GENDER UPDATE

On the verge of progress? LGBTQ+ politics in Poland after the 2023 elections

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Introduction

The 2023 parliamentary elections marked a change in Polish politics, putting an end to the government of the radical-right Prawo i Sprawiedliwość (‘Law and Justice’ [PiS]) party. Over its eight-year rule, PiS made international headlines with its rhetoric and initiatives against the lesbian, gay, bisexual, transgender, queer and other (LGBTQ+) community (Korolczuk, 2020). As Poland draws a line under PiS rule, we take stock of Polish LGBTQ+ politics, analysing the institutional legacy of the previous government, highlighting the trends in public attitudes towards LGBTQ+ citizens and exploring the policy prospects under the new coalition government, led by centre-right Prime Minister Donald Tusk.

Poland has been consistently recognised as the country with the least LGBTQ+-inclusive laws and policies in the European Union (EU) (ILGA-Europe, 2020; 2021; 2022; 2023). While Europe has recently experienced a boom of legislation introducing anti-discriminatory protections for LGBTQ+ people and marriage equality, the progress in LGBTQ+ rights in Poland has been negligible. As of early 2024, the law in Poland does not establish civil unions or joint parenting regardless of gender, nor does it punish anti-LGBTQ+ hate crimes and hate speech, there are no nationwide provisions for LGBTQ+ well-being in health and education, and the only legal framework for updating one’s gender marker is complicated and involves suing one’s parents (Lambda Warsaw and KPH, 2018; US Department of State, 2023). Having governed Poland for an uninterrupted period of eight years between 2015 and 2023, PiS bears much of the responsibility for the continuing marginalisation of LGBTQ+ individuals.1
The legacy of PiS

Wielding an absolute majority in the parliament and holding the presidential office for two consecutive terms, PiS implemented an extensive illiberal playbook, from undermining judicial and media independence to crusading against reproductive and LGBTQ+ rights (Pirro and Stanley, 2022). Backed by the Polish Catholic Church, as well as socially conservative and far-right groups, PiS portrayed itself as the defender of the (heteronormative) family and children against the ‘moral corruption’ and the European ‘LGBT lobby’, accused of advocating for ‘genderism’ or ‘LGBT ideology’ in Poland (Korolczuk, 2020; Graff and Korolczuk, 2021; Rawłuszko, 2021). While this political strategy reflects wider cross-national patterns, such as the politicisation of gender issues (Abou-Chadi et al, 2021) and the pushback against LGBTQ+ rights spearheaded by illiberal governments (Weiss and Bosia, 2013; Ayoub and Stoeckl, 2024), the Polish case stands out in the EU because of the extent to which both trends are pronounced.\(^2\) The PiS-led campaign involved the broadcasting of anti-LGBTQ+ films on state-controlled television, attempts to outlaw sex education and, most notably, the adoption of anti-LGBTQ+ resolutions in parts of Poland, which gained media notoriety as so-called ‘LGBT-free zones’ (Graff and Korolczuk, 2021; Bucholc, 2022).

The anti-LGBTQ+ resolutions, all adopted between 2019 and 2021, were largely declarative, symbolic and non-binding. Although these resolutions were adopted by local (provincial, county or municipal) authorities, their mutual resemblance (Bucholc, 2022) and synchronised adoption in PiS-controlled areas (Rafałowski, 2022; Stenberg and O’Dwyer, 2023) point to a nationwide, coordinated anti-LGBTQ+ campaign.

However, these anti-LGBTQ+ resolutions were a temporary phenomenon, primarily used in the electoral campaigns of 2019–20. Figure 1 illustrates the
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The number of active resolutions tracked by the Atlas of Hate project over time (Pająk and Gawron, 2024). The majority of resolutions were passed before the 2019 parliamentary elections, and a plurality of the additional resolutions were adopted in advance of the presidential elections that took place in July 2020. At that time, anti-LGBTQ+ resolutions peaked, covering about one third of Poland’s territory and predominantly concentrating in the PiS-dominated south-east (Bucholc, 2022). Despite an immediate and sustained domestic backlash from liberal and leftist groups, along with international condemnation, local authorities only started revoking their resolutions in September 2020, after the EU first denied grant funding to towns that adopted these resolutions (Wanat, 2020). In the face of more potential or materialised funding rejections and an infringement procedure from the EU, nearly all local anti-LGBTQ+ resolutions were eventually repealed. Most repeals happened in the run-up to the parliamentary elections of 2023.

