

THE CATHOLIC CHURCH IN THE FACE OF THE EUROPEANIZATION OF POLISH POLICY OF EQUALITY AND NON-DISCRIMINATION. THE CASE OF THE CAHVIO CONVENTION

Abstract

This article shall analyse the attitude of the Catholic Church towards the process of Europeanization of Polish policy of equality and non-discrimination. It shall be an analysis of a single case, i.e. the debate around Poland's adoption of the CAHVIO Convention of the Council of Europe. These analyses shall seek the answer to the question of how the Catholic Church sees the process of Europeanization of equality and anti-discrimination policy in Poland. Whether it supports it or opposes it. What role does it want to play in this process? How is the Church and its attitude towards Europeanization perceived by other participants of the public debate and how does this affect the ability of the Church to control the process of Europeanization? The theoretical approach used in the research shall be the paradigm of the public sphere and Europeanization. Methods and techniques of discourse analysis shall be applied as well.

Key Words: Catholic Church, Poland, CAHVIO, Europeanization, equality, discrimination

Introduction

The Convention on preventing and combating violence against women and domestic violence (so-called "CAHVIO" Convention²) was adopted by the Council of Europe on 11 May 2011, and then opened for signature. At the beginning of March 2012 the Prime Minister of Poland announced his intention to sign and ratify the Convention. In the first half of April 2012, a public debate started in

1 E-mail: burgonski@onet.eu

2 The Council of Europe decided it was necessary to set comprehensive standards to prevent and combat violence against women and domestic violence. In December 2008, the Committee of Ministers set up an expert group mandated to prepare a draft convention in this field. Over the course of just over two years, this group, called the CAHVIO (Ad Hoc Committee for preventing and combating violence against women and domestic violence) worked out a draft text. The final draft of the convention was produced in December 2010.

Poland and then turned into a heated argument concerning several provisions of the Convention. A representative of the Polish government signed the Convention on 18 December 2012. After over 9 months of dispute the debate lost its momentum and almost completely disappeared [or: faded away, evaporated, disintegrated] at the end of January 2013.

The debate concerning the Convention involved members of the Polish government (prime minister and ministers) and politicians of the ruling coalition and the opposition, including parliamentarians, non-governmental organizations, the Catholic Church and the mass media. The purpose of the research, the results of which are presented in this article, is to show the role of the Catholic Church in the above-mentioned debate. In this case, the term "Catholic Church" is broadly understood as an ecclesiastical hierarchy as well as lay Catholics and Catholic mass media. The choice of the Catholic Church as the subject of the study was dictated by the fact that it played an important role in the debate, i.e. it was the main opponent of the Convention. Therefore, the statements made by Church leaders and representatives of the Catholic organisations and media were the subject of the analysis. Furthermore, analysis was carried out of statements made by debate participants that were issued in response to the voice of the Catholic Church representatives.

In this article, I have attempted to answer the question of how the Catholic Church sees the process of Europeanization of equality and anti-discrimination policy in Poland, whether it supports it or opposes it, and what role it wants to play in this process. I also wanted to answer the question of how the Church's attitude towards Europeanization is seen by other participants of the public debate and how this affects the ability of the Church to control the process of Europeanization³.

Theory

In the present study, the analytical approach included two paradigms. The first one is the paradigm of public sphere as formulated by Jürgen Habermas. In his view, the public sphere is a domain of social life where public discourse takes place and public opinion is formed. This discourse concerns matters of general interest, is essentially open to the general public, and can cover any issues. However, it is assumed that the participants of the discourse use rational arguments, as they are equally available to everyone⁴. Nevertheless, this does not

3 The research results presented in this article belong in the field known as politology of religion. It constitutes a relatively lately identified sub-discipline of political science. Politology of religion deals with the study of interaction between politics and religion and provides particular focus on relations between the subjects (actors) participating in politics in its narrow sense: the government, political parties, pressure groups and religious communities (Mirosljub Jevtic, *Political Science and Religion, Politics and Religion*, Vol. 1, No. 1, Belgrade, 2007, pp. 63-65).

4 Jürgen Habermas, *The Public Sphere*, in: *Contemporary Political Philosophy. An Anthology*, Robert E. Goodin, Philip Petit (eds.), Blackwell Publishers, Oxford, 1997, p. 103.

mean that the process of shaping public opinion which takes place in the public sphere cannot involve religiously-minded citizens who introduce into public debate arguments resulting from their religious doctrines. Their presence is desirable because religion is a source that supports public awareness of norms and solidarity. What is more, acceptance of public expression of religious beliefs in the public sphere contributes to the creation of social ties which cannot exist without mutual recognition. However, people [or: members of the public] who want to use religious arguments should be aware that in order to be understood they might be expected to translate these arguments into secular language. Furthermore, they must accept the boundary between the public sphere and the sphere of political institutions (parliaments, courts, ministries, administration) where only secular arguments are taken into account⁵. This theoretical perspective that attributes rational nature to communication should be extended to other approaches towards the public sphere. The first one sees the processes in the public sphere as manipulation. The representative of this standpoint, Nancy Fraser, argues that discourse taking place in the public sphere often masks the dominance of some actors over others. Participants in discourse speak to each other as if they were equals in terms of economic and social status only because inequalities are put in parentheses. Fraser claims that the dominant group does not seek consensus but it reinforces [?its] power by extending ideology / ideas in the public sphere that justify and perpetuate relationships of domination and subordination⁶. Fraser, along with Seyla Benhabib, argues that today we should not draw a clear line between what is private and what is public as Habermas did. If the public sphere is to be consistent Habermas' assumptions, i.e. it is open to all issues, it is also open to those that were attributed not so long ago to the private sphere (for example, domestic violence against women). There should be no distinction between what can and cannot be discussed⁷. In another approach that was created by James W. Carey, behaviour in the public sphere is seen as ritual communication. This type of communication consists in constructing a symbolic reality, i.e. representing, maintaining, adapting and sharing social beliefs. So it is not about communication based on rational persuasion, but about expression of identity⁸.

