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Multiple citizenship in Poland

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1. Introduction

Polish citizenship and multiple citizenship could become a topic of political and public debates only at the beginning of 1990s when the III Republic of Poland was established. However, nearly fifteen years after the meeting on the Round Table which was a symbolic abolishment of the communist regime in Poland, the Act on Polish Citizenship in force dates back to 1962. The political promise of a “new” law on Polish citizenship made during this meeting has not been fulfilled. A trial for establishing it, was made in 1999-2000, but it ended up with a lack of consensus among MPs and silent removal of the Bill from the parliamentary platform. It should be noted that, as advocated by MPs involved in the process, such a silent and not officially justified stopping of the procedure is rather exceptional for the Polish legislative regime. Due to some lack of transparency in this problem, giving a simple reason for restraining introduction of the Act on Polish Citizenship is problematic. Nevertheless, since 2000 the issue of a new Act on Polish Citizenship never came back on the parliamentary floor.

Legislation on multiple citizenship also holds unchanged since the communist times, but *de facto* policy concerning tolerance towards this issue changed for more liberal. The issue of multiple citizenship itself was not, however, a focus in a debate on the Bill on Polish Citizenship. It was occurring on occasion of discussions about variety related issues, in particular, on restoration of Polish citizenship to people deprived of it during the communist past. It should be noted that *de facto* acceptance of multiple citizenship in Poland has been already secured in the Act on Polish Citizenship of 1962 and the Bill discussed in 1999-2000 did not aim at abolishing this rule. The topic of discussion was advancing a higher and legally recognised acceptance of multiple citizenship which would be achieved by removing a rule of exclusiveness of Polish citizenship, i.e. abolishment of a regulation that a Polish citizen holding a foreign citizenship can not claim his rights of a foreign citizen to Polish authorities¹. In fact, in Poland, even though *de facto* tolerance towards multiple citizenship seems to be accepted with virtually no discussion, two aspects of its acceptance – *de facto* and *de iure* – are sometimes blurred in relevant political and public debates.

The widely observed, in Poland, consensus on *de facto* acceptance of multiple citizenship is embedded in the long history of high-scale emigration from Poland. Policy of maintaining contacts and good relations with Polish emigrants, dating back to the beginning of 20th century, has provided for liberal attitude of the Polish State towards multiple citizenship of its citizens residing abroad. The purpose of this report is to further interrogate determinants of a wide political and public consensus on *de facto* acceptance of multiple citizenship in Poland and factors influencing its *de iure* tolerance. It is to be achieved by reconstructing belief systems concerning multiple citizenship in an analysis of relevant political and public debates. Evidently, when controversies on the problem seem to be rather insignificant, it is difficult to trace a debate as it is either lacking or limited. Thus, we aim at demonstrating not only pro and con arguments concerning multiple citizenship, but also reasons why a debate involved is limited in Poland. We also interrogate in this report the impact that an issue of multiple citizenship had on restraining enactment of the Bill on Polish Citizenship in 2000.

In our analysis, we follow an assumption that “concept of nationhood and citizenship” is a dimension of belief systems that have particularly explanatory power for understanding atmosphere around multiple citizenship in an emigration country like Poland. However, it needs to be enriched with additional aspect so as to capture a complexity of acceptance of multiple citizenship not only in the Polish scenario, but also in countries which are not

¹ Hereafter in this report termed as ‘exclusiveness of Polish citizenship’.

countries of prevailing high-volume immigration. Namely, we argue that for countries where problem of multiple citizenship does not solely refers to citizenship of immigrants, capturing “diversity of potential multiple citizens” is necessary. The wider a group of potential multiple citizens is accepted the higher tolerance towards multiple citizenship is. In other words, we argue that acceptance for multiple citizenship varies for different groups and needs to be appropriately contextualised. It should be noted that this aspect is related to “cultural pluralism” dimension. We can talk about “multicultural model” when the basis for inclusion is wide enough to cover foreign immigrants with several passports who have no ethnic links with the receiving country.

In order to give a coherent picture of the problem, we include in our analyses also a debate concerning a so called Polish Chart – which is a legal recognition of belonging to the Polish nation. It has been designed for the representatives of the Polonia² and, at the outset, it was to give its holder a wide range of social rights upon arrival to Poland including right to unrestricted stay in Poland and access to Polish education and social services. Even though the Polish Chart is not Polish citizenship in a practical and legal meaning of the word, for the sake of our analysis, we refer to it as a semi-citizenship. Such an approach may pose some controversies. We argue, however, that for the Poland – traditional emigration country – it is justified to perceive it in this way, as the Polish Chart can be a substitute of Polish citizenship for representatives of the Polonia – the biggest group to which Polish legal solutions in the field of multiple citizenship are addressed. Consequently, discussions on this legal solution interfere with the problem of multiple citizenship in Poland in terms of pro and con arguments used by disputants involved. Moreover, the Polish Chart, as a novel legal solution, left wider floor for discussions than already embedded in the legislative Polish tradition acceptance of multiple citizenship. Thus, enriching our analysis with some material concerning argumentative structures occurring in the debate on the Polish Chart provides for better understanding of belief systems concerning Polish nation and citizenship, thus, also multiple citizenship.

As noted above, multiple citizenship usually did not occur as an autonomic subject of political and public debates in Poland, but was inserted in discussions concerning some wider topics. In this report, when discussing arguments in favour of multiple citizenship, we refer to all arguments advocating both *de facto* and *de iure* tolerance towards multiple citizenship of emigrants and immigrants. Moreover, as pro arguments we consider also voices in favour of restoration of Polish citizenship (especially of wide restoration) and for accepting the fact that Polish emigrants being foreign citizens holds also Polish citizenship, as they directly imply acceptance of situation when Polish citizens hold foreign citizenship. Here, important differentiation should be mentioned. Arguments for restoration of Polish citizenship can be addressed to situation of people either residing abroad or returning to Poland.

The debate on multiple citizenship has not been heated in Poland, thus, its argumentative structure has considerable limits. In fact, arguments that would satisfy a condition of presenting given reasons and their justifications that can be contested or accepted by other actors taking part in the discussion can be found only in a parliamentary debate. The respective analysis of arguments in a public debate poses some difficulties. Therefore, when presenting media discourse on multiple citizenship, we applied less rigid rules for identification of arguments so as to discover first of all opinions on multiple citizenship even though sometimes justification of these opinions was not provided.

² The term Polonia, as used in this text, refers to Polish emigrants that left Poland before 1989 (comprising a considerable share of political migrants) and their descendants, forming an organised group on the West, but also to Polish minorities on the East (compare, Żukrowski, 2001).

The analysis of political and public debate on multiple citizenship in Poland, presented in this report, has been made on the basis of three sources of data. First one is transcripts of parliamentary debates on relevant legal acts that took place in 1999-2000. Secondly, chief Polish newspapers have been analysed to provide an outlook of public discussion on the issue. Here, we demonstrate range of topics related to multiple citizenship presented in media since the beginning of the 1990s. The third and final source of data is interviews conducted, in March-May 2003, with selected politicians and experts from the citizenship field in Poland. In the presentation of relevant arguments, included in the following chapters, we use a language of debates and speakers so as to provide readers with differences and similarities in a nature of respective political and public discourses. It gives further insight into dynamic of the Polish discussion on the topic.

This report demonstrates selected findings of a research project carried out by the Centre of Migration Research, Warsaw University in 2002-03 (for more details see, Górny, Grzymała-Kazłowska, Koryś, Weinar, 2002; 2003). It was a part of the international project "Multiple citizenship in a globalising world. Germany in a comparative perspective" coordinated by the University of Applied Sciences in Bremen and financed by VolkswagenStiftung Foundation.. It covered three immigration countries – Germany, Netherlands and Sweden – and two emigration countries – Poland and Turkey. We are grateful to Thomas Faist and his colleagues from Bremen for giving us an opportunity to study a fascinating problem of multiple citizenship in the Polish context.

The report includes six chapters and introduction. Chapter 2 includes definitions used in the report. They were employed in the examination of presented materials as a part of method of analysis taken up in the project "Multiple citizenship in a globalising world. Germany in a comparative perspective". Chapter 3 presents a very general overview of the context of debate on multiple citizenship in Poland comprising actors involved in the issue and legislative framework of tolerance towards multiple citizenship in Poland. Subsequent parts are devoted to analysis of discussions concerning tolerance of multiple citizenship and selected opinions of experts on the issue, with the focus on type of arguments used. Chapter 4 is an analysis of parliamentary discussions concerning several legal acts directly related to a problem of multiple citizenship in Poland. Chapter 5 demonstrates public debate on multiple citizenship. It provides not only contents (arguments) of this debate, but also differences in argumentation occurring in newspapers tied to left and right part of the Polish political scene. It gives also an overview of variety of arguments raised by influential political actors presenting their opinions in media. Chapter 6 is a presentation of expert view on the issue of multiple citizenship in Poland. Apart from providing pro and con arguments used by interviewees, this chapter addresses a question of importance of multiple citizenship in the Polish context and elaborates reasons for limited discussion on this problem. In each of the above presented chapters, an attempt to reconstruct belief systems surrounding multiple citizenship is made. The final Chapter 7 is a summation of factors that influence legal output in the field of multiple citizenship in the Polish scenario. Thus, it demonstrates political coalitions, interest groups and their belief systems in the field of multiple citizenship. It also interrogates the role of political and public debates for political outputs in the investigated sphere. This chapter addresses also an important differentiation between *de fact* and *de iure* acceptance for multiple citizenship that can not be omitted when analysing this issue in the contemporary Poland.

2. Selected definitions³

Definitions used in the examination of materials presented in this report are crucial for understanding results of the study. Therefore, we present the selection of some important of them.

2.1. Belief systems

Belief systems are understood as existing and familiar ideas such as worldviews, ideologies, systems of values and norms and also fundamental collective convictions. Many theories of argumentation assume that if, during a given discussion, a consensus seems to be unachievable in the first instance the actors would try to find some deeper level of shared understanding and consent. Already existing belief systems could serve as a base for this.

Belief systems usually consist of more general assumptions about human nature and behaviour, selected relations between individuals and also different kinds of collectives and organisations. For example, belief systems frequently contain ideas about functions that individuals, families, markets and states should exercise.

2.2. Arguments

In this report, arguments should be understood as communicative transactions between political actors in which statements, declarations, practical proposals, objectives, evaluations, norms, values, judgements and interpretations are justified or criticised with the use of an appropriate reasoning. Thus, not all statements, interpretations and proposals are arguments. A necessary and sufficient condition for them to be considered as an argument is that they include “reasons” for making them by their authors. For example, a proposal of a legal solution, without appropriate justification as to grounds on which it is perceived, as preferable cannot be regarded as an argument. Simple announcements, confessions, promises, threats, offences are examples of non-argumentative speech acts.

Arguments consist of the following typical formal semantic triadic structure: An actor (A) believes/thinks/proposes etc. ... something (B)... because of ... something (C). Therefore, a statement can be considered as an argument only if the speaker gives some reason(s) (C) for her/his convictions, statement, belief or proposal which another actor or speaker could contest or agree upon. This implies that arguments, in principle, are oriented towards rational persuasion of some kind of addressee, but not necessarily directed to everyone simultaneously.

In principle, arguments can be related either to adequate positive descriptions of (elements of) existing reality or to normative questions of meaningful and desirable changes of reality which are regarded as alterable by human action. Normative questions (what should be done?), which are especially relevant with justifications of policies and legislation, can be further distinguished in an ideal-typical sense according to various types of arguments: instrumental, expressive, moral and legal.

³ Overview of definitions was prepared by the research team of University of Applied Sciences in Bremen as a guideline for all country-teams working on the project (compare, Faist, Gerdes and Rieple, 2004).

2.2.1. Instrumental arguments

Instrumental arguments are related to the choice of appropriate means, instruments, strategies and methods to achieve ends or to live up to values, which are considered desirable and uncontroversial. They are meant to illustrate certain means as the comparable best suitable way in the name of the respective objectives given or to criticise certain instruments as ineffective in the same sense. Because such considerations are often based on predicted consequences of alternative courses of action respective arguments often rely on experience and hence empirical knowledge. Justifications and critics in this sense concern either the content of truth of a certain description (especially regarding the claimed effects) or the rationality of choice of a certain strategy (another means might be considered a more effective way to achieve a given end).

2.2.2. Expressive arguments

Expressive arguments are related to proposals and interpretations which fundamental values, norms and traditions should be adhered to and protected as the bases of community and which ideals of common life should be pursued in the future. From the perspective of the people of nation-state arguments of this kind inevitably concern the shared self-understanding of political community (nationhood, elements of social cohesion, level of solidarity etc.) and its (good) citizens (traits and habits, virtues, required duties).

2.2.3. Moral arguments

The basic intuition of modern morality is the notion that conflicts of action should be resolved by impartial consideration of the legitimate claims of all persons concerned and that individual persons should regard each other and be treated by the state as equal. Individuals have some sort of legitimate individual interests which could not be reduced to their social roles and functions and collective affiliations. The basic rights of individual freedom are dedicated to ensure that persons can decide about their life plans on their own account as long as they don't interfere with the tantamount freedom of other persons. Because individual persons are considered as the basic units of morality the protection of physical and psychological integrity of persons is the core of modern morality. According to the sometimes so-called second formula of the Kantian "Categorical Imperative", persons should not be treated only as means for other ends, but always as ends in themselves as well. If statements and justifications are related to the integrity and identity of persons and their basic rights these are moral arguments or, as Dworkin (1978 from Faist, Gerdes and Rieple 2004) puts it, "arguments of principle" in contrast to teleological arguments about the prospective benefits of the overall group, community or state. To view something as a moral issue often also means that those who are especially affected from a certain decision should have a definite voice on it.

