

DEVELOPMENTS IN THE FIELD

CSOs' Perception of Corporate Activism on the LGBT+ Community in Poland

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Abstract

This article discusses the relatively new phenomenon of corporate activism concerning the LGBT+ community in Central and Eastern Europe, particularly in Poland. It highlights how companies use various forms of corporate activism to show support and solidarity with LGBT+ people, especially during Pride Month. The authors note that there is a need to understand how these actions are perceived by civil society organizations (CSOs) that support LGBT+ people. To address this issue, a qualitative study was conducted to gather the perceptions of 11 CSO representatives from different organizations on the activities undertaken by companies for LGBT+ groups. The study intended to explore whether CSOs identified the support provided by businesses as activities to protect human rights, which business activities were valued most by the LGBT+ community, and what business actions in the public sphere are expected.

Keywords: Civil society organizations; corporate activism; corporate advocacy; LGBT+; Poland

1. Introduction

Corporate activism by companies to support LGBT+ groups in Central and Eastern Europe (CEE) is a relatively new phenomenon. The concept of corporate activism refers to 'a company's willingness to take a stand on social, political, economic, and environmental issues to create societal change by influencing the attitudes and behaviours of actors in its institutional environment'.¹ This practice allows the company to take a particular position on a given matter and can be used as a form of communication with stakeholders.²

Different forms of corporate activism might be used to express solidarity and integrity with various vulnerable groups, including LGBT+ people, as they face discriminatory practices that violate their human rights in Poland.³ Enterprises can support the visibility

¹ Meike Eilert and Abigail Nappier Cherup, 'The Activist Company: Examining a Company's Pursuit of Societal Change Through Corporate Activism Using an Institutional Theoretical Lens' (2020) 39:4 *Journal of Public Policy & Marketing* 461.

² Dennis L Wilcox, 'Dialogic Communication Theory in the Age of Corporate Activism: A Postmodern Perspective' (2019) 2:1 *Communication and Media in Asia Pacific (CMAP)* 1–10.

³ See, e.g., ILGA-Europe, 'Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans, and Intersex People in Poland Covering the Period of January to December 2020', https://issuu.com/ilgaeurope/docs/annual_review_2020 (accessed 15 February 2022).

of LGBT+ people during Pride Month but also in everyday business operations such as advertising, communication, through products and participation in public debate, and support for specific demands in the public sphere.⁴ In Poland, support for LGBT+ people is visible mainly during Pride Month in June, with business engagement manifesting itself in the form of messages and graphics placed, for example, on corporate web pages and in marketing communications. Some companies operating in Poland decide to participate in the Pride Parade, give funds to relevant organizations and sponsor gadgets distributed during such events. However, little is known about how such actions undertaken by the business community are perceived by LGBT+ groups and the civil society organizations (CSOs) that support them. CSOs, as advocates, supporters and members of the LGBT+ community, have the legitimacy to present their voice.⁵ The social sector may have an impact on different processes, exert pressure, set interventions, and enhance social changes.⁶

This 'Development in the Field' piece aims to present research results on the perceptions of CSO representatives on the activities undertaken by companies in Poland (both Polish companies and Polish subsidiaries of international enterprises) for the LGBT+ community. The main research question was: how are the business actions conducted for the LGBT+ community perceived by CSOs as crucial stakeholders in establishing and protecting LGBT+ rights in Poland? The study has a qualitative nature. Deep structured interviews with 11 representatives of 10 Polish CSOs (presidents and directors of the organizations or members of executive boards⁷) were conducted. The interviews took place in January and February 2022, and the sample was selected based on geographical localization to obtain information from different regions of the country using snowball sampling.

The purpose of the study was to collect answers to explore the following questions:

- Is the support provided by businesses for the LGBT+ community perceived by the respondents as activities to protect human rights by business?
- Which business activities are valued most by the LGBT+ community?
- What business activities performed in the public sphere need to be included?

The interview results allowed for the formulation of a few conclusions to support the understanding of corporate activism in Poland. Moreover, the information shared by interlocutors was very similar, despite distinct sizes of organizations or regions of the country.

