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Changes in the social, political and legal situation of national and ethnic minorities in Poland after 1990

Introduction

After the Second World War, Poland's policy towards non-Polish nationalities living in Poland aimed at their total assimilation by means of attempts to eliminate their populations, resettling, discrimination, a total control of their social and cultural activities and isolation from their native countries.

Although in various periods of the history of the People's Republic of Poland the intensity as well as forms and manifestations of this policy were different, the main aim of 'ethnic policy' of the Polish state over the years was to create a monoethnic society, a society with no national minorities.

A change in policy towards national minorities was possible only after the democratic opposition had seized power in 1989 and introduced deep political transformations. The democratic Poland as a lawful state could not continue its policy of discrimination of their own citizens. A number of legal regulations were implemented. They were supposed to enable all the nationalities living in Poland to function freely nationally, politically, socially and culturally, and, in particular, to cultivate their national identity, language, culture and traditions. This was meant to be in contradiction with the previous policy of assimilation (Chałupczak, Browarek 1998, Łodziński 2005). Moreover, various types of national statistics were resumed after many years.

Furthermore, at the beginning of the 1990s, vital geopolitical changes in central and eastern Europe took place, among others: reunification of Germany, collapse of the USRR and dissolution of Czechoslovakia. The emergence of numerous independent nation-states in a very short time in the immediate vicinity of Poland got a lot of publicity among particular national minorities, especially those living in the areas near the border. The political and economic relations between Poland and its new sovereign neighbors and, to a large extent, also between nations separated by borders were completely changed. Certainly, this did not mean elimination of all the previous problems. On the contrary, new problems arose. But simultaneously numerous possibilities to solve the problems occurred and, what is more important, minorities could speak openly about all kinds of problems and conflicts.

Ethnic organizations

Political and social changes initiated at the end of the 1980s and the beginning of the 1990s resulted in, first of all, a great revival of economic and organizational activity of particular minorities.

Ethnic organizations fully controlled by the state had started to emerge several dozen years before as a result of political transformations in 1956. Genuine, although usually short-lived, revival of cultural and national life among particular non-Polish communities took place. The policy of resettling and assimilation that had been previously implemented was now replaced by the policy of restricted social and cultural activity. The state allowed to form 'minority social-cultural' organizations but for one minority only or even one organization for two minorities as was the case with Czechs and Slovaks (*Towarzystwo Kulturalne Czechów i Słowaków w Polsce* – Cultural Society of Czechs and Slovaks in Poland)¹. Soon, it turned out that the newly created organizations had little in common with genuine revival of national minorities and taking care of their welfare but that they became a method of control and a means of reinforcing the position of communist power among non-Polish communities. They were under the Ministry of Internal Affairs (*MSW*) control and were totally loyal to the Polish United Workers' Party (*PZPR*). They were supposed to disseminate and popularize the state's policy and socialist ideals among national minorities. However, despite their dependence on the state and few members they still dominated shaping social, educational and cultural lives of particular minorities, also because they had no competition. (Barwiński 2008, Chałupczak, Browarek 1998, Madajczyk 1998).

After 1989 'social-cultural' organizations existing since mid-50s became independent of political supervision, changed their names and their activity type into definitely more national. Only 'Byelorussian Social-Cultural Society' (*Białoruskie Towarzystwo Społeczno-Kulturalne*) kept its name and its obvious left-wing bias. The social-political reality of minorities became definitely more pluralistic. A number of new, often competitive organizations that broke the previous monopoly on representing affairs of particular nationalities were established. They increased activity of some minority communities and interest in ethnic issues, enabled the communities to manifest their identity and really participate in political and social life of the country. On the other hand, they also provoked numerous disputes over national and religious issues as well as within particular national minorities, e.g. Lemkos (Barwiński, 2008).

¹ Before 1989, Byelorussians, Czechs, Slovaks, Greeks, Karaims, Lithuanians, Germans, Russians, Roma, Ukrainians and Jews had their organizations.

Before 1989 there were only 10 national minority associations. As early as in 1989 another 6 organizations were registered. A great increase in the number of national minority associations was observed in the following years. Between 1990-1992, 23-24 organizations were established annually. Just within these three years almost a half of the organizations existing at present were established. In the next 3 years (1993-1995) the growth in their number (from 17 to 21 annually) continued due to which at the end of 1995 there were 137 minority organizations registered in Poland whereas there had been only 10 of them 6-7 years before. A definite decrease in the dynamics of growth in the number of national organizations has been noticed since 1997. Only between 2004-2007 some revival concerning registration of new societies (mainly Romani ones) was observed. However, this dynamics (4-7 new associations are established annually) is incomparably slower than in the early 1990s.

Altogether until 2008, 191 national organizations were registered and, at the same time, 19 were closed down. As a result, 172 national and ethnic organizations existed in Poland in 2008².

At present, the seats of boards of national societies are located in all provinces. Definitely, most of them are in the warminsko-mazurskie province – 28 (established solely by German minority representatives) and the mazowieckie province – 26 societies but 15 different nationalities. It must be a result of the fact that a number of headquarters of the organizations are located in the capital. Other provinces with a large number of national societies, although with fewer ones compared to Warmia and Mazury and in Mazowsze, are podlaskie, pomorskie, dolnoslaskie and zachodniopomorskie (18-15 organizations on average). Definitely, the lowest number of this type of organizations – just one – is registered in the lodzkie province (German one) and the swietokrzyskie province (Romani one).

The straight majority of national societies is established by representatives of so-called ‘traditional minorities’ living in Poland for several centuries. According to the Central Statistical Office (*GUS*) data, among 172 organizations only a dozen or so were registered by representatives of nationalities of relatively short immigration history in Poland (Greeks, Macedonians, Bulgarians, Vietnamese, Indians, Syrians, Chinese, Somalis, Yemenis). In total, 24 national and ethnic communities possess their ‘national’ organizations³.

² On the basis of *Wyznania religijne. Stowarzyszenia narodowościowe i etniczne w Polsce 2006-2008*, 2010, G. Gudaszewski, M. Chmielewski (eds.), GUS, Warszawa

³ They are: Germans (74 organizations), Roma (31), Byelorussians (12), Ukrainians (11), Jews (8), Lithuanians (6), Lemkos (5), French (3), Ormians (3), Syrians (2), Russians (2), Greeks (2), Bulgarians (1), Chinese (1), Indians (1), Yemenis (1), Karaims (1), Kaszubians (1), Macedonians (1), Slovaks (1), Somalis (1), Tatars (1), Hungarians (1), Vietnamese (1).

