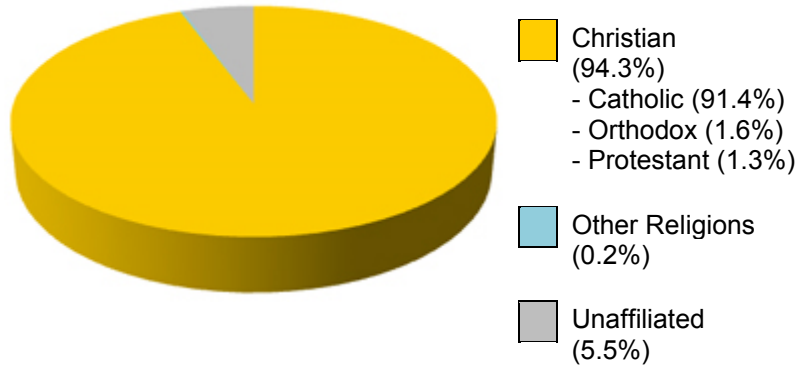


# POLAND



Population:	Area:	Refugees (internal)*:	Refugees (external)**:	Internally displaced:
38,300,000	312,000 km <sup>2</sup>	15,911	1,654	-
		<i>* Foreign refugees living in this country.</i>		<i>** Citizens of this country, now living abroad.</i>

The constitution of the Polish Republic refers in its preamble to the responsibility before God and also to the Christian inheritance of the country. Article 25 deals with religious freedom. The first three subparagraphs of this article cover the equality of the religious communities before the law, the obligation of the government to show religious neutrality and facilitate the free exercise of religion and the guaranteeing of the autonomy of the religions. Paragraph 25.4 defines the agreement between the government and the Catholic Church as the basis for mutual relationships, while the subsequent paragraph covers the relationship to the other religions, on the same basis. Article 18 defines marriage as a union between man and woman and commits the state to the special protection of the family. Article 48 guarantees parents the right to educate their children according to their own convictions and conscience.<sup>1</sup>

15 different faith communities have formalised agreements with the state. They are thereby guaranteed, for example, the right to perform marriage services without any additional civil formalities at a civil registry office. A further 158 registered faith communities have no such specific legal agreements with the state, which commits itself to the equal protection of all registered religious communities. Registration is not compulsory, and the free exercise of religion is guaranteed independently of it. The requirement for registration includes a minimum of 100 members and the presentation of certain background information regarding the activities, beliefs and structures of the community.

Since the signing of the Concordat in 1998, representatives of the Catholic Church meet together regularly with government representatives for discussions on relations between Church and State. Under this concordat religion is taught in the state schools. All religious education teachers, roughly half of whom are Catholic priests or nuns, receive a regular salary from the state. Religious education is arranged according to religious confession. The schools are legally obliged to facilitate the appropriate instruction, provided that at least seven pupils express the desire to attend such instruction. The exact form this takes is left to the free discretion of the religion concerned. There is also the option of attending a non-religious ethics course.

<sup>1</sup> <http://legislationline.org/documents/action/popup/id/16804/preview>

The criminal code bans public speech which offends religious sentiments. Breaches of this law can be punished either by a fine in the region of €1400 or by up to 2 years imprisonment. In October 2012 new guidelines were established to cover hate speech on the Internet, on racial, national or religious grounds.<sup>2</sup>

For some years now there has been a marked intensification of the conflicts between the religious communities (and especially the Catholic Church) and the exponents of a secularist society. The mass media in particular are creating an aggressive climate and seeking to make anti-clericalism into a socially acceptable phenomenon, it is claimed. One of the most egregious examples is the journalist Tomasz Lis, the editor in chief since 2012 of the weekly magazine "*Newsweek Polska*", which is published by the German media company *Axel Springer Verlag*. It currently has a circulation in Poland of between 170,000 and 200,000 copies and in the years 2010 was the market leader among weekly magazines. It is notorious among other things for its extremely offensive title pages, the favourite targets of which are either the Polish opposition politician Kaczynski, or the Catholic religion. Recently it was nominated by the Association of Polish Journalists as the "hyena of the year" – a negative distinction for particularly dishonest journalism. The specific reason for this was its cover page for Edition number 9/13, which suggests the paedophile seduction of a boy by a priest.<sup>3</sup> There can be little doubt that these cover illustrations form part of a deliberate anti-clericalist campaign. One had as its theme illegitimate children fathered by priests, while another depicted homosexual priests kissing.<sup>4</sup> Yet another depicted a sinister, hooded, monk-like figure. Another cover picture, along with the articles inside the magazine, suggested a conspiracy theory by Opus Dei in Poland. The implication was that the movement wielded extensive control over Polish society and politics and was highly secretive about its membership. Legal proceedings were taken against the magazine, and it was forced to retract these unfounded insinuations.<sup>5</sup>