2.2.4. Legal arguments

Legal arguments, which refer to already existing laws, can be related to three distinct spheres of law: international law, constitutional law or single law. Such arguments essentially concern considerations and interpretations about the compatibility of policies and new legislation with international and constitutional law and possible consequences for other spheres of law. To the extent that existing law is open for interpretation in concrete cases on the one hand and is considered as positive law and therefore open for alteration and revision on the other hand legal arguments are likely to be supplemented by arguments of the other three types.

3. Setting a context

3.1. Emigration and relations with the Polonia

Poland is a traditional emigration country, whereas immigration to Poland has been marginal until now, even though we observed it considerable growth at the beginning of 1990s. A tradition of maintaining contacts with Polish people abroad had developed already in the 19th century and was institutionalised in the II Republic of Poland (Kołodziej, 1998). The Polish People's Republic treated emigrants as traitors. In general, although this policy went through several fluctuation, it was a period of propaganda among Polish emigrants and infiltration of the Polonia accompanied by limitation of free movement of persons thus also emigration.

In the III Republic of Poland, maintaining good relations with Polish emigrants returned on the political agenda. The whole process started in the new the *Senat*, which followed the tradition of the II Republic. Then it developed into official governmental policy declared in 1991. Nowadays there are several large bodies dealing with the Polonia and Polish emigrants relations.⁴ The focus of the official emigration policy of the Ministry of Foreign Affairs and other state organs is the organised Polonia on the West and East (mainly territories of the former Soviet Union).

The Polonia on the West and East differ in terms of level of organisation. The Western Polonia developed stronger institutions when compared to the Eastern group which was a subject of Soviet infiltration and propaganda in the past. The both groups comprise not only Poles that emigrated from Poland (mainly Western Polonia) or found themselves on a non-Polish territory due to post-war shifts of the Polish border or deportations (Eastern Polonia), but also their descendants. At the same time, somewhere in-between lies a very big group of hundreds thousands of Polish economic migrants, who live or reside abroad, but who do not form any organised body. In the III Republic of Poland, most efforts are put on relations with the organised Polish minorities abroad.

The issue of multiple citizenship is pivotal in contacts with The Polonia, as the abolishment of the communist regime in Poland changed position of its members and their attitudes towards the Polish State. The Polonia members are frequently either multiple citizens with Polish passports, foreign citizens considering restoration of their Polish citizenship or people that demand some recognition of their Polish origins by the Polish State. At the same time, the Polonia developed official institutions and exercises a lobbying power over Polish governmental institutions. Thus, it should be considered as an important actor in debates on multiple citizenship. In particular, the *Senat* is the institution that pays the highest attention to voices of the both Western and Eastern Polonia and frequently acts as a representative of their interests.

3.2. Ethnic Germans

Ethnic Germans are the biggest group of dual citizens in Poland. As a consequence of Yalta agreement, Poland acquired the so called Regained Territories that for a long time had been under German influence. After 1945, the Potsdam Treaty provided for expulsion of 3.5 million of German citizens from Poland (Matelski, 1999). This deportation had stopped in 1950, however, emigration to Germany of not only German citizens, but also so called

⁴ It includes: *Senat*, *Sejm*, Ministry of Foreign Affairs, Ministry of Education, Ministry of Labour and Social Policy, government, Foundations: 'Assistance for Poles in the East' and Polish Community.

ethnic Germans (claiming German origins) continued. It was supported by the German *Aussiedler* policy of accepting and supporting immigration of people who were able to prove their German roots. They could count on the help of the German state and had right to German citizenship. In the 1980s this type of emigration changed into mass migration - between 1981 and 1990, 740,000 registered ethnic Germans left Poland (Iglicka, 2001).

In the III Republic of Poland, mass emigration of *Aussiedlers* does not continue on the large-scale due to limitations on the side of the German government and changed social and economic conditions. However, as a consequence of generous policy of granting German citizenship, there is a number of people living in Poland and possessing Polish and German citizenship. Thomas Urban (1994) argues that this number oscillates between as many as 300-700 thousand people living mainly in Upper Silesia region. For Opole Silesia itself, Krystian Heffner and Brygida Sołga (1999) estimated it at the level of 120-30 thousands. It should be noted that the *Aussiedler*- group of multiple citizens is treated particularly liberal by the German state. They are not required to relinquish Polish citizenship upon receiving German one.

German citizenship opens the European labour market for inhabitants of Poland. Usual pattern is permanent residence in Poland and repetitive trips to take up legal work in Germany and other European countries. Local press publishes announcements offering jobs in Germany to persons who hold German citizenship and speak German. It became an everyday reality in some regions, especially in the Upper Silesia region (Heffner, Sołga, 2003). Ethnic German do not form, however, a lobby interested in wider tolerance of multiple citizenship. On the one hand, it seems that they have not developed institutions with power of influencing decisions on the national lever. On the other hand, it can be argued that the scope of tolerance for multiple citizenship in Poland is satisfactory for members of this group enabling them to take advantage of German passports and not to break their ties with local communities in Poland.

3.3. Political and institutional actors

The formation of the III Republic of Poland initiated radical changes in the political and economic system of the country. It also gave rise to formation of new political parties collecting people of the Solidarity opposition operating in the underground during the last decades of the Polish Peoples' Republic. The composition of political parties operating in Poland changed several times in the 1990s. Nevertheless, historical differences between the post-Solidarity and the post-Communist parties have settled major lines of divisions on the political scene of the III Republic of Poland in the 1990s. Only at the beginning of the 21st started to loose gradually in importance in favour of: the pro-European and anti-European division.

Post-Solidarity parties are more active in promoting “dealing with the past” than post-communist parties, but the other dividing lines including ideological and ethical stand points (such as the attitude to the abortion and the problem of teaching religion in public schools) have not considerably influenced the Polish party system. Divisions concerning views on such issues usually cross party-divisions and are of temporary character. Also, position on multiple citizenship, Polish citizenship and ethnicity is not embedded in programs of Polish parties and it can be even argued that they do not define their positions on these problems. MPs' opinions about the issues seem to represent politicians' individual points of view that do not have to correspond with an orientation of their parties.⁵

⁵ Information derived from interviews with politicians and experts.

At the same time, political actors can be divided into those actively supporting the Polonia and others. The division does not correspond directly with party-divisions even though it can be argued that pro Polonia MPs can be found first of all among post-Solidarity groups and in the *Senat*. It is rather not accidental that works on the Bill on Polish Citizenship and other Bills connected with interests of the Polonia took place in 1999-2000 with majority of post-Solidarity parties in the Polish Parliament.

In Poland, not only political but also institutional actors are important for debate on multiple citizenship. The *Senat*, even though comprising politicians originating from various political parties and coalitions, represents a common stand point supporting interests of the Polonia and is an important actor in the field of multiple citizenship. Another pivotal actor is the President Chancellery. The President can grant and also restore Polish citizenship rights and he has also a virtually unrestricted power for deciding if a “would be” Polish citizen is to retain or relinquish his/her foreign citizenship. His decisions, in this field, cannot be challenged by any Polish court. Therefore, the Chancellery can run its own politics on multiple citizenship. Its policy may also stimulate debate on citizenship, even though the President does not involve himself in the parliamentary discussions. It should be noted, however, that the President Chancellery has never formulated its official position on multiple citizenship. It prefers not to run its policy in an open way.

3.4. Legislative framework and politics

3.4.1. Law and politics of multiple citizenship

Historically, multiple citizenship was not accepted on the ground of the Polish law. Acts on Polish Citizenship of 1920 and 1951 stated that “Polish citizen cannot be a citizen of the third country at the same time”. Even though, in the light of the both Acts, Polish citizens breaking the rule of loyalty towards the State were deprived of Polish citizenship, the Act of 1920 was stricter as regards avoidance of multiple citizenship. It foresaw automatic loss of Polish citizenship upon acquisition of foreign citizenship, whereas the Act of 1951 included only the rule that “Polish citizen can obtain foreign citizenship only upon permission of Polish authorities for the relinquishment of Polish citizenship”.

The Act on Polish Citizenship of 1962, which is in force until today, brought about a crucial change regarding multiple citizenship. Its Article 2 states that “Polish citizen, according to the Polish law, cannot be recognised as a citizen of the third country at the same time”⁶. This rule created many controversies and its interpretation varied. The supporters of one interpretation argued that “the Act does not allow for combination of Polish and foreign citizenship” (Jagielski, 2001, pp. 81-2)⁷. Others advocated that multiple citizenship “is silently accepted [and] that there are situations when Polish citizens hold foreign citizenship and this fact does not have any negative (a request for resignation from foreign citizenship) nor positive (special rights in Poland) consequences” (Borkowski, 1998 from Zdanowicz, 2001, p. 173-4). In fact, as the Act of 1962 allows for discretionary decisions, tolerance towards multiple citizenship depends on implementation of the law, which has been liberalised gradually starting from the mid-1980s (Zdanowicz, 2001).

Naturalisation procedure is regulated by three Articles of the 1962 Act (Article 8,9 and 10). Whereas the Article 9 is devoted to stateless people and persons whose citizenship is unknown, the two remaining Articles state that “the acquisition of Polish citizenship can be conditioned by the relinquishment of the previous citizenship”. In practice, the resignation

⁶ Article 2, the Act of 1962; *Journal of law* (1962), No10, Item 49.

⁷ Sentence of the Supreme Administration Court on 28.12.1994.

from previous citizenship has been executed unequally and dependently on the current policy towards a given ethnicity group (see, for example, Górný, 2001). In particular, requirement of relinquishment depends on the policy of the President Chancellery when naturalisation takes place according to the Article 8.

Bilateral conventions concerning avoidance of dual citizenship played a pivotal role in the field of multiple citizenship in the Polish People's Republic, as Poland was a part of several such agreements with the countries of the Soviet Bloc. They included conventions signed with: the Soviet Union (1965), Czechoslovakia (1965), Bulgaria (1972), Mongolia (1975), German Democratic Republic (1975), (Albiniak and Czajkowska, 1996). In practice, it created inequality in the treatment of applicants for Polish citizenship. Most citizens of the Soviet Bloc were not allowed to hold their previous citizenship whereas for other foreigners it was a subject of discretionary decision.

As a consequence of political and economic transition in Central and Eastern Europe, some countries being parties of the above agreements ceased to exist. Moreover, by 2002, Poland expressed the will to withdraw from remaining agreements with several successors of the conventions.⁸ In this way, international tools for executing the relinquishment of previous citizenship upon naturalisation in the III Republic of Poland disappeared.

As shown above, establishment of the III Republic of Poland brought about a higher scope of practical tolerance for multiple citizenship. Changes in implementation of law on citizenship have been allowed by the Act of 1962, as it leaves a great space for discretionary decisions in the field of granting citizenship. In general, the present state of arts is that multiple citizenship is usually *de facto* tolerated in Poland, even though the exclusiveness of Polish citizenship holds.

3.4.2. Proposals of new legislation on citizenship

The Act on Citizenship designed in the 1960s, even after necessary amendments in the 1990s, does not meet the reality of the III Republic of Poland. It is not only due to a change in the understanding of the right of Polish citizenship after 1989 and Polish accession to the European Union, but also due to new social phenomena that occurred along with the democratisation process in the CEE countries. First and foremost, there is a need to define a procedure of restoration of Polish citizenship to people who were unlawfully deprived of it in the past. Then, the problem of repatriation of people of Polish descent from the territory of the ex-USSR has regained its importance in the 1990s. Finally, rapid growth of immigration at the beginning of the 1990s and continuation of influx of foreigners to Poland create a need to reconsider rules of naturalisation in Poland. This problem is not the major concern at the moment but it will most likely grow in importance in a close future. All these "new" aspects intersect with the problem of multiple citizenship even though in different contexts.

Works on the Act on Citizenship started in the late 1990s comprising three bills⁹ proposed in 1999-2001. Originally, all the above three aspects – restoration of Polish citizenship, repatriation and immigration - were to be tackled by a new Act on Citizenship. However, in the course of works, a separate Act on Repatriation was introduced in 2000. The final form of a new Act on Citizenship is still unknown, as none of the three bills was enacted. It is worth, however, mentioning some elements of these bills so as to throw some light on the atmosphere around multiple citizenship in Poland.

⁸ At the moment, only the Ukrainian government has not ratified the termination of the convention.

⁹ They include: (1) the *Senat's* Bill on Polish Citizenship submitted to the *Sejm* on 28.04.1999 (the *Sejm* document (1999), No. 1222); (2) the Government's Bill on Polish Citizenship submitted to the *Sejm* on 5.10.1999 (the *Sejm* document (1999), No. 1408); (3) the Deputies' Bill on Polish Citizenship submitted to the *Sejm* on 11.04.2001 (the *Sejm* document (2001), No. 2842).

All the three bills assumed, like the previous Acts on Citizenship, the blood principle as a basis of Polish citizenship. Moreover, as draft-makers stated to the preamble to the most recent Bill “returning Polish citizenship to all those who have the right to it” is a pivotal problem that is to be tackled by a new Act on Citizenship. The degree of restoration proposed in different bills varied, but an emphasis was on returning Polish citizenship to those who lost it on the basis of previous Acts (1920, 1951, 1962). In the realm of naturalisation of foreigners, bills included different proposals but none of them put forward obligatory relinquishment of foreign citizenship upon naturalisation in Poland.

Consequently, all the three bills demonstrated rather liberal treatment of multiple citizenship. The strictest one, the governmental Bill, proposed to retain the existing *status quo* claiming exclusiveness of Polish citizenship. The *Senat*’s Bill presented the most liberal attitude in this field saying that “A Polish citizen holding, at the same time, citizenship of the third country has the same rights and duties, as a person who holds only Polish citizenship”¹⁰. This approach was retained in the most recent versions of the Bill. According to Zdanowicz (2001) such treatment of multiple citizenship would represent higher tolerance for this phenomenon that is observed in a legislative practice of West European countries and recommended in the European Convention on Nationality from 1997.

3.4.3. *Beyond the law on citizenship*

Understanding tolerance towards multiple citizenship in the Polish context requires a look beyond the law on citizenship. Namely, two solutions proposed on the legal ground in the field of contacts with the Polonia should be mentioned: Repatriation Act and the Polish Chart Bill.

