European Parliament, but also "some EU countries" are mentioned.

Texts refer also to civil society actors, referred to as "radical feminist organisations", but rarely. The Catholic Church and "religious fundamentalists" are a separate category of institutions named as responsible for problems.

Individuals are also mentioned in the texts. They are often constructed in a de-gendered way, referring to "person eligible to alimony" or "alimony debtor" without indicating gender (even though these categories are clearly gendered). Rarely do texts explicitly refer to gender, mentioning "husband" as an active actor (in debates on the alimony fund). Women are mentioned as active actors, most frequently in governmental texts on abortion. In general, women ("pregnant women") are more frequently seen as active actors than men. There is significant difference in the gendered naming of active actors between sub-issues. Texts on abortion often mention women as active actors, while in texts on alimonies after divorce "alimony debtors" are very rarely constructed in a gendered way.

Active actors are usually institutions and they are not constructed in an intersectionalised way.

The proportion of governmental actors compared to individual actors is reversed in the case of the "passive actors" category. Government, Parliament and state institutions are almost never mentioned as passive actors. In the majority of cases individual actors are addressed. Passive actors are often referred to by using de-gendered notions such as "person eligible to alimony", "homosexual person", "unborn child" or "family". In those cases where passive actors are gendered almost all refer to "women". The category of "women" in diagnosis presents women as a homogenous group and hardly ever as intersecting with other social inequalities. Very rarely the

category of “rural women”, “single mother” or “women in difficult situation” suggests intersection with other social inequalities, such as region, class or marital status. Men are almost never explicitly mentioned as passive actors.

It is quite surprising that documents (on alimonies after divorce) more often refer to “alimony debtors” (men) as passive actors than to “single mothers” or “single parents”. It suggests that the social stereotype that sees divorced fathers obliged to pay alimonies as victims of greedy mothers responsible for taking care of children has some impact even on policy documents. Documents more often mention economic problems of the alimony debtors than those of single mothers after divorce.

Prognosis often identifies actors responsible for policy actions. In most of the cases these actors are institutions, usually state/ governmental institutions. Documents refer to state, government, local government or authorities, particular political parties, Parliament or Senate. Sometimes court, bailiffs or register office are responsible for actions. Documents never refer to civil society actors, but once mention the Catholic Church as the responsible actor. Individual actors are constructed in a de-gendered way. Documents mention individual actors especially in the context of same sex partnership, and appoint “partners” or “homosexual persons” to undertake actions.

Target groups (in objectives) are usually people or social groups. Documents mention “society” and “human beings” as very general target groups. Particular groups are usually constructed in a de-gendered way: “single parents”, “same sex partners” and “unborn children”. Documents mention women as a gendered target group, but never mention men.

A similar pattern is visible in constructing target groups for policy actions. Documents rarely refer to institutions; when they do, they are usually institutions of justice: courts, bailiffs, or prosecutors. Documents most often direct policy actions towards individuals. Persons who are target groups are described in more detail, but in general they can be grouped into categories such as “persons eligible for alimonies”, “alimony debtors”, “children”, “unborn children”, and “partners in same sex relationships”. Documents mention “women” and “mothers” as gendered target groups. Documents also refer to “fathers” as male targets of policy actions. However, mostly target groups are de-gendered, and there is no intersection of social inequalities. In many cases, a gender perspective is not seen as relevant for policy action, so target groups are also constructed in a de-gendered way.

Policy actions usually have one vertical direction: state => society (particular groups). There is no horizontal direction of policy action, like NGO/ society => particular group in society.

In the diagnosis, problems are most often situated in the sphere of polity. This location is consistent with the underlying norms (rule of law/ efficiency) and often suggests an approach to the problem as a legal problem or problem caused by bureaucratic machinery (not people). Quite often problems are situated in two spheres: polity and intimacy (especially in the case of reproductive rights and the rights of same-sex couples). Problems are also situated in between intimacy and economy (especially in the case of alimonies after divorce). Society as a sphere associated with beliefs, stereotypes and norms is also mentioned as a location of the problems.

Location of solutions in prognosis is similar. Solutions are most often situated in polity (proposal of legal changes). Often problems are located in two spheres: polity and intimacy (reproductive rights) and intimacy and economy (alimonies).

Most of the documents in diagnosis refer to policy process and efficiency of law, so they are based on values of efficiency and rule of law. Quite often the value of equality is invoked. Also

democracy and economy (understood as economic well-being) are mentioned. Documents refer to the “dignity of human life” (especially documents on abortion). Documents most often refer to efficiency (of law/ policy) and to rule of law. Democracy, equality, human rights and teaching of the Catholic Church are also mentioned as important norms.

The norm group most frequently referred to in diagnosis is “heterosexual couple” (in texts on same-sex couples’ rights). Sometimes countries (EU or Eastern Europe) are mentioned. In prognosis, norm groups are less frequently mentioned, but they are similar: “heterosexual family”, “EU countries”.

There is a clear difference between texts produced by NGOs and by the government. The difference is particularly striking in the case of documents on abortion and women's reproductive rights. Governmental documents produce gender-blind texts, they do not see women as the passive actors of strict abortion law. Most attention is paid to the rights of the foetus, to population and to the demography of the nation. The approach to abortion differs depending on the position of the government producing the text. The most recent texts selected for analysis were produced by right-wing governments and they approach abortion from the perspective of the protection of human life from moment of conception. This perspective neglects the rights of women, often even not mentioning women. It is possible that documents produced by left governments adopt a more women-oriented approach, but they were not analysed here. NGO texts concentrate on women and women's reproductive rights and the issue of abortion is approached from a perspective of women's human rights, not from a perspective focused on the foetus.

In the two remaining sub-issues the difference is not so visible. Governmental documents differ depending on the political affiliation of the party or government producing the text, especially in the case of the rights of same- sex couples. In the case of alimonies, government and NGOs present a very similar position. The impact of dialogue with civil society is visible. Texts and opinions produced by the civil society are considered in the decision making process. It is important to mention that a representative of civil society was asked to present opinion in the Parliament, a practice still not common during the decision making process.

Usually problems and solutions are situated in the sphere of polity. State/ government is usually perceived as the active actor responsible for the problems and actor responsible for policy action. It suggests that in texts produced by both the state and NGOs, the state is seen as having hegemonic power. This strong position of the state may be a legacy of the communist past, when the state was responsible for causing and solving all social problems. Documents reflect the relative weakness of civil society and institutions independent of the state, especially as actors responsible for solving problems. Even texts produced by civil society do not emphasise the role of NGOs in solving problems, but leave most responsibility to the state.

3.4 The range of the meanings or frames of gender equality in gender based violence

There are three important sub-issues within this issue: domestic violence, sexual harassment and rape, and trafficking in human beings.

Opinions on domestic violence depend on political parties. Some speakers suggest that domestic violence is not a problem, or even that in some cases it is a right of husband to use it. Violence against children is considered to be a problem only when it causes serious health problems. Other speakers mention different problems: no law on counteracting violence and insufficient protection of victims, growing number of cases of domestic violence against women and children and growing number of murders in families. No social awareness and stereotypes on

domestic violence are problematized. The main objectives proposed are to introduce legal mechanisms to counteract domestic violence, provide efficient protection of victims and counteract domestic violence. The NGO text mentions problems with existing law on domestic violence: lack of necessary assistance for victims of domestic violence, limited possibilities to force perpetrators to leave the home and limited possibilities to prohibit overwhelming focus on perpetrator programmes rather than on providing assistance for victims, social ignorance of domestic violence and not reporting cases of violence to the police. It is proposed to increase the efficiency of existing law by introducing anti-stalking provisions, wider provisions on prohibition of contact, arrest for perpetrators of domestic violence to complete procedures necessary to protect victims, punishment for non-reporting of cases of domestic violence, and sufficient funding for programmes on counteracting domestic violence.