Definitely, the German minority is characterized by the greatest organizational activity and forms 74 organizations, that is 43 % of the total. Another very active organizationally minority are Roma, who registered 31 associations. Definitely, Byelorussians, Ukrainians and Jews have a lower number of organizations (12, 11 and 8 respectively). Other nationalities have only a few (from 1 to 6) registered organizations. Almost a half of the societies (83) declare all-Poland operation. The majority is of a more or less local type operating in the whole region, sometimes even single communes, towns or villages.

As far as the number of members of national organizations is concerned, the German societies definitely dominate with more than 235 thousand members, that is as much as 82% of all members of all the national societies. Apart from the German minority, Roma, Ukrainians, Kashubians and Byelorussians join their organizations in greatest numbers (table 1). However, a continuous, clear tendency towards a decline or stagnation concerning the number of members of national societies has been observed for many years. In the last 2-3 years only the number of members of Romani and Lemko organizations slightly increased. Also, it must be remembered that the data concerning the number of members of national organizations are, actually, solely dependent on the accuracy of boards of particular societies⁴.

Table 1. The national organizations in Poland with largest number of members
(having over 2 thousand members, as of 2008)

Name	number of members	headquarters
The Social-Cultural Society of the Germans in the Opole region (<i>Towarzystwo Społeczno-Kulturalne Niemców na Śląsku Opolskim</i>)	170 000	Opole
The German Union 'Reconciliation and Future' (<i>Niemiecka Wspólnota „Pojednanie i Przyszłość”</i>)	14 607	Katowice
The Social-Cultural Society of the Germans in Silesia Province (<i>Towarzystwo Społeczno-Kulturalne Niemców Województwa Śląskiego</i>)	12 296	Racibórz
The Kashubian- Pomeranian Union (<i>Zrzeszenie Kaszubsko-Pomorskie</i>)	8000	Gdańsk
The Association of National Minority of Roma in Poland 'Solidarity' (<i>Stowarzyszenie Mniejszości Narodowej Cyganów w Polsce „Solidarność”</i>)	7500	Kielce
The Association of Ukrainians in Poland (<i>Związek Ukraińców w Polsce</i>)	7000	Warszawa
The Byelorussian Social-Cultural Society (<i>Białoruskie Towarzystwo Społeczno-Kulturalne</i>)	5207	Białystok

⁴ On the basis of *Wyznania religijne. Stowarzyszenia narodowościowe i etniczne w Polsce 2006-2008*, 2010, G. Gudaszewski, M. Chmielewski (eds.), GUS, Warszawa

The Association of German Minority Youth in the Republic of Poland (<i>Związek Młodzieży Mniejszości Niemieckiej w Rzeczypospolitej Polskiej</i>)	5200*	Wrocław
The Association of German Minority in Gdansk (<i>Związek Mniejszości Niemieckiej w Gdańsku</i>)	5000	Gdańsk
The Association of Roma in Poland (<i>Stowarzyszenie Romów w Polsce</i>)	4000	Oświęcim
The Association of Roma in Laskowa (<i>Stowarzyszenie Romów z siedzibą w Laskowej</i>)	3500*	Laskowa
The Olsztyn Association of German Minority (<i>Olsztyńskie Stowarzyszenie Mniejszości Niemieckiej</i>)	3150	Olsztyn
The Society of Slovaks in Poland (<i>Towarzystwo Słowaków w Polsce</i>)	2644*	Kraków
The Charity Society of Germans in Silesia (<i>Towarzystwo Dobroczyńne Niemców na Śląsku</i>)	2435	Opole
The County Bytów Association of Population of German Origin in Bytów (<i>Powiatowy Bytowski Związek Ludności Pochodzenia Niemieckiego w Bytowie</i>)	2299	Bytów

Source: author's own analysis on the basis of *Wyznania religijne, stowarzyszenia narodowościowe i etniczne w Polsce 2006-2008*, 2010, G. Gudaszewski, M. Chmielewski (eds.), Warszawa, Główny Urząd Statystyczny

* as of 2005

Analyzing the number of members of particular national organizations in the context of the results of the national census in 2002, it may be noticed that in the case of four communities having the status of minorities in Poland, the total number of members of particular national organizations is significantly higher than the number of people who declare belonging to the particular nationality (table 2). This situation occurs in the case of Germans, Roma, Slovaks and Jews. This difference is most noticeable in the case of Germans since there are 88 thousand more members in the German organizations than there are Polish citizens declaring German nationality. However, concerning relative quantities, Jewish organizations draw particular attention as they have three times as many members compared to people declaring Jewish nationality.

There may be several reasons for this situation:

- some members of the national organizations may simultaneously be members of several other organizations of this type and hence, they can be counted several times, this concerns especially numerous German and Romani organizations,
- the data concerning the number of members of national organizations are dependent on the accuracy of statistics produced by boards of particular organizations, one may suppose that many a time these are just approximate estimations, especially in the case of organizations with most members,

- the data concerning the number of particular nationalities and obtained during the national census may be for various reasons understated⁵.

The national census in 2002

During the whole period of the People's Republic of Poland, there were no statistics concerning nationality collected by the Central Statistical Office (apart from the summary census in 1946), which was the result of the state's attitude disseminating monoethnic model of the Polish society.

The situation changed in 1989 on implementing social-political transformations in Poland. In 1992, Unit for Religious Denominations and Nationalities was established in the Central Statistical Office, which was supposed to focus on statistics concerning ethnic and religious issues. The unit initiated questionnaire surveys embracing organizational structures of minorities, thanks to which it continually gathers and updates statistical data on both organizations and associations of ethnic minorities which are registered in Poland and the number of their members⁶.