Repatriation Act, introduced in 2000, aims at solving problem of people of Polish origin wishing to return to their homeland from the territory of the ex-USSR. According to the Repatriation Act, people qualify for repatriation exclusively according to an ethnicity criterion.¹¹ Repatriates are entitled to Polish citizenship without any restriction becoming Polish citizens upon crossing the Polish border with a repatriation visa in their hands. At the same time, they do not face requirement to relinquish their foreign citizenship, thus, in fact they are becoming automatically multiple citizens.

The Bill on Polish Chart was submitted by the *Senat* in 1999. It provided for the ways of determining ethnic affiliation of persons of Polish origin or of Polish ethnicity. It was, thus, designed not only to accommodate former Polish citizens, but also their descendants. Its role was to give its owners the freedom of entry and extended social rights in Poland, at the same time, not imposing on them any obligations or burdens including free of charge application procedure. The Bill of the Chart appeared to be controversial mainly due to a danger of creating a privileged group of foreigners enjoying multiple sets of rights in Poland and it has never become the law. However, works on similar document - the Procedure of Recognition of the Membership in the Polish Nation or of Polish Origin - are underway. They were restarted earlier than works on the Act on Polish Citizenship (at the beginning of 2002).

¹⁰ Article 4, the Deputies’ Bill on Polish Citizenship (the *Sejm* document (2001), No. 1408).

¹¹ A person is considered as being of Polish ethnicity when he/she declares his/her Polish nationality, proofs his/her attachment to the Polish culture by cultivating the Polish language and tradition and when one of his/her parents, grandparents or both great grandparents are either of Polish ethnicity or used to have Polish citizenship (compare the Repatriation Act, *Journal of law* (2000), No. 106, Item 1118).

4. Parliamentary debates on multiple citizenship (1999-2001)

4.1. Debates on multiple citizenship – an overview

The issue of multiple citizenship was discussed in Polish parliament in the years 1999-2001, under the government formed by the coalition of AWS-UW¹². It was then when the coalition came up with several important legislative proposals, i.e. 1) Bills on the Renunciation of the Conventions on Avoidance of Dual Citizenship (concerning mutual relations with post-Soviet countries); 2) Bills on Polish Citizenship; 3) Polish Chart and the Procedure of Recognition of the Membership in the Polish Nation or of Polish Origin Bill; 4) Bill on Repatriation. All of them concerned a broad range of issues related to the problem of citizenship and ethnicity. Although rarely explicitly verbalized, the concept of multiple citizenship appeared throughout the debates interwoven by the notions of history, nation and Polishness.

The Bills constituted an interesting stage in the development of the concept of the nationhood. It can be argued that during the debates the belief systems concerning Polish nation were laid out. The analysis of the argumentative structure of the debates will thus reveal these systems and allow linking the concept of multiple citizenship to the idea of nationhood. The debates were chosen on the basis of their relevance to the research purpose following two criteria.

The first criterion concerned the actual appearance of the dual citizenship as a verbalised object of discussion. The Bills on Renunciation of the Conventions on Avoidance of Dual Citizenship and the Bill on Polish Citizenship fit in this field. Here, the debates developed around this concept and the arguments related explicitly to this issue. Nevertheless, in each case the relation was different.

The second criterion concerned not so much the presence of the concept of the dual citizenship in the linguistic terms, but the debate on granting citizenship or semi-citizenship rights to people of Polish origin, regardless of their statehood membership. This debate implicitly tackled the situation of the multiple/dual/future semi citizens residing on the territory of Poland, e.g. repatriates and semi-citizenship holders, without, however, explicitly discussing the issue, deliberating instead the basis of Polish political community. The Bills on Polish Chart and Repatriation fit into this category.

I'm going thus to start by providing a clear-cut outline of the parliamentary context of the debates. Having discussed the content and the impact of the chosen Bills I will then move on to the analysis of the argumentative structures of the debates on multiple citizenship in each case I will conclude with presentation on the belief systems uncovered throughout the analysis.

4.2. Method – material for analysis and parliamentary procedures

4.2.1. Parliamentary procedures

According to the Constitution, the Bills can be presented to the *Sejm* by the government, the MPs and by the *Senat*. The first reading of any Bill can be done in the Committees (e.g. the Bills of the government) or directly on the plenary sessions (e.g. the Bills of the *Senat*). After the first reading the Bill passes to an appropriate Committee. Then the improved version is presented to the *Sejm* in the second reading. All the voices from the MPs are

¹² For development of the abbreviations of Polish political parties see Appendix I.

gathered and considered during the second round of the work in the Committees. Then the third and the final¹³ reading at the floor takes place. If an amended Bill does not pass the voting session, it is cancelled. If it does, it is forwarded to the *Senat* to get its acceptance. Then the *Senat*'s amendments are discussed in the *Sejm* Committee. The decision of the Committee concerning the *Senat*'s amendments is presented on the plenary session and accepted or rejected by the *Sejm*. Upon reaching the agreement the Bill is enacted and becomes a binding law. At the end of the term however, the Bills are in danger of not being enacted since there is no time to put them on the agenda to final voting.

The discussion on the plenary sessions is scheduled according to very strict parliamentary code, on the contrary to the debates held in the Committees¹⁴. In the first case, with debate sticking to its formal schema, hardly any argumentative structure is ever present in direct interaction. Nevertheless, the monologue-like argumentative statements can be tracked, but sometimes they are not directed to an individual MP posing a counter-argument but they take a more general perspective. In the case of the Committee debates, the Chair schedules the statements of the members, but the whole discursive interplay resembles everyday speech situations. Therefore the argumentative structures embedded in the rhetoric schema are more common, and the binary pairs of arguments and counter-arguments can be easily tracked.

4.2.2. Source of the data

The excerpts for the analysis were chosen from the texts of the transcribed debates held in the *Sejm*, both on the plenary sessions and in the Committees¹⁵. The debates held in the *Senat* were not considered, since it was the *Sejm*, not the *Senat*, which was the main battlefield in all of the discussed cases. The analysed fragments were taken from the debates held on each stage of the legislative process, and the argumentative structures examined followed the general two modes: plenary session mode and Committee mode. It's worth noticing that more arguments have been found in the Committee debates' transcripts. In each of the analysed cases, most of the arguments used at the Committee sittings were echoed during the plenary sessions; however, some of them did not reappear in the House, because they have been already cancelled by the counter arguments on the Committee level. It must be noticed, that in general the debates led in the Committees tend to be less emotional and spectacular. The quotations used to illustrate the analysis have been chosen from among other excerpts conveying the same argumentative idea. The source of the argument, i.e. whether it appeared during the Committee or plenary session debate, is given in the final notes. The arguments composing the argumentative structure are grouped in the descending order, from the most to the least frequently used. In this way, the general character of the discussion is immediately noticeable.

¹³ However, less controversial Bills are very often enacted during the second session in the House, when second and third readings are ordered on the same date.

¹⁴ The debate is conducted by the Marshall of the *Sejm*, whose function requires objectivity and the sense of balance. The debates have similar sequence: firstly, the Bill in question is presented by its author; then the Marshall decides on the length of speeches to be held by the MPs; the MPs present the position of their parliamentary caucuses, with the majority going first; after the first round the Marshall accepts individual questions to the authors of the Bill and establishes their duration; when all the questions have been asked the authors answer them in one speech referring to the individual MPs or to the repeated questions. On the contrary, the debate in the Committee allows more interaction. Usually the members of the Committee are few and they invite experts and authors of the Bill to sit in and discuss any proposed amendments (amendments are usually elaborated in sub-Committees, for which no transcripts are publicly available).

¹⁵ The Committees where the debate over the Bills was held were: Administration and Internal Affairs Committee (AIA); and Committee on Liaison with Poles Abroad (LPA)

4.2.3. Bills in question – an overview

The Bills that relate to debates concerning citizenship, nation and Polishness were discussed in the similar time span. This concentration in time is symptomatic and indicates the political engagement of the parliamentary majority of the right-wing parties in the process of redefinition of Polishness, coming to terms with the Communist past and final confirmation of the conditions allowing for the membership in Polish nation. However, in the present analysis only the first four cases will be considered, and the last two will be merely mentioned. The Table 1 presents the chronological order of the parliamentary proceedings for each Bill.

Table 1. Bills concerning multiple citizenship discussed in the *Sejm* in 1999-2000

Name of the Bill	First Reading	Duration of the debate	Outcome
<i>Acts of Renunciation of the Conventions on Avoidance of Dual Citizenship</i>	September 2, 1999 – October 10, 1999	Till November 18, 1999	Approved and enacted on November 18, 1999
<i>Act on Polish Citizenship (Senat)</i>	September 22, 1999	Till October 13, 2000	Pending
<i>Act on Polish Citizenship (Government)</i>	October 6, 1999	Till October 13, 2000	Pending
<i>Polish Chart and the Procedure of Recognition of Membership in the Polish Nation or of Polish Origin</i>	September 22, 1999	Till June 19, 2001	Pending
<i>Act on Polish Citizenship (Sejm)</i>		April 11, 2000 (arrived to the Chancellery, no debate)	Not considered
<i>Act on Repatriation</i>	September 22, 1999	Till November 9, 2000	Approved and enacted on November 9, 2000

Source: Own elaboration

Bills - subject to analysis

The main aim of the Bills on Acts of Renunciation of the Conventions on Avoidance of Dual Citizenship¹⁶ was to denounce the treaties binding Poland's sovereignty. They counteracted the cases of dual citizenship by regulating the ways of obtaining, renouncing and being deprived of foreign citizenship. Generally speaking, the conventions introduced the practice of enforcing the renouncement of one citizenship while acquiring another. The Conventions were an infamous heritage of the communist past, when the bilateral agreement on dual citizenship were in a sense promoted among the socialist states. The Bills promoting renunciation were thus meant to prepare the ground for the new Act on Polish Citizenship, by throwing away the historical burden. The notion of "dealing with the past" was strong throughout the deliberations, demarcating the basic terrain of the further debates.

¹⁶ The five Bills on the Renunciation of the Conventions on Avoidance of Dual Citizenship, enacted in 2000, (concerning mutual relations with Ukraine, Czech Republic, Slovakia, Mongolia, and Byelorussia) were incoming to *Sejm* separately, but in the same period, their 1st readings were also separate. However, starting from the 2nd reading, they were discussed in one block, allowing thus for concentration of the debate.

As regards the Bills on Polish Citizenship¹⁷, it was the next step in this procedure. The dual citizenship appeared as a legal issue rather than a prerogative of the Polish State. I will discuss the debates of the version of the Bill at the later stage of the procedure, i.e. the Bill uniting the *Senat* and Government proposals, since this document was finally voted.

Throughout the debates on the different stages of the parliamentary procedure the theme of the restoration was regularly invoked. The issue of those, who were deprived of the Polish civic membership for historical reasons, was not the subject to the debate providing source for argumentative structures. The references to restoration were used as a cross-party praising invocation, starting every speech in the House, determining thus the setting of the further discussions¹⁸.

The focus of the actual debates that would follow was internal rather than international. The centre of the discussions was the problem of the so called amended¹⁹ Article 4, introducing State's formal recognition of dual citizenship holders of Polish origin.²⁰ The minor deliberation was devoted to the amended Article 44, opening new possibilities of naturalisation of dual citizens of non-Polish origin. The presence of the concept of dual citizenship was thus two-fold; on one hand it was discussed in relation to people considered to be vital elements of the Polish nation; on the other hand, it tackled the question of extending the citizen rights to foreigners. The argumentative structures were thus divided into two clearly cut parts, which did not interfere with each other.

The Polish Chart as proposed in the Polish Chart and the Procedure of Recognition of Membership in the Polish Nation or of Polish Origin Bill is a very particular case of an attempt to introduce legal conditions for semi-dual citizenship policy of the State. The Bill was drafted in order to regulate the citizenship matters of these ethnic Poles and emigrants, whose host countries do not allow for dual citizenship. Polish Chart was meant to facilitate them keeping in touch with the Homeland by granting them several citizenship rights²¹. Although the Chart did not provide for dual citizenship *sensu stricto*, nevertheless it provided for semi-citizenship rights for the citizens of a foreign country, basing merely on ethnic bonds. The doubts that aroused in the discussion in *Sejm* considered the possibility of giving the State recognition of such form of *de facto* dual citizenship.

¹⁷ The three Bills of the new Citizenship Acts, launched in 2000 (see Tab. 1), were elaborated by the *Senat*, the government and the *Sejm*. Finally the two first versions were incorporated in one document, passed by the *Sejm*. The approval procedure in the *Senat* resulted in many amendments, the majority of them rejected by the *Sejm*. However, the final voting of the improved Bill never took place, since the final reading was removed from the agenda of one of the last 3rd term parliamentary sessions.

¹⁸ The quotations illustrate the invocation of restoration used by the right and the left wing parties: "The Bill makes up for some harms, discussed in here, done to the Polish citizens, who in the result of the war and also in the result of the repressions suffered in the People's Republic of Poland, were deprived of their Polish citizenship." (*Sejm*, 3rd term, 12-10-2000, SLD); "[the Bill] provides for a wider restoration of Polish citizenship as an elementary justice towards our kinsmen. The adoption of this law will be a partial compensation for the harms that were suffered by many citizens during the IIWW and the People's Republic of Poland." (*Sejm*, 3rd term, 12-10-2000, AWS)

¹⁹ The amended Articles discussed during the Polish Citizenship Act debates were the articles of the Bill approved by the *Sejm* and then amended by the *Senat*. The amended Bill was discussed again in the *Sejm* and the changes to the articles were voted.

²⁰ During the first reading of the *Senat's* Bill there were only two MPs asking the question concerning Article 16, defining conditions of restoration of Polish citizenship to the citizens of other countries. According to this article, people, who were forced to emigrate and to relinquish Polish citizenship abroad, should be entitled to regain Polish passports and be re-included in the community. No one actually raised the question of dual citizenship, although apparently the new citizens would not be asked to relinquish their present citizenships.

