

FINDING WAYS TO MANAGE MULTI-ETHNICITY IN THE REGIONS OF POLAND

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Introduction

The present reflections do not focus on the problem of ethnic minorities as such. But they are indeed concerned with co-existence on a given territory with majority and minority languages, different ethno-linguistic groups, and the relationship between them. Whether such minority and regional languages are always spoken by an ethnic minority is a matter of definition which is heavily influenced by political susceptibilities and the legal tradition of an individual state. By analyzing the impact of social, political, economic and cultural transformation on patterns of multilingualism in a post-communist nation-state such as Poland, this paper aims at contributing to the discussion of multicultural policies.

The main purpose of this enquiry is to analyze the legal and institutional arrangement concerning minority languages in the regions of Poland and consider their practical implications. The analysis of multicultural language policy will be situated in the context of the Polish transformation and the implementation of administrative reform. The paper adopts an interdisciplinary approach, through which a sociological analysis of conditions of democratic governance is coordinated with a legal analysis of linguistic rights as well as a policy analysis of multiculturalism.

Democratisation, decentralization and identity change in Poland

Pre-communist Poland was a country with strong regional divisions, the result of over a century of the partition of the state between the three empires of Russia, Germany and Austria, which imposed different cultural, political and economic conditions on the occupied territories. The rebirth of the Polish State in 1918 directed the efforts of the newly-formed state administration towards evening out and delimiting differences among the former partitioned territories, which primarily took the form of cultural homogenization. The process of homogenization targeted not only ethnic minorities, but also the dominant Polish group which, as a result of the partitions, was culturally diverse.

The communist period with its centrally controlled administration did not leave much scope for separate regional politics. In addition, the slogans of cultural unity and integrity for the Polish lands, which were necessary for the process of assimilation and adaptation of German territories recovered by the Polish state, did not support the development of regional identity.

1989, which marked the bankruptcy of communist dogma in Poland, caused a major upheaval in all spheres of social life, including collective identities. The process of political and economic transition in Poland shook the traditional values and patterns of national identity shaped in the communist period and gave birth to cultural, political and economic pluralism. Democratisation and decentralization of the state administration, which brought political and cultural pluralism, activated regional dimensions of identity which had been blocked by the centralist policies of the communist administration, which had been fearful of losing its state monopoly. In parallel, the processes of EU and NATO enlargement directed the national elites towards the creation of a more European model of Polish identity. However, the processes of identity change have raised the problem of the compatibility of values and patterns characteristic to each dimension of identity, i.e. national, regional and European. "Europeanness" is associated with economic and political values, such as the work ethic, rule of law, tolerance of ethnicity and the idea of citizenship, which does not easily conform to the ethnic modes of Polish national identity (Kisielowska-Lipman 2000).

On the other hand, the democratization process of social life in Poland has revealed the multi-subjectivity of language and ethnic policies. The role of the state is changing, and other subjects such as the media, local govern-

ments, political parties, non-governmental organizations, churches, minority associations, and individual citizens are gaining more significance. These new actors on the political stage represent various, often divergent views. This situation can give rise to many conflicts so that management in such a multicultural environment becomes particularly difficult.

The EU also has a more and more growing impact on the level and success of decentralization: first, through its demands for national development programs, which lead to a joint effort of central, regional and local administrative levels; second, through its promotion of regional political and administrative elites to qualify themselves for EU pre-accessional programs (like PHARE or SAPARD) and the current EU regional policy programs; and third, through its legal framework, which encourages ethnic minorities like the German minority in Upper Silesia or the Kashubian minority in the Pomerania region to strive for a strengthening of their rights and their regions. The growing self-confidence of local and regional bodies and of newly (re)established regions will be the main source for a possible erosion of the further unitarian character of the Polish state.

The multiculturalism of Poland

Minorities have always constituted an important element in Poland's ethnolinguistic landscape. It has to be mentioned that, from 1385 to 1795, the lands of Lithuania, Byelorussia, most of the present Ukraine and Poland were a part of one state organism based on a free state union (the so-called Republic of many nations) rather than on territorial conquests. During that time religious tolerance favoured the influx of so-called infidels. Hence the presence of Czechs, (the descendants of Hussites), Russians (Old Believers), Jews and German Protestants. Minority communities constituted more than one-third of the Polish population even after regaining independence in 1918. About 30% of its population of 36 million people were representatives of ethnic minorities during the interwar period (1918-1939). The population of Poland consisted of 14% Ukrainians and Russians, 8.5% Jews, 3.1% Byelorussians, 2.3% Germans, and 3.1% of other minorities, according to a census from 1931 (Kersten 1989: 443).

