

The
Situation
of
Women
in
Poland



The Report of NGOs' Committee

Warsaw, March 1995

The Situation of Women in Poland

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Association for Women and Their Families, Warsaw
Young Women Christian Association - Polish YWCA, Warsaw

The organizations that endorse the findings of this report:

Democratic Union of Women
Polish Women's League

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INTRODUCTION

This report appears as a result of the growing activity of Polish women - representatives of the nongovernmental women's organizations and organizations working on behalf of women. In the past five years numerous women's associations, foundations and initiatives have been established. At present, there are approximately 70 of them.

The document on the subject of the situation of women in Poland prepared for the 1994 Vienna Conference by the Office of the Government Plenipotentiary for Women and Family Affairs discusses only to a very limited extent the problem of the position and situation of Polish women. It does not address such important issues as women's health, codified laws and their observance, the role of women in the family or the problem of violence against women. Generally speaking, we have found it far from satisfactory.

For this reason representatives of the nongovernmental organizations thought it necessary to prepare their own report. Toward this end, we set up the **Polish Committee of NGOs - Beijing 1995**, made up of the representatives of women's associations and foundations as well as individuals. Though the completion of this report was our primary objective, it is by no means our sole objective. It is our aspiration that - within the framework of the world preparatory work for the Beijing Conference, women-members of Polish NGOs should take part in all events preceding the IV UN Women's Conference and that they should play a significant role in the Conference itself. We wish to utilize the media to make available information about women's situations in Poland and about developments related to the UN Women's World Conference. We also want to promote this contents of the report and, after the conclusion of the Conference, make information about any decisions reached available to women's organizations.

WOMEN'S RIGHTS

It is commonly believed in Poland that Polish law is good, that it does not discriminate against women, and that only in practice does it diverge from the letter of law. We do not, entirely, share this opinion. Can law, which does not work in practice really be considered „good“? Seemingly "neutral" law that does not contain directly discriminatory provisions can hardly be considered a satisfactory guarantee of gender equality, particularly in view of the absence of executive regulations enabling persons subjected to discriminatory practices to pursue legal justice.

The law in force in Poland today, despite numerous changes which have taken place since 1989, is still - in outline - the law of the previous system and has not adjusted to the new social and economic system. Regulations which in the previous system were regarded as protective and beneficial for women often work against women (i.e. professions from which women are banned, lower retirement age than for men). We believe that the way the law approaches the issue of gender equality must be changed and that men's and women's traditional social roles must be reevaluated.

Law can and should influence and enhance changes in social roles and attitudes. At present, however, existing Polish law reinforces traditional divisions of gender roles.

Constitution

The fundamental legal act defining the legal situation of women in Poland is the Constitution. Article 67, Part 2 grants all citizens of the Republic of Poland equal rights, regardless of sex. Article 78 develops the general equality principle and states that in Poland, women are granted equal rights to men in every field of the state, political, economic, social, and cultural life.

The Constitution ensures that the state will provide for mothers and children, protect pregnant women, give maternity leave, develop maternity clinics, nurseries and pre-schools. It also ensures women equality on the job market, in education, and professional careers. It guarantees the right to equal pay for equal work, the right to rest and leisure, to social security, to dignity, to decorations and to occupy posts of higher rank.

It is our interpretation however, that the expanded constitutional provisions from 1952 approach the problem of gender equality in a paternalistic way, and are, indeed, unequal. The statement that women are granted equal rights to men takes men as the point of departure, and is itself discriminatory. Furthermore, the provision related to child rearing and child-care impose parental duties exclusively on women (i.e. special care for motherhood and childhood, not parenthood) and thus reinforce traditional gender role divisions. According to the Constitution, the man's role in the family consists solely of making decisions related to raising a child; he does not participate in the

every day activities of child-rearing and does not bear the problem of combining professional life with domestic duties.

The principle of equal pay for equal work, as guaranteed in the Polish Constitution, does not adequately reflect changing social attitudes towards the value of different professions. Convention No. 100 of the International Labour Organization guarantees equal pay for men and women for "work of equal value". The wording of this provision demands an analysis of the different professions in which men and women work and their attendant levels of remuneration.

Recommendations:

- 1) Constitutionally guarantee gender-neutral social rights relating to the family and parenthood.
- 2) Constitutionally oblige the state to pursue an active policy for the benefit of equality, introducing the temporary amelioration of groups particularly liable to discrimination.
- 3) Constitutionally provide individuals with the right to legal recourse in cases of discrimination.

Since the provisions of the present Constitution do not give grounds for citizens' claims, it is evident that in the existing legal system the constitutional principle of equal rights is not a sufficient guarantee of equality. Therefore it must be introduced into the laws of the lower rank.

It is also necessary to look more closely at statutory and executive regulations to find out whether and how they ensure that the constitutional principle of equality is realized. It is not feasible to review here all legislation relevant to equality but a few selected legal examples will suffice to demonstrate the point.

Labour and social security law

In analysing the provisions of the labour law we did not find regulations directly discriminating against women. There are, however, no precise provisions introducing constitutional guarantees for equal access to the job market, education, and professional promotion. Mechanisms for individual legal recourse are likewise missing.

The Labour Code, however, includes a number of provisions that regulate women's employment in a specific way, nevertheless they do it in a peculiar way. The legislature created provisions to ensure gender equality by protecting women based upon their reproductive functions, as well as to help them reconcile employment with maternity and homemaking duties. Neither the law nor pursued social policy however require men to reconcile their work with domestic responsibilities. Women supposedly supported by the law are, in practice, harnessed to the daily routine of two jobs. It is hardly surprising then, that numerous women are tired of equality, a burden which they bear exclusively.

Special protection of women's work often reflects a paternalistic attitude towards women, limits their freedom of choice, and helps to perpetuate traditional role division. In the previous system, where everyone had a guaranteed right to work, the gender-specific provisions regulating

women's position and so called protective regulations were rarely perceived as restrictive. In the new social and economic reality, and in view of growing unemployment, they are more and more often grounds for discriminatory practises. Announcements of job openings for example are generally gender-specific. Employers openly advertise that they prefer to employ men. Moreover numerous prospective employers illegally require women to produce certificates proving that they are not pregnant. Discrimination against women also exists around promotion opportunities and increased earnings. Despite the Constitutional provision requiring equal pay for equal work, women's earnings have been, on average, 30% lower than those of men. Women are also confronted with age based discrimination more frequently than men. Women over 35 years of age face sharply limited employment opportunities.

Article 176 of the Labour Code prohibiting the employment of women in certain positions in order to protect women's health has, in practice, been used to arbitrarily determine occupations from which women are banned. Women are regarded by the legislature as persons unable to make autonomous decisions concerning their own well-being. The list of professions from which women are banned, introduced by virtue of the executive order of the Council of Ministers in 1979, is long and comprises over 90 occupations in 20 fields of employment. Jobs unavailable to women, moreover, are usually better paid and not, as in case of banning women from driving trucks and buses, rationally justifiable. This provision constitutes a grave restriction of the right to work and for that reason should be considered detrimental to women.

Recommendations:

- 1) Introduce into the Labour Code provisions prohibiting employment discrimination and create simple mechanisms enabling subjects of discrimination to vindicate legal claims and/or prepare a uniform, anti-discrimination (equality) law.
- 2) Devise criteria for the valuation of different professions and introduce the principle of equal pay for jobs of the same or comparable value.

The Labour Code provisions grant pregnant women and women bringing up small children a number of rights. For example, Article 179 § 1 imposes on employers the obligation to transfer pregnant women to other work if she is employed in work from which for pregnant women are prohibited. The legislator also banned night work, overtime work, and business trips for pregnant women (unconditional ban) and for women bringing up children of less than 1 year of age (conditional ban, Article 178, § 1,2).

In connection with childbirth, the Labour Code guarantees women the right to a paid maternity leave, for the duration of 16 weeks at the first birth, 18 weeks at each following birth, and 26 weeks in the case of a multiple birth. The legislation also grants maternity leave, to women who have foster children or has filed with the guardianship court a petition for adoption (Article 183 of the Labour Code).

The right to a child care leave (executive order of the Council of Ministers July, 17 1981 on child-care leave-benefits; Official Journal of 1990, No 76, item 454 with later changes, Official Journal of 1992, No 41, item 179) is granted to women workers in order to enable them to take care of their own child, a foster child, their husband's child, or a child being raised in the foster family. In principle, the duration of such leave is 3 years - up to the fourth year of a child's life. It is, however, possible to extend it for a further 3 years in the case of the chronic disease of a child, disability, or mental deficiency requiring parental nursing. This child-care leave is unpaid. If women do not have sufficient means of subsistence, they can apply for child-care benefits, as a social security benefit.

Assessment of benefits are based upon remuneration from the period before leave, including changes of earnings indices. The basis for the benefit assessment cannot be lower than the lowest remuneration. The period and amount of the benefit can be different: 24 months in the case of one child under parental care, 36 months if there is more than one child born at the same time and for single parents. Payment of the benefit can be extended for up to 72 months if a child, under care, suffers from a chronic disease or mental deficiency. Women are entitled to this benefit only if family income per person does not exceed 25% of the last year average monthly income in the state owned sector of economy.

Such leave is available to the father of a child only when the entitled mother of a child (with at least 6 months period of employment) renounces it and agrees that it is the father who exercises the right to child care leave. The father forfeits this right if the mother terminates her employment and starts her own business activity. The right to child care leave, irrespective of the mother's right, belongs to the father *only* in the case of the mother's death, her disease disabling her from fulfilling her parental duties or if the guardianship court deprives her of her parental authority. We believe that these regulations are detrimental to the women's position in the job market, perpetuate traditional role division and violate the principle of equal rights and the duties of parents.

Recommendations:

- 1) Grant, as soon as possible, both parents equal right to the initial child-care leave.
- 2) Consider replacing maternity and child-care leaves with a paternal leave, to which both parents would be entitled on equal terms.

Protection of women's work is ensured by the statutory interdiction to denounce and dissolve employment in the period of pregnancy, maternity leave, (Article 177, §1) or child care leave (§15, clause 1 of the executive order on child care leave). Dissolution of the employment contract can take place only if the employing institution is declared bankrupt or if it is liquidated (Article 177, §4). During the period of child-care leave, the employer has the right to dissolve the employment relation if there are reasons justifying it for example on the basis of the Law on Group Layoffs (declaration of bankruptcy or liquidation of the workplace).

Pursuant to § 17 of the Executive Regulation on Child-Care Leave, persons returning from such a leave are entitled to hold an equivalent position or another position meeting his or her qualifications. The salary of such person cannot be lower than before the leave. The practice of denouncing an employment contract within a short time of employment after a child care leave violates provisions guaranteeing protection of women's work after such leave.

The Labour Code (Article 188, § 1) entitles employed women who bring up children under the age of 14 to 2 days of child care leave per year preserving their right to remuneration. Men are entitled to this right only if they are the sole guardians of children under the age of 14 (Article 188, § 2 of the Labour Code).

Article 189 of the Labour Code grants employed women a benefit (100% of the remuneration) to care for a sick child. This benefit was introduced under the Law of 17 December 1974 on Social Security Pecuniary Performances in the Cases of Sickness and Maternity, and is available for up to 60 days for nursing a sick child under the age of 14 and for a child of up to 8 years of age if a nursery, pre-school or school is closed and there are no other members of the family who can take care of the child. This benefit constitutes an important element of social policy since it creates conditions to combine employment with care for children.

It is very difficult, however, to understand why for so many years fathers were entitled to this benefit *only* in exceptional situations, such as the mother having been absent from the place of permanent residence or not having been able to care for a child on account of sickness or birth. Such provisions undermine the principle of equal treatment of men and women. New regulations which came into effect in March 1995 entitle the father to leave benefits to care for a sick child. Their income, will however, be reduced by 20%.

Another violation of the principle of gender equality principle is the provision concerning retirement age and the law which makes the employment period required to become qualified for a retirement pension different for men and women. Under Article 26, Clause 1, item 1 of the Law of 14 December 1982 on Retirement Pension of Employees and their Families (Official Journal No 40, item 267 with changes) an employee becomes qualified for a retirement pension when he or she reaches retirement age, 60 for women and 65 for men. The required employment period is 20 years for women and 25 years for men. The provision granting women the right to earlier retirement has turned in the new reality into compulsory retirement for women when they reach 60 years of age. The Constitutional Tribunal which examined the complaint related to the retirement age difference recognised, in principle, that lowering the retirement age for women should be treated as a specific right, not an obligation and that compulsory dissolution of the employment relation restricts women's professional chances and is discriminatory.