In 2002 the National Population and Housing Census took place in Poland. Due to political transformations of the 1990s and democratization of the life in Poland, it was possible to include a question about national identity for the first time for many years. Since the Second World War it was impossible to give a precise answer to the question about distribution and especially size of national minorities in Poland⁷. The findings were just approximate. Despite unquestionable recent occurrence of polonization processes among national minorities, this was not reflected in various estimations concerning their size. According to numerous assessments, the number of representatives of national minorities in Poland, discussed in the present paper, has been increasing steadily since the 1950s (Chałupczak, Browarek 1998, Eberhardt 1996, Nijakowski, Łodziński 2003, Łodziński 2005, Sobczyński 2000). Although at that time there were no official statistics concerning the nationality issue, research on the ethnic structure of contemporary Poland was conducted and considerably intensified after 1990.⁸ However, despite numerous studies on national structure

⁵ On the basis of *Wyznania religijne. Stowarzyszenia narodowościowe i etniczne w Polsce 2006-2008*, 2010, G. Gudaszewski, M. Chmielewski (eds.), GUS, Warszawa

⁶ On the basis of *Wyznania religijne. Stowarzyszenia narodowościowe i etniczne w Polsce 2006-2008*, 2010, G. Gudaszewski, M. Chmielewski (eds.), GUS, Warszawa

⁷ The question about nationality was included in the first postwar census in 1946. However, its findings are hardly credible mainly due to migrations then taking place and political circumstances. In the following national censuses in People's Republic of Poland there was no question about ethnic identity (Eberhardt 1996, Chałupczak, Browarek 1998).

⁸ This issue was analyzed by sociologists (among others: G. Babiński, Z. Kurcz, A. Kwilecki, S. Łodziński, E.

that have been published recently, the estimates concerning the size of particular minorities differed considerably or were put within wide margins, which limited their credibility and scientific significance (table 2). The common census in 2002, for the first time for many years presented ‘official’ size and distribution of non-Polish communities in the Republic of Poland. It demonstrated few members of national and ethnic minorities, as opposed to the previous estimates (table 2). It also made it possible to review the estimates, showed the degree of the overestimation and, in a way, demonstrated the intensity of assimilation and polonization processes which took place in the last half of the century. It also showed the power of the leaders of particular minorities to motivate their communities or lack thereof. Yet, the results of the census do not fully reflect the contemporary ethnic structure of Poland. The reasons for such a tiny size of many minorities are a number of factors, among others: assimilation processes, forced and voluntary migrations, history and negative stereotypes (especially in relation with Ukrainians, Jews and Roma), a low level of social tolerance and even the very structure and explicitness of the question included in the census questionnaire. The data gathered during the census should be regarded as ‘minimal values’, as a number of people of a very strong non-Polish national identity. The data concerning the contemporary distribution of particular minority communities are of more scientific value, especially for geographers, than the very size⁹. One of more significant legal results of the census is the fact that its findings inevitably became official data to be adhered to by institutions and government administration, especially taking into account the Act on National and Ethnic Minorities and on Regional Language.

Table 2. The number of members of communities having the status¹⁰ of national and ethnic minorities in Poland - a comparison of the estimate in the 1990s, the results of the national census (2002) and membership in national organizations (2008) (in thousands)

Michna, L. Nijakowski, W. Pawluczuk, A. Sadowski, A. Sakson, P. Wróblewski) and geographers (among others: M. Barwiński, P. Eberhardt, K. Heffner, M. Koter, M. Kowalski, A. Rykała, M. Sobczyński, M. Soja) as well as political scientists (among others.: T. Browarek, H. Chałupczak, S. Dudra, B. Halczak) and historians (among others.: P. Madajczyk, E. Mironowicz, J. Tomaszewski, K. Tarka).

⁹ The controversies over the result of the national census are discussed at length in the article „*Liczebność i rozmieszczenie mniejszości narodowych i etnicznych w Polsce w 2002 roku a wcześniejsze szacunki*” [In:] „*Obywatelstwo i tożsamość. W społeczeństwach zróżnicowanych kulturowo i na pograniczach*”, volume 1, pp. 345-370, Białystok 2006

¹⁰ Mentioned in Act of 6 January 2005 on National and Ethnic Minorities and on the Regional Languages („*Ustawa o mniejszościach narodowych i etnicznych oraz o języku regionalnym*” z 6 stycznia 2005 roku) (Journal of Laws, no. 17) (Dz. U. Nr 17).

nationality	estimate*	results of the national census**		total number of members of organization ****
		nationality	language***	
status of national minorities				
Germans	300 – 360	147.1	196.8	234.9
Byelorussians	60 – 300	47.6	40.2	5.6
Ukrainians	150 – 300	27.2	21.1	8.0
Lithuanians	9-25	5.6	5.7	2.0
Russians	10 – 17	3.2	12.1	0.1
Slovaks	10 – 25	1.7	0.79	2.6
Jews	5 – 15	1.1	0.24	3.7
Czechs	1 – 5	0.39	1.2	-
Ormians	5 – 15	0.26	0.32	0.1
status of ethnic minorities				
Roma	15 – 25	12.7	15.7	19.1
Lemkos	50-80	5.8	5.6	1.2
Tatars	2.5 – 5	0.45	0.01	-
Karaims	0.15 – 0.2	0.04	0.0	0.03
status of a community speaking a regional language				
Kashubians	370-500	5.1	52.6	8.0

Sources:

* the authors; own analysis on the basis of among others.: Borzyszkowski, Mordawski, Treder, 1999, Chałupczak, Browarek, 1998; Eberhardt, 1996; Hałuszko, 1993; Kurcz (ed.), 1997; Nijkowski, Łodziński, 2003; Łodziński, 2005; Sadowski, 1997; Sobczyński, 2000; Wierzycka, Hołuszko, Rzepliński, 1993;

** the author's own analysis on the basis of the data by the Central Statistical Office; concerns only declarations of people being Polish citizens www.stat.gov.pl/cps/rde/xbcr/gus/PUBL_nsp2002

*** the author's own analysis on the basis of the data of the Central Statistical Office, concerns 'the language used on a daily basis or within families' by people being Polish citizens.