Documents relating to sexual violence discuss the problems of rape and pornography together. More attention is paid to the issue of pornography. Politicians present problems with the definition of pornography. Right wing parties propose to limit access to pornography or even to fully forbid its presentation and distribution, while other parties defend sexual freedom in the name of democracy. More severe punishment for rape, especially for rape with cruelty, is proposed by all political parties. The issue of sexual harassment in the workplace is present in texts produced by the government (law) and NGO (report). The law presents several problems: direct and indirect discrimination, harassment and sexual harassment, and proposes legal solutions to prohibit them. According to the NGO text, the main problem is the lack of sufficient legal mechanisms to prevent sexual harassment and sex discrimination in the labour market. The government is not assuring the protection of victims or punishment for perpetrators. In the prognosis it is proposed to implement laws prohibiting sexual harassment and sex discrimination and to raise social awareness on the problem of harassment.

Documents on trafficking mention the most important problems: trafficking in human beings and forced prostitution. The documents comment on procedural and legal problems: insufficient assistance provided to victims of trafficking, deportation of victims, lack of administrative procedures and efficient legal solutions, illegal adoption, forced prostitution, limiting freedom of another person and using threat or violence against another person, and raping a person. Documents give rather general objectives: to counteract trafficking in human beings and forced prostitution, inform society on trafficking, change the law to ensure efficiency in combating trafficking, and provide protection for victims of trafficking. The NGO text identifies the main problems as: trafficking in persons and children, sexual exploitation and prostitution, insufficient definition of trafficking in Polish law, lack of knowledge and willingness in state institutions responsible for combating trafficking, and finally, difficulties with social inclusion and protection of victims of trafficking. The document briefly mentions poverty, gender discrimination, unemployment and lack of information as factors crucial in the process of recruitment of trafficked persons. It is proposed to change the law, and its application, and that there needs to be training for responsible bodies, police, judges and border guards and more effective application of existing legal provisions.

As in the case of other issues, the active actor most often mentioned is the government or Parliament. Quite often institutionalised actors related to state mechanisms are mentioned: particular ministries (Ministry of Justice), system of justice (courts, judges, prosecutors), police or border guards. Active actors are usually situated on the national level, but there is also a category of "governments of EU countries" mentioned as an active actor. Documents also mention group

actors independent of government: organised crime groups, trade unions, and media. Documents refer also to individual actors. Individual actors are often described in de-gendered way as “perpetrators”. In some cases, especially in the sub-issue on trafficking, perpetrators are gendered. They are referred to as “men” or “husband”. Sometimes more detailed characteristics of active actor are provided: “men from Bulgaria”, “men from Turkish minority” or “male foreigners”.

Passive actors in the diagnosis are usually individuals and governmental actors are rarely mentioned. The category most often mentioned is “women” followed by “children”. Women are sometimes characterised in more details. Texts use such intersecting categories as “women from Bulgaria”, “women from Eastern Europe” or “young women”. Only once men are mentioned as victims.

Documents quite often use de-gendered categories when referring to passive actors. Mostly documents use the notions of “victim of domestic violence”, “person”, “person trafficked”, “person forced into prostitution” or “human being”. Texts also refer to social groups such as “family” or mention “society” as a passive actor. Quite often “perpetrators” are mentioned as passive actors.

Texts sometimes use intersecting categories. The most frequent intersection refers to gender and regional or migrant status (women from Eastern Europe, foreign women). Sometimes there is reference to gender and age in characterising groups.

As in previous issues, actors responsible for policy actions are usually institutions. Texts most frequently mention the “government”, “parliament”, “state” or “authorities” as policy actors. Often responsibilities are divided between particular ministries, groups responsible for actions or local governments. Less often particular political parties are mentioned as active actors. Other institutional actors mentioned are: courts, system of justice, prosecutors, police, and border guards.

More often than in previous issues, texts mention the role of NGOs in policy actions. Quite often documents refer to NGOs or stress the need for cooperation between governmental actors and NGOs.

Individual actors are rarely present in the text. On the occasion they are present, they are “parents” or “foreigners”. Because individual actors are rarely mentioned, intersectionality also does not appear in the active actors presented in documents on violence.

The objectives of policy actions refer almost exclusively to non-institutionalised target groups. Objectives most often refer to “society” and sometimes “family”. Other actors are usually individuals, and except for the category of “women” they are de-gendered. Documents often mention “children”, “victims of domestic violence”, and “victims of trafficking”. Objectives are directed not only towards victims of violence, but also mention persons responsible for violence as target groups. Some documents refer to “perpetrators of violence” or “perpetrators of trafficking”.

The target groups of objectives are usually de-gendered, so there is no intersectionality. Policy actions describe the target groups of actions in more detail. The documents mention institutionalised actors as target groups of policy actions: border guards, police, courts, and prosecutors. Sometimes references are less precise and refer to “institutions combating trafficking” or “institutions combating violence”.

Documents refer also to groups independent of governments. The most frequently referenced are civil society and NGOs (NGOs are often named). References to the church and media also appear.

Individual target groups are usually de-gendered. The texts mention “society”, “family”, “children”, “victims of trafficking”, and “victims of violence”. Also market-like actors such as

“employees” or “employers” are mentioned, especially in documents on sexual harassment in the workplace. Quite often “perpetrators” of violence or trafficking are mentioned as target groups or the neutral category of “person” forcing prostitution or “person organising illegal adoption”.

Reference to gendered categories is much less frequent. Texts do mention “women” or “women with children” but compared with passive actors in diagnosis, there are very few such references.

There is no intersectionality in the descriptions of target groups in policy action. This is an important difference when compared with the relatively large number of intersecting categories in the category of passive actors in diagnosis. Not only are target groups less frequently gendered, but also they are not intersected with other inequalities.

The problem of violence is mostly situated in the polity sphere. Quite a significant number of texts mention also society, economy and intimacy. There are very few voices that see the sphere of civil society as the location of the problem.

In prognosis, solution of the problem is situated in a similar way; the documents mostly mention polity, followed by society and intimacy.

The problem statement is mostly based on the value of efficiency and rule of law. Concentration on efficiency and legal aspects of the problem is coherent with the prevailing location of problems in the sphere of polity. Quite often “human rights” are mentioned as the underlying norm (which may be similar to the category “rule of law”). Less frequently, values such as “knowledge”, “equality”, “safety” “morality” or “coercion” are mentioned.

The most common norm-group consists of “Western countries”, such as Austria, Germany and Italy. The norms in prognosis are similar to those in diagnosis. The objectives of policy actions are based on the values of “efficiency”, “rule of law” and “human rights”. Sometimes values such as “knowledge”, “equality”, “morality” or “dignity” are mentioned.