After the Second World War the Allies signed treaties that made Poland fall back on its ethnic borders, which meant the loss of most of its eastern territory. In consequence, minorities shrank to about 5% of the entire

Table 1. National, ethnic and regional minorities in Poland

	Language	Estimate (in 1000)	% of total population
National minorities	German	300 -400	0.8 - 1.0%
	Belarussian	250 - 300	0.6 – 0.8%
	Ukrainian	300	0.8%
	Lithuanian	30	0.08%
	Russian	20	0.05%
	Slovak	15	0.04%
	Czech	3	0.01%
	Jewish	5	0.01%
	Armenian	1.5	0.01%
Ethnic minorities	Ruthenian/Lemkish	50	0.13%
	Romany	20	0.05%
	Tatar	2	0.01%
	Karaim	0.1	-
Regional language group	Kashubian	250-300	0.6 – 0.8%
Total		1246.6 – 1446.6	3.2 - 3.8%

Source: *The Polish State Report for Council of Europe General Secretary on the implementation of Framework Convention for the Protection of National Minorities*, Warsaw 2002.

population, basically as a result of the war-time genocide of Jews, territorial changes and postwar displacements and migrations. In the Polish People's Republic the government used a policy against the languages and the cultures of minorities that was very typical of policy in the whole of Central and Eastern Europe. Communist propaganda claimed that the Polish state was a homogenous country in terms of its national structure. Representatives of other nationalities, although inhabitants of Polish territories for several generations, were perceived in terms of ethnic relics. The problems of minorities in Poland were invisible until 1989 (Lodzinski 1998).

There are differing estimates and statistics for the national and ethnic minorities, which is not only due to the fact that during Socialism, nationality was not explicitly registered. For the first time after the interwar period, the most recent census included questions on ethnicity and nationality. According to this census from May 2002, Poland has 38.2 million inhabitants. The overall composition of the Republic of Poland is highly homogeneous, since those of Polish ethnicity constitute nearly the total of its population (96.7%) while minorities are relatively small and dispersed. According to the census, only 445 000 citizens of Poland belong to a national minority. At the same time, the results of the census indicate numerous ethnic commu-

nities which still live in Poland. Table 1 shows the major ethnicities according to national identity and the use of a language as the home language.

It is difficult to give an unbiased answer to the question of which ethnic or national group a person belongs to. A total of 770 000 participants did not even declare their nationality. According to the census the largest minority is the Silesians with 172 000 members, but 196 000 persons stated that they used the German language at home in everyday life. These figures must be compared to the ones where more than 56 000 persons states that they speak Silesian at home. Furthermore, there are more members of the German nationality than speakers of German, whereas the opposite is true for Silesian, because the German-language minority of the Upper Silesian region claims its own nationality, Silesian. Although Poland is a relatively homogeneous country, the issue of ethnic identity remains of high relevance.

It should be noted that 2002 was the first time in the history of Poland that Silesian, Lemkos and Kashubs were accounted as ethnic identities, although Polish legislation on minority rights does not consider them as such. Polish law recognizes and distinguishes three categories of ethnic minorities:

Table 2. Polish citizens who declared non-Polish ethnicity and minority language according to the 2002 census

	Population by ethnicity (in 1000)	Population by home language (in 1000)
German	147.1	196.8
Silesian	172.2	56.4
Belarussian	47.6	40.2
Kashubian	5.0	52.6
Ukrainian	27.2	21.1
Gypsy/ Romany	12.7	15.7
Russian	3.2	12.1
Lithuanian	5.6	5.7
Ruthenian/Lemkish	5.8	5.6
Czech	0.4	1.2
Slovak	1.7	0.8
Armenian	0.3	0.3
Jewish/ Hebrew	1.0	0.2
Karaim	0.04	0
Tatar	0.5	0
Non-defined	31.5	187.6
Total	621.0	596.3

members of nine national minorities, members of four ethnic minorities, and one community using a regional language¹. The following estimates can be made regarding the size of these 14 language groups (Table 2).