**** the author's own analysis on the basis of *Wyznania religijne, stowarzyszenia narodowościowe i etniczne w Polsce 2006-2008*, G. Gudaszewski, M. Chmielewski (eds.), Warszawa 2010, Główny Urząd Statystyczny

Changes in the state's policy

The state's policy towards the minorities was changed as well. As early as in 1989 the Commission for National and Ethnic Minorities was established in the Parliament which was supposed to regulate the situation of the minorities¹¹. The 'minority' issues were moved from the Ministry of Internal Affairs to the Ministry of Culture and Art, which was supposed to demonstrate that the role of the state was undergoing a change from supervision into care. After many years, national minorities stopped being under police supervision. Within the Ministry of Culture and Art, Unit for National Minorities was formed and then transformed into the Office for Culture of National Minorities. The Joint Commission of the Government and the National and Ethnic Minorities was established in 2005 and it includes representatives of particular minorities and government administration. Unfortunately, consistent policy

¹¹ L. Nijkowski (2005) gives a comprehensive analysis of the issues of contemporary policy of Poland towards national and ethnic minorities

towards minorities has not been shaped yet and the work of various ‘commissions’ and ‘offices’ often is not coordinated enough.

The rights of national minorities are guaranteed by the constitution passed in 1997¹² and by numerous other acts accepted since 1989, among others: the Freedom of Conscience and Religion Act (1989), the Association Law (1989), the Law on Assemblies (1990), the Act on Education (1990), the Law on Political Parties (1997), the Electoral Law to the Sejm and Senate (2001). A number of bilateral treaties with all the neighboring countries concluded by Poland were a significant element of the protection of the rights of minorities, especially at the beginning of the 1990s. Moreover, due to Poland’s membership in the Council of Europe, the Polish government signed and a few years later the Sejm ratified the Convention for the Protection of Human Rights and Fundamental Freedoms (1993), the Framework Convention for the Protection of National Minorities (2000) and the European Charter for Regional or Minority Languages (2009).

However, the most important legal document for the national and ethnic minorities in Poland is the act of 6 January 2005 on National and Ethnic Minorities and on the Regional Languages¹³ which defines the notion of minority and includes a detailed list of rights and duties of the representatives of national minorities in democratic Poland. It was passed after numerous disputes as late as at the beginning of 2005 although deliberations over it started in 1989. The main objections to the act were costs of its implementation, the possibility of ethnic conflicts outbreak, extensive rights granted to the languages of the minorities, and especially bilingual names of towns and lack of the reciprocity principle as the situation of Polish minority in other countries is not taken into account¹⁴.

Defining national and ethnic minorities, the act refers to features mentioned in scientific definitions but also adds two other conditions which are not commonly mentioned although they do occur in works by researchers focusing on this issue. They are the following: *‘identifying itself with a nation organized in its own state’* as the basic and the only element distinguishing national and ethnic minorities and *‘its ancestors have been living on the present territory of the Republic of Poland for at least 100 years’*¹⁵. These conditions are indeed disputable and controversial and their introduction has far-reaching results. According

¹² Article 35 is fully devoted to this issue. The constitution includes also other articles directly or indirectly tackling protection of rights of national minorities (art. 13, 25, 27, 32, 53, 57, 58, 60) Journal of Laws, no.78, item 483 (*Dz. U. nr 78, poz. 483*).

¹³ Journal of Laws, no. 17, item 141 (*Dz. U. 2005 nr 17 poz. 141*).

¹⁴ Among others S. Łodziński (2005, 2006) and M. Ślęzak (2006) analyze in detail the very act and controversies over its passing.

¹⁵ Journal of Laws, no. 17, item 141, chapter 1 (*Dz. U. 2005 nr 17 poz. 141, rozdział 1*)

to these criteria, the act recognizes 9 national minorities – Byelorussian, Czech, Lithuanian, German, Ormian, Russian, Slovakian, Ukrainian, Jewish ones – and four ethnic minorities – Karaim, Lemko, Romani and Tatar¹⁶ ones and recognizes Kashubian as the only regional language in Poland¹⁷

The act offers the national and ethnic minorities opportunities to maintain their own cultural and linguistic identity, bans discrimination and assimilation. For some of the minorities (among others, the Lithuanian one) the particularly significant regulation included in the act is the right to spell their names and surnames in accordance with the spelling rules of the minority language also in official documents¹⁸. Furthermore, the act assures the possibility to use the minority language as ‘auxiliary language’ in municipal offices¹⁹. The condition of implementing this regulation is the minimum of 20% declarations of a national minority of the total number of residents in a commune in the national census and submitting an application by the commune council. After the last census, such a possibility occurs in 51 communes. However, it has been taken advantage of on the authorities’ motion only in 30 communes until September 2010. Among these, German is the auxiliary language in as many as 22 of them (fig.1,2; table 3,4).

Moreover, the act offers the opportunity to use additional ‘traditional’ names of towns and villages and other physiographical objects²⁰ in the minority language along with the names in Polish²¹.

Bilingual names may be introduced due to the commune council application in any town or village, even the one inhabited by few national or ethnic minority representatives after ‘consultations’ with the residents. The consultation is usually the residents’ vote (a referendum) with no minimum voter turnout requirement. Mainly due to very liberal regulations on bilingual names introduction, they become more and more popular. As many as 572 bilingual names have been introduced in Poland by September 2010. Two communities are definite leaders with regard to bilingual names introduction. They are Germans (286 names in German) and Kashubians (255 names in the Kashubian language). Bilingual names

¹⁶ Journal of Laws, no.17, item 141, chapter 1 (*Dz. U. 2005 nr 17 poz. 141, rozdział 1*)

¹⁷ Kashubians did not gain the official status of ‘ethnic minority’. However, due to considering the Kashubian language to be ‘regional’ they may benefit from many privileges mentioned in the act concerning teaching the Kashubian language at school, treating the Kashubian language as ‘auxiliary’ in municipal offices and using bilingual names of towns and villages (Journal of Laws 2005, no.17, item 141, chapter 4) *Dz. U. 2005 nr 17 poz. 141, rozdział 4*)

¹⁸ Journal of Laws 2005, no.17, item 141, chapters 1 and 2 (*Dz. U. 2005 nr 17 poz. 141, rozdział 1 i 2*)

¹⁹ Journals of Laws 2005, no.17, item 141, chapter 2 (*Dz. U. 2005 nr 17 poz. 141, rozdział 2.*)

²⁰ The names must not refer to the names from the years 1933-1945 and introduced by the Third Reich or the USSR (Łodziński 2006)

²¹ Journal of Laws 2005, no.17, item 141, chapter 2 (*Dz. U. 2005 nr 17 poz. 141, rozdział 2.*)

of towns and villages in Polish and German or Kashubian constitute 95% of all the names of this kind in Poland (figure 3, table 5).