II. CSOs' Perception of Corporate Activism to Address LGBT+ Issues

Companies' public commitment to human rights in Poland is a relatively new phenomenon, and its scale is still small. Thus, the perspective of CSOs' representatives seems crucial

⁴ See the fifth Standards of Conduct for Business – Salil Tripathi, Charles Radcliffe and Fabrice Houdart, *Tackling Discrimination Against Lesbian, Gay, Bi, Trans, & Intersex People: Standards of Conduct for Business* (New York: United Nations Office of the High Commissioner for Human Rights, 2017).

⁵ Elisabeth Greif, 'Upward Translations – The Role of NGOs in Promoting LGBTI*-Human Rights under the Convention on All Forms of Discrimination Against Women (CEDAW)' (2020) 4:1 *Peace Human Rights Governance* 9–34.

⁶ Ewa Bogacz-Wojtanowska, *Zdolności organizacyjne a współdziałanie organizacji pozarządowych* (Kraków: Instytut Spraw Publicznych Uniwersytetu Jagiellońskiego, 2013); Bridget M Hutter and Joan O'Mahony, 'Business Regulation: Reviewing the Regulatory Potential of Civil Society Organisations', The London School of Economics and Political Science, CARR Centre for Analysis of Risk and Regulation, Discussion Paper No. 26 (September 2004), <https://www.lse.ac.uk/accounting/Assets/CARR/documents/D-P/Disspaper26.pdf> (accessed 15 February 2022).

⁷ All citations in this paper come from interviews conducted with representatives of CSOs from Poland. To assure the anonymity of the respondents, individual citations have not been assigned to a specific person.

to understand how business advocacy on LGBT+ issues is perceived. Several reasons dictated the choice of this target group. CSOs operating to counteract the exclusion and discrimination of LGBT+ people have been present in Poland for many years. Their activities include direct support for the community, along with advocacy and consultation activities. They are important stakeholders with whom enterprises can cooperate.

Key findings from the study, which will be described in detail in dedicated sections below, are as follows:

- (1) Corporate activism is at risk of pinkwashing and queerwashing. Business commitment to the LGBT+ community is still perceived as inconsistent.
- (2) There is a need to develop coherent internal and external policies for businesses to address LGBT+ issues.
- (3) The issue of risk related to corporate activism arises. Advocacy for the LGBT+ community may cause reputational risks. It may also break the relations between customers and companies because of their engagement with the LGBT+ community.
- (4) Corporate activism on LGBT+ issues is still immature and is not treated as a part of companies' human rights policies.
- (5) Collaboration between sectors is crucial to understand mutual needs and expectations, and to establish beneficial projects for further change.

III. Business Advocacy and the Risk of Pinkwashing

The respondents agreed that publicly manifested activities are needed. However, their attitudes towards the forms of such support were different. The presence of companies in the context of supporting the LGBT+ community was received rather positively. CSO representatives know that some activities result from the desire to create a good image and positive public relations (PR), which is accepted if not limited just to communication campaigns. Some representatives find them even important because they believe that contact with LGBT+ issues in the public sphere helps to change the attitudes of many people. However, this positive message also had a negative side: 'On the one hand ... business getting involved in June [the Pride Month] proves that as a community we are more visible, we have settled in social consciousness. On the other hand, business counts on rainbow consumers and capitalizes its commitment, which is cynical'. Another respondent also shared this opinion.

Displaying signs of support during Pride Month in June by changing the colours of logos or participating in parades is not enough to show their fundamental commitment to the fight for human rights. In fact, some responses reflect growing frustration because of that. The respondents emphasized that 'business in Poland is in a process that cannot be stopped', but 'the challenge is the scope of what business does'. The reflection was also supported by another respondent: 'These are only gestures and actions, not a permanent policy of companies'.

Some voices noted that actions such as just changing the colours of logos or offering products with a rainbow are often an expression of pinkwashing or queerwashing. In the respondent's opinion, pinkwashing covers unethical activities in one area with involvement in superficial activities for LGBT+. Pinkwashing also appeared in the marketing context when companies sell goods with logos during Pride Month, but in their daily activities, they still discriminate. 'Rainbow marketing itself is ok, but does the support translate into financial support for the community?'. Such behaviour is perceived as a promotion of the company itself and not support for the LGBT+ community. As seen from the CSO angle, for it to be effective, company support in the public sphere should be manifested constantly. It is

the only way to prove that they are allies of the LGBT+ community and that their culture and processes are oriented on diversity and inclusivity at a strategic level.