The second approach adopted in this study is the paradigm of Europeanization. Its main idea is that under the influence of norms, principles and procedures established by European supranational organizations, changes in law, poli-

5 Jürgen Habermas, *Wierzyć i wiedzieć, Znak*, No. 9, Kraków, 2002, pp. 10-16.

6 Nancy Fraser, *Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy*, *Social Text*, No. 25/26, New York, 1990, pp. 58-62.

7 *Ibid.*, 62-67; and Seyla Benhabib, *Models of Public Space: Hannah Arendt, the Liberal Tradition, and Jürgen Habermas*, in: *Habermas and the Public Sphere*, Calhoun Craig (ed.), MIT Press, Cambridge, MA, 1992, pp. 89-90.

8 James W. Carey, *A Cultural Approach to Communication. Communication as a Culture*, Routledge, New York, 2009, pp. 11-28.

tics, administration, the party system etc. take place on the national state level. Europeanization is a multidirectional process (for example, top-down, bottom-up, cross-loading) and multidimensional (for example, functional and cultural Europeanization)⁹. The case discussed here shall be considered as an example of top-down Europeanization, i.e. the impact of European institutions on countries which are gradually opening up to this impact, and at the same time as an example of cultural Europeanization, i.e. transmission by the European institutions of ideas, beliefs and values that are expected to be internalized by elites and citizens of the Member States. Studies show that in Poland, the change in policy of equality and discrimination has been mainly forced by the European institutions and is a result of a rational choice based on weighing of costs and benefits of various options and then opting for the most useful one. However, the level of Poles' internalisation of values underlying this policy still remains low¹⁰.

Authors who bring up the issue of Europeanization of equality and non-discrimination policy on the national level (for example, A. Buzogany), among many factors contributing to this change, mention the involvement of non-state actors¹¹. They may have a positive impact on Europeanization and accelerate the adoption of European legislation and norms or become people who oppose and veto it. In the case studied here, I use the term "veto player" to refer to the Catholic Church, especially in terms of its opposition to the ideas, beliefs and values broadcast from the European level and included in the CAHVIO Convention.

Method

The study of the public discourse concerning the CAHVIO Convention from the perspective of clarification of involvement of the Church as a veto player against the process of Europeanization has been performed using a method called "Critical Discourse Analysis", which in recent years has been developed by such researchers as Teun A. van Dijk and Ruth Wodak. In this method, discourse is seen as a socially and culturally organized way of producing a text by which certain functions are implemented or a specific purpose is achieved. This is why

9 Tanja A. Börzel, Thomas Risse, When Europe Hits Home: Europeanization and Domestic Change, *European Integration online Papers*, Vol. 15, No. 4, 2000, <http://eiop.or.at/eiop/texte/2000-015a.htm> (accessed 12.08.2014); and Piotr Buras, Karolina Pomorska, Europeizacja – nowe podejście analityczne w studiach nad polityką zagraniczną, *Stosunki Międzynarodowe*, Vol. 38, No. 3/4, Warszawa, 2008, p. 31; and Kerry E. Howell, Europeanization, policy transfer, convergence and lesson-drawing: Case studies of UK and German financial services regulation, *Journal of Banking Regulation*, No. 4, Warwick, 2005, p. 380.

10 Piotr Burgoński, Europeizacja polskiej polityki równościowej i antydyskryminacyjnej, *Przegląd Europejski*, Vol. 25, No. 2, Warszawa, 2012, p. 166.

11 Aron Buzogany, Joining Europe, Not Sodom. LGBT Rights and the limits of Europeanization in Hungary and Romania, paper prepared for the 40th National Convention of the American Association for the Advancement of Slavic Studies (AAASS) Philadelphia, Pennsylvania (20-23 November 2008), http://www.dhv-speyer.de/kropp/mitarbeiter/Mitarbeiter_Buzogany/BuzoganyEngl.htm (accessed 24.11.2014).

linguistic analyses are not carried out here. The discourse is perceived critically, i.e. the researcher is interested in the whole production of the text. Therefore, the texts and statements are analysed in relation to the context of their production. One takes into account the dynamics of knowledge and ideologies that surround the discursive process as well as the power and interests of actors in shaping this process. The researcher tries to expose the language violence and power relationships reflected in the discourse which are not obvious for many members of the society and remain hidden. He extracts the discursive structures that are designed to reproduce a particular image of reality.

In the present study also a variation of this method, called "Discourse-Historical Approach in Critical Discourse Analysis", was used which draws attention to the change of discourse over time. For this purpose, the study examines the phenomenon of intertextuality, i.e. intermingling of elements of different texts, and interdiscursivity - intermingling of elements of different discourses¹².