Photo 1. Examples of bilingual Polish-German names of towns in the Opole region (photo by the author)

Bilingual names have been provoking disputes and stirring up emotions in Poland just since the beginning of the 1990s. This has concerned mainly Polish-German names in the Opole region (photograph 1) and – only recently – a Lemko name of Bielanka village which is the first name in contemporary Poland spelt in Cyrillic²². However, from the point of view of the minority they are one of most important ways of manifesting and maintaining their identity as well as a kind of confirmation of multinational history of a particular region.

In practice, the German, Lithuanian and Kashubian communities make the best use of the regulations although they are similar for all the 14 minority groups mentioned in the act.

Certainly, the regulations in the act in question do not apply to all the nationalities living in Poland at present. This is basically so because one of the assumptions underlying the act was to regulate all the issues connected with the functioning of so-called ‘traditional minorities’, i.e. minorities that have been connected with the Polish state for centuries, as opposed to ‘new’ immigration minorities. It may be stated that the act is a greatest success of Lemkos, who were recognized as one of the four ethnic minorities. This is the first legal recognition of Lemkos as a separate group and, hence, a clear differentiation from Ukrainians, which had been demanded by a part of the Lemko community as early as since the mid-19th century. On the other hand, since mid 1990s a number of controversies have been provoked

²² In 2008, only 63 residents of the village voted over introducing the Lemko name of *Bielanka* (*Bilianka*). Among them, 32 voted for and 31 against. The Lemko name was introduced („Spór o lemkową nazwę *Bielanki trwa*”, I. Dańko, *Gazeta Wyborcza* Kraków, 25.02.2008)

by the issue of recognizing or not recognizing ‘Silesian nationality’. These disputes became more heated after the national census in 2002 in which ‘Silesian nationality’ was declared by over 173 thousand people. This made Silesians the largest non-Polish community. On this basis, representatives of the unregistered Association of Residents of Silesian Nationality (*Związek Ludności Narodowości Śląskiej*) attempted to no avail to have Silesians included in the act in question as ‘ethnic group’²³. Until now, the issue of official, legal recognition of ‘Silesian nationality’ has not been solved.

Many a time the solutions presently included in the Polish law and tackling many issues connected with non-Polish nationalities considerably anticipate recommendations mentioned in international conventions regarding the rights of national and ethnic minorities. At present, the main problem seems to be a frequent lack of reciprocity in legal regulations on national minorities in Poland and the Polish minority in the neighboring countries. This is especially the case in Lithuania and Germany.

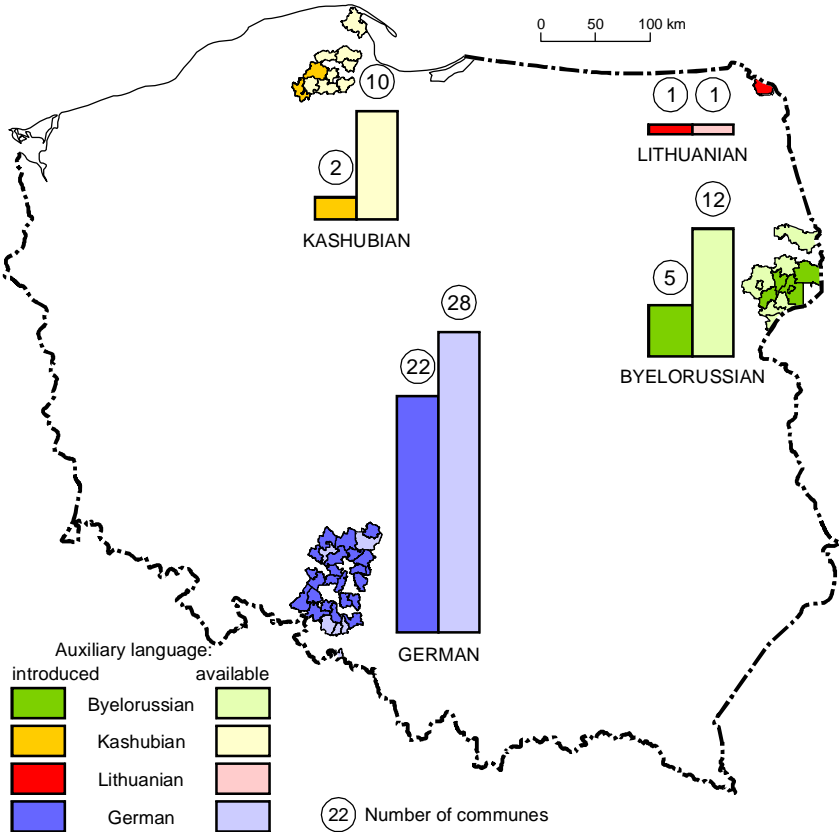


Figure 1. Distribution of communes where the minority language is, or in accordance with the act may be, used as an auxiliary language (as of September 2010)

Source: the author’s own analysis on the basis of the data by the Ministry of Internal Affairs and Administration www.mswia.gov.pl/portals/pl/178/2958

²³ For more detail see: S. Łodziński 2005, pp: 167-173.