In the case of domestic violence, the most significant difference is between political parties; usually left-wing parties have an opinion on domestic violence that is similar to women's NGOs. In contrast, right-wing parties see legislation on violence as dangerous for the family and as interfering too much in terms of the privacy of citizens. In the case of rape and sexual harassment governmental texts are fully de-gendered. The debate on changing the Penal Code (related to rape and pornography) concentrates more on pornography and the problem of rape is hardly mentioned or analysed. In texts on trafficking in human beings, the voices of NGOs and government are similar, with emphasis on the need for co-operation between governmental actors and civil society.

There is an interesting intersection between the gender of perpetrators of trafficking and ethnicity. Men from ethnic groups (Turkish minority, Bulgarian men, and men from Yugoslavia) are often mentioned as responsible for trafficking in women.

In most of the sub-issues there is a significant difference between the construction of passive actors in diagnosis (gendered, often intersecting inequalities, like in the case of documents on trafficking) and the construction of target groups of policy action (de-gendered, with no intersectionality mentioned).

Comparing across the issues, there is an interesting point in terms of the relationship of right-wing parties to the issue of intimacy. When discussing legislation on domestic violence, voices defending intimacy and family were quite frequent; it was argued that the state should not interfere with private issues and decisions of citizens. In stark contrast, their approach to contraception and reproductive rights is such that the sphere of intimacy is fully regulated by state. It can thus be argued that right-wing parties are not concerned about defending intimacy, but rather

about defending the status-quo. The notion of freedom in the private sphere is most often used to the disadvantage of women and when male domination may be exercised.

4. The range of intersecting inequalities

SEPARATE INEQUALITIES INSTEAD OF INTERSECTIONALITY?

As mentioned previously, an intersectionality approach is not often visible in academic writings. It is even less visible in policy making. Policy documents and laws do not often employ the concept of intersectionality. Very often various grounds of inequality or possible discrimination are mentioned, but there is no suggestion that they may intersect with gender.

The Polish Constitution emphasises the principle of equality and prohibits discrimination on various grounds:

Article 32 states: “1. Everyone shall be equal before the law. Everyone has the right to be treated equally by the public authorities. 2. No one can be discriminated against in political, social or economic life on any grounds.”

Article 33 states: “1. Women and men in the Republic of Poland have equal rights in the family, political, social and economic life”. “2. Women and men have equal rights, in particular, to education, employment and promotion, to equal remuneration for work of equal value, social security and to hold office, perform public functions and receive public honors and decorations.”

Gender is mentioned as one of the grounds for discrimination, but it is not clear in what way gender based discrimination intersects with other inequalities.

The tendency to see various grounds of discrimination as separate is even more visible in the Labour Code: “Employees have equal rights by virtue of equally fulfilling the same duties: it concerns in particular the equal treatment of men and women in the sphere of work. Any discrimination in labour relations, especially on account of sex, age, disability, race, nationality, convictions, particularly political or religious, and union membership – is forbidden”⁵.

The draft of the “Law on equal status of women and men” that had been discussed several times but never accepted also does not pay attention to intersectionality. Only the issue of age is implicitly addressed when forbidding discrimination in the pension system. The draft law made any form of gender based discrimination (direct or indirect) illegal. Attention was paid to equality on the labour market: the right to employment, promotion, equal payment and a workplace free from sexual-harassment. Discrimination due to pregnancy, breast-feeding or childcare was forbidden. The law postulated equal access of women and men to social insurance, health care and legal protection. It proposed 40% quota in all positions elected or appointed by public authorities, and prohibited advertisements and media materials presenting women or men in offensive or stereotypical ways. It seems that the draft law, even if supported by women's NGOs and left-wing politicians, is still based on a nationalist model of citizenship. Citizenship is gendered, but does not have any other features, such as race, ethnicity, religion or embodiment.

A similar division of possible grounds of discrimination is visible in the draft of “Law on equal treatment” prepared in 2007 by the Department for Women, Family and counteracting

5 Labour Code modified in February 1996

Discrimination. The draft defines direct and indirect discrimination, harassment and sexual harassment and provides means of legal action for discriminated persons. It proposes legal mechanisms to counteract discrimination on grounds of race, ethnic origin, nationality, gender, religion, political opinions, disability, age or sexual orientation, and wealth. It forbids discrimination in the labour market, health care and social security, in education and access to goods and accommodation and assures equal treatment of men and women in access to goods and services.

Similar divisions are observed when other forms of social exclusion (poverty, age, and ethnicity) are discussed. In 2003, the government started to develop a programme 'National Strategy of Social Integration for Poland'. It defined the most vulnerable groups as: children outside of the schooling system, long-term unemployed, persons leaving prisons, homeless people, illegal immigrants and Roma people. The strategy mentioned non-employed women as slightly vulnerable to social exclusion. Policy solutions did not pay particular attention to gender equality, proposing the improvement of education, struggle against social poverty, decrease of long-term unemployment, and a special health-care system for children and pregnant women. The Strategy for Social Protection and Social Inclusion for 2006-2008 analyzed the situation of numerous social groups in danger of social exclusion. One of the important issues analyzed was the ageing of society and situation of older people. The document proposed strategies of providing care for the constantly growing number of older people needing professional care and health care. It was striking that the Strategy never addressed intersectionality between gender and other forms of discrimination; again, gender becomes invisible when other inequalities are discussed.

Many programmes on non-employment, including the: "National strategy of social protection and social inclusion" or at "Sector Operation Program: Development of Human Resources", mention gender. They sometimes treat women as one of the less-privileged groups and propose mechanisms aimed at improving the situation of women on the labour market. The National Report on Strategies for Social Inclusion is almost gender-blind. The report never mentions gender equality, but it is family-oriented. Actions that may be considered as a part of gender equality policy (e.g. support in childcare) are explained in terms of supporting the family and children. Promotion of flexible forms of employment is referred to in gender-neutral terms (employment for parents, support for parenthood-friendly employers). National programmes are mostly de-gendered and do not concentrate on gender equality. They often mention other possible sources of inequality, such as age, poverty (class), and regional status (rural persons) more often than gender.

The National Action Plan for Employment is not only blind to the idea of gender equality, but also to gender in general. It considers such possible grounds of inequality and social exclusion as age, disability, and regional status, but rarely mentions gender. It uses the neutral form of "person" even in cases where the problem affects mostly women. Gender (and discrimination against women) is often covered by the notion of "family". Policy actions addressed to the family replace actions addressed to women. Women are considered to be a part of the family. Policies addressing women (access to labour market, reconciliation of work and family life, flexible work) are approached from the perspective of strengthening the family or reconciliation of work and family, not from a perspective of equal opportunities of women and men. One paragraph of the plan mentions equalising the retirement age of women and men. However, it does not justify it as achieving gender equality, but rather by reference to the ageing of society and higher unemployment among "older individuals".

It is very interesting that such strategies are not always gender blind. Visibility of gender is usually related with the orientation of the government. The left-wing government (2001-2005) used

to address gender in some policy documents and declared principles of gender equality in its actions. In 2004 the Ministry of Social Policy developed the National Action Plan on Social Inclusion for years 2004-2006. The plan defined groups especially vulnerable to social exclusion: homeless people, Roma people, women and former prisoners. Among other solutions, the programme proposed ways to increase and stabilize the position of women in the labour market. It also noticed the problems of the gender pay-gap, trafficking in women and domestic violence. While there is no intersection between gender and other forms of social exclusion (ethnicity, class, etc), gender is one of the forms of social exclusion. The relationship between gender and other inequalities is unnoticed.