²¹ The Bill on Polish Chart provided for the ways of determining national affiliation of persons of Polish origin or of Polish ethnicity. It offered to individuals membership in Polish nation, regardless of the place of residence, the freedom of entry and extended social rights. The Chart would thus play a role of a lifetime visa, since it also provided for ethnicity visa, introducing *de facto* non-visa movement across borders. The Chart would not provide for political rights if a person is non-resident, however the voting rights of Polonia would be upheld. People with the Chart would be treated as Poles while on Polish territory. They would be entitled to free education and to medical care (if residents). The question of pensions and welfare was not addressed directly, however the general tendency was to provide for such possibility on the same basis as for Polish citizens, i.e. paying social security taxes.

All the above debates were thus linked in different ways to the problem of multiple citizenship. While the first two debates focused on the problem of dual citizenship *sensu stricto*, the last one dealt primarily with the question of the criteria of Polishness, i.e. the most important condition for membership in the nation. Nevertheless, the analysis of their argumentative structure allowed us to come up with homogenous description of the belief systems underlying the discourse on citizenship and nationhood in Poland, hence on multiple citizenship.

Bills not considered in the analysis

There are two Bills mentioned in the introduction that will not be subject to the analysis. The *Sejm* Bill on Polish Citizenship cannot be considered since it has never been discussed in the Parliament giving way to better prepared Bills of the *Senat* and the Government. As for the Bill on Repatriation²², the only successfully enacted legislative proposal from the ones discussed here, there are several reasons not to consider it in the argumentative structure.

First of all, even if on one hand it seems that the debate on the Bill could meet the second criterion of material selection for its focus on widening the basis of the Polish political community, in reality it was the one least related to the formally stated issue of dual citizenship. The main theme of all the discussions were who and on what grounds should be repatriated, and thus automatically granted Polish citizenship. Therefore the debate was on the idea of the conditions of membership in the political community. The disputants did not question the *ius sanguinis* rule, they merely tried to formulate a proper definition of Polishness and Polish origin, and this took place mainly during the 1st reading in the House. However, that the implicit presence of the concept of dual citizenship, and the related dilemma has been incorporated in the legal provisions: the repatriates, at the moment of crossing the border, are granted Polish citizenship without being required to relinquish the previous one. In practical terms it means that unless the country of origin of the repatriate demands him or her to cut citizenship bonds, there will be a growing group of dual citizens who come to live in Poland. Interestingly enough the debate on the Bill did not focus on the fact that the process of repatriation would make it possible for a growing number of dual citizens to reside on the Polish territory. A statement taking up explicitly the problem of dual citizenship in the context of repatriation appeared only once²³, during the 1st reading of the Bill on the plenary session, and it was put in a form of a rhetoric question, never answered by the authors of the Bill. The tacit consensus on not pushing forward the issue of double citizenship in the case of repatriates was apparently working very well.

The second reason for not analysing the debate on the Bill on Repatriation is that the lack of the debate on dual citizenship was made up for by the lengthy discussions concerning Polishness and financial costs of the social rights of repatriates. Unfortunately, the debates on this Bill and on the Bill on Polish Chart were conducted simultaneously, and the

²² The Repatriation Act of November 9, 2000, defines the repatriates as ethnic Poles, not foreigners nor emigrants. Therefore, only persons that do not have Polish citizenship can be repatriated. The criterion for repatriation is being of Polish origins, which definition has two dimensions: ethnicity and culture. The repatriation visa can be issued to an applicant, who claims Polish ethnicity and used to hold Polish citizenship. The Act merely provides for the repatriation from the territories of the Asian republics of the ex-USSR. Nevertheless, the repatriation from other areas could be allowed in a special government decree, provided that persecution of Polish minority took place.

²³ "The second question, I think the most important one in the whole Bill [Repatriation Bill] is the question of citizenship... I think that one thing was omitted in the presentation and tacitly avoided in the speech of the Senator presenting the Bill, i.e. the question of the dual citizenship... In my opinion the rule of dual citizenship in the situation of Poland, in so complicated Polish history... will cause the loyalty conflicts in the case of individual citizens, the conflict which is dangerous for the State." (*Sejm*. 3rd term, 22-09-1999, UW)

arguments used in the discussion of the first were related also to the latter, without clear distinction. The concerns expressed in the debates on Polish Chart related to patriotism of the Poles abroad as well as to the financial costs of spreading the basis of political community were presented also in relation to the repatriation. But in the first case the spectrum of arguments was wider and more focused on the issue of dual citizenship. And thus it would be scientifically counterproductive to try and divide the homogenous discussion in two parts. Instead a more profound analysis of the debate on Polish Chart will be proposed.

4.3. Burning the bridges with the communist past - renunciation of the conventions on avoidance of dual citizenship

The renunciation of a convention is one of the prerogatives of the President; however in some cases the President needs a special Act approved by the Parliament to execute this right. It is particularly the case when the renunciation has direct impact on the rights of the individuals under Polish law. This procedure was thus employed while processing the renunciation of the Conventions on Avoidance of Dual citizenship, which had been signed with the communist countries before 1989. Following the long lasting process, in 1999 Polish government prepared five new Bills, one of the last groups of similar regulations enacted in the 1990s, proposing renunciation of these conventions with five different countries at the same time. The parliamentary debates were held within the span of less than four months. The first readings were held in the Committee on Administration and Internal Affairs (AIA), the further works were conducted in sub-Committees, and finally the second and third readings took place in the House, and passed almost unanimously. The analysed passages were taken from both Committee sittings and the final reading in the plenary session.

The debate over the Bills was not heated. The general atmosphere was the one of throwing away still existing bonds tying the III Republic of Poland to the past. The MPs did not engage in any prolonged discussions in the Committee, nor did they do so during the House readings²⁴. The incidental voices trying to raise a case were eventually lost in the chorus of appraisal. Nonetheless some sort of argumentative structures can be traced in that debate.

4.3.1. Arguments in favour of the renunciation procedure

The argument most often used in favour of pursuing the renunciation procedure can be labelled as expressive. It was argued that the State's sovereignty suffered serious harm, since the conventions made the decision on Polish ethnicity dependent on the permission of the other side²⁵. The question of ability to take sovereign decisions was also evoked by the instrumental arguments, which introduced the perception of the Bills as "clearing up the ground" and preparation for the new Act on Polish Citizenship²⁶. Poland, free of any shameful historical bonds, would follow the same laws in international relations towards all

²⁴ The quotations in this section are taken generally from the Committee sittings, since the arguments used in the plenary session were more limited, nor they appeared at all.

²⁵ "First of all, the conventions signed with the communist countries conditioned the possibility of conferment of Polish citizenship on the permission of the other partner of the treaty". (AIA Committee Biuletyn 1989/III, 06-10-99, Government)

"To put it shortly, other State will not decide upon who can and who cannot become a Polish citizenship". (AIA Committee Biuletyn 2045/III, 20-10-99, AWS)

²⁶ "Third, as we all know the new citizenship regulation is being elaborated (...) and therefore we would like to have a sort of 'clean ground' in the parliamentary discussion on this issue. To put it differently, we do not want the new provisions to be conditioned nor bounded by any international conventions signed in the past." (AIA Committee Biuletyn 1989/III, 06-10-99, AWS)

the states as far as the recognition of the citizenship rights is concerned²⁷. According to another instrumental argument, no state should be granted any special treatment by an individual legal provision. Therefore the speakers indicated the need to keep the unique standards of citizenship regulations in the case of the Western as well as the Eastern Polish communities, and one-sided conventions with Eastern-European countries did not serve this aim well.²⁸

Throughout the debate, the disputants tackled also the issue of attractiveness and unattractiveness of Polish citizenship to foreigners. This was the only moment in the debate when the issue of immigrants was raised. However, a danger of misusing the naturalisation procedure was waived away by the instrumental argument presenting Polish citizenship as not being an object of desire of migrating crowds; therefore even if foreigners kept citizenship of the sending country, there would be no requiring special provisions to regulate the numerous cases of dual citizenship holders of non-Polish origin²⁹.

The instrumental arguments concerned also the improved legal provisions to be enacted, e.g. awaited Act on Polish Citizenship, which was presented as the only way of regulating the problem of dual citizenship which would respect the Polish Reason of State, on the contrary to the bilateral agreements, which were seen as inappropriate. The conventions were thus thought to be a faulty instrument needed to be replaced by a modern and more workable one³⁰. Since the renunciation procedure concerned several countries, the debate over individual cases had a comparative character and different instrumental arguments were used in each case. The arguments stressing the better legal solutions introduced with the past amendments to the Act on Polish Citizenship of 1962 were used while speaking about Ukraine and Byelorussia³¹. According to some speakers the conventions ceased to have any legal impact because the new provisions were more efficient in the fight against e.g. commercial marriages with the citizens of these countries³². In the case of Mongolia, the argument of “dead law” prevailed³³ - since the regulation had never been used it meant it was useless.

The instrumental arguments were supported by legal arguments in the sense of stating that such conventions violated the international law, as the 1997 Council of Europe Convention on Citizenship by creating the conditions for statelessness³⁴. Also the resounding argument indicated that the conventions do not represent the standard of behaviour in the international relations³⁵. The case of incompatibility with the domestic law was also raised, arguing that the Polish State was unable to pursue its own legal provisions

²⁷ “The convention introduces inequality in the international relations.” (AIA Committee Biuletyn 1989/III, 06-10-99, AWS)

²⁸ “On the West the Poles were free to obtain foreign citizenships, because there were no bounding conventions, and on the East it was impossible. This situation should be unified.” (AIA Committee Biuletyn 2039/III, 19-10-99, AWS)

²⁹ “The fears of the MP Cimoszewicz can become real in remote future, if we ever become country of attractive citizenship” (AIA Committee Biuletyn 2039/III, 19-10-99, UW)

³⁰ “The case was deeply analysed during the works on the government project on Citizenship Act. In that Bill there are measures counteracting the majority of cases of dual citizenship.” (AIA Committee Biuletyn 2039/III, 19-10-99) “The State’s interest should be guaranteed by a good Citizenship Act, and not agreements with single countries.” (*Sejm*, 3rd term, 17-11-1999, SLD)

³¹ In the 1990s the series of new amendments regulated e.g. the question of mixed marriages.

³² “The agreements with Ukraine and Byelorussia were needed from the Polish point of view until the amending of the Citizenship Act of February 15, 1962, those amendments decreased the threat related to the acquisition of the citizenship by the simplified procedure, e.g. by getting married for commercial reasons, what could increase the number of the persons coming to Poland and applying for Polish citizenship.” (*Sejm*, 3rd term, 17-11-1999, SLD)

³³ “This convention is to some extent „dead” and it does not tackle any vivid common interests of Poland and Mongolia.” (*Sejm*, 3rd term, 17-11-1999, UW)

³⁴ “The convention forces the statelessness of individuals whose applications for Polish citizenship are being processed.” (AIA Committee Biuletyn 2039/III, 19-10-99, AWS)

³⁵ “The conventions of this kind are not used in the European relations and are not the standard of international relations.” (*Sejm*, 3rd term, 17-11-1999, UW)

in the area of citizenship, being bounded by the opinion of another state³⁶. The legal arguments evoked also the legal clash with the Constitution, which in its Art. 34 states that “Polish citizen cannot lose Polish citizenship unless s/he renounces it.”

This argument was also used in the form of moral argument concerning the individual rights. The bilateral conventions made the free choice of Polish citizenship by the ethnic Poles dependent on the will of their host country; and the members of the Polish minorities abroad³⁷ should not have any barriers regaining Polish citizenship.³⁸ This argument is the direct outcome of the Constitutional provisions and the *ius sanguinis* perception of citizenship as the inborn right of individuals of Polish origin. Still in this spirit, the renunciation of the conventions leading to the situation facilitating dual citizenship was often perceived as the key action opening the gates to the Polonia in the countries, with which the conventions had been signed. The arguments supporting the Bill often stressed that the permissive Polish doctrine on the multiple citizenship is needed to keep in touch with the Polonia³⁹. The idea of the second part of the nation living abroad was constantly present throughout the debate and was distinctly divided from the issue of dual citizenship holders of non-Polish origin.

4.3.2. Arguments against the renunciation procedure

The arguments against the renunciation procedure were rare and they usually merely brought into question the general position of the Polish State on multiple citizenship. Instrumental arguments focused on the Polish policy towards multiple citizenship in case of Polish citizens. Answering the pro-argument on the superiority of the domestic legal provisions, the renunciation of the conventions was perceived as a move that would cancel a much needed instrument, since most probably the domestic laws (e.g. Act on Polish Citizenship) would not be enough to guarantee the State control over the international citizenship relations of Polish citizens⁴⁰.

The legal arguments concentrated upon the problem of international trends concerning avoidance of the cases of dual citizenship. Poland should not rely on the domestic, one-sided regulations in this aspect because they are not in the line with the international trends.⁴¹ It is interesting to notice, that this argument was used both pro and con.

The debate was rather toned down, the few counter-arguments were immediately brought down by the pro-arguments, especially the ones stressing the need to amend the mistakes and harms of the communist past (the argument on facilitating acquisition of Polish citizenship by the members of the Polish minorities). It seemed that in this debate the

³⁶ “In the international practice concerning the children from mixed marriages the parents leave the question of citizenship to the child’s choice when it turns the major age. The convention, in case there is no option of citizenship on the part of the parents, defines the citizenship of the child without their involvement using the birth place right. The renouncing of the convention will allow using Polish legislation and will also re-establish the sovereignty of the Polish State in the area of citizenship.” (*Sejm*, 3rd term, 17-11-1999, UW)

³⁷ Some MPs referred explicitly to the minority in the Czech Republic.

