

THE ROUTLEDGE HANDBOOK OF SEXUALITY IN EAST CENTRAL EUROPE

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Chapter 21 RISK, RESPONSIBILITY, AND PLEASURE HIV politics in Poland

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RISK, RESPONSIBILITY, AND PLEASURE

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Introduction

In March 2020, allegedly as part of an “Anti-Crisis Shield” in response to Covid-19 and without public consultation, the Polish government amended the Criminal Code to increase the penalty for knowingly exposing another person to HIV from three to eight years. This change not only has no scientific justification, it also ignores transdisciplinary research demonstrating that criminalizing HIV stigmatizes those living with the condition and is counterproductive in containing infection and ensuring access to medical services for people living with or at risk of HIV (European HIV Legal Forum 2019; HIV Justice Network 2019). This decision is at variance with the increasing number of countries that have relaxed or abandoned HIV-related laws.

In this chapter, we locate this decision in the broader context of Polish sexual politics and argue it was not the pandemic alone that triggered a sense of biopolitical crisis and the adoption of punitive policies. This was enabled by the dominant framing of sexuality that valorizes heterosexual, monogamous, procreative, and marital sex. This perspective also underpins the increased criminalization of abortion, restrictions of sexual and reproductive rights, and increasing state homophobia, which have resulted in LGBT-free zones,¹ smear campaigns against queer and sex workers’ activists, and police violence against queer and women’s protests (Dziuban, Moźdrzeń, and Ratecka 2021; Korolczuk 2020; Król and Pustułka 2018; Nawojski, Pluta, and Zielińska 2018; Rawłuszko 2021). A conflation of HIV and gay identity in public discourses (Dziuban and Król 2016; Owczarzak 2009; Wait 2007) has made HIV criminalization a handy tool for further oppressing Polish queer communities.

In this chapter, we argue there are two intertwined regimes dominating HIV-related sexual politics in Poland: those of risk and responsibility (Owczarzak 2009; Race 2012; Rose 2007). We define regimes as entanglements of laws, norms, discourses, and political practices that contribute to the construction of sex, sexuality, and sexual health (Dziuban and Sekuler 2021; Król 2022; Ratecka 2022). These context-specific assemblages shape how sex and sexuality are understood and governed by state and non-state actors, including policymakers, NGOs, and the communities involved. They also restrict possibilities for collective action, and ways of imagining, problematizing, and enacting sexual subjectivities.

Within the regime of risk, HIV, gay identities, and nonnormative sexual practices are deemed to threaten moral and social order, “traditional” family values, and public health: the danger is not merely biological transmission of the virus but a moral threat to the self, others, and social order. Within the regime of responsibility, individuals and communities perceived as threatening are made responsible for managing and controlling risks ascribed to their practices, identities, and bodies, thus invisibilizing the social, economic, and political conditions that contribute to enhancing their vulnerabilities to HIV (Owczarzak 2009). Sexually active people with HIV are seen as a threat to their sexual partners, and, through this, to public order; they are therefore held solely responsible for the well-being of others and punished via criminal law or discourses of criminality (Hoppe 2018; Weait 2007).

Acknowledging exclusionary, disciplinary, and oppressive effects of regimes of risk and responsibility on nonnormative identities, practices, and bodies, we pose a question about alternative framings of sex and sexuality in Polish sexual politics. Drawing on critical pleasure studies by Fay Dennis and Adrian Farrugia (2017), and Kane Race (2008, 2017), we propose exploring HIV/AIDS and sexual politics through the notion of pleasure, which allows for joy, affirmation, desire, connection, and transgression in one’s experience of sexuality, health, and the self (Segal 2017). This also avoids inscribing moral risk in individual practices and disciplined self-management as the proper response to the threat posed by nonnormative sexualities. We believe pleasure can be exercised – if only ephemerally and temporarily – as an emancipatory political practice in community activism and policymaking.

Polish HIV

Although the first HIV case in Poland was diagnosed in 1985, no systemic policies were implemented that decade in response to an epidemic framed as “exclusively Western” (Owczarzak 2007). As in other Eastern European countries, the highest number of HIV infections was associated with injection drug use. While Poland remains a low-prevalence country, men who have sex with men (MSM) are particularly vulnerable to HIV and infections in this population are steadily increasing (Szmulik, Niedźwiedzka-Stadnik, and Rosińska 2019).