At first sight these regulations are beneficial to women but can also prove detrimental. Women who become qualified for a retirement pension earlier are expected to give up their jobs in order to

take care of a senior member of the family or a disabled child. Men who are legally obliged to the longer period of employment and retire later throw the responsibility for the needy members of the family onto women. It is also not insignificant that women who have a shorter employment period than men receive lower pensions and since they live, on the average, longer than men they often fall into poverty in their old age.

Recommendations:

- 1) Introduce provisions guaranteeing effective protection of persons on maternity and child care leaves.
- 2) Initiate aiming at gradual equalization of the retirement age for men and women.

Family law

Regulations concerning marriage and family shape women's position in family life and also affect other social roles. The Family and Guardianship Code in Article 23 introduces equal rights and responsibilities for spouses, obliging them to cohabitation, mutual help and faithfulness as well as to co-operation for the sake of the family. In practice, however, such equality rarely occurs, not only in family life but also in the family courts' decisions concerning divorce or criminal cases for ill-treatment of the family.

Pursuant to Article 56 of the Family and Guardianship Code, grounds for granting a divorce is not based upon the will of the spouses but upon the ascertainment by the court of the complete and irretrievable disintegration of matrimonial life (physical, spiritual and economic).

Courts can, however, decide not to grant a divorce if it is in conflict with the interests of juvenile children, with the principles of community life, or if a divorce is sought by the spouse who is exclusively guilty of the breakdown of the marriage. Legal obligation for courts to interfere in the intimate sphere of the private lives of spouses, even against their will, depriving them of the right to decision about the dissolution of the marriage, constitutes a violation of such fundamental human rights as the right to freedom and the right to privacy. In Poland women usually seek divorce. Domestic violence is one of the main causes for this. Depriving women of the right to dissolve the marriage thus constitutes a violation of the right to personal safety. In 1990, divorce cases were transferred to Provincial Courts which made them less available, increased the cost of the divorce, and protracted the proceedings. Women's freedom to decide about their private lives is also restricted by the high costs of the divorce proceedings and the long distance they must often travel to get to the court. The interest of minors is also interpreted by courts in a discriminatory way, and is based on the assumption that a traditional family model, irrespective of its quality, secures for children a better life than would a single-parent.

Statutory grounds for divorce together with the traditional picture of the Catholic family often influence court proceedings and the decisions which judges make in divorce cases and thus perpetuate traditional stereotyped gender role division. According to the prevailing belief, for

example, the wife should seek employment only on a scale which can be reconciled with her domestic duties and child-rearing. A woman can be found guilty of disintegration of marital life, if she does not run her home in a way her husband finds satisfactory (she does not cook, does not clean up) or if she refuses sexual cohabitation. However in some cases, divorce was not granted on the grounds that sexual cohabitation had not ceased when it, in fact, what was taking place was marital rape.

Article 10, § 1 of the Family Code violates the principle of equality of men and women by making the qualifying age for marriage different for men and women. The required age is 21 for men and 18 for women. In exceptional cases, upon the approval of the court it may be lowered, to 18 for men and 16 for women. This provision, assuming that women reach the maturity necessary for marriage earlier than men can adversely affect girls' decisions concerning their further education, career aspirations and child-bearing. Women are not necessarily expected to achieve economic independence; and thus can give up education at an earlier age and become mothers. Young men who, on the one hand, seem to be discriminated against, are on the other hand given more time to grow up and make important decisions such as whether or not to marry. Men are expected to take responsibility for the maintenance of the family and consequently are expected to achieve economic independence before marriage. In reality therefore, this provision seems to have a paternalistic character, which makes women economically dependent upon men and weakens their position in the job market. Gender based differentiation of qualifying age for marriage seems illogical in a situation where both men and women are legally recognized as adults and receive the right to vote at the age of 18.

The Family Code unequally regulates the issue of the surname of persons contracting a marriage. Article 25 § 1 requires that a woman, while contracting the marriage, should declare whether she wishes to keep her hitherto surname or if she wishes to add her husband's surname. If she does not make such a declaration she automatically assumes her husband's name. A man, on the other hand, is permitted to add his wife's name to his own through a declaration on condition that his wife keeps her own surname. Seemingly this provision appears to discriminate against men but, in fact, is quite the contrary. A woman's surname is treated as less desirable since if a suitable declaration is not made she automatically assumes her husband's name.

The situation is similar with regard to a child's name. Children, supposedly descended from the husband of their mothers, bears the name of his their fathers unless the spouses, while contracting the marriage, declare that their prospective children shall bear their mother's name. By virtue of law, children assume their mother's name only if paternity has not been determined. This regulation, combined with societal negative attitudes toward children born out of wedlock, makes mothers seek the fathers' names for their children, even if fathers do not fulfill their parental duties.

Recommendation:

- 1) Simplify the divorce proceedings in order to make them more accessible and less humiliating to all parties involved.
- 2) Regulate the questions of the spouses' names, children's name and the question of the qualifying age for marriage on equal terms.

Criminal law

The Penal Code contains regulations recognizing domestic violence as a criminal act (Article 184). Codified law and its application often, however, represent two different realities. Research and experience show that cases of violence are rarely reported to law enforcement agencies (police, prosecution, courts). Moreover these institutions often do not treat cases involving violence in the family seriously. Such cases are considered insignificant and are perceived as bearing little danger to society and are thus often discontinued. In those rare cases when a ruling is made the sentence is usually suspended. Lack of data concerning the phenomenon of domestic violence makes the evaluation of the effectiveness of the justice administration system and the possibility of its reform difficult.

The Penal Code (Article 168) identifies rape as a crime against personal freedom which seems to be a progressive solution. In practice, however, execution of the law diverges from its letter. The preparatory and judicial proceedings are gender biased and the victims are consistently treated as if they were the accused. Behaviour and life style of the victims plays an important role in the sentencing. The prosecution procedure of such crimes is also weak: rape is prosecuted only on the motion of the injured person. Many women do not file motions for the prosecution for fear of the perpetrator's revenge, because they do not believe in the effectiveness of the administration of justice, or because of the humiliating investigative procedure.

Recommendations:

- 1) Conduct research in order to determine the reasons the provisions in force and the institutions responsible for their application are not effective.
- 2) Revise the system of collection of official data concerning domestic violence. (published statistics should be gender desegregated)
- 3) Instruct the judges, prosecutors and police in order to make them more responsive and sensitive to the problems of battered women.
- 4) Consider the possibility of the public prosecution in case of rape.

The right to choose whether to bear a child

Restricting women's reproductive rights should be considered another legal provision that discriminates against women. The Law of 7 January 1993 on Family Planning, Foetus Protection and Conditions of Admissibility of Abortion deprives women of their right to terminate pregnancy on social grounds and it discriminates against women not only within the scope of the right to life and health protection and the right to decide about personal life but it also adversely affects their

professional carrier prospects and the material situation of women and their families. Hence that the law enhances social and economic inequalities.

Recommendation:

Develop and enforce a new law ensuring freedom of choice in the field of reproductive rights.

Conclusions

Comprehensive review of the Polish legislation concerning women's rights is not feasible here. It is also not possible to discuss all the changes required to ensure the realization of the constitutional principle of the gender equality. The recommendations presented are confined to the most visible manifestations of gender based discrimination and, in our opinion, can be put into force without delay.

Because of discriminatory provisions, on the one hand, and Poland's ratification of international convention, and the requirements of EU membership on the other, we believe that a detailed review of Polish legislation related to gender equality should be conducted immediately.

Analysis of existing legislation and the recommendations presented in this report demonstrate the line of thought which the legislators should follow in the law-making process.

Poland is in the process of making fundamental changes in its legal system. Women's NGOs should not remain indifferent to the shaping of the new laws which will determine the social and professional position of women in the XXI century.

We should welcome the changes which will lead to the greater involvement of women's organization in the law-making process. The principal objective of the newly established Women's Rights Center is to monitor the existing legislation from the point of view of women's interests and rights and to develop draft laws which, toward the realization of the constitutional principle of the gender equality.

Urszula Nowakowska (Women's Rights Center)

Unemployment among women

The political and economic system in force in Poland up to 1989 by definition created full employment for all people prepared to work. Unemployment was considered an ideological symbol of the enemy capitalist system. From the moment the economic transformation in Poland began, however, production costs and mismatching of employers' needs and workers' qualifications, in short all the ingredients of a market economy were responsible for the massive unemployment that followed.

In 1994 the level of unemployment showed zero growth for the first time in five years. This is no cause for satisfaction as it is only a symptom of stagnation, whilst statistics show that at the beginning of 1995 there were 2.8 million registered unemployed (16.6% of the workforce) and 1.5 million of these were women. This makes women the majority (54%) of registered unemployed [1], but this is not the full story. The experience of the employment agency attached to the Center for the Advancement of Women (a non-government organization) suggests that fully half of all women seeking work have not troubled to register in a government employment office. It can thus be safely inferred that the real number of job-seekers far exceeds the official figures.

Unemployment affects a wide range of geographic, social and demographic categories. The Śląsk voivodship has the highest unemployment level at 35%, whilst Warsaw and surrounding conurbation has at 6.3 % the lowest. Job market changes and unemployment affect women far more than men. The number of women in jobs is steadily falling; from 78% in 1985, to 71% in 1990, and 57% in 1994 (women make up 45% of the total workforce).

The number of women in state sector jobs is decreasing as well. Mass layoffs mainly affect women, who are also more vulnerable to long-term unemployment [2] because there are fewer job vacancies for them and employers demand more of women. Young women school-leavers are hardest-hit; unemployment for 15-19 year-old women living in towns is nearly 53% (for young men in the same age group - 48%). Recent years have also seen more women aged 35-44 lose their jobs [3]. This is the most professionally productive time for women as their domestic duties are declining. Nor is education any longer a hedge against unemployment: "Women with general secondary and vocational education together make up 37.8% of unemployed women (May 1993 figures) whilst the equivalent figure for men is 19.1%". [4] Highly qualified men generally do better on the job market than equally qualified women.

Discrimination against women on job market

The reasons for this difficult job market situation for women is blatant discrimination against women. This is supported by the results of a study titled "The Warsaw Job Market for Women" initiated by the Center for the Advancement of Women in May-June 1993. The study included 407 employers, both state and private sector. The main object was to find answers to the questions: "What kind of workers are today's employers seeking?", "What qualifications are most in demand?", "What personal attributes are decisive in landing a job?". It was hoped the results of the study would give some useful pointers of the direction retraining should take and what subjects it should cover to increase women's chances of getting jobs.

The results are highly interesting, and include the following findings:

- Men get twice as many new jobs as women. There is growing interest in giving men jobs traditionally the preserve of women, for example in retail and service industries.
- There is declining interest in employing women in jobs requiring high office administration skills and qualifications.
- Women hold far fewer management positions than men; this is more often true of the private sector than the state sector.
- The group most at risk of layoffs is women aged 40 and over in state sector office jobs; this group is the dominant clientele of employment agencies. Not only do they have the most difficulty finding other jobs, but it is also extremely hard to persuade them to retrain and qualify for something else because of age-related psychological barriers.
- Analysis of questions put to job candidates reveals that "discrimination against women on the Warsaw job market is evident" [5]. This discrimination stems on the one hand from traditional thought patterns about a woman's role; it is "natural" for her to be at home, nurturing and raising children as well as accepting responsibility for family planning. On the other hand, legislation dating back to the 1960's prescribing privileges for working women to make their double role easier has begun to work against them on the competitive job market. From an employer's point of view women are less attractive as employees because they have to be granted certain assurances that do not apply to men.

Table 1. Gainfully employed persons by level of education (%)

Level of education	Women	Men
Higher	10	9
Post-secondary school	5	1
Vocational school	24	21
Secondary	11	3
Secondary vocational	24	41
Elementary	26	24

Source: on the base of the Central Statistical Office data, Nov. 1994.