It is worth asking why the laws and policies do not apply concept of intersectionality. One of the reasons was already mentioned, that Poland is almost a mono-cultural country. However, even in a culturally and ethnically homogenous country some inequalities are visible. Another possibility explaining the lack of an intersectionality perspective relates to the concept of citizenship. Citizenship is not only masculine [Holtz] and heterosexual [Mizielińska] but also disembodied. There is no cultural, theoretical or philosophical tradition addressing embodied citizenship. The ideal citizen is deprived of body, deprived of any features. This concept of disembodied citizenship is strongly connected with it being masculine.

GENERAL GENDER EQUALITY

The Office responsible for promoting women's rights has operated under different names and with different scopes of competence since 1986.

During the period 1995-1997, the Government's Plenipotentiary for Family and Women was responsible for policies on the family and children and promotion of gender equality in all spheres of life. The Plenipotentiary was responsible for: co-ordination of policies on family and children; promotion of gender equality in all spheres of life; analysis of the social and economic situation of family and children; co-ordination of actions and legislation aimed at improving the situation of families and children; co-operation with organisations engaged in actions for family, children and women and international institutions; and preparation of international reports.

During the period 1997-2001, the Office of Plenipotentiary for Family was promoting family values and sustaining the traditional division of gender roles. There was no policy on gender equality and counteracting discrimination. The Plenipotentiary initiated activities aimed at helping the family and promoting family values. Governmental policy was concentrated on the family; problems related to the economic and social position of women were limited to the realm of the family.

On 25th June 2002, the Government extended the competencies of the Governmental Plenipotentiary for Equal Status of Women and Men to include counteracting discrimination based on race, ethnic origin, religion, age and sexual orientation. The decision was based on the European Union requirement that government should create an office dealing with various forms of discrimination. The Plenipotentiary for Equal Status of Women and Men dealt mostly with issues of gender based discrimination and discrimination on grounds of sexual orientation. In addition, attention was paid to rural women and women over 50 (especially in relation to the labour market).

Since 2005, the Plenipotentiary for Women and Family is responsible for prevention of discrimination (on various bases, except ethnicity) in all spheres of life.

In March 2008, PM Donald Tusk appointed Elzbieta Radziszewska to a position of

Plenipotentiary of Equal Legal Status situated in the position of Secretary of state. According to Tusk, the aim of the office is to protect the equal treatment of persons, citizens before the law, but also to protect the “equal treatment of persons by institutions in everyday practice not only based on gender, but also due to other distinctions: race, ideas, religion, age.”⁶

There are several organisations for ethnic minorities, especially Roma (e.g. Association of Roma in Poland,⁷ Association of Roma Women⁸). Organisations mostly provide assistance to persons in need. Unfortunately, based on the information provided on the web-page of the Association of Roma Women, it is impossible to evaluate the scope and quality of the gender equality approach of this organisation. From the information available though, it seems that the organisation promotes a more traditional (based on a domestic gender regime) approach to women's rights.

NON- EMPLOYMENT

The intersection between gender and age is visible in the social security system and in access to the labour market.

There is insufficient provision on gender equality in the pension system. The pension scheme and lower retirement age of women result in lower incomes for women and are discriminatory. Intersectionality between gender and age in the social security system was addressed by numerous women's NGOs and by the Ombudsman, the problem of different retirement ages of women and men is not yet fully solved.

Pensions before 1989 were based significantly on social redistributions; an individual's salary did not directly influence the pension paid after the retirement. The lower retirement age of women (60) than men (65) has been seen as a privilege and appreciation of motherhood. The reform of the social security system in force since January 1999 changed the way of calculating pensions. The system was based on an individual's income, calculated throughout the total period of insurance. In consequence, individual incomes had a direct effect on the pension. The “Law on retirement and disability pensions from the Fund of Social Insurance” changed on November 1998 establishes the retirement age for women at 60 years old, and men 65 years. This difference in retirement ages for women and men, combined with the structure of the pension scheme, means that women's pensions will be lower even if they had the same incomes during the period of employment.

Reform in the social security system and the way of calculating pensions caused numerous protests by women's NGOs. Due to the lower retirement age of women (60 years), their pensions would be approximately 30-40% lower than those of men with the same salary. NGOs sent letters to the Ombudsman and Constitutional Court. During the Second Conference “Government Policy Towards Woman” organized by women's NGOs in April 1999, a special group working on the influence of social reform on women's situation was created. The group formed postulates which were proposed to the Plenipotentiary for Social Reform. They indicated the economic consequences of the reform and stressed that the law is against women's human rights, especially the right to work.

The Ombudsman (1999) asked for explanations before sending the case to the

6 <http://www.kprm.gov.pl/s.php?id=1834>

7 <http://www.stowarzyszenieromow.hg.pl/rocznice/likwidacja.html>

8 <http://kobietyromskie.free.ngo.pl/glowna.htm>

Constitutional Tribunal. In 1999 the Ombudsman appealed to the Constitutional Tribunal against numerous laws discriminating against women by giving a right to the employers to terminate contracts when women reach retirement age. Several decisions of the Constitutional Tribunal stated that such practices violate the constitutional right of equal treatment.

In 2005 government prepared the National Pension strategy. The document analyses the challenges for future pension schemes, namely the demographic decrease and ageing of society. It seems that the document does not explicitly address the problem of the pension system from a perspective of gender equality, but from the perspective of the economy and demographic crisis. In effect, when intersectionality between gender and age becomes visible, the problem of discrimination becomes invisible. Intersectionality with gender does not automatically mean the application of principles of gender equality.

Intersectionality between gender and age in access to the labour market was discussed and included in some policy documents and governmental programmes. The problem was also addressed by women's NGOs. In 2007, the Minister of Labour and Social Policy presented a programme 'Active Woman' [Program Aktywna Kobieta]. The aim of the programme was to assist women over 50 years old, who are especially vulnerable to unemployment, to stay in the labour market. The programme was organized together with institutions of the labour market and Labour Offices.

Intersectionality between gender and class is important when discussing the issue of childcare or care for older and ill people. In 2004, the Act on social assistance was amended. The law proposed numerous solutions for families and people in need. It also regulated, among other issues, the issue of care and long-term care provided to a family member. However, the laws are gender-blind and never address the gender of care-givers (usually women). So when class becomes visible in the law or policy, gender is usually invisible.

Intersectionality between gender and class is visible in policies on part-time work and reconciliation of work and family. The Labour Code, adjusted to EU requirements in 2004, introduces several kinds of part time employment and limited-time employment. The Act on temporal employment introduced in 2004 offers employers more attractive conditions of temporal employment. This form of employment is convenient for people (re)entering the labour market: the young, unemployed people and women after childcare leave. Regulations on part-time and flexible work time are not explicitly gendered, even if these are considered to be good forms of employment for women and a good way to support the reconciliation of work and family life. However, experts and women's NGOs note that part-time and flexible employment often disadvantage employees and are often not beneficial and supportive of women [Firlit-Fesnak 2005]. Such jobs are often not a 'choice', a means of earning an additional salary to support household or a way to reconcile work and childcare, but are often the only employment available for certain groups of women. This form of employment is badly paid and does not provide social security, so class inequality may even be strengthened.