From 1989, Polish policies were contingent on the transformation from state-socialism to liberal democracy. In the 1990s, a National AIDS Centre (NAC) was established, and local HIV/AIDS initiatives were developed by both community-led organizations and professionals, including harm reduction programmes: needle and syringe exchange and opioid substitution treatment (Struzik 2021a).² Intensive transnational collaboration between Polish civil society and transnational actors facilitated the exchange of knowledge and practices in prevention and treatment, harm reduction, sex education, policymaking, and advocacy. Queer communities, grassroots initiatives, and NGOs have fought for the rights of LGBTQ+ people since the 1990s, despite an intensively homophobic political environment (Bielska 2018; Struzik 2019).

This period also witnessed greater involvement by conservative and Church-affiliated actors in policymaking processes (Kościańska 2021; Walendzik-Ostrowska and Dec 2012), reflected in public HIV prevention campaigns that focused primarily on abstinence, faithfulness, and family values (Janiszewski 2013; Kościańska 2021; Mijas et al. 2016; Owczarzak 2009): nonheteronormative sexual practices remained practically

invisible. Nevertheless, grassroots initiatives targeting young and queer communities attempted to go beyond abstinence-based approaches to sex and sexuality (Struzik and Dziuban 2022).

To understand the multi-layered landscape of Polish HIV-related sexual politics, we build on our qualitative research with community advocates and policymakers engaged in HIV/AIDS policies. We employed ethnographic fieldwork, archival studies, and oral history interviews with HIV/AIDS activists and members of community-led NGOs working in HIV prevention, sex education, harm reduction, and LGBTQ+ rights. Here we present an analysis of their narratives about the epidemic through the lens of the two regimes of risk and responsibility. Additionally, we address practices and discourses of pleasure in HIV/AIDS politics. In the following sections we mobilize the three notions of risk, responsibility, and pleasure as analytical tools to investigate three case studies: public discussions on sex education, a 2013 HIV prevention campaign targeting MSM on drugs, and recent debates on the provision of pre-exposure prophylaxis (PrEP) to chemsex users.

“In Poland, sex is political”

One HIV/AIDS educator, involved in HIV prevention since the mid-1990s through the planned parenthood federation Society for Family Development [*Towarzystwo Rozwoju Rodziny*], described the challenges in providing sex education in Poland, access to which has been significantly restricted in public schools and contested by school officials and parents. She described the situation as “bizarre, absurd” and told us that when a school sex educator discussed using a condom, “everyone makes a big deal out of it. Please!” She believed this was the result of sex being depicted as a threat in political arenas.

By claiming that “in Poland, sex is political”, our interviewee conveyed how sex is constructed as a politically salient subject that mobilizes moral categories of safety and risk, purity and sin, and virtue and demoralization (Owczarzak 2007; Zimniak-Hałajko 2017). Sex education in schools has been politically disputed in Poland for many years and, alongside the rise of the populist right, gradually withdrawn from public education (Kościańska 2021; Szwed and Zielińska 2017), allegedly to protect children from “sexualization”, paedophilia, and the “promotion of sex”. In 2019, an alt-right, pro-life organization established in 2005, *Fundacja Pro – Prawo do życia* [Pro Foundation – Right to Life], submitted a citizens’ bill entitled “Stop Paedophilia”. This called for the criminalization of “gay propaganda”, and those “who publicly promote or approve of a minor engaging in sexual intercourse”,³ potentially incriminating sex educators. In 2020, during his successful re-election campaign, Polish president Andrzej Duda signed a “Family Charter” to make parents primarily responsible for the sex education of their children. The rationale behind this was to protect children from “LGBT ideology”.

Unsurprisingly, the regime of risk reflected in these legislative initiatives gains prominence in school-based sex education: children are often discursively located in a “state of moral and epistemic purity” (Ticktin 2017, 578). Deployment of such framing mobilizes political strategies intended to protect “innocents” from moral contagion and potentially harmful knowledge that could lead to their “sexualization”. In this context, protection requires presenting sex as threatening and avoiding any “talking about sex” that might encourage sexual arousal and initiation.

Hegemonic regimes not only shape how sex and sexuality are imagined, but also impact conditions of collective action. Under such dominant risk-centred framings, school

sex education is provided by NGOs, under restrictive conditions, and optional. Thus, HIV activists and sex educators, attempting to find space to think and talk about sex beyond the categories of threat and risk, use strategies to contest these framings and protect themselves from accusations of promoting promiscuity, sexualization, and demoralization.