Half the women with jobs in 1993 were educated to at least college level, whereas the equivalent figure for men was only 34% (see Table 1). It can be inferred from this that women are better educated than men, yet they suffer higher unemployment. It is also evidence of discrimination against women on the job market. Another relevant factor is the fact that under present conditions formal education counts for much less than specific skills, high work motivation, energy, creativity and responsibility, qualities not especially nurtured during the previous system.

Women entrepreneurs

Increasingly women start their own businesses as a means of satisfying their need for personal development, creativity and independence in decision-making, as well as a higher income.

Women starting their own firms are a new and dynamic phenomenon in this part of Europe; in Poland the number of women entrepreneurs rose from 3.7% of the total female workforce in 1989 to 7.5% in 1991 and about 11% in 1993, and of those the number who owned their businesses were 27% in 1989, 33% in 1991 and approximately 39% in 1993 [6].

Setting up in business is one of the ways of combating unemployment, especially for college-educated women aged 40 and over. The few studies on women business owners available show that it is mainly college and higher educated women who decide to start their own firms. About half of women entrepreneurs are aged 40-49.

One of the main barriers to women starting businesses seems to be the stereotype that mothering and housekeeping are the only roles in which women succeed. In fact women as a population represent a wide cross-section; there are those who derive full satisfaction from running their home and raising children, but on the other end of the scale there are also those who need more than their family to feel fulfilled and satisfied. For those active and enterprising women, starting a business is a way to get that fulfillment. It is in everyone's interest to give such women the support they need and help create conditions that allow them to thrive, thus stimulating the economy and reducing unemployment. There is a need for local programs to support women's small businesses. These would help find information about business development finance and provide

free or inexpensive education on setting up and running a small business. Some women's organizations (for example the Center for the Advancement of Women, and the International Forum for Women in Warsaw, and the International Foundation of Women in Łódź) do run such programs but they are limited in both scale and scope. There are still too few such programs; many more are needed. Women need to be strengthened in the belief that they can do a lot for themselves,

The results of a December 1994 survey of women business proprietors [7] point to the following conclusions:

- The circumstances of women starting a business vary greatly from individual to individual. Significant factors include the set of values from parental home (important or very important for 54% respondents) and experience gained in workplaces with a social dimension (important for 61%). There were also psychological factors: a desire for independence (91% respondents) and innate enterprise (81%). By far the most important motivating factor was the need for reasonable remuneration, given by 94% respondents. Fear of unemployment was mentioned by 28% of the women.
- Women running their own firms experienced a great many insufficiencies. Most often it was uncertainty of the tax regulations (81% women), no time for rest and recreation (78%), for private life (71%) and for family (68%). Lack of money for business growth was reported by 55% of women business proprietors, lack of legal knowledge by 57%, economic by 34%. About 60% of the women felt keenly disadvantaged by market competition and difficulty finding customers, also by the rawness of Polish capitalism (unprincipled behaviour, dishonest dealings). Women generally start their businesses cautiously, broadening the scope and inventory step by step.
- Businesses run by women are not confined to just the dominant clothing and footwear industries, but also extend to such areas as electrical goods manufacture, building materials, and tools.
- Most women business proprietors (69%) do not consider themselves treated any differently from male entrepreneurs. Nevertheless, 18% responded that "it varies", whilst 7% stated definitely that they are treated worse.
- Single women more often than married women reported difficulties starting (63% single, 30% married) and running (69% and 40%) their own businesses, also more often reporting inferior treatment compared with male entrepreneurs. This would appear to stem from the dominant traditional stereotyped Polish attitudes towards a woman's role and place in society.

Conclusions

One of the greatest benefits of the system transformation is acknowledgment of the importance of a middle class and the removal of obstacles to the development of small and medium-sized businesses. Women have enormous potential here; the trading and servicing sector which is still largely underdeveloped in Poland is within their domain. We already have many examples of women who have done well, proving that the hardest thing is to believe in success and thus overcome the typical feminine psychological barriers.

The most prominent factor making it hard for women to go into business and run their own firms is the problem of reconciling domestic and business duties. The role conflict which undoubtedly exists can be mitigated by the availability of services and easy access to child-care facilities, also partners participating in housework. Most women support as the fairest and most functionally suited to contemporary lifestyles, the kind of family partnership model where they can go out to work, whether out of choice or financial necessity.

Recommendations:

- 1) Develop large-scale education and retraining programs for the unemployed.
- 2) Develop special women's training programs geared toward actual job market demands.

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WOMEN IN PUBLIC LIFE

Women in central authorities

Women are under-represented in all levels of authority in Poland. Only 13% of members of both houses of parliament in the present term are women, and this is the highest percentage since the political and economic changes began (see Table 1).

Table 1. Numbers and percentages of women members of the Sejm (parliament) in the People's Republic of Poland (under communism), and in the Sejm (lower house) and Senate (upper house) in the Republic of Poland

Term	Sejm		Senate	
	number of women	% of women	number of women	% of women
1976 - 1980	95	20,7	-	-
1980 - 1985	106	23,0	-	-
1985 - 1989	93	20,2	-	-
1989 - 1991	62	13,5	6	6
1991 - 1993	42	9,1	8	8
1993 -	60	13,0	13	13

Source: R. Siemieńska, *Płeć, zawód, polityka*, (Gender, Profession, Politic), Warsaw University 1990 and information from the Conference "Udział kobiet w życiu publicznym" (Women's Participation in Public Life), Warsaw University, 3-4 December 1994, Warsaw.

As the above table shows, there were more women members of the Sejm in the People's Republic of Poland than there were in the latest years in a democratically elected parliament (Sejm and Senate). The reason for this involves the selection of candidates. During the communist era, the selection of candidates was controlled by the Communist Party. It was a matter of ideology that the Sejm should be representative of various organizations, social and religious groups, a cross-section of generations and both sexes. The object was to show that membership of the Sejm was also open to young, inexperienced, unqualified and unpoliticised people. However, it was considered undesirable to have too many such members, so candidates who combined as many of the above qualities as possible were often selected. The candidates who best fitted this description were often women. Women thus often served as "fillers", making the statistics look good but playing no political part whatsoever [1].

The present situation is different. Although there is now a smaller percentage of women in parliament, their political input is far greater. The women elected to parliament in the last two terms have usually done voluntary work for the parties or groups that put forward their

candidature for a considerably longer time than men. On average they are educated to a higher level than male members of parliament, many of them being medical doctors and academic lecturers. The reasons, therefore, for the low representation of women in parliament have nothing to do with lack of education or lack of professional or community work experience, but are attributable to cultural barriers. The road to political power is much harder for women than for men.

Parliamentary candidates are mostly selected by political parties. Women are less inclined to do party work, but the parties are also less inclined to select them as candidates. Women's names used to be placed at the bottom of lists of candidates on ballot papers in parliamentary elections, because of the prevailing view that not many electors voted for women. As the 1993 parliamentary election showed, however, women received many votes [2].

Women's organizations are examining the possibility and purposefulness of introducing a quota system into politics.

Women's lobby in parliament

The small female representation in parliament can create the general impression that problems important for women are marginal and less important than others [3]. To dispel such an impression the Parliamentary Group of Women was formed in spring of 1991.

Its current membership crosses party boundaries and numbers over two thirds of women members of both houses. When members of this cross-party group sit on various parliamentary select committees, they try to monitor and safeguard women's interests in areas such as healthcare, social welfare, taxation, state secularity and the shaping of the Constitution. [4] The latter have recently come up with proposals to amend the divorce laws.

The Parliamentary Group of Women runs regular meetings with women's organizations and other groups acting in women's interests. The aim of the meetings is to exchange information about activities of women parliamentarians and the concerns and proposals of the women's organizations.

Government Executive Officer for Women's and Family Affairs

The office of Government Executive Officer for Women's and Family Affairs was created in 1986 following the Nairobi conference. In practice it remained unseen during the first five years. In autumn of 1991, when Anna Popowicz was appointed to the post, the department began to function in accordance with the law employing strategies similar to parallel departments in western countries, and earned itself recognition and respect both at home and abroad. Minister Anna Popowicz intervened when attempts were made to introduce regulations which infringed on women's rights or were contrary to international conventions ratified by Poland [5].

The last time Anna Popowicz intervened was in connection with a projected medical code of ethics. Shortly afterwards (in spring of 1992) she was dismissed from her post. Officially, it was announced that she was dismissed because of the lack of a family policy and the fact that the problems of the youth were marginalized. The real reason however for Anna Popowicz's dismissal was her opposition to both the anti-abortion Act before the Senate, and the projected medical code of ethics [6].

The post of Government Executive Officer for Women's and Family Affairs remained vacant despite continuing debate on the need to fill it, and ongoing pressure from the Women's Parliamentary Group. The appointment of a woman premier raised high hopes. However, Prime Minister Hanna Suchocka did nothing to fill the vacancy, stating publicly that she saw no need for such an office.

The vacancy was eventually filled in December 1994 as a result of pressure from the Parliamentary Women's Group, women's organizations, and academia. However, Prime Minister Waldemar Pawlak paid no regard either to recommendations as to candidates, or to functional details of the post (suggestions for a new job description) and instead appointed the incumbent Minister of Building, the only woman minister in his government.

The fact that the post of Government Executive Officer for Women's and Family Affairs was given as an additional job to someone already holding down an onerous state position was seen by women's organizations as a belittlement of women's problems and the role of such an executive officer. The ineptness of the choice was later confirmed by the stated views of the incumbent herself, who said at a meeting between the Parliamentary Women's Group and women's organizations (18 February 1995) that she only fulfills the function of Executive Officer, and not being paid, would willingly give it up if another candidate came forward.

Women in local government

Since the transformations of 1989, local government elections have taken place twice: in 1990 and 1994. In the 1990 local government elections for the first term, 15% of the candidates and 11% of the elected councilors were women. The corresponding figures for the 1994 second term election were 17.7% and 13.1%. At present the individual voivodships have from 7.1% to 22.0% women councilors [7].

Election results in constituencies numbering over 40,000 inhabitants were influenced by the positions of the women candidates on the ballot paper lists, as in these constituencies a proportional representation electoral system was used.

Of the woman councilors elected in 1990, 28.2% were teachers, 16.3% farmers, 12.4% medical doctors and nurses, 9.0% office workers, 6.0% economists and 6.0% women in technical occupations [8].

These figures show that over one quarter of the successful women candidates were employed in the education field which is traditionally associated with social work and numerous contacts with people. Teachers also have active trade unions. Consequently the teacher-councilor represents someone likely to be active in the interests of children and young persons.

Available data on the 1994 local government candidates shows that women aged under 30 stand somewhat less often than men of that age group. This could be due to a family role conflict. Earlier retirement than men from public life is also very noticeable among women. The peak years for this type of activity for women are 40-44 years of age, when they are still working and raising older children. After reaching age 50, women's participation in public life declines. [9]

The small number of women in municipal councils suggest that few women stood for election to municipal councils and mayors of municipalities. A questionnaire survey carried out in some municipalities one year after the 1990 local elections, revealed that among the chairs of municipal councils, 7.7% were women, and among mayors (presidents) only 5.5%.

Other surveys involving over 70% of women occupying senior positions in local government show :

- Women continued to be a minority among local leaders. Only 320 of 5105 local leadership posts (6.2 percent) were held by women.
- A woman was three times more likely to be elected mayor of a small rural community than of an urban community.
- Most of the women in the group held the lowest leadership position in the local government structure, that of chair of the municipal council. A total of 177 women, or 55 percent of the women in local leadership posts, were chairs of municipal councils. Thus the past pattern - the higher the position and more prestigious the place, the fewer women present - remained constant.

Women who hold local offices were united in identifying five main barriers they experience in their work. The single most clearly identified theme, mentioned by 47% of respondents, was lack of time and feeling of being overwhelmed by responsibilities of paid employment and work at home. The second barrier was lack of trust in women holders of public office, and the assumption that men can do those jobs better (46%). The third obstacle, less strongly identified than the first two, is a belief that women are not assertive enough, that they lack trust in themselves and in general lack self-esteem (14%). The two other barriers mentioned were lack of tradition of active participation in public life among Polish women (9.5%) and women's lack of interest in participating (7%) [10].