Finally, it should also be noted that the results of the 2002 census are very recent and still need to be completely evaluated; in fact, as in the case of previous estimations, representatives of ethnic minorities presume that the figures for their groups are underestimated. This is due to the fact that, given their exclusion in the communist period, the minority groups prefer not to state their real ethnicity. The main historical minorities, Byelorussians, Ukrainians, Ruthenians, Germans, Gypsies, Slovaks, and Russians, are gradually decreasing and being assimilated.

Minority-related legislation

The Republic of Poland is a parliamentary democracy. The first democratic constitution after the communist period, the Constitution of the Republic of Poland, was adopted on April 2, 1997, and entered into force in 1997. Article 27 addressed the question of the state's official language: "Polish shall be the official language in the Republic of Poland. This provision shall not infringe upon national minority rights resulting from ratified international agreements". Article 35 of the Constitution guarantees all "Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions, and to develop their own culture" (paragraph 1), and particularly recognizes the right "to establish educational, cultural and religious institutions designed to protect their identity", as well as "to participate in the resolution of matters connected with their cultural identity" (paragraph 2).

The constitutional principles concerning national minorities were further developed through the Act on the Polish Language of 1999. It states that the status of the Polish language should not be extended at the cost of other languages. Direct positive developments include the bilateral agreements between the republic of Poland and Germany, the Czech and the Slovak Republics, the Republic of Belarus, Ukraine and the Republic of Lithuania.

¹ See also the Report on Implementation of the Framework Convention for the Protection of National Minorities by Poland.

Minority languages have been formally acknowledged in the educational system in the context of article 13 of the regulation on the school system since the transitional period after 1989. Moreover, the decree of 2002 issued by the Minister for Education and Sports specifies how minorities can preserve their national, ethnic, linguistic and religious identity within an education system ranging from pre- to secondary school by learning more about their language, history and culture. Minority-language classes depend on having a required minimum number of pupils (at least 7 for primary school and at least 14 for secondary school), and the number of hours of lessons (3 per week). The state produces teaching materials, but ultimately this depends on the local situation. The Ministry for Education and Sports monitors minority schools at the regional level.

The main internal document currently regulating minority matters in Poland is the Act on National and Ethnic Minorities as well as regional languages adopted on the 6th of January of 2005, which existed as a draft since 1993. The adoption of the Act is seen by minority organisations and other human rights NGOs as a necessary condition for effective minority protection in Poland.

As regards international treaties, the Republic of Poland is a signatory of the Framework Convention for the Protection of National Minorities and of the European Charter of Regional or Minority Languages, although only the first has been ratified.

The Framework Convention for the Protection of National Minorities was signed by Poland on the 1st of February of 1995. It was ratified on the 20th of December of 2000, after a long debate and numerous obstacles all too readily perceived by the parties of the right wing. Fundamental and beneficial changes in the policy on minorities as well as in the legal system had been brought about already in the first half of 1990. Currently the Polish legal system, both on the national level and on the level of international commitments, establishes the protection of people belonging to ethnic and national minorities, generally equivalent to the regulations put forward by the Convention.

The European Charter is a specific type of document because it was placed in the “local democracy” group and is treated as an element of regional promotion rather than of minorities. In its detailed provisions, the Charter includes a catalog of means for promoting regional and minority languages in public life; it indicates the obligation to respect the geographic range of a regional language, as well as the duty of the state to give support

and a guarantee of proper financial funding required for this purpose. Poland signed the European Charter on 12 May 2003 and intends to ratify it.

Public policy and decentralization

The legal regulations have only a partial influence on the policy towards ethnic minorities. Here the practice of public life and the amount of financial resources assigned for this purpose is decisive.