A forerunner of Tomasz Lis is Jerzy Urban, the former government spokesman of the former, now criminally convicted, communist leader General Wojciech Jaruzelski. Since 1990 he has been publishing the satirical anticlerical magazine *NIE* (No), which, with a circulation at the time of up to 600,000 copies weekly, established the basis of an anti-religious platform within society.<sup>6</sup> The magazine continues to be published to this day. In June 2013 Urban was charged with offending religious sentiments. In one cover illustration Christ is depicted inside a "Forbidden" sign.<sup>7</sup> A third anticlerical magazine is that published by the former Catholic priest, Roman Kotliński and entitled *Fakty i Mity* (Facts and Myths), which sees itself as the mouthpiece of the anti-religious movement within Poland. One example of its articles was its special edition of June 2011, entitled "The Church against the People". In it the clergy are denigrated as the "most criminal grouping of all times". Examples of the titles of the individual articles include "They sow not, neither do they reap, yet they still have", "Cross, blood and tears", "Sex crucified" and "Heil Primate".<sup>8</sup>

The dissemination of anti-clerical opinions appears to go hand in hand with attempts to restrict Catholic access to the media. In April 2012 a crowd of over 20,000 people demonstrated in Warsaw against the refusal by the state radio council to grant a terrestrial frequency to the Catholic TV station *Trwam*, which is critical of the present government. The reason given for the refusal was the allegedly uncertain financial security of the TV station. However, both the owners of the station and the opposition Law and Justice Party criticised the decision as an attack on democracy and

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<sup>2</sup><http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dclid=208354#wrapper>

<sup>3</sup> <http://media2.pl/media/101475-Tomasz-Lis-nominowany-do-Hieny-Roku-za-obrazę-uczuc-religijnych.html>

<sup>4</sup> <http://wpolityce.pl/dzienniki/dziennik-marzeny-nykiel/47903-ile-urbana-w-lisie-czyli-kto-jest-naczelnym-newsweeka-kolejna-antykatolicka-okladka-nie-pozostawia-zluzden-czas-na-realny-bojkot>

<sup>5</sup> <http://wpolityce.pl/wydarzenia/65291-newsweek-przegral-w-sadzie-tygodnik-lisa-musi-sprostowac-insynuacje-o-niejawnej-dzialalnosci-opus-dei>

<sup>6</sup> <http://www.polityka.pl/kraj/analizy/1520916,1,zywa-tradycja-polskiego-antyklerykalizmu.read>

<sup>7</sup> <http://www.wprost.pl/ar/407038/Urban-oskarzony-o-obrazę-uczuc-religijnych/>

<sup>8</sup> [http://wyborcza.pl/1,76842,10563666,\\_\\_\\_Fakty\\_i\\_Mity\\_\\_\\_czyli\\_cep\\_antyklerykalny.html](http://wyborcza.pl/1,76842,10563666,___Fakty_i_Mity___czyli_cep_antyklerykalny.html)

religion.<sup>9</sup> According to the Catholic online portal [gosc.pl](http://gosc.pl), over 2.5 million people so far have signed an appeal against the decision by the radio council.<sup>10</sup>

The anti-religious sentiment stirred up by the media has resulted in acts of verbal and physical violence and acts of vandalism. In December 2012 a 58-year-old man threw a paint bomb at the icon of the Black Madonna in Czestochowa, one of the most important religious shrines in Poland, in an attempt to destroy it. Thanks to the armoured glass protecting it, the icon, which dates back to the Middle Ages, was undamaged.<sup>11</sup>

An ongoing legal case relating to public offence against religious sentiments concerns the tearing up of the Bible in 2007 by a well-known rock musician and satanist, Adam Darski, at a “Death Metal” concert. He also described Christianity as the “most murderous sect in the world”. Darski won his case at the initial hearing, since the court decided that insulting Christianity was a form of artistic freedom of expression; however, the case continued in January 2013. In June 2013 he was again acquitted, and the prosecution announced its intention to appeal.<sup>12</sup>

According to the German website *Deutsche Wirtschafts Nachrichten*, the EU Commission also intervened in the case, in defence of the accused (though in fact it has no authority in such matters). It scolded the Polish justice system for its laws and described them as contradicting European values.<sup>13</sup> Another similar case that made headlines was that of the female pop musician Dorota Rabczewska, who – speaking about the Bible – said in an interview in 2009 that it was “hard to believe in something written by people who drank too much wine and smoked herbal cigarettes.” In January 2012 she was convicted and fined 5,000 zloty (approximately €1,400). In June 2012 her appeal was also dismissed.<sup>14</sup>

In December 2011 a Catholic priest in the town of Suwalki was attacked and beaten up. According to the US State Department’s International Religious Freedom Report, the attack appeared to be religiously motivated, since his attackers took his prayer book but not his money.<sup>15</sup> Another scandalous case occurred in November 2013 when a drunken individual urinated on a group of young Catholics who were praying openly for the conversion of homosexuals. Earlier, this same group had been attacked with rotten eggs while protesting against registered homosexual civil partnerships.<sup>16</sup>