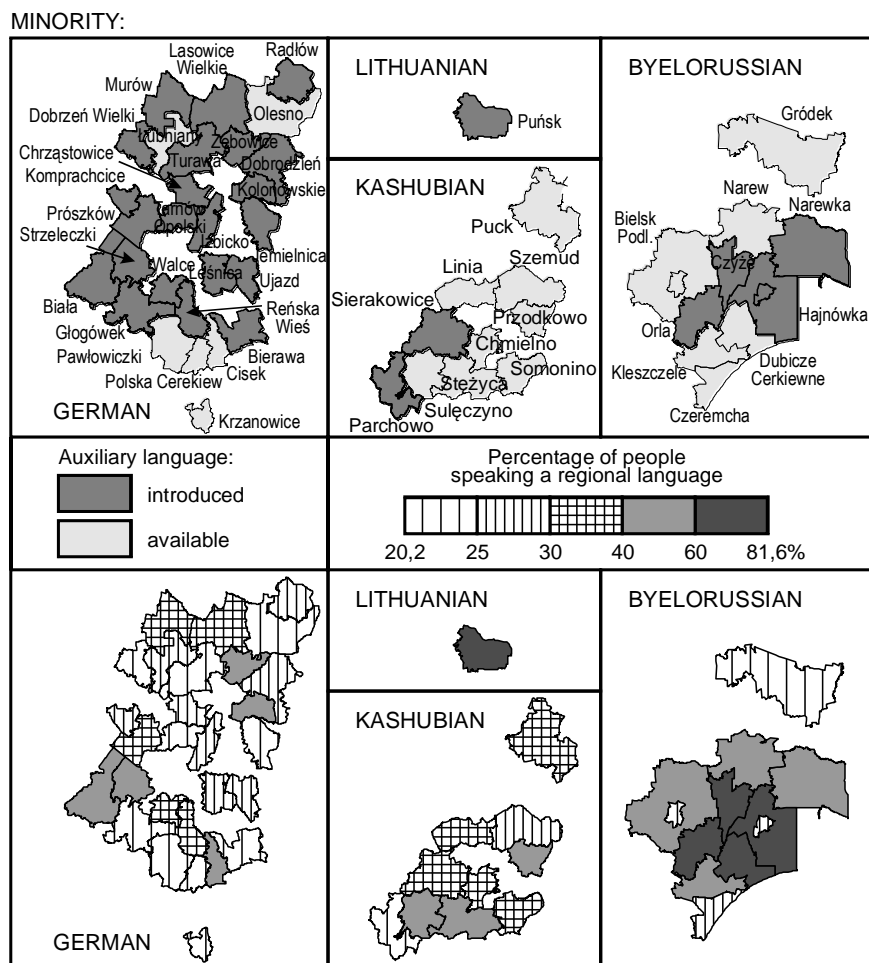


Figure 2. Distribution of communes where a minority language is or, in accordance with the act may be, used as an auxiliary language and speaking a minority language declared in the national census in 2002 in these communes.

Source: the author's own analysis on the basis of the data by the Ministry of Internal Affairs and Administration www.mswia.gov.pl/portal/pl/178/2958 and GUS www.stat.gov.pl/cps/rde/xbc/gus/PUBL_nsp2002

Table 3. Communes where a minority language is used as an auxiliary language (as of September 2010)

province	county	commune	language
opolskie	Opolski	Dobrzeń Wielki Chrzastowice Komprachcice Murów Prószków Tarnów Opolski Turawa	German
	Strzelecki	Izbicko Jemielnica Kolonowskie	

		Leśnica Ujazd	
	Oleski	Dobrodzień Radłów Zębowice	
	kędzierzyńsko-kozielski	Bierawa Reńska Wieś	
	Krapkowicki	Strzeleczyki Walce	
	Prudnicki	Biała Głogówek	
	Kluczborski	Lasowice Wielkie	
podlaskie	Hajnowski	Czyże Hajnówka (gm. m.) Hajnówka (gm. w.) Narewka	Byelorussian
	Bielski	Orla	
pomorskie	Bytowski	Parchowo	Kashubian
	Kartuski	Sierakowice	
podlaskie	Sejneński	Puńsk	Lithuanian

Source: the author's own analysis on the basis of the data by the Ministry of Internal Affairs and Administration
www.mswia.gov.pl/portal/pl/178/2958

Table 4. The number of communes where the minority language is, or in accordance with the act²⁴ may be used, as an auxiliary language (as of September 2010)

auxiliary language	province	number of communes with an auxiliary language	number of communes where in accordance with the act an auxiliary language may be introduced	percentage of communes with an auxiliary language*
Byelorussian	podlaskie	5	12	42 %
Kashubian	pomorskie	2	10	20 %
Lithuanian	podlaskie	1	1	100 %
German	opolskie	22	28	79 %
total	-	30	51	59 %

* percentage of communes with an auxiliary language with reference to the total number of communes where in accordance with the act the auxiliary language of a particular minority or regional community may be introduced
source: the author's own analysis on the basis of the data of the Ministry of Internal Affairs and Administration
www.mswia.gov.pl/portal/pl/178/2958

²⁴ Act on National and Ethnic Minorities and the Regional Languages (Journal of Laws, no.17, item 141) (*Ustawa o mniejszościach narodowych i etnicznych oraz o języku regionalnym*” Dz. U. Nr 17, poz. 141)

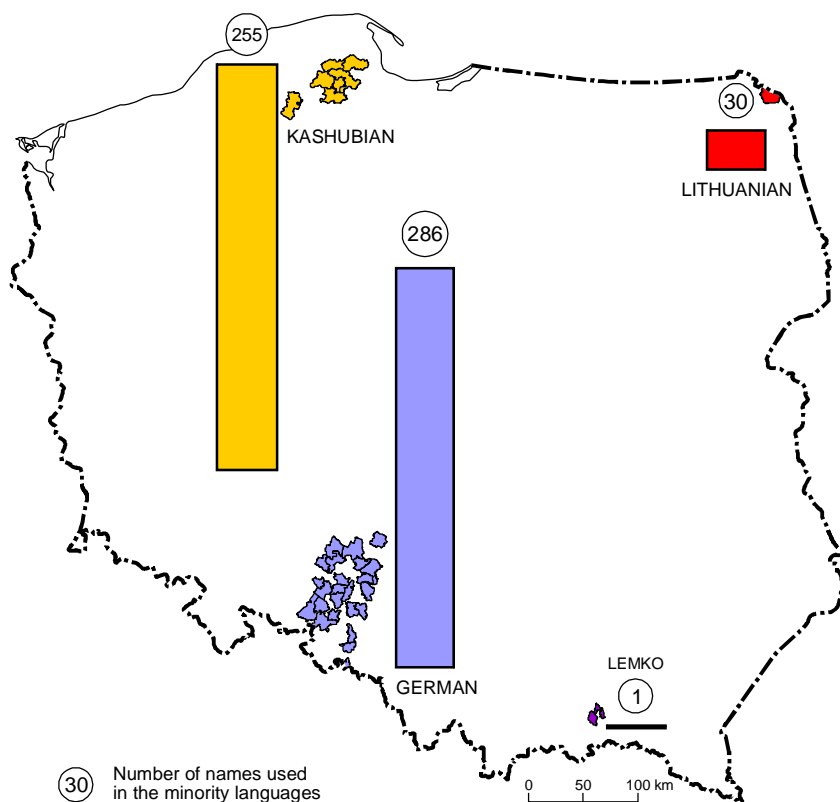


Figure 3. Distribution of communes where minority languages are spoken (as of September 2010)