³⁸ “The Convention is seen negatively by the Poles in the Czech Republic since it forces the residents to give up their Polish citizenship if they want to obtain the local rights.” (AIA Committee Biuletyn 2039/III, 19-10-99, Government)

³⁹ “Polish doctrine, i.e. assuming that a Polish citizen is treated as, and only as, Polish citizen by the Polish authorities, i.e. recognition of the exclusiveness of Polish citizenship in relation to Polish authorities, is a good doctrine for Polish Diaspora abroad. Millions of Poles in the last 45 years lived in exile and obtained foreign citizenships. We want them to come to Poland even if they have dual citizenship.” (AIA Committee Biuletyn 2039/III, 19-10-99, AWS)

⁴⁰ “By limiting the question only to the domestic regulations we consciously agree upon possible, and most probably more frequent cases of the dual citizenship among Polish citizens.” (AIA Committee Biuletyn 2039/III, 19-10-99, SLD)

⁴¹ “[in such cases] international regulations aiming at limiting the cases of dual citizenship are generally adopted.” (AIA Committee Biuletyn 2039/III, 19-10-99, SLD)

standpoint of the Polish State on multiple citizenship was not defined. On one hand, the provisions counteracting dual citizenship were to be abolished; on the other hand the clear-cut statement of formal acceptance of the dual citizenship was not formulated. The spirit of dealing with the communist past was overwhelming and practically cut down any discussion. The opposition would not fight too openly against the Bills, because it would have been immediately accused of Communist sentiment. Thus, the renunciation procedure Bills were passed by the substantial majority of votes.

4.4. Dual citizens and the State - debate over the Bill on Polish Citizenship

The terms of the debate on the Bill on Polish Citizenship reflected the overall belief that the Act on Polish Citizenship of 1962 was an archaic instrument, impossible to amend in any better way than it had been done during the 1990s. And thus the main question was not if Poland should have a new Act, but what were the limits of the political community as established by the future Act. There were three important notions in the debate on the Bills on Polish Citizenship, in their *Senat*'s and Government versions. The first one, concerning "dealing with the past" dominated the debate on the *Senat*'s Bill; the two others, focused on the issue of dual citizenship and the rights of Polonia versus foreigners, appeared during the debates of the Government Bill.

The *Senat*'s Bill was discussed profoundly only once, during the first reading in *Sejm*, together with the two other *Senat*'s Bills (on Repatriation and Polish Chart). Here, the new draft was backed up by all the MPs who unanimously supported the idea of restoration of Polish citizenship to those Polish ex-citizens who were forced, by the historical or political circumstances, to renounce it⁴². The topic of people meriting the recognition of their civic rights as a form of appraisal for their suffering and patriotism was present in all the speeches regardless of the political party.

The theme of the multiple citizenship appeared in the debates over the Bill on Polish Citizenship, however it was mostly verbalised during the works in the Committee on Liaisons with Poles Abroad (LPA) and AIA Committee. During the debate, the question of multiple citizenship was clearly divided into two non-interfering units. One was the issue of dual citizens of Polish origin, both Polish and foreign residents. The peak was reached while discussing the amendment of the *Senat* to the final draft of the proposal accepted previously by *Sejm* (so called Article 4) in which the State's recognition of dual citizenship was elaborated and verbalised creating thus legal basis for further developments in this direction. The other issue, somewhat pushed on the side of the mainstream of the discussion, was the issue of foreign citizens of foreign origin settling in Poland and being granted Polish citizenship (expressed in the short discussion of Article 44 in the AIA Committee).

The Bill was passed in the *Sejm*, however it has never been enacted. The main controversy aroused after the Bill had come back from the *Senat* with several important amendments. One of it was Article 4, concerning the State's formal position on multiple citizenship, which in the new version received a completely new wording:

The current wording, as in the Act on Polish Citizenship of 1962:

"Art. 2) A Polish citizen, according to Polish law, cannot be recognised as a citizen of other country"

The *Senat*'s amendment to the *Sejm*'s Bill in 2000:

⁴² Some MPs would express their concern with the restoration – if the legislative provisions are good enough to ensure that the people who acted against the Polish Reason of State/Nation will not be eligible for the restoration. It is worth mentioning that the *Senat*'s Bill did not include the Polish citizens of Jewish origin deprived of the citizenship in March 1968. The Government Bill introduced the right of this group to the restoration. Discussion of this article was virtually absent from the parliamentary debate as if the MPs did not perceive it as a problem.

“(1) A Polish citizen can be at the same time citizen of another country.

(2) The fact that a Polish citizen simultaneously holds a citizenship of another country does not influence his/her rights and duties towards the Republic of Poland as defined in Polish law, unless it is stated differently in an international agreement and by a commonly accepted international custom, or in a separate Act.”

The *Senat*'s Article 4(1) was controversial to Polish government; the (2) was not satisfying for the Polonia, willing to have recognised certain rights and exemptions because of their dual status (dual taxation, military service etc.). As the matter of fact, the *Senat*'s amendment introduced a new approach to the multiple citizenship by stating officially that Polish State recognizes the right of any Polish citizen to hold multiple citizenships. What was at stake in the debate over that amendment was the open acceptance of the multiple citizenship instead of unofficial practice. The main debate took place in the sitting of the joined AIA/LPA Committees, and later on was held on the plenary session. The atmosphere of the debate in the Committees and in the House was very heated. It reflected the clash of two lobbying groups: 1) Polonia, pushing for broader recognition of its status, influencing the *Senat* and some right-wing groups in the *Sejm*, and 2) centre-right, centre-left and leftist parties following the European standards promoted by the enlargement process⁴³.

4.4.1. Arguments in favour the State's recognition of dual citizenship (the *Senat*'s amendment - Art. 4)

The arguments in favour of the amendment were mostly of expressive character. The legal confirmation of the dual citizenship was promoted because of its consistency with Polish tradition of accepting dual citizenship to facilitate the contacts of the emigrants with Homeland⁴⁴. The solution would thus formally adopt the idea of the nation larger than population of the Polish territory, and therefore would consider the interests of those living abroad. Another expressive argument was based on the idea of compensation for the harms of the past to be paid off to the emigration of the Communist years and a prize for cherishing the national ties⁴⁵. In this sense also the moral arguments were involved stating that Polish emigrants expected Polish parliament to pass this solution, i.e. speakers promoted the right of emigrants to influence Polish MPs.

The instrumental argument used in this patriotic strain tackled the practical matters related to being an emigrant. The formal recognition of dual citizenship would facilitate disrupted lives of all emigrants by helping them joining two citizenships⁴⁶. Apart from instrumental arguments also the legal arguments found their way through. Some speakers defended the amendment arguing that it is in compliance with Polish Constitution and with European Convention on Citizenship⁴⁷ and other European laws adopted in the process of European integration. This argument was used as a counterpart of the legal arguments against the solution, trying to prove that the legal obstacles were basically unimportant.

⁴³ The arguments quoted in this section were encountered both in the Committee and in the House.

⁴⁴ “While working on the Bills we have to keep in mind the expectations of Polonia and the Poles living abroad.” (AIA/LPA, Biuletyn 3213/III, 15-09-2000, BBWR)

⁴⁵ “This solution is compliant with Polish tradition and meets the expectations of millions of Polish emigrants all over the world, especially in the US. These Poles, our kinsmen, very often would emigrate in search for bread, or for political reasons, they would accept the citizenship of other countries, however they never broke the ties and bonds with the Homeland Poland stayed for them the first Homeland, the mother”. (*Sejm*, 3rd term, 07-06-2000, AWS)

⁴⁶ “This is needed, because as we know, many Poles living all around the globe – for different reasons, as mixed marriages and other situations – would like to benefit from the Polish citizen status, joining it with the host country citizenship.” (*Sejm*, 3rd term, 07-06-2000, SLD)

⁴⁷ “First of all, the Bill is in compliance with the Art. 34 and 137 of the Constitution, and it is in compliance with the assumptions of the European Convention on Citizenship, so it will not disturb the works related to European integration”. (*Sejm*, 3rd term, 07-06-2000, SLD)

4.4.2. Arguments against the State's recognition of dual citizenship (the Senat' amendment - Art. 4)

The counter-arguments, mostly expressive, were far more numerous and sophisticated. They generally focused on in-border group. Polish citizenship is something unique and of supreme value, and consequently the trend should be to provide for uni-citizens. Thus, according to the speakers, the role of the Parliament was not to encourage new individuals residing in Poland to obtain other citizenships⁴⁸. Expressive arguments focusing on the integrity of the nation were also used. The vision of Polish nation as homogenous would be threatened by the amendment, because such a legal permission might encourage citizens residing in Poland to associate according to the dual citizenship criterion. Such divisions might not only shatter the unity of the nation, but could be dangerous from the political, social and economic point of view⁴⁹. The other expressive argument, used in this sense, concerned the danger of misusing the privileged dual-status situation. The threat was seen as especially real on the part of Polish citizens holding German citizenship. The enactment of the formal recognition of dual citizenship might open the gate towards misuse of the dual status by the German minority in Poland, ready to claim their rights as foreigners, not Poles. The category of "a German" misusing or overusing his dual rights⁵⁰ was a clear threat-message for the MPs rooted in Polish meta-text⁵¹.

Among the expressive arguments, the worries concerning the image of Poland on the international arena were also put forward. No contemporary state defines its citizenship this way, and thus Poland should neither, if it wants to be considered a part of international democratic family, where no state encourages its citizens to acquire other citizenships⁵². This argument was used also to counteract the *Pro Polonia Bono* arguments. It was thus recalled that also in the host countries of the Polish emigrants there are no provisions recognising *par explicate* the citizenship of some other country⁵³. Such recognition was dangerous also because of the possible impact of the regulation on the concept of citizenship as such. Since citizenship assumes the loyalty towards one country, in case the State officially recognised several citizenships, the logic of the institution of citizenship would be broken⁵⁴.

The instrumental arguments were also common. The most popular was the one concerning the legal procedures related to dual citizens. There is no need to bother with additional legal regulations. Since in Poland there is a tradition of tolerance versus dual

⁴⁸ "I believe that the Parliament of the Republic of Poland should not encourage Polish citizens to acquire a foreign citizenship. We should treat Polish citizenship as a supreme value. I understand, that having so numerous group of kinsmen abroad we have to tolerate the dual citizenship, but we should not encourage next individuals to do so." (AIA/LPA, Biuletyn 3213/III, 15-09-2000, SLD)

⁴⁹ "Adoption of this solution would create a situation in which the citizens could organize on the Polish territory according to the criteria of foreign citizenship, and this would cause serious consequences, not only political, but also social and economic" (*Sejm*, 3rd term, 12-10-2000, independent, Parliamentary Circle for Poland)

⁵⁰ "The fact of formal recognition of the dual citizenship could be misused by, to say it openly, by e.g. Polish citizens who hold simultaneously German citizenship." (*Sejm*, 3rd term, 12-10-2000, AWS)

⁵¹ In Polish tradition, Germans are associated with a possible danger and potential enemy. Such an attitude derives from historical experience and sometimes pops out in the speeches that rely heavily on expressive arguments.

⁵² "No contemporary state defines its citizenship this way... this solution would constitute an exception in the family of democratic states and would encourage Polish citizens to acquire citizenships of other countries." (*Sejm*, 3rd term, 12-10-2000, SLD)

⁵³ "Poles living in their [host] countries know very well that their host countries, of which they are citizens, do not define explicitly the rule that citizens can acquire citizenship of other country." (*Sejm*, 3rd term, 12-10-2000, SLD)

⁵⁴ "The logical consequence of the institution of citizenship is the loyalty to one of the citizenships. If we adopted the solution proposed by the *Senat*, we would simply break the logic of this institution." (*Sejm*, 3rd term, 12-10-2000, PSL)

citizenship, it should be enough to ensure a proper treatment of such cases and no special provisions, as Article 4, are needed.⁵⁵

The other aspect of the instrumental argumentation was the problem of national security. As at was used as a counter-argument of the *Pro Polonia Bono* arguments, it would state that the interests of The Polonia and Polish emigrants are secondary to the question of the national security, endangered by the possibility of formal recognition of dual citizenship and the inflow of dual citizens to the country; therefore a practical point of view should be acquired⁵⁶. This atmosphere of a threat brought about the most curious instrumental argument recalling the problem of Polish lands and their ownership. The argument stated that in the case of formal and open permission, the foreigners waiting to buy Polish lands in the North-Western Poland would obtain Polish citizenship just to conclude the transaction. In case they kept their foreign citizenship, Polish lands would be sold out abroad. Using this argument, the speakers would make appeals to the feeling of national solidarity present among the Poles abroad⁵⁷, urging them to stop pushing for formal recognition of the dual citizenship, and to keep in mind that the outcomes would serve not only The Polonia interests, but also the interests of the strangers willing to take away Polish lands.

Moral arguments concerned the position of the Poles abroad, especially those with dual citizenship. According to some speakers, the official permission of the State may cause violation of the individual rights in the country of the second citizenship, since those people would find themselves in a situation of dual loyalty and might be treated by their host country accordingly⁵⁸. The question of rights and duties of the citizens was often discussed. Since the *Senat's* version of the Article 4 recalled openly the rights and duties of Polish citizens as being different from rights and duties of citizens some other country (*par implicite*) and yet such a dualism was approved of, there would be two sets of rights and duties to be followed in case of a person with dual citizenship, since the wording of the amendment does not exclude such situation. In case both sets clashed, the legal interpretation was very wide and basically unlimited. The arguments expressing this opinion regularly popped out in the discussion⁵⁹.