Women as judges

Notwithstanding that 50% of law and administration students are women, their representation among the ranks of judges is somewhat smaller. In 1994 there were 69 judges employed in the

Supreme Court, 17 (24.6%) of them women. The High Administrative Court had a total of 53 judges, of whom 18 (33.9%) were women. The total number of judges in the local branches of this court was 84, and 26 (28.6%) of them were women. [11]

In light of these figures, it is worth quoting a remark made in a meeting between the Polish Law Society and the newly appointed Minister of Justice. One of the Law Society board members was speaking about low pay in the legal profession and how it was not worthwhile to be a judge, and went on to say "men are fleeing the judicial profession, and it won't be long before it's completely feminised. And we all know what that means, gentlemen; sick children, childbirth and spinsters' stresses". [12].

Official statistics on junior judges do not give any gender distribution data. However, general experience suggests that women judges are employed mainly in family courts.

Women in political parties

No accurate account of women's participation in political parties is possible as there are no data available for party membership numbers. Central Statistical Office data estimates that about 17% of the members of all existing political parties are women.

In the case of the Freedom Union, one of the largest parties which also has a relatively large female membership, reasonable estimates suggest that women in political parties are usually active in organizational jobs and work behind the scenes. The female membership of the Freedom Union is 30% (the Democratic Union had about 38% before amalgamation with the Liberal-Democratic Congress). In the Freedom Union Parliamentary Club women make up over 20% of the membership, in the 100-member National Council 12%, and in the Party Presidium there is only one. [13]

Surveys run by the Public Opinion Polling Center in 1993 show that only 0.7% of women respondents belong to political parties. [14] Women's unwillingness to belong to political parties is explained by: the bad connotations of the word "party" and its association with the former Polish United Workers' (Communist) Party, the general indifference of women to political parties, a weaker identification with any particular party, an unwillingness to get closely involved with the beliefs and views of any party, and a dislike for party discipline and lack of interest in politics. [15].

Analysis of the lists of candidates and the numbers of votes for each shows that women candidates enjoy more support from the electorate, both female and male, than from the political parties. It would be desirable therefore that women become more involved in political party work, otherwise they will never achieve the requisite representation in the upper echelons. It is also essential to further develop and improve the mechanisms for the promotion of women by political parties by forming sections within parties and creating special funds for promotion of women candidates. [16]

Women in other forms of public life

Data presented to the "Women in Public Life" conference by a Central Statistical Office staff member shows that the highest proportion of women is to be found in the education field, where they form over 60% of the active staff. Next in order are healthcare (52%), cultural institutions (49%), tourism (45%) and trade unions (35%) [17].

The Public Opinion Polling Center (POPC) also conducted a survey of women's participation in public life. Representative samples were taken to determine the percentages of women in various social institutions and organizations. Results of this poll, combined with results of similar Central Statistical Office (CSO) surveys, are given in Table 2. [18]

Two predominant areas of women's public involvement emerge: parent committees and trade unions in which women are passive members in the vast majority of cases. Women active in any form of public life formed well over a quarter (27%) of the total. However, if participation in parents' committees (the foremost in declared activities and closely associated with having school-age children) is disregarded, then that figure drops to 22%.

Table 2. Women's participation in public life

Do you (madam) belong to, or participate in, any of the following social institutions or organizations?	Percent positive answers according to:		
	CSO '87	CSO '91	POPC '93
Local government authority	1.0	0.6	1.0
Political parties	3.6	0.3	0.7
Works committees	3.2	2.9	1.1
Trade unions	10.5	7.6	8.4
Women's clubs or organizations	3.5	1.9	1.8
Rural Women's Circles	11.8	8.6	4.4
Tenants' committees	1.5	1.4	0.6
Parents' committees	10.1	10.9	7.5
Professional associations	2.4	1.7	2.0
Social and cultural organizations	3.6	2.2	2.1
Sports, tourism and recreation organizations	2.1	1.8	1.8
Youth organizations	4.6	2.8	1.0
Churches or religious organizations	3.1	4.1	4.6
Others	-	-	2.9

Source: Reprezentacja interesów kobiet. Komunikat z badań, CBOS, Warszawa, październik 1993.

Initiatives to increase women's participation in public life

The informal group "Women Also" which came into being towards the end of 1993 set as its aim an increase in the numbers of women in public life. In the run-up to the June 1994 local council elections, "Women Also" was actively campaigning to encourage women to stand for local council elections, supporting women deciding to stand, and canvassing the public to vote for the women candidates. [19]

The Center for the Advancement of Women is currently running training courses for women in self-promotion, media relations and public meeting protocol as part of its "Meetings, Microphone and Screen" education program.

Recommendations:

- 1) Enhance political party mechanisms for the promotion of women and create other channels for the political promotion of women.
- 2) Promote actively greater participation of women in public life at the local level, because as studies show, this is an essential first step in a political career.
- 3) Eliminate barriers to women in public life.
- 4) Remove family problems from the terms of reference of the Government Executive Officer for Women's and Family Affairs and enhance the status of the office by different placement within the government structure.
- 5) Appoint a government secretary for equal status for women and men.

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Family is the most important thing, but...

Studies which have been conducted tell us that a successful marriage and happy family are valued above all else by Polish women and men (87% and 80% respectively). In 1991 about 33% of women and 45% of men stressed the importance of a professional career in their hierarchy of values [1]. Polls taken in succeeding years show growing value attached to a career [2], almost certainly connected with economic changes.

Polish women today simultaneously play a number of important social roles, but above all they want to be good wives and mothers; this is their foremost priority. It stems from tradition and the culturally shaped division of roles within the family and, in addition, the patriarchal family model which is cultivated in Poland by the Roman Catholic Church. There is pressure on women to marry, have children and remain steadfastly in marriages even when, for various reasons, the union fails to bring them happiness.

The majority of professionally active Polish women do not want to give up their careers and are pressing for conditions to be created to enable them to continue to work. The results of a 1993 Public Opinion Polling Center poll confirm this; when asked for their preferred model of a marriage, the largest proportion (55%) of polled women said they would like to see a partnership where both spouses allotted approximately equal amounts of time to work, and both gave equal attention to home and family. About 28% of the polled women stated a preference for the traditional family model (only the husband working and earning enough to support the whole family, whilst the wife attends to domestic matters, raises the children, organizes social life etc.). The mixed model, where both spouses work but the husband spends more time working whilst the wife, in addition to her outside work, also does most of the household chores, was preferred by only 14% of the polled women [3]. And yet it is this least preferred of all models that most often occurs in Polish families. This model is primarily rooted in the culture, but partly too in financial dependence upon the husband who generally earns more than his wife, even when she also works.

Polish women want partnership in marriage, but after returning home from work continue to prepare dinner, clean the house, shop, iron etc., although they (especially highly educated women living in the larger cities) are insisting more and more that these jobs can be done just as well by their husbands.

Modern in word, but traditional in deed...

This divergence is reflected in survey results [3][4]. Polish women are decidedly modern in what they say about their own positions and roles in their marriages and families. Nor are there any

traditional attitudes apparent in their views about the division of household chores and the need to accustom boys to housework, and whether or not women should work.

In practice, however, the actuality confirms the traditional division of roles. Housework is primarily done by women, be it the polled mothers themselves, their mothers or their daughters, regardless of place of residence or level of education. It is noticeable however, that husbands make a somewhat greater contribution to various domestic duties in families in larger towns and cities where the wife has higher education. Generally, husbands seldom contribute to household duties, and any such contribution is usually confined to doing the shopping (see Table 1.).

Table 1. Participation (%) of wives and husbands in selected household duties in families of women who go out to work

Chore	Person doing it		
	Wife	Husband	Both
Preparing meals	67	3	14
Washing dishes	53	4	13
House cleaning	46	2	17
Washing	78	1	4
Ironing	75	0	4
Everyday shopping	49	10	18

Source: 1993 Public Opinion Polling Center poll results.

Interestingly, husbands' contribution to domestic chores is small even in families where the wife runs her own business [5]. In reality, then, the partnership allows a woman to pursue a career, and to make a higher contribution to the family income if she owns a business, but not for a husband to participate more widely in domestic duties traditionally performed by women.

In answer to the question whether women should pursue a career and continue to do so after marrying or giving birth, most women thought it best to stay at home for a while and go back to work when the child is older (63%). Nevertheless, 25% thought women should continue in business even after marriage and childbirth, most often among women with higher education (36%). The view that women should not work at all was held by 7%, and the lower the level of education, the more prevalent such a view was (11% of women with basic education, 13% with elementary vocational education, and only 1% with higher education).

Everyday life difficulties

Although marriage and family are most highly valued among Polish women, women in Poland are nevertheless becoming motivated to take an increasing part in economic and community life.

It is an unfortunate fact however, that the emancipation of women has placed added burdens primarily on their own shoulders. In undertaking new roles and duties, they have not found anyone to entrust with the household chores that they have done up till now.

A wide-spread opinion has been accepted for quite a long time in many Polish families that a woman should take care of her house and children, and not satisfy her professional ambitions. In the present economic situation (unemployment) women first of all bear the cost of the transition period.... (a pensioner with higher education, living in Warsaw).

Despite the fact that we are almost in the XXIst century and women's rights have been accepted for many years, a woman in many cases is not treated equally with a man. Though women go to work they are not exempted from domestic duties ascribed to women for ages.... (an accountant with secondary education, living in Radom).

The material situation of about one third of Polish families with children has deteriorated considerably in recent years [6]. According to Public Opinion Polling Center data, about 47% of families have to make stringent economies every day to obtain the basic necessities of life. A further 48% of families have a medium standard of living, with enough for everyday necessities but have to save for major spending, while only 6% live well, being able to afford everything comfortably without having to save especially [7]. Only very few families in Poland can afford domestic help or child-care. There are many families today which cannot afford to send a child to a state kindergarten which costs 30-45% of the earnings of a young woman with higher education. Very few families, too, can afford to eat out, or use a laundry or other services. Among working households barely 19% make use of any eating out facility, mostly (12%) by only one member, usually a child in the kindergarten or school dining room [8]. As many as 92% of women never visit a beauty parlour, and 39% never go to a hairdressing salon [9].

In the majority of Polish families the woman's role is the dominant one. The responsibility for bringing up the children, organizing family life and sometimes even providing the livelihood rests mainly on her shoulders (an office worker with technical education, mother of two boys, living in Warsaw).

Traditional attitudes towards women and their place in the family are more apparent in the country than in the towns and cities, making the situation of countrywomen even less enviable.

Women living in the countryside in multi-generation families have little control over home and family problems. They are financially dependent on their families and husbands (a woman with post-secondary education, living in the countryside).

Countrywomen generally have a harder life and working conditions than women living in towns and cities because of such peculiarities of the Polish rural areas as lack of domestic amenities

(water drawn from a well, no gas, no bathroom), historical subdivision of farms, lack of specialized farming, and low levels of mechanization of both fieldwork and livestock management.

Countrywomen, most with a basic education, if not actually managing the family farm, always work very hard. It is noteworthy that one farm in five in Poland is managed by a woman, whilst in the European Economic Community countries the equivalent figure is 10% [10]. The deficiency of social infrastructures (no telephones, insufficient shops, no nurseries or kindergartens) is a serious shortcoming in Polish country life, exemplified by the difficult access to healthcare centers, mostly experienced by women.

Limitations in fulfillment of family and career roles

The number of nurseries and kindergartens has diminished in the last few years (fewer than 50% of children aged 3-6 now have pre-school care, see Table 2). Few families avail themselves of nurseries, mainly because mothers are unhappy about the standard of care, believing it to be harmful to the development of their children. Polish women are entitled to maternity leave and often exercise that option, or have the grandmother care for the child or, exceptionally, a paid nursemaid. Fees charged by existing child-care facilities are increasing. This means that fewer and fewer families can afford pre-school care, especially the poorer ones. This has the effect of limiting both the job availability of women and the educational opportunities of the children [11].

Table 2. Numbers of children of a given age per 1000 in nurseries and kindergartens

Years	Nurseries -	Kindergartens -		
	children up to 3 years of age	children 3-6 years of age		
		3-5	3-6	6
1980	52	329	488	975
1990	42	295	471	952
1993	23	244	427	944

Source: Data of the Central Statistical Office 1994

Another obstacle to women attempting to combine career and family role is the low level of involvement in domestic duties by their husbands. Most women consider a family model where they are free to work whether from choice or out of economic necessity the fairest and most appropriate. Unfortunately the traditional attitudes to female and male roles deeply grounded in Poland work against making such a model a reality.