In this study, the analysis involved statements of politicians claiming that they belonged to the Catholic Church, statements of Church officials, statements of the Presidium of the Polish Episcopal Conference and Catholic organizations, and articles in the three most widely read Catholic weeklies (*Gość Niedzielny*, *Niedziela*, *Tygodnik Powszechny*). Moreover, an analysis was performed of the statements of politicians, representatives of organisations and [current affairs columnists/ commentators] of the two most widely read national daily newspapers (*Gazeta Wyborcza* and *Rzeczpospolita*) which constituted a polemic with the position of the Church. The analysis was to determine the kind of texts, discourse topics, context and structure of discourse, relationships between discourses and their contexts, functions / objectives realised by each discourse and strategies (especially those argumentative ones) used in connection with them. Furthermore, intermingling of the elements of texts on the same subject and the intermingling of elements from different discourses was also examined. The analysis sought to determine the meanings hidden in the texts studied and to explain the way they are created and the reasons for choosing this method. This article does not include a presentation of the detailed analysis but only presents its results and an interpretation of those results by reference to the assumed research theories and posed research questions.

The current state of research

There is rich literature in which researchers who do not always see eye to eye with each other try to determine the level of Europeanization taking place in the former communist countries. In these studies the two approaches described above are used: the first, called the "top-down", sees the pressure from the Eu-

12 Ruth Wodak, Wstęp: badania nad dyskursem – ważne pojęcia i terminy, in: *Jakościowa analiza dyskursu w naukach społecznych*, Ruth Wodak, Michał Krzyżanowski (eds.), Oficyna Wydawnicza Łośgraf, Warszawa, 2011, pp. 11-31.

ropean level as a major source of political and economic reforms at the national level; the second, called “bottom-up”, shows that reforms in former communist countries were initiated by the countries themselves and they were free to choose how to implement the European standards. The reaction of the national actors towards the influence of the transnational level is explained either as the calculation of profit and loss (the external incentives model) or as absorbing the European values and principles (the social learning model). All these theories show that there are veto players among domestic actors who are influential enough to change the political *status quo*, and therefore they must be taken into account when introducing changes that stem from the processes of European integration (see for example, F. Schimmelfennig and U. Sedelmeier¹³). Examples of veto players are political parties, trade unions, NGOs and Churches. The role of the churches in former communist countries is usually observed by researchers from the point of view of the historical-institutional approach. During communist times, churches had significant influence over society as “value-generating” and “value-sustaining” institutions. This is the source of the present social legitimacy of being a moral authority protecting the regained freedom (see for example: T. Bremer¹⁴ and S.P. Ramet¹⁵).

When it comes to the Catholic Church, researchers show that although the Vatican has officially recognized European integration in its early stages as a necessary measure to ensure peace and stability in Europe, in later years the Church’s positive attitude towards European integration was dependent on whether the Church was allowed to play the role of a moral guide in the process of Europeanization and to ensure the moral foundations of European unity (see D. Philpott and T. S. Shah¹⁶, J. B. Hehir¹⁷). Such a standpoint was also shared by the Catholic Church in Poland. It emphasised that Poland has the sovereign right to preserve its national identity and even when it is a member of the EU it has the right to determine its own political, cultural and religious values. The church did not try to interfere in the process of deciding upon specific solutions, leaving them to the secular authorities. It tried to work to strengthen the moral aspects of the

13 Frank Schimmelfennig, Ulrich Sedelmeier, Introduction: Conceptualizing the Europeanization of Central and Eastern Europe, in: *The Europeanization of Central and Eastern Europe*, Frank Schimmelfennig, Ulrich Sedelmeier (eds.), Cornell University Press, New York, 2005, pp. 1-28.

14 Thomas Bremer, The Catholic Church and its Role in Politics and Society, in: *Croatia since Independence: War, Politics, Society, Foreign Relations*, Sabrina P. Ramet, Konrad Clewing, Reneo Lukić (eds.), R. Oldenbourg Verlag, München, 2008, pp. 251–268.

15 Sabrina P. Ramet, Thy Will Be Done: the Catholic Church and Politics in Poland Since 1989, in: *Religion in an Expanding Europe*, Timothy A. Byrnes, Peter J. Katzenstein (eds.), Cambridge University Press, New York, 2006, pp. 117–147.

16 Daniel Philpott, Timothy S. Shah, Faith, Freedom, and Federation: the Role of Religious Ideas and Institutions in European Political Convergence, in: *Religion in an Expanding Europe*, Timothy A. Byrnes, Peter J. Katzenstein (eds.), Cambridge University Press, New York, 2006, pp. 34–64.

17 J. Bryan Hehir, The Old Church and the New Europe: Charting the Changes, in: *Religion in an Expanding Europe*, Timothy A. Byrnes, Peter J. Katzenstein (eds.), Cambridge University Press, New York, 2006, pp. 93-116.

Europeanization process, preventing the secular culture of materialism, consumerist mentality and religious indifference from taking root in Poland. In order to achieve this the Church played the role of a guardian of the fundamental Christian values once adopted by the Polish nation. The Catholic Church tried to influence the debate on European integration, referring to the moral obligations of the Poles as members of a Christian nation. The Church convinced a portion of the public to adopt this point of view, while the rest took the opposite view, which meant that the Poles did not share a uniform opinion towards European integration (see D.O. Huseby¹⁸).