However, as we discovered, while attempting to provide more liberal sex education, they often apply categories rooted in conservative discourses, such as responsibility, faithfulness, and abstinence. One activist representing a HIV-focused NGO in Warsaw explained why:

If we could do proper sex education, we would devote more space to building awareness of one's body, of one's needs, but also of the need to be responsible for oneself in a relationship and for one's partner. Just because we are in favour of sex education does not mean that we say [...]: "Do whatever you want", while adding: "but use condoms". Very often we take the opposite attitude, we urge people to be in a steady relationship, to stay faithful. This is an important part of sex education. Some people think that when we start talking about sex education, we're urging everyone to have sex, preferably group sex, and of course with a condom, but it doesn't look like that at all.

To provide sexual and HIV-prevention education in a hostile environment, activists deploy strategies that focus on individual decision-making, self-reflection, and accountability towards oneself and one's sexual partner (Hoppe 2018). Rather than constructing sex as risky *per se*, they highlight risks resulting from imprudent – unprotected, reckless, group – sex and construct sexuality via the lens of responsibility, as demonstrated in the above quote. Therefore, the regime of responsibility becomes the primary logic guiding the field of liberal/progressive sex education (Zimniak-Hałajko 2017). It employs the figure of a child/youth actively shaping their sexual life through acts of choice and consciously managing the implications of their sexual decisions (Rose 2007).

While enhancing the sexual agency and subjectivity of youth, this strategy risks erasing pleasure and joy from sex-related messages. In such a construction, sexual subjects and acts are perceived as a field of control and management informed by expert knowledge, not as a potentiality in which to explore spontaneity, relationality, and even failure. There is little room for allowing pleasure to emerge or for building alternative visions of sexuality as a tool of political resistance against state-sponsored sexophobia and queerphobia. The decision to reproduce conservative perspectives that locate sex exclusively in monogamous, steady, heterosexual relationships, also significantly limits opportunities to deconstruct or reject the dominant regimes of risk and responsibility that equate talking about sex as incitement to orgies, and "LGBT" with paedophilia, moral debauchery, and sexualization.

Sex in my City? "Iniquitous, immoral, promoting drug use"

The dominant regimes of risk and responsibility contribute to the invisibilization of pleasure in sex education and suppress NGO-led campaigns that acknowledge the joyfulness of nonnormative sex and present queer identities and practices in a positive way. A particularly salient example is the 2013 campaign, "Sex in my City" [*Sex w moim mieście*] that was almost immediately terminated by state agencies. Developed by Warsaw-based NGOs working in the field of LGBTQ+ rights, HIV prevention, and harm reduction, with financial support from the NAC, this campaign abandoned previous patterns promoting

conservative values (Kościańska 2021; Mijas et al. 2016; Owczarzak 2007, 2009; Struzik 2021b) that had proved ineffective in conveying HIV prevention messages to MSM (Struzik and Dziuban 2022). Targeting MSM who use drugs recreationally, this campaign adopted attractive images of sexualized gay men, referred to gay slang and cultural codes, and conveyed messages in destigmatizing and playful ways. Launched online, “Sex in my City” promoted safer sex practices and drug use while presenting pleasure as an indispensable element (Figures 21.1 and 21.2).

Shortly after launch, the campaign was vilified in the conservative newspaper, *Rzeczpospolita*. In an article entitled “The State Educates Gays”, one journalist pointed out that these “[v]ulgar descriptions of anal sex and instructions of how to use drugs” were being “funded by taxpayers’ money” (Ferfecki 2013) and suggested the campaign promoted casual gay sex, pornography, and drug use, practices that, in his view, should be criminalized. Following the outcry against the campaign in various media outlets, including centrist daily *Gazeta Wyborcza*, funding was withdrawn and the contract with NGOs running the project terminated by the Ministry of Health.

This reaction came as a surprise to the campaign organizers, who claimed to have adopted the harm reduction strategy present in Polish drug and HIV policy, and requested in the call for proposals. Despite approving all campaign materials, NAC revoked a grant awarded to *Lambda*, a Warsaw-based LGBTQ+ organization and one of the campaign organizers, for creating iniquitous and immoral content, and promoting drug use.

In an official press release, *Lambda-Warszawa* justified their rationale:

Harm reduction is a way of thinking about social realities, which indicates that certain phenomena – whether you want it or not – exist. People drink alcohol, take drugs, engage in risky sexual behaviours. For many people, abstinence may be a desirable state, but it is often unattainable or unsatisfactory. In our opinion, it is necessary to create an offer of help and prevention for a group of people who behave in a risky way and suffer damage resulting from their lifestyle. This gives them access to such support and knowledge as they expect and as they can accept at the given moment in their lives (Lambda-Warszawa 2013).