INTIMATE CITIZENSHIP

In analysing intimate citizenship, three intersections are particularly important. The first is the intersection between gender and marital status, especially visible in public debates on the situation of lone mothers after the closing down of the Alimony Fund. The second is the intersection between gender and sexual orientation. However, as I will try to show, sexual orientation usually works as a separate and main ground for discrimination. The intersection

between sexual orientation and gender is visible only in certain cases, when (homophobic) discourses address the issue of sexual orientation referring solely to male homosexuality. Finally, the relationship between gender and class (or regional status) is sometimes mentioned when addressing the reproductive rights of women. Class is considered to be one of the most important factors influencing access to contraception and illegal abortion.

Gender and marital status

The Alimony Fund was an institution created especially to support single parents- lone mothers or divorced parents taking care of children. It was established in 1975 to ensure financial help for children and their parent in difficult financial situations due to a lack of financial support from the other parent. The Alimony Fund was financed by payments from the persons responsible for alimony, the state budget and other incomes. The main failure of the Fund was the low rate of incomes from those people legally obliged to pay child support (usually fathers). In 2003, parliamentarians of the Democratic- Left Alliance proposed a project of social reform which included closing down the Alimony Fund. The Fund paid alimony allowances to more than 520 000 families, usually single mothers with children. The allowance has been granted by the state, when it was impossible to force the father to pay. The government justified the decision by the huge debt of the Alimony Fund and budget shortage. In November 2003, before the last voting in the Parliament on the closing down of the Alimony Fund, several demonstrations took place in front of the Parliament. Moreover, over 60 organizations and associations defending the Alimony Fund were established in the country. Single mothers sent letters to the parliamentarians, senators, the President, Parliament's Marshal, Ombudsman, Plenipotentiary for Children's Rights, Plenipotentiary for Equal Status of Women and Men and organized protest actions and information campaigns. The Association "Threaten by closing down the Alimony Fund", Association for Rights of Responsible Parents and others, supported by the Centre of Women's Rights started to collect signatures in order to submit a civil project that re-establishes the Alimony Fund on a local level.

Despite those protests, in November 2003 the "Act on family, nursing and rearing benefits" and "Act on the alimony fund" were replaced by the "Act on family allowances" (valid since May 2004). The idea of the change was to introduce coherent income criteria for all benefits that are provided by the state. However, in consequence, the Alimony Fund which provided allowances for single parents (usually mothers) was closed down. The government claimed that the 'state is not a father' to cover debts of the persons required to pay alimonies. The decision was also justified by the budget shortage. The Fund was replaced by legal mechanisms in order to require allowance from the person responsible (usually father), but they were much more difficult to operate.

In March 2004, the Ombudsman (supported by the Plenipotentiary for Children's Rights) requested a Constitutional Tribunal on whether the Act is in accordance with the Constitution. According to Ombudsman, the law is against the Convention on Children's Rights, against the rule of state's assistance and against the constitutional equality of all citizens. The Plenipotentiary for Children's Rights prepared a draft of a new law that re-establishes local Alimony Funds and creates a register of debtors to the Fund.

In April 2004 single mothers all around Poland organized protests. They protested against closing down the Alimony Fund and demanded at least prolongation of its existence to January 2005, hoping that in the meantime the Constitutional Tribunal would reject the law.

In 2004 two projects on a new law on the Alimony Fund were submitted to the Parliament: the civil proposal of the law on Alimony Fund and governmental proposal of the law on procedure of

dealing with alimony debtors.

After closing down the Alimony Fund, the Committee of Civil Legislative Initiative started to collect signatures (100.000) under the civil proposal of the Act on Alimony Fund. In November 2004, the project was submitted to the Parliament for consideration. The project was submitted to the first reading and in December 2004 it was accepted to works in commissions but further works on the project were delayed. NGOs and Associations sent several letters to the Parliament and other bodies protesting against the slow work on the project.

In December 2006, Senate proposed to Parliament the draft "Act on alimony debtors and alimony instalments". The law proposed several changes in the procedure of demanding alimonies from the fathers. In 2006, the project of the new law on Alimony Fund was discussed in the Parliament. At the moment there is a media debate on the Alimony Fund and the situation of single mothers under the law.

Within the intersectionality between gender and marital status, the most important organizations were associated with actions aimed at re-establishing the Alimony Fund. There have been several organizations established by lone mothers (e.g. Committee of Civil Legislative Initiative, Association "Threatened by closing down the Alimony Fund", and Association for Rights of Responsible Parents) which have been supported by women's NGOs, including the Centre of Women's Rights and Feminoteka amongst others.

In 2007, a series of articles on the Alimony Fund and single mothers' protests were published in the media (including the main Polish newspaper "Gazeta Wyborcza"). Articles described the development of the protests and the role of feminist organizations in supporting women. One of the articles discussed the role of civil society in the protest, claiming that feminists were unsupportive and more interested in lesbian rights than the needs of "real" women.

Gender and sexual orientation

The topic of sexual orientation has at least two aspects visible in public debate. The first is debate on the rights of same sex couples. This issue seems to be gender blind. Partners are usually addressed in a gender-neutral way (person). Discrimination on grounds of sexual orientation is considered to be the strongest source of oppression. All other aspects (gender, class) tend to be silenced.

In February 2002, the Democratic-Left Alliance prepared a project and act legalizing cohabitation. In the project, the sex of partners was not mentioned so it included also same-sex partnerships. According to the project, registered partners had a right to inheritance, family insurance, common taxation and other legal benefits. Partners were obliged to support each other, also financially and by sharing property. However, partners in the registered partnership would not be allowed to adopt a child. The need for such a law was justified by the requirements of EU anti-discrimination policy. Debates on the project were accompanied by debate on same sex relationships in the main Polish newspaper 'Gazeta Wyborcza'. Discussion included issues of the morality of homosexual relationships, adoption of children (not mentioned in the draft law) and the civil rights of homosexuals in Poland. In March 2003, a draft law on partnership, proposed by Professor Maria Szyszkowska, was discussed in the parliamentary club Democratic-Left Alliance. At the same time, LGBT organizations (International Association of Gay and Lesbians for Culture in Poland and Lambda-Warszawa) organized an action collecting signatures supporting the project. In September 2004, the draft was discussed in Senate and rejected.

Another issue related to sexuality in Poland is homophobia; in this aspect intersectionality is visible. In 2005, the President of Warsaw forbade the Equality Parade. The decision was protested against by the organizers of the Parade and the complaint was sent to the European Court of Human Rights in Strasbourg. Various NGOs organized protests, and the media commented on the quality of democracy in Poland. In its decision, the European Court of Human Rights in Strasbourg stated that prohibiting the Parade was against the European Convention of Human Rights. In 2005, the Equality Parade was prohibited in Poznań. Again, the decision of the City government was protested against by numerous organizations. Many NGOs sent letters of protest after the president of Poznań forbade the March of Freedom in November 2005. In all main cities a protest action "Reanimation of democracy" was organized by, among others, Lambda, Campaign against Homophobia, and OŚKa. The action was organized to defend democracy and fundamental citizens' rights, especially freedom of expressing political opinions. A similar situation took place in Krakow, where the president of Krakow did not allow the March of Tolerance. The decision of the President of Poznań started public debate on democracy in Poland (with 'Gazeta Wyborcza' offering strong support), but it also turned international attention to the quality of Polish democracy. Organizers sent a complaint to the Court and it decided that prohibition was not legal. On 14.06.2006, the European Parliament accepted "Resolution on violence caused by racism and homophobia in Europe" which turned attention to racism, anti-Semitism and homophobia in Poland, and the lack of actions preventing these occurrences by public authorities. In reaction to the resolution the Polish Parliament expressed its indignation. According to the resolution proposed by Polish parliamentarians in response, there are no such occurrences in Poland.