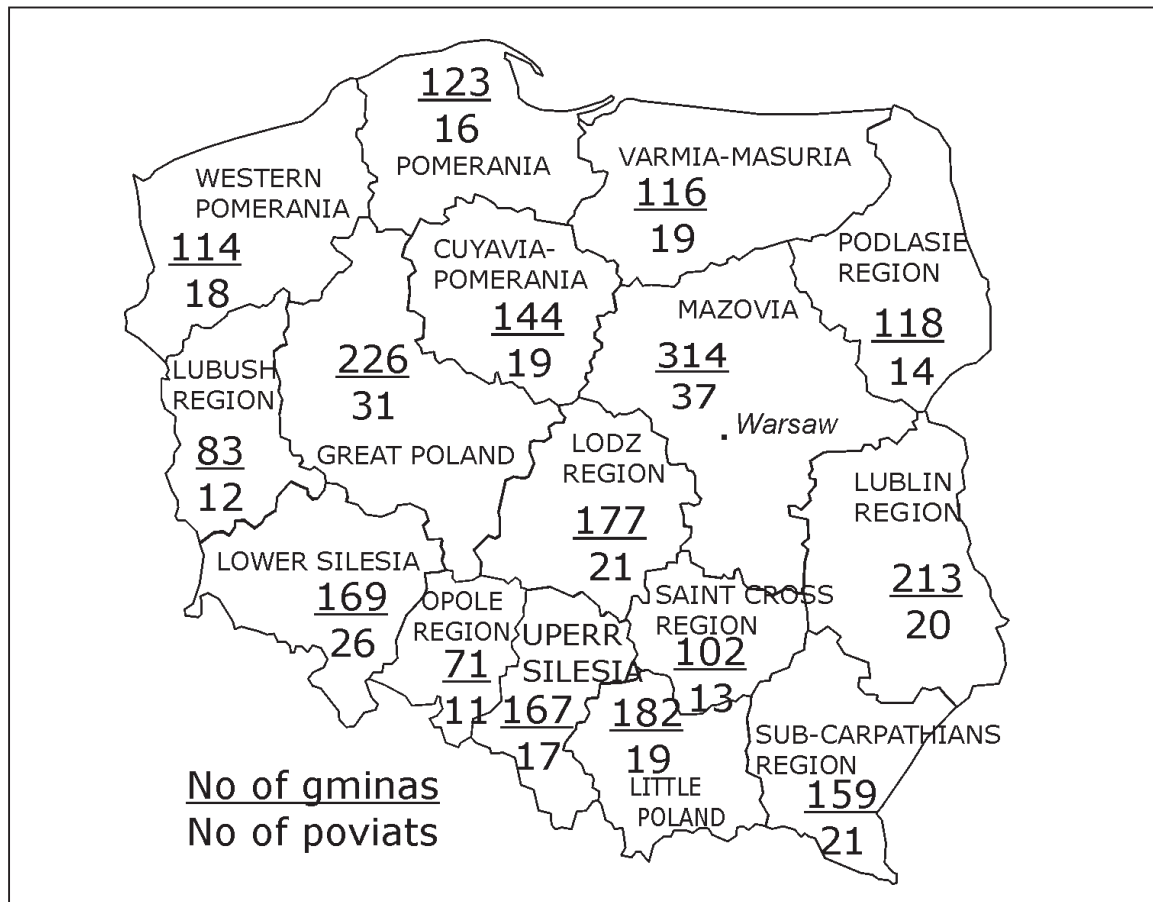
The regulation states that the Minister for the Interior is responsible for policies concerning national minorities, while ethnic minority cultural matters and their financing are coordinated by the Minister of the Culture. However, decisions on matters concerning minority education are taken by the Minister for Education and Sport, as most of the minority schools are public, with the exception of the Jewish minority schools, which are financed by the government, based on the decree of 22 December 2003 on the self-administration of schools as of 2004, which was issued by the Minister for Education and Sports².

This situation results in a lack of co-ordination among different organs of state administration responsible for minority issues. The state policy in favor of minority issues still seems to play a greater role than ethnic movements as well as self-governed and non-government actions in Poland. Political actions concerning minorities are performed by government administration and mainly concern the sphere of culture. The approach of the Polish cultural policy towards these circles is to support minority-language instruction, press publications and cultural performances. An important element of the state policy is also guaranteeing minorities access to public radio and television. Furthermore, there are no linguistic or cultural policies on the regional and local levels.

The process of decentralisation in Poland has offered opportunities for some minorities to participate in local government structures. The intention of the creators of the last administrative reform of the country was the creation of regions set up on the basis of historically-formed regions and the communities inhabiting them, which were to become the basis for their economic and administrative integration. After administrative reform in 1999, Poland was divided into 16 regions/ voivodships, which are in turn

² According to the decree, financial support from the government for school expenses may be raised to 20 % (and in some schools to 50%) per pupil belonging to a minority.

Fig. 1. The units of territorial division of Poland (in 2006).