Researchers agree that equality and anti-discrimination standards were implemented in Poland due to pressure from the EU and due to the economic and political benefits that came with EU membership (the external incentives model). They show that Polish society does not formulate the authentic and uncompromising demands of greater equality and anti-discrimination protection. Subsequent Polish governments have adopted the strategy of meeting at the same time the national expectations for tangible benefits of EU membership and EU requirements for the implementation of equality and anti-discrimination standards. As for the Church, researchers show that it played the role of veto player in that implementation, not only because of the incompatibility of the equality and anti-discrimination standards and its teaching, but also because the Europeanization leading to redefinition of national identity (for example, by changes in Polish law) would lead to the loss of its position. The Church holds a strong position in the country when the national identity is associated with Catholic values. The motivation for actions of the Church in this role was the fear that compromises on national sovereignty might contribute to loss of the privileges of the Church enjoyed under national law. Researchers argue that in the last twenty years the Church has been able to strengthen its position, creating numerous channels of impact on society and becoming a moral authority that is difficult to compare with other national actors (see Eberts¹⁹, Ramet). The Church has influenced the decision-making process by supporting certain candidates, using its own media, and referring to the moral convictions of politicians and its own parishioners. Studies show that the adoption by the Polish government of the strategy based on the above-mentioned cost-benefit calculation resulted in the power of the Church as a veto player growing stronger when the position of the government was weaker. An unstable coalition government formed by partners with different ideological points of view and strong opposition in parliament forced the governments and liberal pro-EU parties to make concessions to conservative forces, weakening the government's ability to meet the requirements of the EU (see D.O. Huseby).

18 Dag Ole Huseby, *The Catholic Church and the Europeanization of Anti-Discrimination Protection – The Cases of Post-Communist Poland and Croatia*, *Western Balkans Security Observer*, No. 14, Belgrade, 2009, pp. 106-107.

19 Mirella W. Eberts, *The Roman Catholic Church and Democracy in Poland*, *Europe-Asia Studies*, Vol. 50, No. 5, Glasgow, 1998, pp. 817-842.

Results

The attitude of the Catholic Church towards the Convention

By taking part in the debate, the representatives of the Catholic Church tried to manifest publicly their beliefs on axiological issues important for a large part of society and tried to convince the public that the Convention does not represent any value²⁰, it cannot be reconciled with common sense²¹, and is even harmful; it also sought to encourage society to put pressure on the government to abandon its intention to adopt it. As justification of its position it argued that the Convention is contrary to the Polish Constitution. Thus, it presented itself as a champion of order in the country. It argued that the possible change resulting from the adoption of the Convention should be seen as a threat, as the Convention interferes in privacy matters, and threatens what is dearest to the people (marriage, family). It attempted to convince the [listeners /public] that with the adoption of the Convention the world of their closest values would be radically changed. It argued that the status quo in this area was worth [accepting? maintaining]. They approved of what was their own: Polish Constitution, Polish law and values on which the social order of Poland is based. This demonstrated their commitment to the Polish tradition. They presented the Convention as a dictate, imposing outside values on Poles²². They presented their efforts to adopt the Convention in terms of a struggle: the Convention was a tool for combating values, tradition, culture, religion and the Catholic Church²³. They tried to reinforce the message of the threat posed by the Convention, arguing that it was anti-Christian and that it did not constitute a separate case, but a part of a broader plan. A discrepancy was also pointed out in the Convention: it was directed against the values that it was supposedly protecting (mainly equity)²⁴. The provisions of the Convention were interpreted in a very broad way in order to exaggerate the threat the Convention was supposed to create²⁵. It was argued that the Convention contains false beliefs about the role of culture, tradition, and religion and that this leads to social conflicts. Not only does this not solve social problems, it exacerbates them²⁶. The Convention was presented as a threat to

20 Bogumił Łoziński, Niebezpieczna konwencja, *Gość Niedzielny*, 29. April 2012, p. 15, Katowice.

21 Marek Gancarczyk, Pole minowe, *Gość Niedzielny*, 15. July 2012, p. 3, Katowice.

22 Jarosław Gowin (conversation with Renata Grochal and Ewa Siedlecka), Gowin: chcę zatrzymać rewolucję", *Gazeta Wyborcza*, 23 April 2012, p. 4, Warszawa; and Statement of the Forum of Polish Women of 13th September 2012, <http://www.niedziela.pl/artykul/98442/nd/Apel-Polskiej-Federacji-Ruchow-Obrony> (accessed 28.07.2014).

23 Łoziński, *op.cit.*, p. 15, fn 18.

24 Statement of the Social Council in the presence of the Bishop of Płock concerning the convention of the Council of Europe on the violence against women Dignity and Safety of 30th August 2012, http://www.diecezjaplocka.pl/index.php?akcja=art_zobacz&art_id=225&id_news=1181, (accessed 02.03.2014).

25 Łoziński, *op.cit.*, p. 15, fn 18.