Very often homosexual persons are addressed either in neutral form (homosexual person) or in masculine form ('faggots', gays). This tendency is visible in homophobic discourse, where the male homosexual is constructed as the main enemy of the nation-state and its (also) male defenders. Debate on sexual orientation is like a struggle between men, aimed at establishing domination. Homophobic discourse intersects sexual orientation with gender (masculine). This tendency is also quite often visible in NGOs' discourse, where it is usually male representatives of the LGBT community who present their views. I will argue that not only is visibility gendered, but also the selection of topics and postulates, and the way problems are addressed in public and in NGO reports, tends to reflect gendered aspects of the issue of sexual orientation. Aspects such as the situation of lesbians or gender equality are silenced. The intersection between sexuality and gender is thus a negative one; it excludes principles of equality and feminist objectives. Perhaps most surprising is the fact that such exclusion takes place in the field of struggle for recognition of difference based upon sexual orientation, given that this is an area very important for the feminist movement.

One of the most important questions is whether the engagement of the women's movement in the issue of rights of same sex couples is a good strategy for achieving principles of gender equality. There are numerous aspects suggesting that the struggle for equality rights for homosexual people and gender equality do not go together. First, it seems that the issue of same sex couples is so controversial that all other inequalities become invisible. Such a situation was visible during debates on the "Law on equal status of women and men". One of the statements in the draft law suggested that same-sex couples should have rights similar to heterosexual couples. Many voices in the debate concentrated on this aspect, automatically rejecting the rest which was a significant piece of legislation on gender equality. A similar tendency is visible within the women's movement. When the issue of rights for homosexual persons was discussed, the feminist

movement engaged strongly in the debate. All other aspects of feminism and anti-discrimination became somewhat invisible; struggle for the rights of homosexuals (men?) has become the main principle. For a while it even seemed that struggle for the rights of homosexual persons are somehow more 'fashionable' or more 'European'. Definitely, it was considered new and more 'interesting' than the debates on discrimination against women that had been ongoing for many years. In consequence, most of the attention of the women's movement was given to the issue of (homo)sexuality, while gender equality was marginalised. It also seems that support given by LGBT NGOs and women's NGOs is not symmetrical.

The exclusion of lesbians and women's perspectives from the debates on sexual orientation is not surprising. The debates were framed as "struggle for democracy", "rights of citizens", and "human rights". It seems that every time such frames are used in debates, women are excluded. Every time the frame of "struggle for something important" is given to the issues, women are excluded from the fight. Partially it is an outcome of the cultural heritage and gender contract, described by Slawomira Walczewska as "the lady and the knight". According to the contract, brave knights struggle for freedom and the nation-state, while ladies stay at home. After the return of the knights, they offer a "white flower of a rose" and accept male domination. Fights for particular values and a particular state can be seen as a part of the gender contract and a way to re-establish the traditional gender role division, with the public sphere reserved for men. "The lady and the knight" contract was visible during the "Solidarity" movement. Women were discursively excluded from the national fight and process of building history and memory. After the struggle for democracy was finished, the subordinate position of women was affirmed by legislation denying their right to abortion.

The tendency to define citizenship as masculine was already shown in the analysis of abortion debates. Abortion debates were seen to be first of all debates on the meaning of democracy and definition of citizenship. Citizenship was defined as male. The tendency to define citizenship in patriarchal and heterosexual frames was also noticed by Mizielińska (2001).

Debates on the rights of homosexual persons may be interpreted as the continuation of masculine struggles on the definition of citizenship. Citizenship, again, is defined in patriarchal frames. There is an attempt to eliminate the compulsory heterosexuality of a citizen, but he is still the son of the father.

Gender and class (regional status)

The most important organization in this issue is the Federation for Women and Family Planning, supported by almost all women's feminist oriented NGOs. In the reports and publications by the Federation, the issue of access to contraception and family planning methods frequently appears. The Federation for Women and Family Planning prepared and submitted alternative reports to the UN Committee on Economic, Social and Cultural Rights (1998) and to the United Nations Human Rights Committee on Gender Discrimination (1999). The problem of access to contraception may be considered as a class issue. It is frequently stated that modern contraceptives are expensive (not funded by the state) and available only on prescription. The costs of buying contraceptives and availability only after visiting a doctor's office often excludes certain groups of women from accessing them. Availability is limited by class and often regional location. It has often been noted that for women from rural areas and small cities the necessity to visit a doctor and ask for a prescription is a kind of social stigmatization (especially in environments with strong religious beliefs). It was also noted that many doctors are not willing to give a

prescription, or demand buying a private visit in order to obtain one.

After a visit of the Dutch ship "Langenort" owned by the Foundation "Women on Waves" a coalition of Polish women's NGOs "Steering Committee- Women Decide" decided to turn public attention to women's reproductive rights and the strict anti-abortion law. There were several ideas for how to change the strict anti-abortion law. In July 2003, the Federation for Women and Family Planning prepared the draft of the "Act on responsible parenthood" concerning reproductive rights and health. There were four main objectives of the project: to guarantee women's rights to safe abortion; to guarantee access to safe and inexpensive contraception (with stress on the needs of young women and poor women); access to sexual education for youth; and guarantee of pre-natal examinations for all women. Again, attention to the intersection between gender and class is visible (it seems that attention to young women is more associated with their economic situation than with age in itself).

According to the Federation, access to illegal abortion is also shaped by class [Federation, 2001]. Because access to abortion within the conditions laid down by the law is extremely difficult, women are forced to seek illegal abortions. The price of the service is quite high (approximately as high as an average salary, or four minimal salaries) and thus not available for poor women. They are either forced to give birth to an unwanted child, or to seek cheaper abortion services, often very dangerous for their health.

VIOLENCE AGAINST WOMEN

Gender and class

Intersectionality between gender and class is approached in a very interesting way in policy practices related to domestic violence. Two tendencies are the most visible: one is to emphasize class but neglect the gender dimension of domestic violence; the other is to neglect class, but stress the gender dimension. The first approach is more visible in early state activities aimed at preventing domestic violence. The other prevails in the approach of women's NGOs.

One of the first organizations dealing with the problem of domestic violence was the State Agency for Prevention of Alcohol Related Problems which initiated a Nationwide Agreement of People, Organizations and Institutions Supporting the Family Violence Victims "Blue Line Activities", involving those organizations which perceived domestic violence as an alcohol-related problem. Such an approach to the problem had an implicit class dimension, because it suggested that domestic violence is only a problem occurring in certain environments, in "problematic families", often in poor families with low level of incomes and education.