Source: GUS (Main statistical office)

divided into 314 districts [poviats] and municipalities [gminas], whose number is now 2478 (see fig. 1).

A majority of the voivodships are inhabited by multicultural communities. The most multicultural in comparison with other regions is the Podlasie region, which is an area of concentration of mainly Belarusian and Lithuanian minorities, as well as of Ukrainian, Russian and small minorities such as the Tatars.

Two regions with the largest percentage of minorities, the Opole and Upper Silesia regions, have at the same time the simplest ethnic structure, with the domination of two minority groups of Germans and Silesians. Two voivodships with a relatively high degree of ethnic disparity are also the Varmia-Mazuria and Western-Pomerania voivodships, where Ukrainians and Germans predominate. These groups are present also in the third northern voivodship, the Pomerania; however, Kasubians are the largest minority in this region, exclusively concentrated here.

Apart from this, multicultural regions also include Lower Silesia, Little Poland and the Sub-Carpathian voivodship, where Ruthenians and Roms are present first and foremost. The Mazovia region belongs to the multicultural voivodships as well, but more so due to the presence of the capital city rather than for historic reasons. Warsaw, as the main urban agglomeration of the country, attracts newcomers of different ethnicities from all over Poland and the world, and is the center concentrating groups such as the Jews and the Armenians, as well as the Roms, Germans, Byelorussians, Ukrainians and Russians.

The positively evaluated ethnic culture of indigenous communities seems to have a good influence on the integration and development of modern regions in process of decentralisation.

The problems and requirements of ethnic minorities particularly appear on a regional or local scale. Therefore, it seems that, apart from adjustments on a world-wide and state level, facilities should be made to manage multi-ethnicity in regions as well.

T. Fleiner and L.R. Basta Fleiner argue that cultural, linguistic or religious minorities in general demand a certain autonomy within particular domains, such as education, cultural activities, and religion, or even a certain degree of organizational autonomy within their territory. Minorities often aim at promoting their economic prosperity in their territory, at establishing regular international collaborating relations with the people of the same culture, as well as defending their identity at the national (state) level. This is why they ask for legal guaranties that their interests will also influence decision-making process within the legislative, executive and juridical powers. Given that minorities are mainly settled within fairly well-defined areas, it is through territorial federalism or regionalism that these problems could be solved.

However, the self-governed voivodships in Poland do not have the proper entitlement and instruments, in order to solve the problems of the ethnic minorities. They have competences for managing the general economic development of the regions and for dealing with the issues of the inhabitants (including persons belonging to ethnic minorities).

After eight years of the implementation of administrative reform in the country, the financial basis of local and regional self-government is still insufficient due to a lack of a legal basis for the decentralization of finances. This fact has been criticized many times by representatives of self-government. Regional contracts between the 16 voivodships and the central government

have become the main instrument of a coordinated regional development policy in accordance with the demands of the European Union (EU). The influence of the central government on regional policy and bodies of local and regional self-government remains in effect, in spite of all decentralization measures, as the main aim of the laws concerning decentralization is the higher efficiency of state administration and not a real federalism.

As a result, the self-governed regional councils fulfill the role of administrators in voivodships, but in fact, the true competence and money for solving minority problems are given to the governmental administration in the region (the Governor's office). As a result, these regional councils perceive minority problems as an additional inconvenience and cost, issues which other, ethnically homogenous voivodships do not have to deal with, and which do not bring with them additional financial and technical funds.

The state takes on obligations, but the local government has to solve the problems resulting from the multicultural nature of the region and, simultaneously, does not have an influence on how these obligations are accomplished. In consequence, the problems of the minorities occupy a marginal place in the activities of local governments.

Minority languages in the regions

An example illustrating this mechanism is as follows: a law introduces the possibility of using minority languages as subsidiary languages in contacts with authorities. Article 9 and 10 of the Act on National and Ethnic Minorities and Regional Language specify how minorities can use their languages in dealing with the organs of the municipalities (gminas). Apart from this, areas traditionally inhabited by a significant number of members of minorities (art.12. and 13. of the Act) allow the use of the local minority languages for the names of places, streets and other public topographic markings.