26 Statement of the Forum of Polish Women of 13th September 2012, <http://www.niedziela.pl/artykul/98442/nd/Apel->

Polish sovereignty, because its adoption would limit the freedom of the Polish state to create the law according to its own values²⁷. In their opinion, the Convention was a product of foreign powers and a convenient tool for influencing Polish society²⁸. They argued that the Convention was inconsistent even with the European tradition and an attempt to redefine European identity²⁹. Aside from the above-mentioned statements, a different voice also appeared in the Catholic press, however, it was isolated (opinions of two people in a Catholic weekly). It argued that one should use common sense and notice both advantages and disadvantages of the Convention. This was a response to real problems and may have contributed to the necessary mental changes in Poland³⁰.

Intertextuality analysis of the discourse studied showed that most of the arguments formulated by the Church and opposing the Convention appeared in the first month of the debate. Lay Catholics and Catholic organizations joined the debate and generally repeated arguments that had been already used. The earliest arguments were the legal arguments indicating a threat to values and culture, and later arguments presented the Convention as an instrument of action of narrow groups and as a threat to the sovereignty of the country. The debate was begun by communities of lay Catholics, and no sooner than three months later it was joined by the representatives of the church hierarchy. Their declarations and statements only consisted of the same content that had been presented by the lay believers. The Statement by the Presidium of the Polish Episcopate contains opinions about the ideological basis of the Convention, reductionist nature of the adopted definition of sex, the threat posed by the Convention to values and civilization, and the lack of wide public consultation. In this statement, there is no reference to legal or religious arguments. Interestingly, the arguments derived from the teachings of the Church can be found only in statements by two Catholic organisations.

The Church's perception of the authors and protagonists of the Convention

The creators and supporters of the Convention have been identified and classified by the Church as liberal³¹, leftist, feminist and gay communities. They are reluctant and even hostile towards the Catholic Church, the Catholic religion,

Polskiej-Federacji-Ruchow-Obrony (accessed 05.03.2014); and Statement of the Presidium of the Polish Episcopal Conference of 9th July 2012, http://www.episkopat.pl/?a=dokumentyKEP&doc=201279_0 (accessed 06.03.2014).

27 Statement of Polish Federation of Pro-Life Movements, *Niedziela*, 25. July 2012, p. 31. Częstochowa.

28 Marek Jurek, Patriarchat contra matriarchat, *Gość Niedzielny*, 22. July 2012, p. 32, Katowice.

29 Antoni Szymański, O co chodzi w Konwencji Rady Europy o przemocy wobec kobiet, *Niedziela*, 1. August 2012, p. 21, Częstochowa.

30 Zuzanna Radzik, Kiedy usłyszysz wołanie o pomoc, *Tygodnik Powszechny*, 7. January 2013, p. 17, Kraków; and *id.*, Prawo musi kosztować, *Tygodnik Powszechny*, 21. January 2013, p. 19, Kraków.

31 Jurek, *op.cit.*, p. 32, fn 26.

Polish traditions and culture. They are made up of people who share a vision of the world contrary to the Christian world view³². They blame the Church for causing evil which will be remedied by the adoption of the Convention³³. Their views are ideological and therefore they see reality in a simplified, reduced manner³⁴. Church officials argued that the drafters of the Convention were not honest. They said that the Convention constituted an attempt to manipulate public opinion and since the very beginning has been treated instrumentally by its authors, and that behind its provisions there are hidden intentions of the authors which are not about violence against women, but rather a profound cultural change³⁵. The Convention provides them with a tool to constantly interfere in the sovereignty of the Polish state³⁶. The creators and protagonists of the Convention were presented as a small group of people³⁷ with extreme left-wing or feminist views³⁸. Polish politicians who support the adoption of the Convention have been treated by the Church as narrow-minded or intellectually dependent because they do not recognize the risks and are subject to external influences or as opportunists who are trying to win the favour of influential foreign centres³⁹. It was said that the Polish government adopted the Convention not because of its own will but under the pressure of supranational institutions⁴⁰. They also disseminated the view that the Convention was being used instrumentally by the politicians to win the support (especially of women) but on the other hand it was shown that the political elites were divided and a large portion of them concurred with the Church in terms of evaluation of the Convention⁴¹. It was also explained that most of Polish society were not in favour of the Convention because the Convention undermines the values shared by this majority⁴². Therefore, the supporters of the Convention constituted a minority not only in Poland but also in Europe⁴³.

The perception of the Church by the Church itself

In the debate, the Catholic Church presented itself as an institution and a

32 Bogumił Łoziński, *Sprzecznica z prawem*, *Gość Niedzielny*, 30. September 2012, p. 33, Katowice.

33 Łoziński, *op.cit.*, p. 15, fn 18.

34 Piotr Semka, *Feministyczna taktyka salami*, *Gość Niedzielny*, 6. January 2013, p. 28, Katowice.

35 Gowin, *op.cit.*, p. 4, fn 20.

36 Łoziński, *op.cit.*, p. 33, fn 30.

37 Gancarczyk, *op.cit.*, p. 3, fn 19.

38 Łoziński, *op.cit.*, p. 15, fn 18.

39 Jurek, *op.cit.*, p. 32, fn 26.

40 Szymański, *op.cit.*, p. 21, fn 27.

41 Łoziński, *op.cit.*, p. 33, fn 30.

42 Statement of the Presidium of the Polish Episcopal Conference of 9th July 2012, http://www.episkopat.pl/?a=dokumenty&doc=201279_0, (accessed 09.03.2014).