This quote aptly illustrates the complexities arising from the politicization and moralization of sex in Poland. The dominance of regimes of risk and responsibility ensures that any attempt to include pleasure in discussions of non(hetero)normative sex is suppressed. These hegemonic regimes also directly impact HIV and LGBTQ+ organizations by limiting possibilities for action and ways of framing sex and sexual subjectivities. As this quote demonstrates, to defend this ostensibly transgressive campaign, activists adopted the dominant vocabulary of responsibility and risk: firstly, by reorienting their pleasure-centred campaign to a risk-focused attempt to limit “harmful effects” and “damage” resulting from “risky sexual behaviour” and “lifestyles”; secondly, by reiterating the normative order that constructs desired subjects as responsible, rational, and self-managed by referring to abstinence and self-restraint in sex and substance consumption as “the desirable state”. This clearly demonstrates the limited options for NGOs and grassroots initiatives, and their entanglements within the hegemonic regimes. Met with criticism and financial sanction, they had to accept the Ministry’s decision and terminate the project. Thus, the dominant and conservative constructions of sex, sexuality, and substance use were upheld.



Tak jak
lubie!

seks w moim
mieście



www.sekswmoimmiescie.pl

Figure 21.1 Flyer from the “Sex in my City” campaign from www.sekswmoimmiescie.pl.

Source: Acquired through the Wayback Machine website on October 25, 2023, by permission of Lambda Warsaw.

First, I call my dealer. I order different things, depending on my mood. Weed, always with ecstasy, acid, amps... Once I'm p***** off, I'll buy some coke too.

The long-awaited weekend has finally arrived. A trip to Berlin to visit friends. For a long time I had dreamt of meeting someone who was looking for a similar experience to mine. I met him there. I don't know if it was a matter of coincidence or destiny. He himself offered me what I had been dreaming of for a long time. As if he could read my mind. We quickly wriggled out of the barbecue meeting and found ourselves in his bedroom. We understood each other almost without words. We interacted with each other. He was dominant. I was submissive. I was terribly turned on by his shoes, the smell, I could lick his feet endlessly. The night seemed endless. We amplified the sensations with poppers. It was only there that I learned what real sneaker sex meant. I had always been turned on by sports shoes and white socks, but I didn't know that combining this with pissing could give so much pleasure to both of us. We meet regularly in different cities in Europe. Our oral and anal intercourses plus what we both enjoy, guarantee us a fully satisfying intimate life.

Figure 21.2 One of the quotes posted on the “Sex in my City” campaign website. Translation by the authors.

Source: Acquired through the Wayback Machine website on October 25, 2023.

“In Poland, sex cannot come with impunity”

The complex interplay of regimes of risk and responsibility in Polish HIV politics is also evident in the domain of chemsex and chemsex-related prevention. Understood as sexual activity while under the influence of drugs, usually between MSM, chemsex was deemed an international public health issue in the mid-2000s (Brodzikowska 2022) in the belief that casual and/or group sex on drugs, primarily stimulants, increases vulnerability to HIV/STIs (Strong et al. 2022). Such debates were inextricably linked with discussions on a relatively new prevention measure: PrEP, antiretroviral drugs that can be taken prior to possible exposure to HIV to prevent contraction of the virus. Recommended by the World Health Organization, PrEP has been introduced in various countries, often free-of-charge.

In 2017, the Polish AIDS Society officially endorsed the provision of PrEP to MSM who take part in chemsex. However, PrEP is not provided free of charge and on demand by the Polish public healthcare system. Prescriptions for PrEP and PrEP-related services can only be accessed in the private sector and via community-led sexual health clinics in three Polish cities. We argue that this restricted availability results from disputes about PrEP among HIV professionals, including doctors, prevention workers and HIV activists, and MSM communities. Accounts by those involved reveal the enactment of regimes of risk and responsibility in discussions about PrEP and chemsex.

One activist, representing a network of people living with HIV, believed PrEP should not be state-funded as people needed to “not forget about condoms just because we have [HIV] treatment” and those who engaged in “risky sexual behaviours” should bear the financial consequences for “their business”. Thus, in his view, individuals are responsible for their own sex practices and any implications. In this responsabilizing perspective, which even manifests among those living with HIV, gay men’s sexual health and the potential risks of unprotected chemsex belong to the realm of personal decisions and individual resources. This framing facilitates state withdrawal from its duty to care for citizens’ health and safety and relegates the responsibility to care for oneself and ones’ sexual partners onto the individual.