A similar approach is visible in strategies proposed by right-wing governments. The issue of domestic violence was mentioned in the "Programme of family policy" (1997) in two chapters: "Legal protection of family" and "Help for dysfunctional families". Domestic violence is seen not as gendered, but as a classed problem. Governmental policy was aimed at sustaining families rather than providing help to victims of domestic violence. Very often the scope and gendered character of domestic violence was denied. In the report on the situation of Polish families, violence against women is never mentioned; the chapter on violence in the family relates only to violence against children.

Numerous actions undertaken by women's NGOs (and sometimes left-wing government) are aimed at turning attention to the gender aspect of domestic violence. Attention paid to gender is dominant, but the class aspect of domestic violence is also present. There is awareness of the necessity of developing shelters for victims of domestic violence, of financial assistance and need

of assistance in finding employment.

In 1998, La Strada organized a campaign “You have a right to dream. You have right to know” providing information on trafficking. The campaign consisted of a brief movie and media campaign informing women of dangerous offers of attractive work in the West. The campaign informed about safe ways of looking for a job. The class aspect was not explicitly mentioned in the campaign, but it seems that it was addressed to a particular group of women, i.e. poor, and without sufficient education to know foreign languages and thus not be able to fully exercise their rights when working abroad. Also, the necessity of looking for employment abroad suggested a class dimension to the anti-trafficking campaign.

Gender and nationality

Legislation for foreign victims of trafficking was one of the requirements for accession to the European Union. The government has prepared several programmes establishing a system of cooperation and exchange of information between institutions providing help to victims of trafficking and mechanisms of protecting witness and victims of trafficking.

The Act on Foreigners deals with the intersection between gender and national status when defining trafficking in human beings. There is no explicit reference here to women being victims of trafficking. However, some governmental policy documents (National Action Plan on counteracting Trafficking in Human Beings) and reports produced by NGOs (La Strada Foundation) explicitly address women as the main victims of trafficking for sexual purposes.

5. What are the implications of different versions of intersectionality for the meaning and practice of gender+ equality?

5.1 Inequalities in general gender equality legislation and gender machinery

The equality body has special programmes addressed to particular groups of women. The intersections most often mentioned are gender and regional status (special programmes addressed to rural women) and gender and age (programmes promoting employment amongst women 45+ years).

Intersectionality is not a particularly visible aspect of equality policy. Programmes preventing discrimination on grounds of disability and assisting disabled people in the labour market are developed independently. Prevention of discrimination on grounds of race, ethnic origin and religion is also developed independently.

5.2 Intersections in non employment

The National Action Plan for Women 1997-2000 and 2003–2005 paid special attention to the situation of rural women. It considered not only issues of employment, but also access to education, stereotypes, and the burden of housework and childcare. Between November 2006 and April 2008 the Department of Women, Family and Counteraction of Discrimination conducted a programme “Stereotypes and equal chances of women and men in rural areas”. The Programme was co-funded by the European Social Fund. It was addressed to rural women who were active in their communities and aimed at activating women and assisting them to start activities (social, economic, political, and other) for their local communities. The programme offered trainings and

meetings for leaders from rural areas on issues such as: programme development, fund raising, communication and marketing.

Recent national action plans do not treat gender equality as a separate issue. They usually mention women as a separate target group only in the case of employment. Gender usually intersects with age (special programmes for 50+ years women) and with regional inequality (activation programmes for rural women). In 2007, the Department of Women, Family and Counteraction of Discrimination launched a programme “45+ Needed: responsibility, experience, engagement” which was based on a media and information campaign aimed at counteracting stereotypes regarding the position of women above 45 years old in the labour market.

5.3 Intersections in intimate citizenship

There are three main intersections in intimate citizenship:

The first one is intersectionality between gender and marital status. A widely recognised problem which many policy documents concentrate on is the problems of single mothers and their situation after divorce. However, it seems that the intersection is not only structural, but also political; single mothers have become a strong interest group and active civil actor. For this reason, their needs have become politicised. As previously mentioned, attention to the needs of single mothers also reinforces the cultural stereotype of heroic womanhood fighting for the well-being of her children.

The second is intersectionality between gender and class when discussing reproductive rights. Women with low incomes and rural women are often presented as having the most difficulties in accessing family planning methods. They are also strongly affected by the strict anti-abortion law because they have difficulties obtaining illegal abortion. For this reason, they are forced to be clients of public hospitals where obtaining legal abortion is extremely difficult.

Finally, there is an important intersectionality between gender and sexual orientation. This intersectionality may be considered as a political one, as a part of identity politics. As mentioned above, the struggle for the rights of sexual minorities has been monopolised by representations of middle-class male homosexuals. It excludes lesbians from the discourse and visibility. It also presents a class dimension of homophobia- middle-class gays versus working-class nationalist youth.

Attention to discrimination on grounds of sexual orientation was a kind of exception. Some attention to this area was given during the rule of the left coalition (2001-2005). However, it seems that discrimination on grounds of sexual orientation was more of a separate sphere than a sphere intersecting with gender based discrimination. The rights of homosexual persons and homophobia in the society were addressed from a universal perspective of human rights rather than from a gendered perspective of homosexual women and men. Gender based discrimination was rarely a central issue of the debate. Only sometimes the individual voices of lesbian women mentioning double discrimination (as women and as lesbians) were heard. However, this perspective was not visible in policy documents produced by the government or by LGBT NGOs.

It seems that when discrimination on grounds of sexual orientation is discussed, all other kinds of discrimination disappear. Sexuality is discussed from a de-gendered perspective of homosexual citizens. Even if gay and lesbian organisations formally claim to pay attention to gender equality and use non-sexist language, an impression appears to be formed that the homosexual person is in fact male. A recent report by an important and well known LGBT NGO

“Campaign Against Homophobia” is a good example of this approach. Consequently, homosexuality is considered to be a male issue and lesbians tend to disappear.

De-gendering and homosexuality and presenting these as largely male issues is related to a national frame that is very important in debates on the rights of same-sex couples. According to Graff, the male homosexual has become the main enemy of the nation. It is partially similar to the process of gendering the nation and defining the “pure” nation [Yuval-Davis]. Contrasting “real (Polish) men” with homosexual men is important not only for creating gender identity (Connell’s hegemonic masculinity), but also for defending national identity. The term “Euro-faggots” (“Europedały”) was quite popular in some circles, in fact the same that compare being a homosexual to being a Jew.

There are a lot of implicit intersections of gender in the issue of intimate citizenship in reference to the rights of same-sex couples. Intersectionality is not related to the policy making process because the issue is rarely discussed in policy documents. Intersectionality is rather revealed in cultural dimensions of homo-intimacy and shows numerous intersections of inequalities. Cultural patterns suggest that being a homosexual male automatically leads to discrimination similar to the discrimination based on ethnicity and religion. Cultural patterns also suggest that being a lesbian woman automatically condemns one to political and social invisibility because there are no cultural narratives for being a lesbian. Being a lesbian is to be more invisible than being a heterosexual woman, so lesbian women in fact need a separate identity to describe their situation. This position may be similar to the situation of black women described by Crenshaw whereby the experience of being a black woman demands a separate approach, because it cannot be reduced to being black or to being a woman. Discrimination faced by lesbian women in Poland is of a similar nature; it is probably not similar to the discrimination experienced by male homosexuals, but also in many areas it is different to that experienced by heterosexual women (even if some experiences such as discrimination in the labour market may be similar).