43 Statement of the Forum of Polish Women of 13th September 2012, <http://www.niedziela.pl/artykul/98442/nd/Apel-Polskiej-Federacji-Ruchow-Obrony> (accessed 05.03.2014).

community that has a deeper understanding of who a woman is and that can empathize better than feminists with the situation of women, knows their problems and cares for and demands their rights⁴⁴. The Church argued that it supports women and actually solves their problems⁴⁵. What is more, it upholds the values, culture and traditions, as well as cares for the prosperity of the country⁴⁶. It is also perspicacious and can expose the hidden dangers⁴⁷. For these reasons, it experiences hostility and attacks on the part of leftist and feminist circles⁴⁸. These opponents of the Church manipulate its statements in order to bring about the Church's ruin⁴⁹. However, ruling powers ignore the voice of the Church and thus disregard a significant part of the population that belongs to the Church. The Church has the right to be heard also because of its involvement in combating violence against women⁵⁰. By analysing the statements of the Church representatives, it may seem that it distances itself, or even shies away from those who admit their leftist and feminist views. In its statements, the Church underlined a sharp distinction between leftist/feminist beliefs and the opinions it presented itself⁵¹. The Church tried to maintain that it is not alone in its beliefs: its position is supported by the representatives of the intellectual elites as well as by certain moderate currents of feminism⁵². It also presented itself as a voice of common sense providing protection against extremes, able to see the good side of the Convention⁵³.

The Church representatives who did not present the explicitly positive image of the Church were in the minority. In the debate concerning the ratification of the Convention they paid attention to the fact that the objections formulated against the Church were partially correct, because the Church bears some responsibility for the state that is to be changed by the Convention⁵⁴. What's more, the Church confirmed this by means of the Pope's statement. It said that when

44 Ksas/pm, *To nie chrześcijaństwo pomniejszyło rolę kobiety*, <http://ekai.pl/wydarzenia/komentarze/x56881/to-nie-chrzejscijanstwo-pomniejszylo-role-kobiety/> (accessed 20.12.2014); and KAI/drr, *Abp Skworc o dyskryminacji kobiet*, <http://www.deon.pl/religia/kosciol-i-swiat/z-zycia-kosciola/art,11139,abp-wiktor-skworc-o-dyskryminacji-kobiet.html> (accessed 20.12.2014).

45 Statement of the Presidium of the Polish Episcopal Conference of 9th July 2012, http://www.episkopat.pl/?a=dokumentyKEP&doc=201279_0 (accessed 09.03.2014).

46 Statement of Polish Federation of Pro-Life Movements, *Niedziela*, 25. July 2012, p. 31, Częstochowa.

47 Jurek, *op.cit.*, p. 32, fn 26.

48 Gowin, *op.cit.*, p. 4, fn 20.

49 Piotr Mostowik, *Nadregulacja*, *Tygodnik Powszechny*, 21. January 2013, p. 17, Kraków.

50 MP, Bp Polak: rząd w sprawie konwencji nie uwzględnił opinii Kościoła ani licznych organizacji społecznych, <http://www.niedziela.pl/arttykul/3464/Bp-Polak-rzad-w-sprawie-konwencji-nie> (accessed 20.12.2014).

51 Statement of the Presidium of the Polish Episcopal Conference of 9th July 2012, http://www.episkopat.pl/?a=dokumentyKEP&doc=201279_0 (accessed 09.03.2014).

52 Agnieszka Nogal (conversation with Agata Puścikowska), *Diabeł tkwi w szczegółach*, *Gość Niedzielny*, 13. May 2012, p. 28, Katowice.

53 Gowin, *op.cit.*, p. 4, fn 20.

54 Zuzanna Radzik, *Prawo musi kosztować*, *Tygodnik Powszechny*, 21. January 2013, p. 19, Kraków.

speaking in public, the Church should be more restrained, not go to extremes and evaluate reality (and the Convention) in a more nuanced way⁵⁵. Although it reproached feminists with the use of ideology, the Church itself represented ideological thinking. Furthermore, in comparison with the Church in other countries, the Catholic Church in Poland did not present an adequate degree of moderation and reason, and is too confrontational towards reality and does not represent the appropriate intellectual level⁵⁶.

The perception of the Church by other participants of the debate

Politicians opposing the Convention and referring at the same time to religious beliefs were seen by other participants of the debate as dependent politicians remaining under the influence of the Church hierarchy. For this reason, they should not occupy public positions⁵⁷. On the other hand, the hierarchy of the Church was seen as dependant on the Vatican⁵⁸, as well as an organisation that was not competent to make remarks about matters of secular order⁵⁹. Some participants of the debate perceived the Church as an institution attempting to impose a particular value system on the entire society⁶⁰, as well as an institution that sees reality only from their own perspective and is not able to assume the perspective of other religions or people with other world views⁶¹. It does not tolerate diversity and thus does not allow people to exercise their freedom⁶². The common perception of the participants of the debate suggests that the Church represents a low level of knowledge. First of all, it does not know the law and real social problems, especially the fate and problems faced by women⁶³. It ignores the fact that religion has served and continues to serve as a justification of shameful issues, including violence⁶⁴. In its opinions, the Church uses the image

55 Adam Boniecki, Konwencje i życie, *Tygodnik Powszechny*, 22. July 2012, p. 2, Kraków.

56 Zuzanna Radzik, Kiedy usłyszysz wołanie o pomoc, *Tygodnik Powszechny*, 7. January 2013, p. 17, Kraków.

57 Pmaj, Ruch Palikota apeluje o odwołanie Gowina, <http://www.rp.pl/artukul/859010.html> (accessed 20.12.2014).

58 Dt, Bartoś o reakcji Kościoła ws. konwencji KRE: Płeć jako zjawisko tylko biologiczne? Ignorancja, http://www.tokfm.pl/Tokfm/1,103085,13082672,Bartos_o_reakcji_Kosciola_ws_konwencji_KRE_Plec.html (accessed 20.12.2014).