Other research participants who did support non-restricted provision of PrEP told us the opposing view was widespread due to chemsex being viewed as a controversial, non-normative sexual practice. This highly moralized lens constructs socially desired sex as monogamous and substance-free, chemsex participants as a threat to moral and social orders, and PrEP as a tool that facilitates, if not encourages, casual sex on drugs. This perspective can also be found in Polish gay communities: one queer activist who provided counselling for MSM in Warsaw who engaged in chemsex told us a “negative moral judgement” about having multiple sexual partners was often found among LGBTQ+ people, including MSM, and that gay men who use PrEP were often shamed as “slutty” and “Truvada whores”.⁴

This activist believed such opinions resulted from the unbreakable association between sex and punishment in Poland, where sex could not take place “with impunity”:

If we give people PrEP, then they will go unpunished... They will have many sexual contacts with impunity, without any consequences... Homosexual contact should have consequences, [...] people should suffer because of it. Before it was HIV, and now, if they use PrEP, they don't get punishment. So, the whole moral system is falling apart: they do something wrong and... they are not punished.

This statement suggests that pleasure, especially in the queer and drug contexts, cannot be perceived beyond a frame of risk and responsibility and requires redemption via punishment, whether in the form of HIV infection or moral condemnation.

These framings that stigmatize and pathologize queer sexual practices are being challenged by PrEP community advocates, who not only promote and provide PrEP among MSM but also present alternative understandings of chemsex. One prominent PrEP activist proposed interpreting MSM engagement in chemsex via the lens of minority stress: chronic stress resulting from exposure to constant stigmatization (Iniewicz 2015). This explanation emphasizes structural factors that shape individual experiences, self-perceptions, and (sexual) practices and recognizes the role of state-sponsored homophobia in the reproduction of discrimination:

This is also a part of the situation in which MSM function in Poland, i.e. strong stigmatisation and, consequently, high tension connected with the judgment that accompanies everything related to non-heterosexual orientation, including sexual activity. And, of course, drug use reduces this tension for some time. [...] It makes it possible to have sexual contacts without remorse, without feeling that one is doing something immoral. And it allows sexual contacts that transgress various boundaries.

While this perspective shifts responsibility for potentially harmful sexual practices and drug use from an individual engaged in chemsex to a homophobic system, it does not embrace pleasure. Rather, by incorporating the harmful political and social context, this framing resorts to victimizing gay men. Using drugs for sexual pleasure is justified by one's entrapment in repressive norms, rather than sexual desires. Once again, pleasure becomes entangled in the hegemonic regimes of responsibility and risk.

Conclusions

As we have shown, Polish HIV-related sexual politics are dominated by the regimes of risk and responsibility that construct sex and sexual health through categories of threat and

self-control. As a risk to the social and normative order, sex, in both practice and theory, can destroy innocence and moral purity, and when associated with pleasure and nonnormative practices, is subjected to erasure or suppression in public discourse. Ultimately, sex “cannot come without impunity” and must be met with moral, economic, or health consequences to be borne by the individuals involved. Our analysis indicates that the hegemonic regimes of risk and responsibility in Polish sexual politics impact HIV-focused sex education, community-led HIV prevention, and harm reduction projects targeting MSM: the normative ways of thinking about sex are often reproduced in spaces that could allow pleasure and desire to be thematized and embraced.

At the beginning of this chapter, we have argued that the recent shift in HIV criminalization in Poland was influenced by the punitive character of pandemic governance, increasing state-queerphobia, and heightened right-wing populism. The alleged threat of “LGBT ideology” was mobilized by policymakers to restrict sexual and reproductive rights. While HIV criminalization went unchallenged, state-sponsored homophobia and the 2020 abortion ban were met with nationwide mass protests: hegemonic, conservative sexual politics were challenged by embracing queer sexualities and subjectivities and endorsing the right to sexual autonomy and pleasure-oriented non-reproductive sex. We believe these mass mobilizations reflect possible shifts in Polish sexual politics that could destabilize the regimes of risk and responsibility, producing new conceptual potentialities that may reshape HIV prevention and sex education, and allow discourses and practices focused on pleasure to emerge in Polish HIV-related sexual politics.

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Notes

- 1 Resolutions declaring freedom from “LGBT ideology” passed by around 100 municipalities and voivodeships across Poland in recent years.
- 2 Harm reduction projects were initiated in the late 1980s, officially introduced to the national HIV prevention programme in 1995, and endorsed in the National Public Health Programme of 2016. However, harm reduction activists and experts claim that even today some services are not accessible to people who use drugs: substitution treatment is only available to around 30 per cent of opioid users, safe injection rooms are non-existent, and only three cities have drop-in centres.
- 3 <https://stronazycja.pl/stop-pedofilii/>. Accessed November 3, 2022.
- 4 Truvada is a brand name for PrEP.

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