Recommendations:

- 1) Create mechanisms by which a person engaged in the rearing of small children may take a part-time job or have flexible hours.
- 2) Support the development of services that support persons engaged in child-rearing.
- 3) Promote in the mass media images of marriage as a partnership.

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Social aspects of women's health

The health situation of the population of Poland is quite threatening. Not only has the health situation of Poles not improved, but during the last few years it has come to be recognized that it does not match the situation in highly developed countries. [1]

In Poland, women's health problems are not treated with proper consideration. In fact, only during maternity do women receive any special care. Governmental authorities need to recognize and protect the health of both young and post-menopausal women. There is a lack of gynecological care for girls, hormonal disorder prevention programmes, and attention or means allocated to monitoring, early diagnosis, and treatment of oncological diseases among females. [2] In Poland, about eight thousand women per year suffer from breast cancer and half of them die because the diagnosis is made too late. [3]

Health problems among women cannot be considered separately from other aspects of their lives. One has only to notice that women take care of ill family members - children, spouses, elderly relatives or parents [See Appendix 1]. According to Polish law, only a woman can take days off in order to care for a sick child¹. Because of strong stereotypes, women are also quite alone in their roles of nursing ill and dependent people. Moreover, they are often blamed for handicaps or discrepancies in children's development. It is a cruel fact that 90% of the fathers of disabled children abandon their wives and families.

Women's care of other people's health influences their own psychological and mental fitness. They experience loneliness while caring for the health problems of others, face enormous pressure, stress, and fear, and at the same time, often neglect their own health. This consequently, reflects on their careers and achievements and very often prevents them from accepting promotions or may even force them to resign from work all together. For instance, thousands of women suffering from rheumatic diseases resign from work and accept illness retirement pension earlier and more frequently than equally ill men.

Environmental problems play a very important role in the generally poor health conditions among Polish women. Women, due to their reproductive functions, are specially threatened by the consequences of pollution. 30% of the Polish population lives in areas of ecological disaster [4]. Children and pregnant women are particularly vulnerable to air pollution and water and food contamination by heavy metals and other poisonous substances [5]. There are women who suffer from miscarriages, birth defects, mental disabilities and illnesses in their children. In the Katowice, Łódź and Wałbrzych voivodships which have a very high concentration of industry combined with

¹ This law changed after this report was prepared

a high concentration of the population, the health situation is especially drastic and results in a decrease in the quality and longitude of life (women's mortality in these voivodships is, on average, almost 10% higher than in the rest of the country) [6].

Quantitative data on women's health situation

Birth Rate. Since 1984, the birth rate in Poland has decreased. In 1993, 493 thousand live births were registered - almost 228 thousand fewer than 10 years previously in 1983, which was a demographic boom year. The birth rate in rural areas in 1983 was 21.1 promille and in 1993 - 15.5 promille; in cities the rate was, respectively, 18.7 and 11.1. The years 1993 and 1994 were a period of birth regression. 1993 was the fifth consecutive year when the level of reproduction did not ensure a simple replacement of generations. The fertility rate (the number of live births for 1000 women from 15-49 years of age) decreased from 76 in 1980 to 75 in 1985; to 58 in 1990, and to 51 in 1993.

It is expected that this decreasing tendency will slacken and even stop during the next years due to the increase in the number of women of reproductive age. The next demographic boom in Poland is expected after 2005 [7].

Average life longitude. According to the newest data a girl born in 1993 has a chance of reaching approximately the age of 76 years (while a boy - 67); the inhabitant of a rural area - 76.5 and the inhabitant of a city - 75.7 [8].

Table 1. Expected life longitude of men and women.

Years	Women	Men
1980-1981	75.4	66.9
1985-1986	75.3	66.9
1990-1991	76.3	66.7
1993	76.0	67.4

Source: Rocznik Statystyczny 1994, GUS, Warszawa 1994.

Mortality. During the 1950s and 1960s it was possible to observe a significant decrease in the mortality rate. Since the 1970s, the mortality rate has started to increase and in particular, the unfavourable changes affected only men, especially those in a professionally active age group. In the 1980s the mortality rate among women increased as well [9].

Table 2. Deaths per 1000 people and infancy deaths per 1000 live births

Years	Deaths in general	Deaths of women	Deaths of men	Infants mortality rate
1980	9.9	8.8	10.9	21.3
1985	10.3	9.4	11.1	18.1
1990	10.2	9.2	11.3	15.9
1993	10.2	9.3	11.1	13.3

Source: Rocznik Statystyczny 1994, GUS, Warszawa 1994.

Main causes of deaths among women. Circulatory system diseases caused 48% of deaths of men and 58% of women in 1992. A predomination of deaths caused by circulatory system diseases, especially acute infarcts, occurs in women after 55 years of age.

The second leading cause of death is cancer - 17.3%. The registered number of cancer cases has increased since 1986, with a stagnation up until 1990. During the next year there was a dramatic increase in this rate, from 197.0 to 216.4 for 100,000 people. Among women, the most prevalent types of cancer are: breast cancer (17%), cervix of the uterus (9%), lung (7%), ovarian (6%), core of uterus (6%) and stomach (6%).

The mortality rate among women due to cancer increased between 1990 and 1992 by 2%; in 1991 31,432 women died as a result of breast cancer. Among deaths due to cancer, the most frequent cause was breast cancer (13.3%), then cancers of the trachea, bronchus and lung (9.2%), followed by stomach (8%) and core of uterus (6.6%). Cancer is the main cause of pre-mature death among women between 35-54 years of age. [10]

Hospitals. Women visit hospitals more often than men (this does not include women experiencing normal births). Hospital treatment of women occurs due to diseases of the circulatory system (16%), problems during pregnancy and child-birth (14%), the reproductive and urinary systems (13%), the digestive system (11%), cancer (9%), the respiratory system (9%), and injuries and poisonings (6%). In 1994 there was a slight increase in the frequency of women's hospital treatment due to respiratory system diseases [11].

Professional diseases. The professional diseases structure is different for men and women. The main professional diseases among women are: chronic diseases of vocal organ, due to their work in schools, contagious diseases, especially the hepatitis virus, skin diseases and professional injuries to hearing [12].

HIV / AIDS. The first Polish HIV infection was noted in 1985, and the first AIDS case in 1986. Since that time a rapid increase in the number of infected, including HIV infected women has occurred. In 1988, it was estimated that the ratio of infected women to men was 1:20; in 1994 this ratio was described as 1:4. Births of HIV positive children have also been recorded [13].

Hormonal therapy. In Poland there are serious delays in the application of scientific achievements in the area of hormonal therapy.

Medical discoveries related to women's health-care (perinatology, gynaecological oncology, surgery gynaecology, gynaecological endocrinology) are still underdeveloped and are not taken into account in the plans for health-care system development. In the entire country there are only 4 clinics specialising in gynaecological endocrinology with 80 beds. Only 1-2 gynaecological endocrinologists are trained yearly while the need is for 10 times as many.

The gynaecological problems of adolescents are addressed as "an addition" to the gynaecology of adults. Similarly, the area of infertility treatment (a problem in 17% of families) is unable to implement the newest achievements of modern medicine, mainly due to poor infrastructure.

During the last ten years oestrogen therapy became very popular among women in highly developed countries. In Poland, according to rough estimations, only 1% of women are treated with hormonal medicines, while up to 5% realise that they need such treatment [14].

Some initiatives of non-governmental organizations in the area of health [15]

A. Related to the reproductive period

The Association for Women's Health Promotion in Kowary focuses on prevention, diagnosis and treatment of women in the event of pregnancy, child-birth and reproductive organ diseases. The group organises training courses and raises money to treat women.

"Gazeta Wyborcza" started a daily program entitled "To give a birth in a civilised way" in order to improve the condition of maternity hospitals and to give women a choice in deciding where to give birth through publishing credible information on-separate hospitals.

B. Related to oncological diseases

The Federation of Amazons' Clubs organises support groups for women after mastectomies in many Polish cities.

The Association of Women with Oncological Problems in Lomza carries out activities related to health promotion, oncological disease prevention, assistance for families of women with oncological problems, rehabilitation, and psychotherapy. The association also runs a hot line as well as publishes an information bulletin.

The Cultural Centre in Szczecin has organised training courses for 700 nurses who are supposed to teach women how to perform breast self-examination.

C. Related to menopause

The Organization for Family Assistance, The Programme for the Promotion of Women's Health Before and During Menopause has organised eight-week training courses about menopause include the lectures on diet, psychiatry, psychology, endocrinology and gynaecology as well as gymnastics for women.

D. Related to the environmental problems

Tested Food for Silesia is a women's initiative associated with the Polish Ecological Club. As a result, a network of stores has been organised which carry healthy vegetables from environmentally clean areas. In addition, they have organised the delivery of healthy vegetables to nurseries, kindergartens and hospitals.

Setting the Agenda: Women and Environmental Health is a project implemented in Wroclaw. Its aim is to identify the diseases caused by environmental pollution and to organise a local women's lobby to influence decisions related to environmental and health issues.

E. Organisation of care for disabled and ill people

State health-care does not cover the care of many disabled and ill people. The initiatives of non-governmental organizations, implemented through foundations and associations are the only chance to improve the living conditions of these people. Women have started many initiatives of this type. The Centre of Children's Therapy opened by two graduates in special education is one such example. They have overcome enormous financial and organizational problems in order to create a unique place for mentally disabled children. At the moment, this is the leading centre in this area which provides comprehensive assistance to a child and her or his family. The Foundation for Children with Oncological Disease (in Warsaw) is another example. However, mothers and children from rural areas are out of reach of any help. The assistance of the state in the care of disabled child is limited to a symbolic financial allowance.

Women also created and implemented the programme "ATRIUM" Integration Living Area. The area is designed to provide proper living conditions primarily for the disabled, elderly and children who need special care. The area will provide independence in terms of basic health-care, working places for disabled persons, and mothers on maternity leave in order to facilitate economic problem solving.

Final remarks

The social policy of the state arouses many doubts. Official slogans, related to the anti-abortion campaign, that "life is the highest value" are not reflected in the decisions of the government. The low percentage of the state budget which is allocated to the health-care system and

environmental issues prove that in reality neither health nor life are considered the highest social value. The medical staff is poorly paid thus leading to the unfavourable and demoralising phenomenon of payments for "a free health-care system".

The daily practice shows that more and more patients are forced to pay for consultations, treatment or surgery, because legally-guaranteed free medical care is, in many cases, not available (lack of specialists, long lines, and appointments needing to be made very early). The quality of the state health-care is also quite poor (rushed, very rough examinations, bad attitudes towards patients). Payment for supposedly free services has become more and more typical.

The principle of promoting spectacular successes in medical technology rather than pursuing preventative health care is still common. The development of heart transplant technology rather than encouraging the prevention of circulatory system diseases provides one such an example. The same means spent on preventative medicine would improve public health over all and thus benefit all of society.

Recommendations:

- 1) Develop the field of medicines related to women's health problems.
- 2) Train and to improve specialists in these areas.
- 3) Strive for full access to medical service for women in all stages of their lives.
- 4) Introduce a wide programme of cancer prevention among women.
- 5) Introduce high quality women-friendly medical services.

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APPENDIX (an interview with mother of a disabled child)

I am Kubuś' mother. My son suffers from children's brain paralysis. As a mother so tried by fate I have never experienced any special care from the state related to my son or to other ill children. Since his birth I have faced indifference and a lack of responsibility in conjunction with the high professionalism and devotion of those who had to correct the previous mistakes. Kubuś was born in the end of the 7th - the beginning of the 8th month and he received 8 points on the Appgar scale. As a prematurely born child he was placed in an incubator: a non-sterile one, without oxygen support and without constant monitoring. After 12 hours I learnt that his state was critical and he had poor chances to survive. (...) Since that moment the fight for his life started. After leaving the intensive care ward, every 2 or 3 weeks Kubuś visited different physicians. He was under constant care. When he was five, doctors started to suspect brain paralysis, but because of the holiday season, his rehabilitation did not start until he was six.