5.4 Intersections in gender based violence

There are hardly any intersections in gender based violence. Policy documents pay very little attention to forms of violence other than domestic violence; only particular documents mention trafficking in human beings. When approaching domestic violence, policy documents quite often present it in a de-gendered way. Usually this is related to the political orientation of the government presenting the documents: right-wing governments tend to de-gender the problem, while left-wing governments pay more attention to women as victims of domestic violence.

The racial or class dimension is almost never visible in policy making. There was a tendency to associate the problem of domestic violence with the consumption of alcohol (and implicitly class) in the early policy documents, but recently this approach is not visible. Women's NGOs were very active in attempting to present domestic violence as universal problem of women that is not limited to class.

6. Identifying changes and the relevance of different forms of intersectionality

The most important factor in developing an intersectionality perspective was accession to the European Union. It was one of the EU requirements to have a governmental body dealing with different inequalities, so the competencies of the Office of Plenipotentiary for Equal Status of Women and Men were broadened. The Office became responsible for counteracting discrimination based on race, ethnicity, sexual orientation etc. Despite its broad competencies, gender based discrimination was the main area of interest of the Office and in fact other areas of discrimination were rarely mentioned.

NON-EMPLOYMENT

When considering the development of intersectionality within the issue of non-employment, the role of the EU again seems particularly important. EU funds and projects played an important role in shifting the attention of policy-makers to special groups of women. Many EU programmes addressed rural women or older women, so this concern became reflected in action plans and NGO programmes.

INTIMATE CITIZENSHIP

The role of the European Union in the struggle for rights of sexual minorities is important. The European Parliament supported the rights of homosexual persons in Poland and protested against growing homophobia and intolerance. The issue of the rights of same-sex couples is often associated with European citizenship and EU standards. The EU is often mentioned in public discourse as a factor facilitating the struggle for political recognition of same sex-couples. However, it is difficult to evaluate the role of the EU in creating the intersection between gender and sexual orientation. Concentration on male homosexuals seems to be associated with the national context and the formulation of citizenship as male.

The intersection between gender and marital status became more visible after attempts to close down the Alimony Fund in 2002; it should be noted though that single mothers were addressed in policy documents as a separate group before this event.

GENDER BASED VIOLENCE

Again, the role of the European Union was important in turning attention to problems of violence against women. EU funds and programmes for counteracting trafficking in human beings stressed the intersection between gender and national status. Many actions against domestic and gender based violence were organised from programmes DAPHNE II (2004-2008) and DAPHNE III (2007-2013). However, it's impossible to evaluate the exact amount of funding received and its precise impact on the promotion of an intersectionality perspective in policy making.

6.1 Changes in general legislation and machinery

Gender equality policy depends more upon the government in power than on the scope of competence of the equality body. Discrimination based on ethnicity, race, religion etc. is not so widespread because Polish society is still largely mono-ethnic and mono-cultural. The main issue to be dealt with by the equality offices is discrimination based on gender. Other issues are of less importance.

6.2 Changes in non employment

Demographic change may have some influence on the emergence of intersectionality in the issue of non-employment. There is attention to the employment of older women (50+). However, the necessity of solving the problem of employment is not often justified by reference to the demographic crisis. It is more common to use arguments concerning equal opportunities and the high competence of older women.

It is quite surprising that the issue of migration and migrant workers is rarely mentioned by policy documents. Even if it does appear, the gender dimensions of migration are never addressed.

6.3 Changes in intimate citizenship

It is difficult to notice any changes in approaches to intersectionality within intimate citizenship.

6.4. Changes in gender based violence

There are no recent changes in approaches to intersectionality in the issue.

7. Conclusions

At the beginning of the report, I created an analogy between the development of the Feminist movement in Poland and the possibility of “importing” an intersectionality approach into the Polish context. Is intersectionality a useful approach in a very different cultural and social Polish reality? After analysing political discourses and the consequences of approaching various problems from an intersectionality perspective it would appear that it is a valuable analytical tool in providing a more complex picture of social reality and political practice. The case of single mothers for example reveals a play of complicated political interests and cultural imaginations that somehow constructs single mothers as “privileged oppressed victims”.

Application of intersectionality seems particularly interesting in analysis of the intersection between gender and sexuality. In considerations of homophobia, adding a classed aspect to the gender and sexual orientation dimensions means the situation becomes more complex. Power is not so univocally divided; homophobia is not only a struggle to reinforce heterosexual social norms and gender role division, but also an economic struggle. Domination may be cultural (social norms, values, gender role division) but also economic. The visual representations of well-off middle-class cosmopolitan gays are contrasted with working-class nationalistic youth. Even in a so seemingly distant issue as sexuality, the Marxist idea of class struggle becomes visible. However, in gay identity politics, this aspect is not noticed. Homophobia and discrimination on grounds of sexual orientation reveals also its gendered aspect. It seems that the struggle for political rights for sexual

minorities is presented as a male struggle. Visual representations of the Equality Parade, political discourse and NGO materials largely refer to homosexuality as a “male thing”. Lesbians are excluded from discourse and made invisible. Gay identity politics represents homosexual men (or sometimes in more left wing approaches “gays and women”) as the most excluded and discriminated against social group. However, this is not true when we analyse intersectionality between gender and sexual orientation in the LGBT movement. It is obvious that as well as gay men there are lesbians; the gay movement at times seems to use the same mechanisms of oppression and exclusion of women as heteronormative patriarchal society. Thus, it does not fulfil its emancipatory slogans of social justice and equality. Rights and equal treatment are to be granted to the most privileged of the excluded. Social hierarchy is not questioned or destroyed, but rather shifted to a micro- level. Women, as usually, are at the bottom of the social hierarchy.

If an intersectionality perspective is so useful in analysing social inequalities, why it is so rarely applied in the policy-making process? The lack of an intersectional perspective is possibly an effect of having a civil society that is not well developed. There are not so many interests groups able to defend their interests in the public sphere. As suggested above, homosexuals and single mothers are the most influential groups at the point of intersection.

Gender-blindness is not exclusively a problem of government. It is also a problem of civil society and NGOs combating other forms of discrimination. Organisations dealing with problems faced by disabled people, older people, and homosexual people rarely use a gender perspective and construct their clients as de-gendered. It seems as if other grounds of discrimination are the 'serious' ones, while no attention is paid to gender based discrimination. Is intersectionality potentially useful in analysing Polish policy-making? It is difficult to apply; categories of analysis need to be re-defined. It is probably impossible to resist the influence of academic theories from the West. Also, any form of research on social inequalities that includes a gender perspective is better than none at all. Nevertheless, I am rather sceptical about the value of using intersectionality at least in this moment of Polish social history.

In the policy documents analysed for LARG “women” appear largely as a unified, homogenous category. While Western theory promotes “intersectionality” as a useful concept in analysing social inequalities, Polish policy makers and NGOs tend to be “intersectionality-blind”. Is this a failure of policy making, or is this approach justified by the national and cultural context? Constructing women as a united group may be an important step in putting pressure on decision makers. At this point, power is in numbers rather than in multiple levels of inequality and intersecting inequalities. Introducing intersectionality would be like paying more attention to the margins while neglecting the majority. In Poland, gender is still the most common ground of discrimination. It is also the most often denied ground of discrimination. Unfortunately, the process of adding more grounds of discrimination moves attention away from discrimination against women. Gender based discrimination is frequently replaced by other grounds of discrimination.

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