IV. Coherent Framework and Internal Dimension

The focus on communication and image is still noticeable, and there is a necessity to focus on the actual needs of the LGBT+ community – supporting selected postulates, e.g., marital equality. Business is an essential participant in social relations. The respondents admitted that financial support from business is essential to allow for different initiatives to exist. With adequate resources, CSOs can influence the law and support its change.

Although the focal point of the study was the presence of business in the public sphere, some threads related to internal diversity and inclusivity policies were mentioned by respondents: 'Such [outside] activities are important and needed. Rainbow people who work want an open environment. As the company shows that everyone is important, it is significant'. This internal dimension and how the human rights of employees are respected were equally important to the respondents. 'I do not rate the business very well. Policies do not work. There are problems when starting work for the company. Transgender data is disclosed (right to privacy). LGBT+ people are treated worse.' Interviewees highlighted that more activities can be conducted internally and that not all companies communicate it to the outside world. 'Employees should be looked after first, then outside activities.'

There is a need to create a coherent framework for action favouring human rights. If, despite declarations, human rights are violated in one area or another, all undertaken activities are assessed negatively. Companies should cover both internal and external dimensions of their activities to avoid neglecting essential areas of human rights issues.

V. Challenges for Business

The respondents also referred to the challenges the business sector may face in demonstrating support for the visibility of the LGBT+ community in the public sphere. It was emphasized that for some organizations, even changing the colours of the logo may be challenging. Business still needs to be made aware of the public perception of their potential activities, when stressing support for the LGBT+ community. Such activities may be risky for some companies. They must consider the loss of customers who are not supportive of this type of involvement. Activity in this area is often the result of the efforts of a specific person (grassroots) or as part of the inclusion or corporate social responsibility (CSR) policy. Sometimes the initiation of actions may be reluctantly perceived by the employees. On the other hand, the willingness of the business to be visible and attract clients for whom human rights and equal treatment are important values, both from the LGBT+ community and from outside, is a factor that initiates change or dismantles possible resistance.

According to respondents, what is interesting is that some people with left-wing views do not want such support ('corporations are bad'), but a large group of people feel noticed and supported thanks to these interventions. Sometimes changing the company's profile on social media to a rainbow one can help by affecting well-being, and making people feel supported by individuals and companies, which is essential. However, actions aimed only at better visibility of the company itself should be distinguished from those followed by specific support, such as the transfer of funds, psychological help or targeted activities for people with specific needs, such as support for an intervention hostel. Corporate activism may be risky for the company, especially if there is not a strong orientation on diversity and inclusivity reflected in its strategic values. The public manifestation of support

is a kind of responsibility, and risk-holders need to understand the market response to react appropriately.

VI. Immature Approach

The respondents doubt whether enterprises operating in Poland approach human rights issues maturely. It is even difficult to assess the extent to which the visibility of business activities for LGBT+ people in the public sphere supports the development of human rights and strengthens them. The interviewees stressed that business in Poland aspires to be mature. It is still at the beginning because: 'Changes are slowly taking place ... People from the community started to fight for themselves. [...] There are not enough actions, and there is unethical behaviour in various areas.' They point out that part of the challenge might be that the Poles do not perceive diversity yet as a value. In the opinion of CSO representatives, companies are only at the stage of learning about human rights – there are still many in denial that human rights violations exist.

The interviews highlighted individual companies' differences concerning location: 'In big cities [business is] more mature.' 'There is an abyss in large Polish companies without foreign capital. Polish business has much to catch up on in the LGBT+ area.' The approach to the issue of equality is sometimes selective – attention is paid to gender issues, and LGBT+ issues are neglected. One of the respondents underlined that communication in the area of human rights was not given adequate attention, and legislation is a factor that may accelerate the process of developing more mature attitudes. There are other reasons for improving the visibility of the topic:

- Initiatives undertaken by businesses publicly stimulate the broader discussion on equality and diversity.
- Society and business learn from observed public involvement and are more aware of diversity and equality.
- Projects conducted internally result in educated employees who can demonstrate better understanding and acceptance for others while performing other social roles outside the workplace. They are also members of their local communities, and through their knowledge and awareness, they teach others, influencing a change in attitudes.
- Business participation in the public discussion on the necessity of social change and the introduction of new solutions or legal regulations in a country are significant from CSOs' perspective.
- Companies have a strong influence. Through advertising, products and movie productions, they can show diversity in all spheres of activity, making people aware that the LGBT+ community is part of society.