Thus, it is possible to introduce a subsidiary language in the area of the gmina only after the implementation of specific condition. First, this language can be used only in the gmina, in which the minority, the language of which is to be used as a subsidiary language, is not less than 20 % of the general population. Moreover, the gmina must be inscribed in the legal register of gminas, in which the subsidiary language is used. Such a register is kept

by the Minister of the Interior. The Minister may act only on the motion of the local government. No decision can be taken without an appropriate resolution passed by the local-authority in such a case. Similarly, additional names can be used only in the areas inscribed in the register of gminas. Decisions are made just as in the case of the legal register of the gmina, using a subsidiary language.

Ultimately, a subsidiary language and additional names can be introduced in 51 gminas from among the 2478 gminas existing in Poland, meaning in less than 2% of the gminas. The costs connected to this introduction of the languages are covered by the gminas. The Kasubian subsidiary language can be introduced in 10 gminas in the Pomerania region, the German language can be used in 27 gminas of the Opole region (and 1 in the Upper Silesia), Belorussian in the territory of 12 gminas and Lithuanian in the territory of 1 gmina, Puńsk, in the Podlasie region³.

At present, only 8 gminas (seven German-language gminas of the Opole region and one Lithuanian-language gmina, Puńsk) were inscribed in the legal register⁴. One could ask why the gminas are not very interested in this right: maybe the act is too restrictive? Perhaps there is no real interest in creating a gmina with a subsidiary language or the introduction of additional names?

It is difficult to give an explicit evaluation of this Act, as it has been in existence only for several months. Further, in regard to the problem of the registers, it is necessary to note that the high 20% threshold limits the number of minorities which could take advantage of this regulation, eliminating among others the Ukrainian and Ruthenian minorities. Meanwhile, the optimal estimates and proposals, which were reported in the course of discussion during the project stage of this Act, suggested in an 8% limit. However, the criterion accepted in the Act is 20% is inflated, in my opinion, when taking into account present minority demographic conditions in Poland.

In my opinion, a decisive argument is that the cost of the introduction of the subsidiary languages must be borne by the gmina local government,

³ Lithuanians live in areas of Polish states in different conditions. They live in greatest concentration in the Podlasie region. The Puńsk gmina is ruled completely by a Lithuanian local government. In this gmina Lithuanians take care that Poles, who are no more than 20%, are not discriminated against. However, a different situation exists in the Sejny gmina, where the number of Lithuanians is equal to the number of Poles, but they remain in a considerably worse situation. Lithuanians do not have sufficient representation in the local government.

⁴ According to the information of the Director of the Department of National and Ethnic Minorities, The Ministry of Interior (from June 2006).

which decides on its implementation. In this way, the state budget is not in any way encumbered. The gmina authorities must carry out more and more responsibilities, which are transferred down from the higher levels. I will add that the new competence Act has entered into force as of January 2006, with more duties falling on the local governments. The local governments representatives are given more and more responsibilities, but they are receiving less and less money. Hence, in introducing this minority law, it should be expected that it will be opposed with financial arguments. Therefore, synchronization of responsibilities and financing is essential within the system of state management.

Conclusions

Analyzing the particular example of the Polish post-communist state, this paper has attempted to respond to the question: why is language management difficult to design? Finding ways to manage multi-ethnicity seems to be necessary because there is no effective institutional framework for the protection of national and ethnic minorities in Poland.

Actions taken for the benefit of ethnic minorities in Poland are not policies, but rather uncoordinated answers to international obligations (related first and foremost with Poland's entrance into the European Union) and at the request of the minorities themselves.

Similarly, it is not possible to say that European Union has had a uniform policy in this extent. Certain standards are accepted and respected only by some of the member-states. Therefore, patterns concerning ethnic policies are needed.

State policy in favor of minority issues still seems to play a greater role than ethnic movements or self-governed and non-government actions in Poland. Political actions towards minorities are performed in Poland by the government administration and mainly concern the sphere of culture. The tendency of Polish cultural policy towards these circles is to support minority language instruction, press publications and cultural performances. An important element of state policy is also the guaranteeing access to public radio and television for minorities. However, there are no language and cultural policies on a regional level.

The government should set up an institution at the central level to coordinate and promote good practices in the management of multi-ethnic

communities, as well as at the regional or local levels. It is clear that there are domains in which regulations and decisions should be performed at the state level. However, some minority problems could be solved more effectively at the regional level. For this purpose, regions should be given both high competences and the means needed for their execution.

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