In fact, I was looking for help by myself. I visited a lot of cities for consultations, like the Foundation "For a Child's Smile" in Cracow. For two years Kubuś has attended the rehabilitation-diagnostic centre of the Foundation "To See More" where he has proper motion rehabilitation, eye sight therapy, musicotherapy, and where he meets with a psychologist (...) He has a chance to attend classes structured according to the Denison method in the swimming pool, organised by another foundation. Additionally, we work at home very intensively. I write: "we" because Kubuś is lucky to have his daddy by his side who loves him and fully accepts him. I am able to see how lucky this really is. Among 40 children in the centre, 10 have family problems - are brought up by single mothers, a grandfather and one is from the orphanage. The mothers typically were left by their husbands when it turned out that the child was disabled. Even in full families it is quite common that the mother alone takes care of the child because the father is reluctant to do so. That is why I know that having loving father is very fortunate for my son. Under the circumstances, when the health-care system is not able to provide any assistance, only a loving family can help. Only then is there a chance that possibilities, disregarded by neglectful doctors, can be found. (...) If it had not been for our work as parents, supported by helpful people from different foundations and associations, Kubuś would have remained at the same level of development as before. Had he lived in a town or rural area his chances would have been close to zero.

From the first battles for Kubuś' life I have been supported by my husband. But every mother knows how much I have to struggle within myself. I have a university education, I had my career and I was successful. I wanted to work on my Ph.D. Since Kubuś was born I have kept in touch with my beloved work, but only as a part time job and without my previous ambitions.

(...)I have had many conversations with other mothers in the same situation. I asked them what centres their children attended. It turned out that after the diagnosis the mother received the allowance in the amount equal to two packs of Pampers and then the assistance from the state

was over. Only a few mothers looked for help by themselves, many decided to stay at home with their child, disappointed and unhappy.

At present we live in an apartment located on the corner of two main streets, amidst noise and pollution. Three persons occupy a 16 square metres room but there is a chance to move out to the Integration Living Area. Kubus will have a friendly environment of nice people. The example of my friend demonstrates how important it is. She was taking a walk with her family. She was walking alone, with a wheel-chair, while her husband and parents walked several steps behind. They were ashamed to walk with the disabled child. I think that changing such attitudes towards disabled people is the most important mission of women. (...)

Anna Grossman

The Anti-abortion Act

In March 1993, a law was enacted that clearly attacks the rights of women to decide whether or not to give birth to a conceived child. It replaces the much more liberal and modern law governing termination of pregnancy passed in 1956 and in force for 37 years.

The present law justifies abortion exclusively on medical or criminal grounds, to be performed in public hospitals only. On pain of imprisonment no doctor may induce termination of pregnancy for social reasons. Statistics from earlier years show the main reasons women decided to abort were social, mostly to do with difficult family living conditions. In 1980, 98% of pregnancy terminations performed in hospitals were for social reasons, in 1990, 94% [1]. Clearly the anti-abortion law mainly affects the poorest women and families with limited knowledge of family planning and often little ability to solve their own problems.

The "Family Planning, Fetus Protection and Conditions of Admissibility of Abortion Act, 1993" says a great deal about the duties of the state to women and families in the area of procreation. Section 2.1 of the Act lays down the obligations of government and local authorities to assure pregnant women healthcare and financial support in cases of hardship, and to make information available about the entitlements and allowances for pregnant women, families and mothers, both married and single. The authorities are also duty-bound to provide easy access for all citizens to information about reproduction. Section 4.1 requires the introduction of education on sexuality, informed childbirth and methods of birth control to school curricula.

Its consequences

The Act has been in force for over two years and its affects on women and families are already evident. The extent the state has fulfilled the obligations contained therein is also evident

The Federation for Women and Family Planning produced a report which states that the anti-abortion Act is a great deal more restrictive in practice than on paper [2]:

- Access to legal abortion, i.e. on medical or criminal grounds, is made difficult;
- Women come up against great difficulties getting medical referrals authorizing termination of pregnancies, as public health service doctors (especially in small towns and villages) are often apprehensive because this reflects badly on the community;
- Doctors who are afraid to make the decision to abort, even though they consider it justified, try to evade responsibility by referring the women to other doctors. This fear of authorizing abortions, due to a lack of precise definitions of proper medical grounds in the Act, compels women to go to very expensive and illegal private practices;

- In cases where termination of pregnancy is indicated on genetic grounds, many women living outside main population centers have no access to pre-natal examinations. Doctors in small towns and villages do not usually refer women for such examinations, and often themselves lack basic knowledge of the subject.
- Women pregnant through an illegal act also encounter other difficulties. The Federation is aware of many cases (via both women and doctors) where women who have been raped have difficulty getting prosecuting counsel to certify that an offense was committed.

Women who, despite the law, do decide to terminate pregnancies (perhaps because of very poor family living conditions) have a number of options:

- They can find a private doctor who will induce an illegal abortion for a high fee;
- They can go to agencies specializing in organizing trips abroad, usually to Russia where abortion is legal even for foreign women, relatively inexpensive and well performed. There are also agencies organizing trips to western countries such as Germany, Austria and Holland. The costs in these cases are a lot higher and not many women can afford them.

The induction of miscarriages by using the primitive and risky methods, or by going to non-professional abortionists has also increased since the passing of the anti-abortion Act.

It is difficult to estimate how many women opt for any of the above options. According to the Federation for Women and Family Planning information, the Act, clearly passed to reduce the number of abortions, has failed to achieve its objective. It has, however, plainly succeeded in exposing women to stress, suffering and tragedy. According to Ministry of Health information, the number of pregnancy terminations performed in hospitals has dropped markedly from 11,640 in 1992 to 676 in 1993, but miscarriages increased by 1255 as did cases of neonates abandoned in hospital by their mothers (by 153). The Ministry report mentions one case where termination was refused despite the mother having a Prosecutor's Certificate of Offence and a history of three stillbirths due to early pregnancy complications. [3]

The Ministry of Health information further suggests that there is no guarantee of wide availability of contraceptives, and that devices on sale in pharmacies are too expensive for the average citizen (not eligible for 30% discount which applies to most medications). A Ministry report cites breakdowns in family life because of women's unwillingness to have sexual relations for fear of becoming pregnant. It also states that the number of women for whom pregnancy can pose a threat to their health, i.e. 35-45 year-olds and sufferers of various diseases, is growing. It is reasonable to suspect that a large number of such women are not informed about possible pregnancy-related risks to their health.

The Ministry of Justice report also reveals that in the first year after the anti-abortion Act became law, there were 53 prosecutions against people involved with arranging abortions, 33 of which were dropped for lack of evidence. However, the report also states that the scale of illegal

abortions could be much larger than the data suggest because no information reaches the authorities if the abortion proceeds without complications. [4]

Pregnant women in hardship situations who should, under the Act, receive state assistance, do not do so in practice because the Ministry of Labour and Social Welfare does not have the resources to discharge its obligations. A great many pregnant women do not receive the financial support they are entitled to by law.

Contraception

A representative 1991 study of fertility in Poland revealed that 80% of mothers did not use any contraceptive measures at all before having their first two children [6].

This study also reports: "the results of studies of young people's sexual attitudes leave many questions unanswered due to the fact that sexual relations are a taboo subject in Poland, reluctantly talked about, whether in the family, school or circle of friends".[7] One of the studies reveals that although various contraceptive methods are generally known to young people, only about half of those engaging in sexual relations actually use any. The most widely used methods include the condom (30%), the pill (15%), and spermicides (9.5% girls). Natural methods are used by 3% of young people. [8]

Among those Polish married couples who practice birth control at all, the most popular way is the natural rhythm method, which is also the least reliable. Those who do practice any method usually live in the largest towns and cities, are aged 25-34, have higher or college education, and are in the highest income brackets [9]. Modern and highly effective contraceptives (the pill, IUD) are used by not more than 8-11% of the Polish adult population. A 1993 nationwide study by the Public Opinion Polling Center revealed that 63% of married couples who already have children do not use any contraceptive measures [10].

The Federation's telephone help lines indicate that many women use no birth control at all for religious reasons, or from lack of information on contraceptives, or because of their high cost. A significant factor here is the Catholic Church's campaign against abortion and birth control, even extending to the use of condoms to prevent infection from AIDS. It must be emphasized that sterilization is forbidden by law in Poland.

The teachings of the Church put young and adult people alike in the mind that modern contraceptives are something inappropriate, shameful and morally wrong. This conviction, inculcated in early youth and constantly reinforced, has ill effects on the sex lives of many women and men. Even if couples are well acquainted with contraceptive methods and do not wish to conceive a child, this is often not enough to encourage them to use contraceptives. If they do eventually decide to use contraceptives, they often suffer feelings of guilt. Breaking through this

kind of conviction takes time, and meanwhile sexual relations are tainted with negative emotions and fear, and frequently result in unwanted pregnancies.

Women often complain that doctors give no information on birth control and do not prescribe contraceptives. Many doctors only give advice on the natural rhythm method, whilst others (particularly in small towns and villages) actively condemn hormonal methods or IUDs. Some doctors simply lack knowledge about the latest birth control methods, whilst others fear censure from the Church. Very young women often show lack of elementary knowledge about their own bodies, preventive healthcare, and family planning.

Sex education

Sex education is, for all practical purposes, non-existent in Polish schools. The Ministry of National Education is obliged under the anti-abortion Act to introduce this subject into school curricula, but in practice is dragging its feet. Textbooks officially accepted by the Ministry reflect the Catholic world view and lack information on the latest advances in world medicine, perpetuating instead the old stereotypes of sexual life and procreation.

There is a shortage of properly trained teachers with the experience to impart this knowledge. There is also a shortage of literature (books and textbooks) and other sources of information. As a result, the majority of men and women do not know which contraceptive methods are the most effective.

Conclusions

Although there have been no complete studies on the effects of the anti-abortion law, the experiences of the Federation for Women and Family Planning and government reports strongly suggest that the Act is ineffective and an incitement to criminality, exposing many women to serious health risks and incessant stress due to fear of unwanted pregnancies. It has to be said that the state is categorically *not* meeting its obligations of social assistance to pregnant women and their families in situations of hardship, sex education is *not* being implemented in schools; the mass media is *not* publicizing safe sex and informed childbirth information; and general access to contraceptive measures is *not* being improved.

Recommendations:

- 1) Liberalize the 1993 anti-abortion law.
- 2) Publicize safe and responsible information about sex (particularly to young people)
- 3) Make effective contraceptive devices widely available, so that the only children born in Poland are those that are wanted and planned by their parents.

Initiatives of non-government organizations

In 1992 the Federation for Women and Family Planning came into being, taking nine organizations under its wing, and is presently running a two-pronged campaign:

1. to change the anti-abortion law by promoting community-wide lobbying of members of parliament and commissioning reports about the consequences of the law and its effect on women's health;
2. to provide education on family planning, contraception, and sexuality, partly by running a telephone help line for women, and partly by running school sex education programs and issuing publications.

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VIOLENCE AGAINST WOMEN

In Poland, violence against women has not yet been adequately recognised as being a grave social problem. So far only feminist circles have treated the issue with due interest. They have pointed out that the issue should be taken into account by the government in pursuance of its social policy.

For the time being, a system of specialised assistance and therapy for women who have fallen victim to violence has not been developed. There are no official statistics concerning violence and scientific inquiries into the subject of the domestic violence and violence against women and children are scarce while their results do not allow us to estimate the full extent of this phenomenon.

Violence towards women occurs in two spheres: private (rape and abuse of women in the family) and institutional (violence used by the police, in reformatories and courts, forced gynaecological examinations before employment, and in maternity clinics).

The ill-treatment of women and rape

Statistical data referring to the two types of crimes show that violence against women in Poland is particularly cruel:

- ill-treatment of a family member (Article 184 of the Penal Code);
- rape (Article 168 of the Penal Code).

The greater part of the victims are women. The number of convictions for such crimes has visibly increased over the period between 1990 - 1993 (from about 9,000 in 1990 to about 10,500 in 1993). The number of rape cases reported to the police in 1993 amounted to 1313 and was over 40% higher than in 1981. "Experts claim that the actual number is 10 times higher than the one noted by the police. A lot of women do not report such crimes to the police for the reasons of fear, guilt and shame, imprinted on their minds by the tradition and culture." [1] It should be emphasised that in the cases of convictions, courts usually pass the lowest possible sentences. Moreover, the police do not run statistics providing information about the victims.