Political demand

The anti-LGBTQ+ positions adopted by the far right in Poland are not universally shared. In response to discriminatory practices, civil society has actively pushed back. For instance, the 2019 violent attacks on pride marches, fuelled by the elite’s hostility towards the LGBTQ+ community, sparked a spontaneous and widespread online coming out campaign under the hashtag #jestemLGBT (‘IamLGBT’) to enhance the visibility of LGBTQ+ individuals (Gromadzki and Siemaszko, 2022). Furthermore,

Figure 2: Favourability of attitudes to homosexuality in Poland during 1989–2022 according to the European Social Survey (ESS), the European Values Study (EVS) and the World Values Survey (WVS)

Notes: For comparability, we rescaled the ESS and EVS/WVS variables from 0 to 100, where 0 indicates the least favourable attitude option and 100 signifies the most favourable attitude option for each question. The y-axis values represent weighted average responses for given years.
the number of pride marches in Poland has been steadily increasing year by year, reaching a record 37 independent events in 2023. The growth of pro-LGBTQ+ activism mirrors the improving popular attitudes of Poles towards LGBTQ+ people, as evidenced by repeated cross-sectional surveys.

Figure 2 illustrates the long-term changes in attitudes to questions about homosexuality. Steadily over time, Poland made a big leap from about 70 per cent of Poles opposing the idea of having homosexual neighbours in 1990 to about 70 per cent saying that they would not mind it in the 2017 European Values Study (EVS, 2022; Haerpfer et al., 2022). Views of homosexuality as ‘not justifiable’ have been gradually decreasing (EVS, 2022; Haerpfer et al., 2022). In contrast to evenly divided opinions in the early 2000s, Poles today predominantly agree that gays and lesbians should be free to live as they wish (ESS, 2022). Moreover, a recently introduced ESS question shows a rapidly growing acceptance of child adoption by same-sex couples (ESS, 2022). Attitudes towards transgender rights are also improving: while only 41 per cent of Poles agreed that transgender persons should be able to change their civil documents to match their gender identity in 2019, 52 per cent agreed in 2023 (European Commission, 2023).

Although the institutional progress in Poland has not kept pace with the increasing public awareness and acceptance of LGBTQ+ rights, some politicians have attempted to meet this growing demand with policies. Governed by the liberal Koalicja Obywatelska (‘Civic Coalition’ [KO]), in 2019, Warsaw committed to the non-discrimination of LGBTQ+ people and incorporation of LGBTQ+ issues into sex education in schools (Graff and Korolczuk, 2021). In contrast, previous attempts to advance LGBTQ+ rights at the national level have faced setbacks in parliament (Lambda Warsaw and KPH, 2018). However, the new KO-led coalition formed in the wake of the 2023 parliamentary elections provides a potential avenue for change.

Prospects

Under the new government inaugurated in December 2023, Poland’s progress on LGBTQ+ rights hinges on coalition politics. Having united diverse political forces in a wide pro-democratic and pro-EU alliance to oust PiS, the three coalition partners have historically disagreed on LGBTQ+ issues (Gwiazda, 2021). In this regard, the only concrete pledge in the coalition agreement is to criminalise anti-LGBTQ+ hate speech (Civic Coalition et al., 2023).

While other LGBTQ+ issues do not get publicly addressed by all the parties, their positions on marriage equality are evident. Holding the majority of seats in the governing coalition, the KO signalled openness only to civil partnerships regardless of gender, not to marriage equality. While the leaders of the conservative Trzecia Droga (‘Third Way’) explicitly rejected marriage equality but favoured civil partnerships, dissent expressed by some members of parliament leaves the party’s discipline in question. Finally, both civil partnership and full marriage equality are supported by Lewica (‘The Left’), the junior coalition partner.

Despite any potential consensus within the coalition, advances in LGBTQ+ rights also remain contingent on approval by the president and on the judiciary’s stance. The current president, Andrzej Duda (PiS), whose term ends in August 2025, is committed to fighting the so-called ‘LGBT ideology’ and made pledges against sex education, marriage equality and child adoption by same-sex couples during his last
electoral campaign (Walker, 2020). The coalition lacks the two-thirds majority in the parliament required to override a presidential veto. Furthermore, a signed law can still be struck down by the Constitutional Tribunal, a body previously captured by PiS (Pirro and Stanley, 2022). In this context, the recent ruling of the European Court of Human Rights (ECHR, 2023) against Poland’s lack of legal recognition and protection for same-sex couples may bolster arguments in favour of enacting new laws. While the political influence of PiS continues to generate uncertainty, pro-LGBTQ+ dynamics in public opinion and the efforts of the new government offer cautious optimism for advancements in legal rights and well-being for the LGBTQ+ community in Poland.

Notes
1 For a detailed account of Polish LGBTQ+ politics before the mid-2010s, see O’Dwyer (2012; 2018).
3 For a list of the pride parades in Poland in 2023, see: https://mnw.org.pl/marsze2023/

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Conflict of interest
The authors declare that there is no conflict of interest.

References


ECHR (European Court of Human Rights) (2023) Przybylszewska and Others v. Poland, 11454/17, 11810/17, 15273/17, 16898/17, 24231/17, 24351/17, 25891/17, 25904/17, 30128/18, 30340/18, [https://hudoc.echr.coe.int/fre?i=001-229391](https://hudoc.echr.coe.int/fre?i=001-229391).


Rawłuszko, M. (2021) And if the opponents of gender ideology are right? Gender politics, Europeanization, and the democratic deficit, Politics & Gender, 17(2): 301–23. doi: 10.1017/s1743923x19000576