The least used were legal arguments, oscillating as well in the area of loyalties and rights, touching on expressive argumentation. The most prominent included the clear incompatibility with constitutional law. Especially the constitutional equality rule concerning all citizens seemed to be endangered. The rhetoric question aroused what to do with the citizens of a dual status: the ones with dual citizenship, entitled to claim international norms, customs and treaties to deal with Polish State. Such a situation would

⁵⁵ "According to the tradition shaped in the Republic of Poland, Poland tolerates the second citizenship of its citizens and it does not cause any problems in this respect. It seems that this practice should be beheld, instead of proclaiming [enacted] solutions." (*Sejm*, 3rd term, 12-10-2000, SLD)

⁵⁶ "This point of view [Polonia's interest] is very one-sided since Polish parliament as the legislative power needs to consider all the consequences of the law to national security, including all the threats." (*Sejm*, 3rd term, 12-10-2000, independent, Parliamentary Circle Coalition for Poland)

⁵⁷ "Today we encounter a social problem on the Western and Northern lands... There are many foreign subjects, mixed societies, individuals, who hold on lease Polish lands, and who wait for the changes related to finances and European integration to take over the ownership. And if we introduced the amendment, they would be able to acquire soon the Polish citizen status and avoid the consequences of the 1920 Act on the Acquisition of the Land by Foreigners." (*Sejm*, 3rd term, 12-10-2000, PSL)

⁵⁸ "We would put our kinsmen abroad in some sort of dual, dangerous situation as far as their loyalty towards their host-country and towards the Polish State is concerned." (*Sejm*, 3rd term, 12-10-2000, PSL)

⁵⁹ "This amendment creates a situation in which in every case a dual citizenship holder presents him/herself, Polish authorities should examine if the case is related to the rights and duties of this person towards the Republic of Poland stated in Polish law. If it was the case, such a person should be treated as a Polish citizen; however, if it wasn't the case, we wouldn't know what to do next with such a person. Such wording of the provision causes the recognition of the dual citizenship as a regulation, which someone can claim in the matters, in which Polish citizen does not have any rights nor duties." (AIA/LPA, Biuletyn 3213/III, 15-09-2000, Government)

lead to the necessary changes in the Constitution, since either Act either Constitution should be amended in order to keep the legal order⁶⁰.

4.4.3. Arguments against the amendment abolishing the request of relinquishment of the previous citizenship upon naturalisation. (Senat's amendment - Art. 44)

The amended Article 44 was not widely discussed. There were only two arguments used against the amendment, no pro-argument was posed. The original proposed Article stated that any foreigner applying for Polish citizenship should relinquish the previous citizenship, if no other provisions state otherwise. The *Senat* decided to cancel this article. The instrumental argument against the amendment foresaw its consequences for admission of other foreigners coming to Poland. The *Senat's* amendment would open the gate to the formal permission granted to the future Polish citizens of non-Polish origin to keep multiple citizenship⁶¹, since there would be no legal provision to stop the phenomenon. The other argument used here to keep the Article in the original version was of expressive character. Namely, that the interest of the Polish State is not to give way to establishing foreign communities holding dual citizenship in Poland⁶². As stated, the interest of the Polish State was not to accept the growing group of dual citizens on its territory.

The arguments against formal recognition of dual citizenship were well-sounded and required some specialised legal knowledge. The political divides were blurred in this respect and thus not so important in the discussion as the divide between the institutions: the *Pro Polonia Senat* on one hand, and the *Pro Publico Bono Sejm* and government on the other.

Apparently, the problem of formal recognition concerned mainly ethnic Poles, entitled to Polish citizenship by birth, who hold some other citizenship. There was only one mention of granting citizenship to a foreigner, discussed only during the AIA Committee debate on Article 44 of the Bill as amended by the *Senat*. The con-argument given by the Government had no counter arguments and thus it can be argued that the idea of Polish Reason of State, understood as ethnic unity and assimilationist attitude, is deeply internalised by the law-makers.

The Bill on Polish Citizenship failed to be enacted, and most probably one of the reasons for that was the inability to reach consensus on the question of dual citizenship. The clash between the interests of the out-border group and the domestic interests was visible in the final debate on the *Senat's* amendments, and it was not attenuated on the deliberative level, as shown in the transcripts. The *Senat* was openly against the decisions of the governmental experts, who nevertheless managed somehow to impose their point of view on the *Sejm*

⁶⁰ "Of course, there are constitutional aspects requiring keeping the [*Sejm*] version [of the Article 4], otherwise a question may arise if the constitutional equality rule is upheld. If there were citizens of dual status, i.e. those having only Polish citizenship, and others, whom the Act treats differently because they have other citizenship, then it is clear that in such a case the second category of the citizens can claim the international norms, customs and conventions and demand treatment according to the standards for foreigners. If we want to take the *Senat's* amendment seriously we should think about changes in the Constitution, but I do not think it is needed and there are no such intentions." (*Sejm*, 3rd term, 12-10-2000, SLD)

⁶¹ "The consequence of the *Senat's* amendment will be a growing group of individuals holding dual citizenship living in Poland. In our [government] opinion the outcomes of such situation would be negative." (AIA/LPA, Biuletyn 3213/III, 15-09-2000, Government)

⁶² "Article 44 does not refer to the Poles living abroad. This provision refers to the individuals, who have been staying for a longer period in Poland and who want to have Polish citizenship. The Bill states that if there are no cases defined in the provision, such a person must relinquish her/his citizenship. The consequence of the amendment would be that the group of people holding dual citizenship will be growing. This is counterproductive." (AIA/LPA, Biuletyn 3213/III, 15-09-2000, Government)

members. The tracks of these processes are hidden behind the scenes, leaving thus limited space for democratic procedures.

4.5. Debate on the Polish nation – Bill on the Polish Chart

In the original intentions of the authors, the Bill on Polish Chart was meant to be a form of citizenship for these members of community, who cannot or who do not want to repatriate. And thus the Bill relied on the assumptions related to the definition of a potential citizen, an ethnic Pole. The debate on Polish Chart is relevant to the main theme of the topic of multiple citizenship, since it shows a wide spectrum of arguments concerning the semi-dual citizenship status. The majority of them appeared just during the 1st reading on the plenary session, and then some of them continued to reappear during the Committee meetings; however there were some that did not reappear at all. I will thus present all arguments put forward on the 1st reading and then add these few, which showed up later.

The excerpts of the debate were used in the analysis to show how the concept of nationhood can overshadow the problem of dual loyalties and push the discussion on new tracks. In the following short presentation, the chosen arguments relate to the position on adoption of the Bill, i.e. position on the questions related to the semi-citizen status of the Polish Chart holders. They would be granted a well-developed form of citizenship without having to relinquish the one of the country of residence. The key-issue was if the nation should include foreign citizens of Polish origin, as proposed by the Bill; who should be entitled to such forms of citizenship, allowing for semi-dual citizenship; and for what reason. The debate on the Polish Chart was very heated, many controversies aroused. The arguments used throughout the debate differed depending on their use. The pro-arguments were mostly expressive, whereas con-arguments were in majority instrumental.

4.5.1. Arguments in favour of the Bill

Expressive arguments used in favour of the Bills usually evoked the need for compensation for tragedies of the past, understood as an important level of solidarity. The language of such arguments was highly-toned and on the verge of lyrical statements. In the flowery words the speakers would argue that the citizenship rights for the individuals of Polish origin living abroad (especially on the East) are moral compensation for the descendants of the heroes who had enough courage to demonstrate their ethnic membership in the Polish nation in everyday life in exile, despite the danger that such manifestations could bring⁶³. The virtue of Polishness understood in cultural and historical terms proved to be crucial. Consequently, another expressive argument stated that Poles are one nation despite the borders and geographical residence. On this basis the citizen rights should be available to anyone of Polish origin wherever they live, implicating that the fact of having foreign citizenship is absolutely irrelevant and beyond consideration in this case. The historical circumstances cannot divide the nation for ever. Interestingly enough, these arguments based on the historical and idealist view of the nation were posed as counter arguments to those con-arguments stressing the financial aspects of the Bills⁶⁴ (see: next section). The superiority of the nation and Polish reason of state was also reflected in the expressive argument related to international politics. According to some speakers, the

⁶³ “The rights incorporated in the Bill [Polish Chart] are a moral compensation for the descendants of the most enduring representatives of our nation, who were able to and who were courageous enough to demonstrate their ethnic origins in everyday life. It is a model we should follow and give to our citizens as an example.” (*Sejm*, 3rd term, 30-06-2000, KPN)

⁶⁴ “We reject the voices the voices, which appeared in the House stating that financial aspects should be an argument for skeptical attitude towards this Bill. We believe that Polish nation is a nation, despite its members live now for historical reasons. Poles living in Lithuania, Byelorussia or Ukraine are Poles, are the integral part of the Polish nation.” (*Sejm*, 3rd term, 19-06-2001, AWS)

definition of the Polish interest in the international politics should be formed by the interest of the Polish nation abroad. Consequently, the opinion of neighbouring countries is completely irrelevant and should have no impact on any decision concerning the part of Polish Nation residing on their territory.⁶⁵ The pride of being a Pole was also evoked in other expressive argument stressing the meaning of the border as a symbolic divide of the nation. The humiliation of being treated as a foreigner on Polish border experienced by the members of The Polonia is unnecessary; the Poles coming from the other side should be treated as citizens entering their own country, with pride, because they are not foreigners. The clear discursive operation opposing a person of Polish origin to a foreigner, and giving the added value to the first part of the binary pair, again presented Polish nation as something unique and special in its unity⁶⁶.

The moral arguments indicated the spiritual rights of the Poles, regardless of their place of residence. Since the Parliament is the parliament of all Poles, perceived as the in-border and out-border groups forming a unity, it should take care of their spiritual interests. If the Poles abroad want to have such a document as a Polish Chart, confirming their right as Polish citizens, they should be granted it, unless it violates any international agreements. Such a document is of a higher value than the annotations about Polish ethnicity made in the documents of their countries of residence, because it would introduce the idea of membership in the Polish nation, and this is what Poles abroad are entitled to⁶⁷. What is interesting, the speakers often referred to the members of the Polish minorities as “citizens”⁶⁸, even if no formal legal bond of this sort existed.

The instrumental arguments used for the Polish Chart underlined its unique function as semi-citizenship. The introduction of this document was seen as a practical move, a solution for the problems of the Poles abroad. If a Pole cannot apply for Polish citizenship, because of the laws of his country of residence, Polish Chart would give him very similar rights without creating official problems related to dual citizenship⁶⁹. The legal arguments often stressed that the Bills aimed at ethnic Poles, and not foreigners, and thus they were not incompatible with international law. According to some speakers, and to the experts asked for opinion, in this case there was no discrimination in distinguishing only one group of foreigners by granting them special rights. Poland would not violate any international agreements concerning treatment of foreigners on its territory, because it would refer only to ethnic Poles, and thus to people entitled to Polish citizenship. The issue of the dual citizenship was not mentioned in this respect⁷⁰.

⁶⁵ “We come here to an important argument: how do we understand the vital interests of Poland? Are they some abstract and treated as some absolute value good relations with the neighbours, or are they the interests and the well-being of the Poles living beyond our Eastern or Western border, the border that was not demarcated of our free will. So... I believe we cannot make our support for the Polish Chart dependent on the acceptance given by the neighbouring countries... For us the interest of the Poles should be of the supreme value.” (*Sejm*, 3rd term, 19-06-2001, AWS)

⁶⁶ “The main value of the project we talk about are facilitations for our kinsmen living abroad. These people have merited this. Let them, who stayed faithful to the Polishness, Polish tradition, identity, culture, heritage, religion and roots, will not be treated on the Polish border as foreigners no more.” (*Sejm*, 3rd term, 19-06-2001, AWS)

⁶⁷ “... in this case the House should follow first and foremost the interest of the Poles, the spiritual interest of its citizens, of course without violating any international agreements. If this is their will, they have undisputable right to use a document [Polish Chart] confirming their membership in the nation, and not to have some sort of annotations in the documents in the countries, where they live.” (*Sejm*, 3rd term, 30-06-2000, KPN)

⁶⁸ See the previous note.

⁶⁹ “Polish Chart... wants to regulate the status of these people [Poles abroad], who being bounded by emotional ties with Polish nation, cannot have Polish citizenship for different reasons, and who do not live in Poland.” (*Sejm*, 3rd term, 19-06-2001, AWS)

⁷⁰ “I would like to say that we do not give privileges to foreigners but to our kinsmen. ... I would like to stress that, it’s all written down anyway, that the Polish Chart and Repatriation Act are not incompatible with international law, because there were voices stating that they are incompatible, because we are trying to favor one group of foreigners.” (*Sejm*, 3rd term, 22-09-1999, BBWR)

4.5.2 Arguments against the Bill

The arguments against the Bill were mainly instrumental. One of the most common was that although the Bill is a valuable solution to the situation of The Polonia, giving encouraging promises that unfortunately may result unreal. The speakers indicated the ongoing institutional reforms of the country, the general organisational chaos of the transformation and poor economy. The market-oriented logic of functioning of the basic social institutions as healthcare or education was given as one of the reasons for which the rights of millions of new citizens will be hard to exercise⁷¹. The similar instrumental arguments stated that the costs of the Bill are impossible to estimate, and that such costs would be enormous. Therefore the social rights included in the Polish Chart should be limited and closed in the realistic numbers. The problem of having to deal with inestimable number of individuals with foreign citizenship entitled to get Polish citizen rights was thus risen⁷². The same tone was kept while arguing that none of the consular services were ready to take the burden of executing the enacted Bill in terms of organisation, logistics and finances⁷³. Considering all the costs, the Polish State would do better introducing some realistic long-term policy towards the Polonia. This instrumental argument stated that instead of creating new financial burdens, as new work places for consular services, or welfare for unemployed new semi-citizens, more rational and effective would be to finance some concrete activities aiming at supporting Poles on the East, which would improve their situation. In these arguments the attitude of treating ethnic Poles as a minority and not as potential citizens or semi-citizens prevailed. Very much in this line was another instrumental argument showing the impossibility of exercising the basic regulations provided by the Bill in practice, namely the prerequisites of being granted Polish Chart referring to Polishness or to Polish origin⁷⁴. Only on such basis a person can have the right to semi-citizenship. Many speakers indicated the lack of clear criteria and the easiness of misjudgement, e.g. if the decision is based on some falsified documents. Playing on the stereotype of the post-Soviet countries, the speakers built the images of mass corruption and an inflow of non-ethnic element driven by economic interests.⁷⁵ This argument was often followed by the fears concerning the international State security. The relative openness and easiness of gaining Polish citizenship might cause some criminals and terrorists to get to the Polish territory with the rights of the citizen. The problem of international dimension of the Polish Chart was also risen in one of the most sound instrumental arguments was also the one concerning international relations. The Bill, if enacted, may cause conflicts with the