59 Przemysław Henzel, Ważna decyzja Polski. To pokaże prawdziwą skalę gwałtów, <http://wiadomosci.onet.pl/kraj/wazna-decyzja-polski-to-pokaze-prawdziwa-skale-gwa,1,5362456,wiadomosc.html> (20.12.2014).

60 Renata Grochal, Obrona kobiet kontra obrona płci i Gowina, *Gazeta Wyborcza*, 6-7. June 2012, p. 4, Warszawa.

61 Agnieszka Kozłowska-Rajewicz (conversation with Cezary Michalski), Kozłowska-Rajewicz: Polscy biskupi niepotrzebnie atakują konwencję", <http://www.krytykapolityczna.pl/artykuly/opinie/20121228/kozłowska-rajewicz-polscy-biskupi-niepotrzebnie-atakują-konwencję> (accessed 20.12.2014).

62 Tadeusz Bartoś, Kościół kontra wolność, *Newsweek*, 7-13. January 2013, pp. 18-21, Warszawa.

63 Statement of the Government Plenipotentiary for Equal Treatment in relation with the statements of the representatives of the Ministry of Justice, <http://rownetraktowanie.gov.pl/aktualnosci/oswiadczenie-pelnomocniczki-rzadu-ds-rownego-traktowania-w-zwiazku-z-wypowiedziami> (accessed 21.12.2014).

64 Dt, *op.cit.*, fn 56.

of the man and the world that is merely reduced to its biological aspect. It perceives women stereotypically, which confirms the demands of the supporters of the Convention⁶⁵. It promotes a vision of the woman as a being subordinate to the man, dependent on him, passive and focused on the procreative function⁶⁶. The Church's beliefs concerning reality are different from the opinions of the majority of society⁶⁷.

Some participants of the debate perceived the Church as an institution tolerating the phenomenon of violence against women or even contributing to it⁶⁸. Others, however, without denying the incidental cases of abuse of women by men of the Church, said that the Catholic doctrine does not justify the use of violence⁶⁹. Participants of the debate judged the Church as an institution and a community somewhat isolated from the world, approaching it with fear, reluctant to change, unable to find its place in conditions of ideological pluralism, distrustful of competing value systems, defying the secular civilization and suffering from the "syndrome of a besieged fortress", i.e. a sense of constant threat. The Church's acceptance of some elements of the secular order resulted rather from social pressure and not from free choice⁷⁰. The opposition of the Church to the Convention preventing and combating violence resulted in the Church being reproached for a breakaway from the Gospel, which after all does not excuse violence, focusing on oneself and too much focus on worldly purposes⁷¹.

Conclusions

The process of Europeanization which was presented by the efforts to adopt the CAHVIO Convention was the impetus for start of a public debate, and thus it contributed to better social communication. As in the course of this debate an exchange of information took place about how the public sphere actors see themselves (their values, beliefs) and how they perceive other participants of the debate, which in turn undoubtedly helped them to get to know each other better. Unfortunately, the extremes of mutual judgements are unlikely to contribute to the development of a deeper relationship that is obviously born out of mutual recognition. Not only psychological barriers, such as the inability to suppress emotions, but mainly the polar differences in value systems represented by adversaries hindered mutual understanding. Moreover, in the discourse the Church

65 ES, Minister Gowin straszy ideologią feministyczną, *Gazeta Wyborcza*, 14-15. April 2012, p. 3, Warszawa.

66 Joanna Senyszyn, Przegrana Episkopatu, <http://senyszyn.blog.onet.pl/> (accessed 21.12.2014).

67 Bartoś, *op.cit.*, p. 18-21, fn 60.

68 Henzel, *op.cit.*, fn 57.

69 Kozłowska-Rajewicz, *op.cit.*, fn 59.

70 Sia, „A co pan, panie biskupie, zrobił dla kobiet?”. Prof. Bartoś do abp. Hosera, http://wiadomosci.gazeta.pl/wiadomosci/1,114883,12680355,_A_co_pan_panie_biskupie_zrobil_dla_kobiet_Prof_.html (accessed 20.12.2014).

71 Jarosław Makowski, Jezus po stronie kobiet, *Gazeta Wyborcza*, 22-23. December 2012, p. 31, Warszawa.

did not go beyond the framework of interpretation based on perception of reality in disjoint categories of, for example, our people - strangers, order - chaos, security - threat. This framework excluded the nuanced approach and listening to the arguments of opponents, and as a result, the possibility of reaching an agreement.