Source: the author's own analysis on the basis of the data by the Ministry of Internal Affairs and Administration www.mswia.gov.pl/porta1/pl/178/2958

Table 5. Communes where names in the minority languages are used (as of September 2010)

province	county	commune	number of names	language
opolskie	Prudnicki	Biała	30	German
		Głogówek	22	
	Opolski	Prószków	14	
		Murów	13	
		Łubniany	11	
		Komprachcice	10	
		Chrzastkowice	9	
		Dobrzeń Wielki	9	
		Tarnów Opolski	8	
	Oleski	Dobrodzień	25	
		Radłów	12	
		Zębowice	10	
	Strzelecki	Leśnica	12	
		Izbicko	11	
		Ujazd	10	
Jemielnica		6		
Kolonowskie		4		

	Krapkowicki	Strzeleczyki	19	
		Walce	9	
		Gogolin	9	
	kędzierzyński - kozielski	Cisek	14	
	Kluczborski	Lasowice Wielkie	13	
śląskie	Raciborski	Krzanowice	5	
		Rudnik	1	
Total number of names in German			286	
pomorskie	Kartuski	Sierakowice	65	Kashubian
		Stężyca	55	
		Chmielno	31	
		Kartuzy	25	
	Wejherowski	Linia	34	
		Szemud	22	
	Bytowski	Bytów	23	
total number of names in the Kashubian Language			255	
podlaskie	Sejneński	Puńsk	30	Lithuanian
małopolskie	Gorlicki	Gorlice	1	Lemko
Total number of names in minority languages			572	

Source: the author's own analysis on the basis of the data by the Ministry of Internal Affairs and Administration
www.mswia.gov.pl/portals/pl/178/2958

Election

Political transformations in Poland in late 1980s and early 1990s first of all, brought about a great intensification of political activity of particular national minorities, especially their intellectual elite. This was manifested not only by means of organizational activity of various national associations but by means of political activity as well, i.e. both by means of founding political parties and active participation of electoral committees of national minorities in parliamentary and municipal elections.

Byelorussian Democratic Union (*Białoruskie Zjednoczenie Demokratyczne*) was the first political party of a national minority registered after the war (1990). In early 1990s, a number of political organizations of particular national minorities were established. However, due to little activity of minority communities, they usually had only a few dozen members and did not have extensive local branches.

At the beginning, the candidates of Byelorussian, Ukrainian and Lithuanian organizations were not successful in Polish parliamentary elections. Only when they were included in the list of the left-wing parties, did the situation slightly improve. The representatives of national minorities are much more successful in municipal elections, certainly in regions with a relatively high percentages of non-Polish residents, especially in the Opole, Podlasie, Suwałki, Podkarpacie regions (Chałupczak, Browarek 1998, Kęпка 2009, Kowalski 2000).

In all the elections since 1990s, members of national and religious minorities in Poland have been noticed to have very clear left-wing sentiment taking into consideration their election preferences. The strong and consistent support for left-wing options in regions and communes inhabited densely by Byelorussians, Ukrainians or Lithuanians may be explained by various economic, social, historical and cultural factors. However, a significant reason for such behavior must be clear association of right-wing parties with Polish nationalism and Catholicism. Hence, from the point of view of non-Polish residents' national and often religious interests, their voting for the left wing is most rational (Kowalski 2000).

The fact that Orthodox Byelorussian residents usually vote for left-wing parties and the domination of left-wing ideology over national identity is one of the main reasons why Byelorussian electoral committees in Podlasie fail to succeed in election after election and to have their representatives in the Parliament (Kępka 2009).

The only national minority in Poland that has kept having their representatives in all the Sejm's terms of office since 1991 is the German minority. The largest German organization, i.e. the Social-Cultural Society of the Germans in the Opole region has its candidates listed together with the German Minority electoral committee on a regular basis. According to the electoral law, electoral committees of national minorities do not have to exceed the electoral threshold of 5% votes nationwide in order to participate in the allocation of seats in the Sejm. Due to these legal regulations and motivation of German minority voters in the Opole region, this community is always represented in the Polish Parliament although the number of seats won by the German minority and a percentage of votes cast for their lists has been steadily decreasing since the beginning of the 1990s and until the last parliamentary elections in 2007 (table 6).

Table 6. The German minority election results in the parliamentary elections between 1991-2007

year	number of Sejm seats	number of Senate seats	% of votes in the Opole region	% of votes nationwide
1991	7	1	-	1.18
1993	4	1	-	0.44
1997	2	0	16.96	0.39
2001	2	0	13.62	0.36
2005	2	0	12.92	0.29
2007	1	0	8.81	0.20

source: the author's own analysis on the basis of the data by the National Electoral Commission (*Państwowa Komisja Wyborcza*) www.pkw.gov.pl

Conclusions

The political, legal and social transformations which have taken place over the last 20 years brought about both positive and negative consequences for the situation of non-Polish nationalities.