⁷¹ "From this point of view it is of course a Bill, which gets support, but it also rises some questions, if it has enough financial security, if it has enough legal security, because many of the areas [of citizen rights] – education, health, social security – is undergoing currently some reforms, they are oriented on the market mechanism of functioning. It would not be good if we wrote in the Bill the statements that may result unreal towards the Poles coming from abroad." (*Sejm*, 3rd term, 19-06-2001, SLD)

⁷² "The costs are... impossible to estimate. Potentially the Bills cover all the persons of Polish origin living abroad, i.e. about 17 million of people, and additionally an inestimable group of non-ethnic Poles who can claim the "bonds with Polish nation"... As for financial aspects the Bills are open what may cause certain threat for the budgets of the State and of the local administration...." (*Sejm*, 3rd term, 19-06-2001, Government)

⁷³ "We are concerned if the consular service are ready to take up the burden in terms of logistic, organisation and finances." (*Sejm*, 3rd term, 19-06-2001, SLD)

⁷⁴ Both the Bills on Polish Chart and Repatriation provided for the same wording of the recognition of Polish origins or alignments with Polishness. And thus, according to Repatriation Act of 2000, an individual is eligible for repatriation procedure

⁷⁵ "... on the East getting a document stating that a person is of Polish origin is a matter of price and connections in some circumstances... The bonds with Polish nations can be proved by the membership in Polish organisations or be the outcome of attitude and language skills or keeping the tradition in the family. And here I ask: how we can check it appropriately? We cannot place the Consul in a house to check if someone cultivates Polish traditions, and we cannot count on the opinion of good-willing neighbours either, and there will be problems with that all..." (*Sejm*, 3rd term, 19-06-2001, UW)

neighbours and thus create additional problems for the State, harmful to its interests. The cases of Hungary and Slovakia were indicated as an example of the possible negative outcomes⁷⁶.

The international dimension was also present in the legal argument referring to the incompatibility with the *acquis communautaire*. The Bill introducing additional types of visa (Polish Chart – a type of national visa of territorial limitation) would violate the legislation elaborated throughout the accession procedures and may cause problems with the adjustments to the Schengen treaty⁷⁷. Other legal arguments focused on the problem of the domestic constitutional provisions. Especially the problem of equality rule was discussed. The Bill grants broader rights to non-resident citizens by designing special privileges for them. Those would include entering Polish high-schools and universities on the same basis as Polish citizens residing in Poland, but with the right to the scholarships available only for Polish minorities. The differentiation, made on the grounds of a dual status, was rejected as unconstitutional⁷⁸. Interestingly enough, nowhere the mention of dual citizenship was clearly stated, and the possible consequences of holding dual set of constitutional rights.

The development of this argument was the expressive argument stating the problem of dual status of Polish citizens, from among whom one part would be in-border group of the residents paying the taxes, and the other: the out-border group people coming to Poland for short periods of time to exercise their rights⁷⁹.

The divide lines throughout the debate ran between the opposition and majority, however both sides exposed general positive attitude. The MPs of SLD tried to give very practical and down-to-earth slash to the discussion, while the right-wing parties constantly evoked the past and the idea of the nation, treating legal and instrumental arguments as unimportant and even humiliating for the Polish communities abroad. The discursive divides were also visible in the language used. The positions in favour were expressed in a high-toned language, bringing to mind populist discourse on the nation and Diaspora used by Mussolini (Weinar, 2001). The adversaries also aimed at populist discourse, although their language was rather technical on the surface, but recalling European standards, thus bringing in another rival point of reference, and finally evoking the well-known all-European topoi “the boat is already full”. The debate lasted for over a year and had no definite results, since it has never come to voting.

⁷⁶ “The second important question is related to the fact that the Polish Chart can become a source of conflicts between Poland and the countries where the Poles live. We can witness the situation after the adoption of the Legal Status in Hungary, where the neighbouring countries, Romania and Slovakia, sent their complaints to Brussels, and the Legal Status is becoming an European conflict. I think that Polish diplomatic services should obtain the goodwill of the countries, where many Poles live, for such institution. It cannot be this way, that a huge effort on the side of Poland will endanger our interests, i.e. cooperation with our neighbours.” (*Sejm*, 3rd term, 19-06-2001, SLD)

⁷⁷ “I don’t even mention that we need to comment on the very straightforward negative position of the Committee of European Integration, saying that three articles of the Bill are obviously contradictory with European law by introducing some new, unknown to Schengen treaty, types of visas, and we will have great problems in Brussels to justify those visas...” (*Sejm*, 19-06-2001, SKL)

⁷⁸ “...a person, who is granted Polish Chart, has the same rights as a Polish citizen in terms of education and its accessibility. The article of the Bill regulating this... says that such a person has the access to education in Poland on the same conditions as Polish citizens [residing in Poland] keeping the right to the scholarships awarded to the Polish minority youth. So it is more than that, it is more than a Polish citizen is entitled to.” (*Sejm*, 3d term, 19-06-2001, UW)

⁷⁹ “I just want to remind that the Polish Chart can concern several million people and it can happen that these citizens, staying in Poland for unlimited time, because this is their right, will execute their social rights, but they will not pay any taxes as other Polish citizens.” (*Sejm*, 3rd term, 22-09-1999)

4.6. Conclusions

The political forces pushing towards new regulations did not meet any visible obstacles, nevertheless the original legislation proposals were thoroughly re-elaborated, and the most important did not make it into the final voting. The apparently broad consensus existing on both sides of the political scene failed to produce a legal act creating a new definition of the nature of Polish citizenship, and moreover it did not state openly any legally binding State opinion on multiple citizenship.

The analysis of the argumentative structures as presented in the parliamentary debates related, even remotely, to the concepts of multiple citizenship in Poland reveal two discursive levels of the deliberation; it was either considered a vital issue to be resolved for the sake of “dealing with the past”, or a vital issue to be resolved for the sake of the present need for regulations. In the first case the poetics of nationalism, ethnicity, tradition and patriotism prevailed; in the second case the virtue of technical and instrumental wording was promoted.

The differences in the value systems between right and left were not enormous. The right wing parties followed the nationalistic path, however the centre (right and left) tended to chose legal and instrumental arguments. In general, the more a party was involved in the active pro-Polonia politics, as it is the case of the majority of post-Solidarity political movements, the more aggressively emotional its arguments were. On the contrary, left side of the parliament, i.e. SLD, restrained itself from too strong a deliberative effort in opposition. This might have been caused by the particular position of SLD, party born on the ashes of the PZPR, during the debates on the Bills which had one purpose: to come to terms with the shameful historical period of communist rule associated with illegitimate border movements and forced migration. Any argument against this main line would have been immediately stigmatised as “communist”.

Also the institutional divisions were important; the *Senat*, responsible for the contacts with Polish minorities and The Polonia and emigration, used more patriotic arguments than the representatives of the government, trying to talk in legal terms. Interestingly enough, the visible controversy occurred between the *Senat* and the government in terms of the legislative prerogatives: despite the fact that the AWS held majority in the *Senat* and in the government, the mutual critique was sometimes harsh. In general, the government wanted to prove that the Bills prepared by the *Senat* were *lex imperfecta*, and the *Senat* accused the government of the lack of enough patriotic flame. Both sides got their supporters from various sides of the political scene.

The political consensus on the need to find a solution to the problems of the Polonia, resulting from history, and to find some formula of dealing with these issues in the future were visible in the debates. The general little interest given to the dual citizenship proves that it is not perceived as a threat, and as it results from the analysis, rarely does anyone think about this issue in some other terms than the problems of The Polonia or Polish minorities abroad.

Table 2. Spectrum of political debate on multiple citizenship

		The type of citizenship	
The type of the citizen		<u>Republican</u>	<u>Ethno-cultural</u>
	<u>Others</u>		
	<u>Only Poles</u>		Spectrum of the debate

Source: Own elaboration

The belief systems uncovered in the analysis fit into ethno-nationalistic profile. Neither in their content nor in the use of arguments, did the debates recall the concepts of multiculturalism/assimilation. They hardly ever approached republican vision of citizenship either. Their argumentative structures revealed two main threads of discussion: the concept of the nationhood and the concept of citizen (see Table 2).

The real issue at stake was the redefinition of the Polish political community. On one hand, the arguments tackled the idea of nationhood perceived as a broad unity across all borders, build on the national and cultural basis, with unlimited possibilities of overflowing the state territories; on the other hand, there was a narrower concept, defining nationhood as a hierarchic community, where the in-border group has the right to decide on the status of the out-border group, and whose well-being is a priority. The type of citizen as presented throughout the debates had also a twofold version. The basic characteristics of a citizen were clear-cut: Polish origin, commitment to the Polish traditions, emotional bonds with Poland. However, this ideal type had two kinds.

The first type was the citizen granted Polish citizenship, on the basis of any of the procedures proposed by the Act on Polish Citizenship, repatriation and restoration included. Second type defined the potential citizens, sometimes called “citizens” despite lacking the formal bonds. According to this view, the citizens do not need to reside within the borders, because the “homeland” does not mean “state territory”, and they can be the members of the Polish political community wherever they happen to live. Both views led to important conclusions related to the drafting of the laws. When referring to the first type of citizens, the lawmakers perceived themselves as servants of the Polish nation placed within the borders; in the second case they believed they are representatives of the much broader Polish political community, and thus they should also fight for the interest of the Polonia, assuming that the interest of the residing non-dual citizens should be submitted to the interest of the greater nation. To conclude, it can be said that Polish debate on dual citizenship was developed along the well known ideas on the nationhood strongly focusing on the Polonia, and under its direct and indirect influence.

5. Multiple citizenship in the mass-media

5.1. Introduction

The aim of this chapter is to examine how an idea of multiple citizenship was present in the Polish media, what types of arguments for and against dual citizenship occurred in the press, and what general belief systems were hidden in the discussions related to dual citizenship. Apart from uncovering argumentative structures and belief systems pertaining to dual citizenship, we study visibility, clarity, resonance and credibility of arguments and also opinions of main political actors taking part in relevant debates.

The presented analysis is to reveal a complex and mutual nature of relationship between the media and the political process. Namely, its main goal is to examine multilevel links between media discourse and legislative process. Our aim is not only to analyse how legislative decisions and political debates are presented in the mass media but also to show the press as a field of struggle for political power through which influential political actors realise their individual goals and interests. It is also assumed that the newspapers do not constitute a neutral scene for the debates on dual citizenship but play an active role in defining the issue of citizenship in Poland and promoting some attitudes towards multiple citizenship.

The chapter starts with description of the approach taken and the material reviewed. Then, after providing readers with a general overview of multiple citizenship in the Polish press, in-depth analysis of the issue is presented. Firstly, the arguments pro and con multiple citizenship occurring in the Polish newspapers are discussed. Secondly, differences in contexts in which dual citizenship is placed in various selected newspapers are demonstrated. Thirdly, standpoints of major actors publicly expressing their opinions on issues related to dual citizenship are analysed.

5.2. Research method and the mode of analysis

The research on dual citizenship in the Polish mass-media consisted of different phases and was conducted with the aid of various research techniques of both qualitative and quantitative nature. Firstly, the database of all articles including entries such as: “dual citizenship”, “multiple citizenship” and other possibly significant key-words⁸⁰ from the two main Polish papers⁸¹ was compiled. Since an entry “dual citizenship” was far more frequent than the rest of key-words, this category was regarded as the most significant and employed in the analysis. Although a phrase “multiple citizenship” turned out to be almost completely absent in the Polish press, we use this term in this chapter interchangeably with “dual citizenship”. The review of the obtained material (titles, locations within the papers, etc) revealed a thematic scope of the articles, their frequency in the overall volume of article published as well as periods of concentration of articles dealing with citizenship, particularly with dual citizenship. Additionally, the content analysis of the collected articles was conducted.

The next phase of the research constituted a necessary an in-depth analysis of articles pertaining to the issue of dual citizenship. They come from two few-week periods, when the concentration of articles on subjects related to the issue of citizenship in Poland occurred.

⁸⁰ Such as: “second citizenship”, “other citizenship”, “Polish Chart”, “two passports”, “second passport”, “other passport” and “many passports”.

⁸¹ *Gazeta Wyborcza* and *Rzeczpospolita*.

The two periods chosen for the in-depth content and discourse analyses are: February–March 1998 and June–July 2000. The concentration of articles referring to dual citizenship in February–March 1998 was linked with the 30th anniversary of anti-Semitic incidents and the subsequent forced emigration of Polish citizens of Jewish origin followed by compulsory resignation from Polish citizenship. In summer 2000, the concentration of articles was tied to the parliamentary debate on the Bill on Polish Citizenship and, to a lesser extent, to the Bill on Repatriation. The material for the in-depth analysis was selected with the aim of best representing mutual interaction between the media and political process. The both selected debates chosen on the basis of their relevance to the research purpose meet two criteria: provide a good example of dealing with the communist past debates and constitute a debate closely connected with a legislative process.

The data set for the in-depth analysis was composed of articles referring to the issue of dual citizenship in Poland published in four large daily newspapers having a national circulation and representing various ideological orientations (leftist, centrist and rightist) in order to provide a variety of opinions and political standpoints⁸².

5.3. General overview of multiple citizenship in the Polish press

Although the issue of multiple citizenship did not constitute a separate problem or an important theme in the Polish press, it appeared in a variety of different contexts (see Table 1 in Appendix II). As already mentioned, the issue of dual citizenship relatively seldom occurred in the context of Polish legislation. Within this context, the concept of multiple citizenship was predominantly linked with the Act on Polish Citizenship, Polish emigrants, repatriation and forced emigration of March 1968. To a lesser extent, it was tied with other legal problems, such as reprivatisation and social security system.