The motivation of companies to put the issue on the business agenda requires the education of the whole of society, including business representatives. There is a necessity to demonstrate the importance of diversity as a core value for society, which strong legal regulations may also support.

VII. The Necessity of Collective Actions

The respondents emphasized that non-governmental organizations have the best knowledge regarding the problems of the LGBT+ community, but also about solutions that would be useful. That is why including a social partner in internal and external business activities could add value to many business initiatives. It is an expectation that companies

will 'come out to rainbow communities with more than just advertising, for example, by showing that their companies welcome these people'. A mutual exchange of experiences would be appreciated.

Geographical differences between enterprises are also necessary to address. Activities are concentrated in large urban centres in which these active companies operate. Reaching smaller towns is crucial, especially as issues such as a lack of understanding and intolerance are more common in these areas.

Businesses usually choose large organizations as partners, or these large organizations communicate most effectively with enterprises. Smaller organizations receive a different amount of support than large ones. It is also challenging to get support and find examples of the involvement of smaller companies.

Support is also limited to certain times of the year – it most often occurs when organizing the Equality Parade, but it is missing daily ('Business is absent where people need help'). More support is necessary to assess companies' activities as real business commitments. The study supports intersectoral cooperation between businesses and social partners, and recommends that businesses carefully consider their criteria for choosing a partner. The expertise and knowledge of local organizations have allowed for the planning of joint activities, that meet the target group's actual needs. Such consideration will help fill the gap between the support given to the biggest and the smallest CSOs.

VIII. Conclusion

Business commitment to the LGBT+ community is rarely a result of the implementation of a consistent inclusion and diversity strategy and policy – the data collected through interviews suggest that there are often perfunctory and one-off actions. They are not a part of the fulfilment of an obligation resulting from the protection of human rights. Although the visibility of business and commitment to LGBT+ issues are perceived as necessary, businesses might remember that being active in the public sphere should be preceded by addressing and sorting out internal issues. Corporate activism should be rooted in an adopted policy and a strategic approach on these issues, and should not be limited only to *ad hoc* activities in response to public expectations, because the topic has become an element of public debate. Only a fundamental commitment to protect the rights of all, can prevent businesses from being seen as unethical and unaware of human rights. It is not an expression of organizational maturity.

The collected data show that businesses are willing to express social commitment but do not understand that there is also a need to protect the human rights of the LGBT+ community, as a minority group. The actions undertaken by businesses are not perceived as ways to advocate for and positively impact LGBT+ rights. The research results should provide companies with food for thought and encourage them to revise their approach, take a more strategic perspective, and consult with the LGBT+ community to advance respect for human rights in Poland. It means the current corporate activism uses only a limited number of instruments and opportunities to manifest care for human rights.

The results of this study show that companies often try to demonstrate their support for the LGBT+ community in a limited way, e.g., by displaying the company's logo in rainbow colours. LGBT+ CSOs perceive such an approach as a feel-good and trendy exercise – they expect more from progressive companies. They note that there is a lack of a systemic approach to human rights in business. According to the respondents, internal policies are important and, unfortunately, very often, a missing element that could help these organizations create a fundamental framework for protecting the human rights of all stakeholders. Internal actions that demonstrate greater maturity on human rights may include equality and diversity training, supporting minority groups, employee rainbow

networks, responding to cases of discrimination against LGBT+ people, and cooperation with civil society organizations. Visibility in public that is limited to symbolic gestures hardly equates to advocacy activities.

Corporate activism for the LGBT+ community should flow from the adopted values, organizational norms, and external activities conducted jointly with initiatives addressed to internal stakeholders. The basis for action should be legal regulations and the UN Guiding Principles on Business and Human Rights, which determine the boundary conditions.

Competing interest. Authors Agata Rudnicka and Janusz Reichel declare none.