The anti-religious outlook of a section of the population led in 2010 to the formation of a self-professed anti-clerical and anti-religious party, the *Ruch Palikota* (Palikot Movement), named after its founder, Janusz Palikot. During the 2011 parliamentary elections this protest party, which drew attention to itself with vulgar “happenings”, gained 10% of the vote at its first attempt, and so entered Parliament as the third strongest political force.<sup>17</sup> Palikot was notorious among other things for a grotesque press conference, in which he fooled around with a vibrator, and for his insulting remarks about Conservative politicians. His party is demanding a radical exclusion of Church leaders from the public forum, the abolition of religious instruction in the schools and of state support for the churches, state-funded artificial insemination, free abortions, the legalisation of drugs, privileges for homosexuals and the dissemination of gender ideology. His provocative statements and actions have led to a deterioration in the political culture in Poland and made crude attacks on religion somehow socially acceptable, it is alleged.<sup>18</sup> One of the political demands made by his party, which renamed itself *Twój Ruch* (Your Movement) in 2013, was for the removal of a crucifix from the parliament building. In December 2013 his request was finally refused by the

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<sup>9</sup> [http://religionv1.orf.at/projekt03/news/1204/ne\\_120423\\_polen.html](http://religionv1.orf.at/projekt03/news/1204/ne_120423_polen.html)

<sup>10</sup> <http://gosc.pl/doc/1449445.2-5-mln-podpisow-za-TV-Trwam>

<sup>11</sup> <http://www.polskieradio.pl/5/3/Artykul/741185,Czestochowa-probowal-zniszczyc-obraz-Matki-Bozej>

<sup>12</sup> <http://polen-heute.de/nergal-triumphiert/>

<sup>13</sup> <http://deutsche-wirtschafts-nachrichten.de/2012/12/15/eu-verteidigt-christen-beleidigung-in-polen-kunst-soll-schocken/>

<sup>14</sup> <http://www.rp.pl/artykul/21,894222-Doda-skazana-za-obraze-uczuc-religijnych.html>

<sup>15</sup> <http://www.state.gov/j/drl/rls/irf/religiousfreedom/#wrapper>

<sup>16</sup> <http://www.gazetawroclawska.pl/artykul/1040253,wroclaw-pijany-mezczyzna-obsikal-modlacych-sie-na-rynku-film,id,t.html>

<sup>17</sup> <http://static.presspublica.pl/red/rp/pdf/sejm.pdf>

<sup>18</sup> <http://orf.at/stories/2083550/2083580/>

courts on the grounds that the crucifix did not offend the sensibilities of unbelievers. Opinion polls suggest that in recent times support for this party has dramatically fallen again.<sup>19</sup> There is currently a proposal in Parliament, promoted by the Left, for a ban on political and social statements by the Catholic clergy. The secretary general of the Polish Bishops' conference, Wojciech Polak, has described this as an attack on the constitutionally enshrined autonomy of the churches. Such a ban would make it impossible for the Church to speak out openly about social problems, he insisted.<sup>20</sup>

There were also occasional instances of anti-Semitic incidents and utterances in society. Anti-Semitic views are sometimes held by radical and often extreme right wing football fans. For example, in May 2012 a soccer hooligan shouted anti-Semitic slogans through a loudspeaker at a football match in Bialystok. He was arrested soon after and charged with incitement to hatred. In October of the same year vandals sprayed anti-Semitic slogans on the walls of a football stadium in Rzeszow.<sup>21</sup>

At the same time, anti-Semitism is sometimes present among those on the left of the political spectrum, under the guise of criticism of Israeli policy. One such example was a statement by the well-known sociologist Zygmunt Baumann, in August 2011, who likened the wall being built between Israel and the West Bank to the walls of the ghettos built by the Nazis. His comments provoked a wave of indignation and outrage in Israel, above all among survivors of the Holocaust. Baumann, who was closely linked in the post-war era with the Stalinist regime and its crimes, is today regarded as one of the most important theoreticians of post-modernism and as a leading left-wing intellectual.<sup>22</sup> Despite his views, he was awarded the Theodor Adorno Prize and given an honorary doctorate of the University of Breslau (Wrocław).<sup>23</sup>

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<sup>19</sup> <http://polen-heute.de/kreuz-bleibt-sejm-31228/>

<sup>20</sup> <http://wpolityce.pl/wydarzenia/67794-lewicowy-knebel-dla-kosciola-przepychany-w-sejmie-bp-polakkosciol-ma-prawo-wypowiadac-sie-na-tematy-spoleczne>

<sup>21</sup> <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2012&dldid=208354#wrapper>

<sup>22</sup> <http://www.rp.pl/artykul/711448.html?print=tak>

<sup>23</sup> [http://www.welt.de/print/die\\_welt/kultur/article119301822/Ehrendoktor-mit-Hindernissen.html](http://www.welt.de/print/die_welt/kultur/article119301822/Ehrendoktor-mit-Hindernissen.html)