The Polish law (Article 168, §1 of the Penal Code) defines rape and the penalty for the perpetrators in the following way:

" Who, by means of unlawful threat, or deceit, forces a lewd act on another person is liable to a penalty of 1 to 10 years. According to the data of the Ministry of Justice, 51% of the of the defendants under this paragraph are sentenced for 1 to 2 years of imprisonment, 30% for 2 to 5 years and 21% for more than 5 years. Moreover, approximately 30% of the judgments passed are changed to suspended sentences.

According to Polish law, rape is a crime against personal freedom but, in practise, the police and courts treat it as customary incident resulting from the provocative behaviour of women. Although in 1972 and again in 1979, the Supreme Court released instructions to the lower courts, ordering that they apply the law in accordance with its letter, (...) judges admit evidence which, according to the regulations in force should not be taken into consideration. In addition (...), [1] during the trial the attention of the court is focused on the woman, „who must prove that there has been nothing in her behaviour that might have provoked rape.“[2]

Cases of rape and forced sexual intercourse occur fairly often in marriages. Women, do not report such incidents, as crimes, because they are ashamed of their situation and they are afraid of public opinion. Furthermore investigations in cases reported by women are not instituted on account of the low credibility of the evidence, according to the police or the prosecution, (e.g. the police require women to procure numerous medical certificates, and numerous visits to the police station.) Women who are raped are not provided with any psychological assistance, counseling, or help in what is for many such a difficult situation. Moreover, there are not enough shelters for maltreated women.

According to the results of research conducted in 1993 by the Public Opinion Research Center on a representative sample of 1087 adult women, 8% of them had been repeatedly battered by their husbands and a further 8% had been beaten sporadically, that is to say 16% of women admit to being subjected to violence. Divorced women admit it far more often: 41% stated that they had been repeatedly beaten by their husbands and 21% that it had happened sporadically. Some women, however, keep the fact that they are, at times, being battered secret. This is shown both by the data on the confirmed cases of maltreatment and, indirectly, by the responses of these very women to the question of whether they know any women who are beaten by their husbands during domestic conflicts. 41% of the married women and 61% of the divorced women asked answered: "yes". [3] Among the reasons for the divorce given by the divorcing persons, 32% of women refer to physical maltreatment, while in the case of men it is 2%.

Maternity clinics as a place where institutional violence is used.

The fact that Polish women are often badly treated in maternity clinics may serve as an example of the institutional violence. [4] The subject is worth a few additional words since most women in Poland give birth in maternity clinics.

"With a plastic bag which, in accordance with the recommendations included in every book on pregnancy and birth, contains her identification card, pregnancy card, a towel, a bar of soap, and a tooth-brush as well as slippers, the pregnant woman enters the world of the totalitarian institution".[5] Women must conform to the strict rules of the clinic, and until the child is born, they are on their own, without relatives and can only keep in touch indirectly, by phone or post.

In the admitting room, women receive a night-gown (usually too short) are subjected to an obligatory shaving of the pubic hair, and to an enema. The process seems to be designed to deprive women of their identity in order to make them docile, passive, and submissive. If, before coming to the clinic, the woman hoped that the birth of her child would be a meaningful, personal event, taking place among people who would ensure her understanding, safety and support, she loses that feeling when she walks from the admission room to the delivery room.[6]

The medical staff also imposes strict rules during the delivery. Women must lie on a high delivery bed and is not allowed to get up or to walk around. A member of the staff appears once every hour to check the dilatation but apart from this, women are simply left by themselves. There is no one to ask if everything is going well, because the staff members consider these questions to be just a symptom of hysteria, oversensitivity and a lack of emotional balance. During labour women are surrounded by the medical staff. In the least comfortable and the least physiological position, distracted by the crowd and excessive instruction, often supported (without her consent) by birth accelerating medicaments, Polish women give birth to their children whom they can see for only a moment after delivery. The baby is immediately taken to the neonatal ward and brought to her or his mother to be fed only after a few hours. For the next several days, mothers can see their children only during feeding.

Prostitution and trade in women

Any discussion of violence against women must include the phenomena of prostitution and trade in women. The Polish penal Code includes an article which stipulates that one who procures, lures or abducts a person, even with his or her consent, in order that such a person can practice prostitution, is liable to penalty of imprisonment for a period not shorter than 3 years.[7] Prostitutes themselves in Poland are not punished but persons inciting to, and materially benefiting from, prostitution are prosecuted. In spite of this, numerous, so called, "social agencies", which in fact, coerce women into prostitution have been established. It should be noted that the state is not interested in restricting this phenomenon because it benefits from prostitution thanks to taxation on escort services.

Political transformation and its consequences have forced many Polish women to go abroad to seek better income. "Some of them have fallen victim to organised, international gangs trafficking in women. Such women have signed contracts with the non-existing firms as, for example, baby-sitters, cleaners, waitresses or dancers in night clubs. After their arrival, they are usually stripped of their passports and forced, by beating, rape and deprivation of food, into prostitution. Even those women who agree to work as "sex workers" only do so because they have run into debt and have been coerced into prostitution by the owners of the clubs. Yet they could not get out..."because they were blackmailed by threats that their involvement in prostitution would be disclosed and by threats of violence against their families". [8]

In Poland, the phenomenon of the trade in women is rapidly growing: in 1989 there was one case reported; in 1992, 3; in 1993, 12; and within the 3 first quarters of 1994, up to 49, 48 of which have been brought before the court.

There is also a lack of information about women (often from the former Soviet Union) and the conditions they face working in Polish sex clubs. After 1989, the police ceased registration of prostitutes and control of their health, so there are no official data illustrating the scale of the phenomenon.

These spheres of social life seem to be beyond the state's scope of interest. Only women's and feminist organization recognize prostitution and trafficking in women as a problem and have undertaken activities aimed at forcing the Polish government to comply with the United Nation's provisions counteracting violence against women.

Recommendations:

- 1) Implementation of mechanisms safeguarding the execution of the existing regulations of Polish and international law, including:
 - a) raise women's consciousness with regard to their rights and possible forms of protection thereof;
 - b) organize training for the staff of law enforcement agencies and justice administration in order to eliminate patriarchal interpretation of the law;
 - c) develop legal procedures protecting victim's interest;
 - d) instruct doctors (especially GPs) so that they are able to recognize cases of domestic violence, and provide medical statements.
 - e) abolish the charging for medical statements;
 - f) create a system of financial and professional support from the state for nongovernmental organizations working against violence towards women;
 - g) create legal mechanisms and social norms opposing sexual harassment and obtrusiveness, in both work place and schools.
- 2) Initiation of educational programs aimed at alteration of social attitudes towards women. To this end one should :
 - a) strive to change detrimental stereotypes and prejudices concerning women;
 - b) introduce to schools consciousness raising programs informing children and youths of the extent of their rights, and teaching them how to cope with the threat of violence.
 - c) launch a consciousness raising campaign through the media, aimed at raising women's social standing;
 - d) conduct comprehensive research on the subject of violence against women; making criminal statistics gender-specific.
- 3) Creation of a system opposing violence against women and providing assistance to the victims. To this end one should:
 - a) widen the scale of legal, family and medical counseling;
 - b) build a network of telephone hot-lines and therapy centers accessible 24 hours a day.
- 4) Divorce cases should be transferred from the provincial to district courts in order to simplify the procedures and to accelerate judicial decisions.

5) Representatives of social organizations should be allowed (on request of a party) to take part in the divorce proceedings as well as in other cases involving violence.[9]

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Preservation of gender stereotypes during the socialization process

From the first years of their life, Polish girls and boys are exposed to a different process of socialization based upon their gender. Very often one can hear mothers' remarks related to "inappropriate" behaviour addressed to their 3-4 years old children: don't cry, you're not a girl, be a brave man, don't get dirty and don't act like a boy, a girl has to be clean and polite..

During primary children become familiar with the place of women and men in society in a very specialized and effective way. Teachers, often completely unaware of this fact, use manuals that propagate a patriarchal model of the family and the world. Both pictures and texts printed in the manuals, strengthen a child's consciousness about behaviour "appropriate" to their gender.

Such activities, as setting the table, feeding hens, playing with a doll, pouring juice, drawing flowers, making dishes taught to young girls. Young boys, on the other hand, are taught to make model of planes, play chess, be interested in spaceships, fish, collect stamps.

According to these children's texts, only boys go for holidays and experience different adventures. Already at the level of primary education girls are taught to be responsible for men's appearance and are made guilty when they do not meet the expectations. Only boys have plans and perspectives: "Peter said: When I'm grown up, I will become a poet (...) and you will have to call me "Master"(...) Krysia finished the conversation on poetry and started to set a table for dinner".

Generally, women are shown only mothers and housewives. It is the woman who does all household jobs, cleaning, cooking, serving meals, shopping, washing, sewing, making dishes („my mother takes care of the whole household"). Moreover only, women put in child-care - washing and feeding a baby, going with children for a walk, taking them to the doctor, taking care of a sick child, helping children with their home work, discussing their school problems with them, etc.

Such a mother usually does not work, does not have any friends or acquaintances, has no interests and in fact does not take part in any life outside the house. Her contacts with other people are limited only to meetings with relatives.

The only information about her work is secondary to her primary role as mother and housewife: mom is on duty, mom will come back from work and she will not be able to prepare dinner. This out-of-house activity is not a subject of admiration or respect. The manuals leave no doubts that only father's professional work is important or valued.

The mother is loved by her children („My mom is the best of all"), she receives flowers and scrolls on Mother's Day. The mother is always mentioned with warmth and care: „My mother is tired, but she

More specific data related to the employment of women in educational field are available in relation to higher education. Although women make up the majority of students and graduates, they are less frequently employed as assistants, i.e. at the first position which acts as an introduction into an academic career. This may not be a result of discrimination, but rather of unequal participation of women in different departments. The fact is that the application for the position of an assistant results from the professor's proposal, who is usually a man.

The course of the academic career of men and women is different. While in the academic year 1991 women made up 43.1% of assistants, they made up 34.6% of assistant professors, 19.3% of associate professors and 15.1% of professors (see Table 1).

Table 1. Percentage of women among teaching staff in higher educational institutions in Poland

Years	Professors	Associate Professors	Assistant Professors	Assistants
1985-86	12.9	19.4	33.3	38.5
1990-91	15.1	19.3	34.6	43.1

Source: R. Siemieńska: Academic Careers in Poland: Does Gender Make a Difference, "Higher Education in Europe", vol. XVII, No 2, 1992.

In 1985, women made up 29% of the people whom had obtained doctoral degrees and 20% of those whom had obtained doctor habilitas. In 1990, 31% of persons with doctoral degree and 21% of those with doctor habilitas were women. In 1985, 54 women were promoted to the level of associate professor, thus bringing the level of women university professors to 18%. In 1990, 79 women (20% of all promoted) were promoted. In 1985, the title of Professor was given to 18 women (14%) and in 1990 - 39 women (20%).

Women researchers are concentrated in certain fields as demonstrated through the analyses of women's participation in doctoral and habilitas doctoral degrees programs. In 1990, women made up the majority of newly promoted doctors of pharmacy, almost one half in biology and medicine, more than one third in law and humanities. Among newly promoted habilitas doctors, women made up about one third in pharmacy, biology, and medicine. In other fields, their participation was smaller (See Table 2).

In Poland, there are no instruments that support women in attaining higher academic degrees. Family obligations are the primary reason for resignation of women from their academic career.

Table 2. Nominations to Doctor Habilitated and Doctor degrees according to scientific field in 1990

Special Field	Doctor Habilitated		Doctor	
	In total	Women	In total	Women
Biology	62	21	164	79
Chemistry	35	5	80	17
Economics	94	26	156	42
Pharmacy	10	4	26	19
Physics	54	4	83	10
Geography	1	-	-	-
Forestry	1	1	5	-
Mathematics	28	4	57	-
Medicine	129	40	455	205
Humanities	187	54	536	192
Political science	1	1	1	-
Technical science	201	7	420	59
Law	38	11	43	16
Agriculture	92	27	173	55
Theology	8	-	25	-
Veterinary	11	1	19	2
Army	12	-	45	-
Physical Education	9	-	36	9

Source: R. Siemieńska, quoted, page 75

Recommendations:

- 1) Eliminate texts or whole manuals that strengthen the stereotypes related to male and female role.
- 2) Support women in developing their technical interests and skills.
- 3) Establish Women's Studies as undergraduate and graduate programs.