The extremes of mutual judgements and mutual attacks show that the process of Europeanization is sometimes accompanied by a violent political struggle. Furthermore, Europeanization forced the participants of the debate to present a deeper internal consolidation or even radicalisation. In the heat of the discussion, each of the adversaries had to take a stand on the discussed problems and better define their identity and to mobilize support for their opinion. This in turn led to sharpening of differences, radicalisation on both sides, and deepening of social divides.

The Catholic Church in Poland took part in the public debate, which means that it does not intend to be a private religion, but has ambitions to become a public religion. It wants to influence the secular order and transform it according to its own convictions. By taking part in the debate concerning the CAHVIO Convention, the Church assumed the role of a veto player against the signature and ratification of the Convention. While trying to stop the change, the Church also saw some positive aspects of Europeanization and did not condemn it altogether. It turned out that in terms of Europeanization the Church wants to select the content that is transmitted from the European level. As in the debate, the Church put itself in the position of the guardian of common sense, order, values, traditions and Polish identity. It also showed that in addition to this controlling function, the Church wants to be an actor with whom one should negotiate and work towards a consensus; which is opposed to imposing and enforcing certain types of behaviour. The way the Church presented arguments showed also its ability to debate with lay actors in their own language, using arguments understandable to everyone. It turned out, however, that this capacity was not fully exploited. There are some examples where the intention of the Church was to convince others of its own opinions, but one can also find evidence that in many points of the debate instead of rational communication, one had to deal with the communication understood as a ritual on the part of the Church. This means that the involvement of the Church in the debate, apart from the desire for rational agreement, was aimed at ensuring the unity of the patterns and norms in society, so as to form particular collective ideas, and at creating the basis for common emotional experiences and strengthening the sense of belonging to a community.

The analysis makes it possible to see in the debate attempts on the part of the Church to symbolically strengthen its power and domination over other actors in the public sphere. This mechanism consisted in basing the discourse on binary opposition, i.e. the Church presented itself in a positive way, while presenting the

supporters of the Convention in a negative way. The church presented itself as an institution with noble intentions, voice of reason, as defenders of order, someone who can see the threat and protect others against it. Opponents were also displayed as dishonest, unreasonable people trying to bring about a change that will result in chaos or as intellectually limited persons.

The research conducted here confirmed previous findings of other researchers stating that the Church plays the role of a veto player not only because of the incompatibility of some ideas coming from the European level with its teaching, but also because it wants to avoid Europeanization that would lead to a redefinition of national identity. The case studied shows that in terms of Europeanization of the policy of equality and non-discrimination, the Church is opposed to top-down uniformity of all European countries. In return, it is in favour of diversity in this respect, i.e. each state should retain sovereignty over its policy on equality and non-discrimination. The states have a right to treat the process of Europeanization in a selective way and make decisions in this regard in accordance with their own values, traditions and culture.

The conducted analyses confirm the well-known thesis that Poland implements equality and anti-discrimination standards being driven by the logic of profit and loss (the external incentives model). The voice of the Catholic communities in this debate shows that Polish society has not internalized those standards (the social-learning model).

The debate revealed an interesting phenomenon which - it seems - has not been captured in previous studies. This is the commitment of lay Catholics. It was the lay Catholics who initiated the debate, adopted a argumentative strategy and bore the burden of discussion with opponents. Their voice was stronger than the voice of the hierarchy, which merely repeated the statements set out by the laity.

In the debate described above there was no tendency to identify Europeaness with the progress which is quite common in similar cases. There were no allegations of backwardness in terms of the non-European attitude. The Church did not attempt to define European identity in its own way as opposed to the secular definition. The Church, as already mentioned above, did not judge Europeanization in a negative way, but only criticised its appropriation by small ideological groups radical in their beliefs which attempt to realize their ideas by means of manipulation.

The analysed debate also showed how the church is perceived by other participants of the public debate. It turned out that the debate has polarized into supporters and opponents of the Church. Opponents of the Church did not recognize its authority and did not perceive it as credible to them. This is probably the reason why the Church did not play a more important role as a veto player. Despite the somewhat radical rhetoric, the Church is not able to control the process of Europeanization of Polish law and policy of equality and non-discrimination.

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Пјотр Бургонски

КАТОЛИЧКА ЦРКВА И ЕВРОПЕИЗАЦИЈА ПОЉСКЕ ПОЛИТИКЕ ЈЕДНАКОСТИ И НЕДИСКРИМИНАЦИЈЕ. СЛУЧАЈ САНВИО КОНВЕНЦИЈЕ

Сажетак

У овом чланку се анализира став Католичке цркве према процесу европеизације пољске политике једнакости и недискриминације. Ово је студија једног случаја, дебате око усвајања САНВИО конвенције Савета Европе у Пољској. Ова анализа тражи одговор на питање како Католичка црква види процес европеизације политике једнакости и недискриминације у Пољској, да ли подржава тај процес или не? Коју улогу црква жели да има у том процесу? Како су ставови цркве према овом питању прихваћени од осталих актера у процесу и како они утичу на могућност цркве да контролише процес европеизације? Теоријски оквир коришћен у овом раду јесте парадигма јавне сфере и европеизације. Методе и технике анализе дискурса ће такође бити кориштене.

Кључне речи: Католичка црква, Пољска, САНВИО, европеизација, једнакост, дискриминација

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