Positive consequences:

- The end of discrimination policy towards national minorities
- Changing the state's 'supervision' into 'care'
- Political subjectivization of national and ethnic minorities
- Introducing a number of legal regulations which allowed all the nationalities living in Poland latitude in national, political, social and cultural functioning
- A very dynamic development of organizational activity
- Development of national and ethnic minorities education
- Revival of various kinds of nationality statistics
- Passing the Act on National and Ethnic Minorities and the Regional Languages by the Sejm after many years of disputes

Negative consequences:

- A significantly improved political and legal situation of members of national and ethnic minorities after 1990 did not slow down the process of shrinking of 'traditional' (historical) minority communities in Poland
- Assimilation of national and ethnic minorities is still progressing, which is proved by their continuous shrinking (the results of the national census, decrease in the number of members of minority organizations, decrease in support for electoral list of candidates of national minorities, decrease in the number of students learning minority languages)
- Fewer members of a particular minority leads to the decrease in their political and social significance
- Establishing numerous, often competing organizations within one minority often results in arguments and conflicts
- New local divisions and animosity due to bilingual names of towns and villages
- Frequent lack of reciprocity concerning legal regulations on national minorities in Poland and the Polish minority in the neighboring countries, Lithuania and Germany in particular

The Polish law forbids discrimination and protects all the nationalities living in the Republic of Poland. Yet, as a result of passing the Act on National and Ethnic Minorities and the Regional Languages (in 2005), 14 minority communities are particularly privileged from the legal perspective. These are: Byelorussians, Czechs, Lithuanians, Germans, Ormians, Russians, Slovaks, Ukrainians, Jews, Karaims, Lemkos, Roma, Tatars, Kashubians. Despite similar rights and privileges²⁵ for all the 14 communities mentioned in the act, the relevant communities differ with respect to how they take advantage of them. The recent years have shown that the German, Kashubian and Lithuanian communities can, or want to, make best use of the privileges guaranteed by the Polish law.

References:

1. Barwiński M., 2006, *Liczebność i rozmieszczenie mniejszości narodowych i etnicznych w Polsce w 2002 roku a wcześniejsze szacunki*, [In:] Bieńkowska-Ptasznik M., Krzysztofek K., Sadowski A., (eds.) *Obywatelstwo i tożsamość w społeczeństwach zróżnicowanych kulturowo i na pograniczach*, vol. 1, Białystok, pp. 345-370
2. Barwiński M., 2008, *Konsekwencje zmian granic i przekształceń politycznych po II wojnie światowej na liczebność i rozmieszczenie Ukraińców, Łemków, Białorusinów i Litwinów w Polsce*, [In:] Eberhardt P. (ed.) *Problematyka geopolityczna ziem polskich*, Prace Geograficzne no. 218 IGiPZ PAN, Warszawa, pp. 217-218.
3. Borzyszkowski J., Mordawski J., Treder J., 1999, *Historia, geografia, język, piśmiennictwo Kaszubów*, Gdańsk
4. Chałupczak H., Browarek T., 1998, *Mniejszości narodowe w Polsce 1918-1995*, Lublin
5. Eberhardt P., 1996, *Między Rosją a Niemcami*, Warszawa
6. Hołuszko M., 1993, *Mniejszości narodowe i etniczne w Polsce*, „Społeczeństwo Otwarte”, no. 2, Warszawa
7. Kępka P., 2009, *Postawy polityczne ludności prawosławnej w województwie podlaskim*, MA thesis, the Department of Political Geography and Regional Studies, University of Lodz supervised by M. Barwiński Ph.D.
8. Kowalski M., 2000, *Geografia wyborcza Polski. Przestrzenne zróżnicowanie zachowań wyborczych Polaków w latach 1989-1998*, „Geopolitical Studies”, vol. 7, Warszawa.
9. Kurcz Z. (ed.), 1997, *Mniejszości narodowe w Polsce*, Wrocław
10. Łodziński S., 2005, *Równość i różnica. Mniejszości narodowe w porządku demokratycznym w Polsce po 1989 roku*, Warszawa
11. Łodziński S., 2006, *Polityka i tożsamość narodowa. Wokół wybranych sporów dotyczących przyjmowania ustawy o mniejszościach narodowych i języku regionalnym (2005)*, [In:] Bieńkowska-Ptasznik M., Krzysztofek K., Sadowski A., (eds.) *Obywatelstwo i tożsamość w społeczeństwach zróżnicowanych kulturowo i na pograniczach*, vol. 1, Białystok, pp 111-130

²⁵ The differences are mainly concerned with the approach to national and ethnic minorities in the Sejm electoral law.

12. Madajczyk P. (ed.), 1998, *Mniejszości narodowe w Polsce. Państwo i społeczeństwo polskie a mniejszości narodowe w okresach przełomów politycznych (1944-1989)*, Warszawa
13. Nijakowski L., Łodziński S., (eds.), 2003, *Mniejszości narodowe i etniczne w Polsce. Informator 2003*, Komisja Mniejszości Narodowych i Etnicznych, Sejm RP, Warszawa
14. Nijakowski L., (ed.), 2005, *Polityka państwa polskiego wobec mniejszości narodowych i etnicznych*, Komisja Mniejszości Narodowych i Etnicznych, Sejm RP, Warszawa
15. Sadowski A., 1997, *Mieszkańcy północno-wschodniej Polski. Skład wyznaniowy i narodowościowy* [In:] Kurcz Z. (ed.), *Mniejszości narodowe w Polsce*, 1997, Wrocław, pp. 7-42.
16. Sobczyński M., 2000, *Struktura narodowościowo-wyznaniowa Polski*, „Acta Universitatis Lodziensis, Folia Geographica Socio-Oeconomica”, no. 3, pp. 157-174.
17. Ślęzak M., 2006, *Ustawa o mniejszościach narodowych i etnicznych – główne kierunki zmian*, [In:] Bieńkowska-Ptasznik M., Krzysztofek K., Sadowski A., (eds.) *Obywatelstwo i tożsamość w społeczeństwach zróżnicowanych kulturowo i na pograniczach*, vol 1, Białystok, pp. 131-138
18. Wierzycka Ł., Hołuszko M., Rzepliński A., 1993, *Uwagi o mniejszościach narodowych w Polsce. Osiągnięcia i porażki w ochronie ich praw*. „Społeczeństwo Otwarte”, no. 2, Warszawa
19. *Wyznania religijne. Stowarzyszenia narodowościowe i etniczne w Polsce 2006-2008*, 2010, G. Gudaszewski, M. Chmielewski (eds.), wyd. GUS, Warszawa

Internet sources:

Database on non-goverment organizations and institutions www.bazy.ngo.pl

The Central Statistical Office (Główny Urząd Statystyczny) www.stat.gov.pl

The Ministry of Internal Affairs and Administration (Ministerstwo Spraw Wewnętrznych i Administracji) www.mswia.gov.pl

The National Electoral Commission (Państwowa Komisja Wyborcza) www.pkw.gov.pl