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MIGRANTS AND REFUGEES

The phenomenon of immigration and refugeeism is new but increasing yearly in Poland. So far, the situation of migrants and refugees has received little attention. We would like to begin to address some of the aspects of the situations migrants and refugees in Poland.

Immigrants

Because of its geographical location, between countries that emerged after the collapse of the Soviet Union and Germany, during the last few years Poland has become a transit territory for many foreigners. In 1994 alone, about 120 million of people crossed Polish borders (we do not know how many of them were women).

The border statistics register only entrants, but they do not say how many persons actually leave Poland, making it difficult to establish the number of people staying in Poland illegally, i.e. persons who are not registered.

Some foreigners register their residency - about 30,000 hold a permanent residency card and a legal job. Others (about 1000 - 2000) apply for refugee status. A large portion of foreigners stay in Poland illegally. These people do not apply for a change of status and thus are not listed in any statistics. Rough estimates state that about 100,000 of foreigners are illegally employed. It seems, however, that the number is much higher (the number of Romanian gypsies, coming to Poland with whole families and living by begging is estimated to be about several thousand per year). In relation to illegally employed persons many law violations take place, including breaking the labour code, extortion, robbery, and rape.

The phenomenon of illegal immigration that exists in all developed countries is even more alarming in Poland because of the weakness of state and local structures. Illegal immigrants (including women) are deprived of any form of assistance, including legal and health-care.

Female refugees

A foreigner, who applies for refugee status, can expect some help from the Polish government. The help means, first of all, accommodation in special centres until the decision about refugee status is made. The criteria that determine the right to stay in the centres are quite unclear: cases of women with small children being refused have been reported. On the other hand, although their applications were ultimately rejected, there are cases of women with small children who were allowed to prolong their stay for humanitarian reasons.

All people accommodated in the refugee centres are subject to obligatory medical check-ups. For some of them, especially for Muslim women who have different cultural practices, the medical check up becomes a problem. There have been cases when families with small children were

expelled from the centre because of their refusal to have the medical check up. This type of conflict could be easily avoided if the physician were from the same ethnic group or was a woman.

All persons who apply for refugee status, irrespective of the place of residence, have the right to free medical care and all children have the right to free primary school education.

After a positive decision on refugee status, the refugee has the right to enjoy the social benefits of Polish citizens. In accordance with family rights, each adult in the family receives separate refugee status. Once permanent residency and legal employment are established, each family member receives a one-time money allowance in the amount of \$850 (i.e. about 3.5 times the average monthly salary in Poland). Afterwards, the states is without future obligations to the refugees. From that point, these obligations are supposed to be the concern of local communities and authorities. These institutions are, however, too weak in Poland to implement refugee programs and in fact, we do not know what happens to refugees after their initial benefits run out.

The situation of people applying for refugee status in Poland is made even more difficult because non-governmental organisations still play a very marginal role. There are very few of them which address refugee issues and they are without sufficient means to create new programs. The situation of female refugees seems to be even more difficult. Due to their traditional role, obligations limit women's mobility and subsequent professional opportunities. The situation in the Polish labour market, (i.e. high unemployment) only creates future difficulties for refugees.

A person who does not receive refugee status can apply for a residency permit on the same basis as all foreigners. After receiving a negative decision, the foreigner can legally stay for two weeks in the refugee centre. At the conclusion of these two weeks the person is on his/her own and we do not really know what happens to them. It is likely that a majority of these people try to cross the border illegally.

Refugees who do receive the right to stay in Poland face a society wholly unprepared to accept refugees into their culture. For many Poles living in the neighbourhood of the refugee centres, the people who stay there do not reflect their picture of war victims. Language and cultural barriers, a separate status and lack of information play important roles in shaping negative attitudes towards refugees. According to a sociological survey carried out by the Centre of Public Opinion Research in September 1994, compared to the previous year, the sympathy of Poles to other nations has decreased, while their antipathy has increased (the survey was not related to refugees - we quote them in order to show the increase in xenophobic attitudes in Polish society. Poland is almost a uni-national (national minorities are 3.4% of the whole population - based on the same survey) and one-religion country (Roman Catholicism dominates).

Massive transformation of the Polish economy have created many negative social phenomena: high unemployment, impoverishment of whole social groups, dissolution of state social welfare programs, acute housing shortages, increased criminality. These phenomena prevent many

refugees from choosing Poland as a country of final destination. In 1994, 56% of persons who stayed in refugees centres left without informing the authorities of their decision (probably the majority of them left Poland illegally). In this group, as in the whole population of refugees, 70% were women and children. This statistic suggests their strong determination not to stay in Poland. In spite of ratifying the Geneva Convention, Poland is still not prepared to fulfill its obligations to refugees. Poland lacks a comprehensive programme protecting refugees and facilitating their integration into the society.

Polish women outside the country

Another problem involves Polish women living outside of Poland. To elaborate on this subject is beyond the scope of our research due to the lack of any data which would illuminate this problem. It seems that the conducting of such a survey as soon as possible might be useful.

Recommendations:

- 1) Include women refugees in activities carried out by women's organisations involved in assistance and professional advancement of women.
- 2) Give more attention to the real possibility of teaching Polish in the refugee centres and widen legal, psychological, and gynaecological counseling.

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THE SITUATION OF LESBIANS

In 1991, the Association of Lambda Groups was registered in Poland. It seemed that this moment would mean significant changes in the situation of lesbians, creating an environment where they could find themselves among people of the same orientation and a community of their own.

At the beginning, Lambda Groups actively worked to integrate of lesbians into their organization. The Lesbian Lambda group from Cracow organised three day sessions in different cities: Zakopane, Warsaw, Bielsko-Biała and Cracow for women to learn about their activities. Similar meetings were organised by the Warsaw group "Bilitis". These meetings were very important for lesbians because for some of them, it represented their first opportunity to meet other women with the same sexual orientation.

During this initial period, lesbians and gays cooperated closely. Many initiatives were implemented together, for example lesbians had their own pages in gay publications.

Unfortunately, these activities lasted only during the first years after the registration of the Association. Presently, there has been a visible decline of women's activities. What are the reasons for lesbian reluctance to work actively for their own community? Why do Lambda groups attract mostly men? The complex causes of this include:

- Lack of activists. To be a lesbian does not mean one is a social being and has organisational skills. In Poland, the position of a woman is generally weaker, the society is dominated by men, girls since childhood have been socialized into passive roles.
- Fear of coming out. Working for these groups or lesbian organisations requires some public appearances.
- Low need to come out and to associate. Women, in spite of sexual preferences, want a stable relationship. If a lesbian has a partner, she is often not interested in meeting other lesbians.
- Reluctance to cooperate with men (gays). In spite of their similar sexual orientation, many lesbians do not want to work with gay men.

The low levels of activity of lesbians does *not* mean they feel comfortable in Poland. It means rather that they feel discriminated against.

The term "lesbian"

The term „lesbian“ has itself very bad associations in Polish society. The mass media is partly responsible for this negative image. There has never been a film about lesbians which had a good ending. A lesbian is almost always presented as an ugly, very often dishonest person. If she is nice and honest, she can expect a very tragic ending. These portrayals suggest that a homosexual woman cannot be happy, honest or pretty and that all of these attributes are reserved for heterosexual women only. The newspapers, writing about a crime committed by a homosexual,

never forget to stress the perpetrators sexual orientation, something which never happens if the criminal is heterosexual.

Lustration Act

Poland is now in the process of adopting draft legislation "On the requirements for higher office in the Republic of Poland". The document provides that the candidates will be evaluated morally in order to determine whether or not they are susceptible to blackmail. According to the interpretation of the authors, the evaluation should include questions about the sexual preferences of the candidate and a homosexual person should not receive higher positions in the state administration (from the department deputy director and up, as well as in the diplomatic service)[1].

Lack of possibilities to conclude official marriages

Lesbians and gays are not allowed to marry in Poland. Because of this, lesbians cannot use combined taxation, cannot automatically inherit property, and are unable to make any decisions for the partner in case of serious illness. Despite the fact that they are the closest persons to each other, according to the law, they are strangers.

Lack of publications and books on lesbian issues

Lesbians in Poland lack any publication related to their own life styles and situations. Every year gay publications tend to limit the number of pages (even to one page) where information for lesbians can be published.

In 1992, two women from Silesia tried to publish a newspaper for lesbians. Only one issue of "Sigma" appeared. There were problems with distribution, because during this period, Poland had only one distributor, RUCH, that rejected distributing defining the publication, calling it pornography. This description could not be related to the content (there was no pornography inside), but rather represents discrimination against lesbianism. In Gdańsk, there is "Violet Pulse" issued as an initiative of a Gdańsk group for gay-women. This bulletin is however, poorly promoted and of low quality and only few women have heard about it.

In the area of book publication, publishers seem to be afraid to publish books on and for lesbians due to cultural stereotypes.

Love between homosexual women is very often used in books and periodicals as stimulus for men or presented as a transitional stage in the development of women's sexuality. A lot of youth magazines present relationships between girls as a first step in sexual awakening, thus depreciating the relevance of women's homosexuality. They think lesbianism is a form of women's whims and temporary wants. If this orientation turns out not to be temporary, Polish society tends to think that women should receive psychological treatment.

(...) 10 years ago I confessed to a psychiatrist that I was a lesbian. He wanted to cure me from lesbianism (...) I paid a very high price. He put me (without my family's knowledge) in a mental institution, I was treated with psychotropic medicines. It was terrible! I spent two weeks in this hell. A wonderful female doctor saved me. I know how she had to fight this doctor, who started to <cure> me. She explained to him that homosexuality was not a disease and could not be treated. She defended me and thanks to her today I am a human being (...) [2]

Marriage

Traditional Polish upbringing forces Polish girls to get married very young because it reinforces the belief that an unmarried woman is less valuable than a married one.

Ask any woman who did not get married early enough, how many times she is asked about her wedding: How unfair life is to you, poor darling! I will introduce you to my cousin, he is an old bachelor, too - a little bit crazy and sloven, but still - a man! [3]

It seems that only lesbians with strong personalities have enough courage to resist this social pressure. Many lesbians, especially older ones, are or used to be married. Very often it was quite late then they started to realise that marriage to a man was not the right relationship for them.

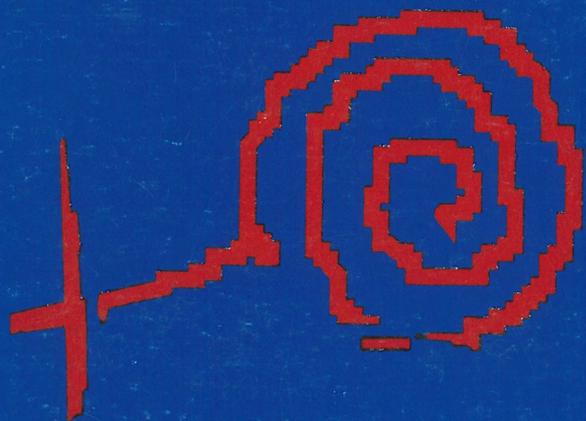
My wedding? It was a show to pleasure my parents or rather not to hurt them. After two years of an unhappy marriage I told my husband where the problem was and I proposed divorce. We have been discussing the subject for half of the year daily. Finally we decided he would not be interfering, just to make me stay [4].

Many women with different sexual preferences admit that they did not realise their homosexuality, that if they had had the possibility to read or to get information on lesbianism, they would have been able to define their feelings and wants much sooner. Unawareness of their own needs not only makes lesbians unhappy, but also their husbands and children. The inability to get free from the trap of marriage, especially because of children, very often leads homosexual women to alcoholism.

It often happens that married lesbians are blackmailed by their husbands. They threaten them with revealing their preferences to their family or to people at work.

My husband got mad (when I met my partner), he told my mother and she made a scandal at my work (...) quarrels, threats, following me, offences (...) And my permanent thought: what to use - a razor or gas? Has the world collapsed? It did not even shake. We survived - as well as our love. Everything is very difficult, but this is the price we pay for a lie, i.e. the marriage. [5]

lesbians are blackmailed when they have children. During the divorce, if their homosexuality is revealed, they lose their parental rights and children are placed in the father's custody. One of the gay magazines [6] described such a case, together with an appeal to lesbian mothers for legal help.



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