Taking into account a number of articles, a concept of dual citizenship was most frequently mentioned in the biographies of well-known individuals presented in the press. In the case of sportsmen, who constituted the most numerous group in this category, dual citizenship played a role of valuable capital that enabled them to choose better opportunities for a higher standard of living and the development of their sport career. To a large degree, the same applied to businessmen who regarded dual citizenship as a form of capital and praised the possibility of taking advantage of business opportunities in both countries. Examples of criminals, economic offenders and dishonest politicians usually illustrated how dual citizenship was exploited in order to escape from responsibility for committed offences. In the case of politicians, dual citizenship was rather perceived as an ambivalent characteristic due to concerns for potential disloyalty and impunity. Apart from politicians, also soldiers, policemen and civil servants (particularly ambassadors) were expected to meet higher loyalty standards and to avoid dual citizenship. The multiple citizenship of famous artists was presented as a kind of confirmation of their status as men of the world. A theme that also appeared in the press was the problem of potential double protection of dual citizens who could look for assistance and protection in one country against the other.

Dual citizenship also often occurred on the occasion of the coverage of German debate on the rights of non-European immigrants. In this case, the issue of dual citizenship was presented in contexts of either elections or racism in Poland's Western neighbour. Occasionally, the issue of dual citizenship was mentioned in texts devoted to the problems of immigrants' integration in Western countries such as France, Holland or Sweden.

⁸² Apart from *Gazeta Wyborcza* and *Rzeczpospolita* the analysed material was derived from two other papers: *Trybuna* and *Nasz Dziennik*. Detailed characteristics of the newspapers and their positions in the debate on Polish citizenship are presented in subsequent sections of the chapter.

Conversely, the problem of multiple citizens was almost practically absent in the context of immigration to Poland of people of non-Polish origin.

The issue of dual citizenship was also frequently mentioned within the framework of relationships between majorities and ethnic minorities as well as international affairs. In this respect, articles dealing with the issues of citizenship in countries of the former USSR predominated. The main point was that Russia tried to reinforce its position with the aid of ethnic Russians living outside Russia. The press described Russia's pressure on other post-Soviet countries to allow Russian population to hold dual citizenship and the objections of the majority of post-Soviet countries, except for Ukraine and Byelorussia's governments.

A concept of dual citizenship occurred also in the contexts of ethnic minorities in Poland, Polish minorities in neighbouring countries and international relations between Poland and its neighbours. First and foremost, dual citizenship was mentioned with reference to Polish-German relations and the issue of German minority in Silesia. Although Polish-German relationships were generally regarded as satisfactory, if not well established, the rights of German minority in Poland resulting from their dual citizenship were criticised because of a privileged status of German-Polish citizens in comparison to ethnic Poles. The asymmetry of rights between the German minority in Poland and Polish minority in Germany, concerns for disloyalty (i.e. Polish citizens in the German army, German financial support for ethnic associations in Poland etc), weak economic and civil participation of dual citizens in a life in Poland were also mentioned.

As far as the relationship between Poland and post-Soviet countries is concerned, the matter of the termination of communist agreements between Poland and post-Soviet countries concerning avoidance of dual citizenship was frequently mentioned. Another repeatedly raised problem constituted the issue of ethnic Poles in post-Soviet countries, i.e. low standards of living or a lack of adequate cultural rights. In this respect, Poles in Lithuania were most often presented as a particularly deprived and oppressed minority. This problem related to dual citizenship was shown as an example of a sensitive intentional problem because of the Lithuanian fears of Polish imperialism. Similar concerns occurred in the case of Polish-Ukrainian relations.

The issue of dual citizenship surfaced also in a context of other post-Communist countries in relation to ethnic cleavages in former Yugoslavia, the displacement of Germans out of Czech Republic and the deprivation Roma populations of citizenship in Czech and in Hungary.

5.4. Insights into the problem of multiple citizenship in the Polish press

5.4.1. Arguments pro and against multiple citizenship

As already noted, due to the fact that dual citizenship was not an autonomous subject of debates in Poland arguments concerning its acceptance were rare, dispersed and weakly explicitly verbalised. Usually we dealt with vague and indirect arguments not representing a formal structure of arguments, which needed to be read between the lines.

Generally, in the light of the press analysis it seems that dual citizenship was widely *de facto* tolerated in Poland, even though the whole idea of dual citizenship was rarely explicitly verbalised because of its self-explanatory and unanimous character. There was a consensus of opinions that former Polish citizens, contemporary holders of foreign citizenships who were deprived of Polish citizenship due to political reasons by the communist authorities, should be given their citizenship back. There were various types of arguments supporting the idea of restoration of Polish citizenship: instrumental, legal, expressive and moral inexplicitly and explicitly formulated in the mass-media. Exceptional

opposing arguments had predominantly an instrumental nature and referred to concerns for massive property claims, especially by former German and Jewish owners or their heirs, the fears of the accessibility of Polish lands to purchase by non-Poles and state's abilities to admit all potential citizens. A singular expressive argument pointed out that people who through the act of emigration, renounced their participation in the life of Polish nation, did not deserve Polish citizenship.

Going into details, arguments in favour of dual citizenship dominated in the debate on citizenship in Poland. The most numerous group constituted instrumental arguments pro dual citizenship predominantly expressed by Polish emigrants. It was pointed out that it was Poland's best interest to allow Polish emigrants to hold two citizenships because it led to the reinforcement of their relationships with Poland what would be beneficial for Poland in many ways: economic (investments, remittances, tourism revenue), political (pro-Polish lobbying in the international arena and in particular countries, supporting Polish democracy), socio-cultural (human capital, new patterns of thinking, entrepreneurship, etc.). It was argued that the fact that Polish nationals held foreign citizenships was advantageous for Poland because it helped Poles to make a career in foreign countries what allowed them to better serve Poland. The restoration of Polish citizenship to emigrants from the communist Poland was seen a necessity to regulate the past accounts related to the issue of deprived citizenship and property, which were believed to ruin Poland's reputation and be used in the international arena by other countries and pressure groups. Post-Solidarity parties opted for dual citizenship in order to assure members of the anti-communist opposition with veteran benefits. Polish emigrants argued that formalities caused by the clause of the exclusiveness of Polish citizenship were difficult to fulfil, costly and time-consuming for both applicants and Polish administration. It was also argued that the exclusiveness of Polish citizenship could not be fully implemented and equally enforced.

Another visible type constituted expressive arguments referring to the notion of Polish nation, its integration and cohesion. According to them, Poles who cultivated their Polishness (language, culture, ethnic identity), who were integral part of the Polish nation due to their ethnicity and social bonds, had the right to hold Polish citizenship regardless of their other current citizenships. The restoration of Polish citizenship was linked with an idea of building the great Polish nation, whereas the exclusion of Poles with foreign citizenships was perceived as interfering with this goal. An opinion that Polish emigrants should be granted Polish citizenship in recognition of their great services to the Polish nation and country (i.e. their fight for freedom during WW II and the communist rule) was another type of expressive arguments. The Bill on Polish Citizenship preserving the rule of exclusiveness of Polish citizenship was interpreted as restrictive, ungrateful and harmful for Polish emigrants.

Legal arguments first of all drew on the fact that Polish citizens were deprived of citizenship forcefully, unjustly and unlawfully. In addition, the validity and legitimacy of communist law was challenged. Unrecognising foreign citizenship of Polish nationals was said to remain the past restrictive and nonsensical communist law which was not proper for a modern European country. It was argued that dual citizenship should be formally legalised because it often occurs in practice, so the discrepancy between the law and everyday life must be eliminated. An opinion that individuals should be empowered in relations to callous law, bureaucracy and states could be also interpreted as sort of legal argument pro dual citizenship.

Moral arguments, indirectly supporting an idea of dual citizenship, regarded restoration of Polish citizenship as a necessary moral satisfaction and compensation for former harms. Moreover, it was argued that Poles who were entitled to regain their Polish citizenship must be also loyal towards their new countries of residence, as they hosted and protected them

from the secret police in the past. A conviction on an inseparable relation between citizenship and nationhood together with the value of the rights of nations comparable to human rights supported also the idea of dual citizenship. It was pointed out that Poland should keep a promise made in 1989 that Poles who were deprived of their citizenship would regain it.

Legal and instrumental arguments apparently prevailed among arguments against dual citizenship. As far as legal arguments are concerned, it was argued that many of the most developed Western countries did not recognise or even forbade to hold dual citizenship. From this perspective, regulations proposed in the Bill, particularly the principle of exclusiveness of Polish citizenship, were presented as a liberal and modern European solution. Moreover, it was stressed that similar legal solutions already existed in Poland, thus, they are in accordance with Polish traditions. Another legal argument appearing in the press said that all Polish citizens regardless of their other citizenships had to be equal before the Polish law. It was emphasised that dual citizens could take advantage of their rights (i.e. for voting) or privileges (for free medical care) in Poland, while at the same time could escape some obligations (e.g. military service). Depending on its forms, this argument could be also interpreted as moral argument.

One of the most used instrumental arguments against dual citizenship referred to the economic abilities of the Polish state. It was argued that Poland could not admit new citizens because it was unable to provide them with accommodation, jobs, maintenances, public services and social welfare. A conviction that Polish country could not afford paying compensations to former owners who after becoming Polish citizens would claim for their lost property was also formulated. Another type of instrumental argument said that foreigners who would be granted Polish citizenship as a second citizenship could encounter problems in the countries of their current residence because of the foreign legal regulations. It was argued that dual citizenship was not only disadvantageous for individuals themselves but also for the countries of their residence. Another, instrumental argument warned that dual citizens could look for assistance against Poland in foreign countries.

Instrumental and legal arguments against dual citizenship were supported by expressive and moral ones. An opinion that dual citizens residing abroad do not sufficiently participate in economic, social and political lives and did not fulfil their civil duties (like serving military service or paying taxes) was put forward. It was linked to another argument saying that it is impossible to be equally loyal towards two countries. Basing on a conviction that foreign citizenship would be usually more attractive than Polish, an anxiety that dual citizens would be more loyal towards the foreign country was expressed. It was also argued that Polish citizenship could put burden on dual citizens in their countries of residence due to legal obstacles and social distrust, i.e. accusations of disloyalty restraining development of their professional careers. The crucial moral argument against dual citizenship referred to an idea of equality. Following this argument, the recognition of foreign citizenship of Poles in Poland, would privilege dual citizens over other Polish citizens.

The debate in media demonstrated a seemingly declarative consensus on the general idea of the restoration of Polish citizenship to people deprived of it during the Polish People's Republic and the possibility of the return of Poles from the East. Opinions varied, however, among political parties and other public actors in respect to detailed issues methods and scope of actions proposed. One of the most important discrepancies concerned a question who was truly entitled to have his/her Polish citizenship restored, how it should to be done and whether there were any groups that should be given a priority? The in-depth analysis revealed differences connected with both political divisions and types of newspapers that needs to be further elaborated.

5.4.2. *Multiple citizenship in different newspapers*

Although, the debates related to multiple citizenship, presented in the newspapers, revealed some common characteristics typical for the media discourse, some important differences between the researched titles have been revealed (see Table 2 in Appendix II). Thus, for the sake of clarity (and following methodological recommendations) a respective position of each paper needs to be dealt separately. In this way, some sort of argumentative structure can be reconstructed and belief systems concerning dual citizenship traced.

Gazeta Wyborcza is the largest (in terms of circulation) daily newspaper of centre-left political orientation and of well-known Solidarity roots established as the first Polish “free” newspaper by members of the anti-communist opposition. The newspaper might be described as a high-quality influential paper with slightly moralistic inclinations, targeted at broad public. It plays the most important role on the market of announcements and advertisements.

The matter of the return of Polish citizenship to the victims of March 1968 was far more salient in *Gazeta Wyborcza* than in the other papers. Apart from mentions of that issue in the margin of newspaper’s reports on governmental, parliamentary, presidential and party activities to commemorate the anniversary, the newspaper informed about civil initiatives, i.e. about the letter of the *Senat* of Warsaw University claiming for the restoration of Polish citizenship to the victims of 1968. The paper published also a great deal of private letters criticising a delay in annulling consequences of the shameful event, claiming a need for apologies to all its victims and supporting the fast restoration of Polish citizenship to people involved.

Gazeta Wyborcza might be described as a committed journal frequently using moral and expressive rhetoric that opted for the unconditional restoration of Polish citizenship to people who were unjustly deprived of it. On the other hand, the newspaper regularly publishes opinions of various experts and state’s officials who argue in legal and instrumental terms.

Rzeczpospolita is a rather conservative newspaper of slightly centre-right political orientation targeted at relatively narrow but influential elite consisting of top managers, intellectuals, specialists and politicians. It is regarded as a balanced and the most informative Polish daily newspaper which tries to limit commentaries and provides readers with detailed and specialist information, including publishing major legal acts. It also delivers highly specialist and priced legal and economic supplements. This might explain why the issue of dual citizenship in the legislative context occurred in as many as 26% of articles in *Rzeczpospolita* in comparison to 14% in *Gazeta Wyborcza* and to much lower numbers in other papers⁸³.

Rzeczpospolita is a newspaper that, on the one hand, most frequently gives voice to governmental officials, but on the other hand presents the variety of voices and standpoints existing in public discourse as well as provides readers with complex in-depth analyses. That was also visible in the case of the debate on the events of March 1968. The paper reported on governmental, parliamentary, presidential, political and civil initiatives to commemorate the March incidents and published also critical opinions and polemics. They included letters opposing calling the March 1968 the most dishonourable event in the history of the communist Poland, or giving privilege to former Polish citizens of Jewish origin over those deserving it better, like anti-communist oppositionist or harmed and helpless Poles in Kazakhstan. On the one hand, the paper quoted private letters including arguments calling into question the loyalty of Polish Jews who left Poland contrasting them

⁸³ A difference between the newspapers can be explained by a fact that *Rzeczpospolita* gives full coverage to important legislative activities (including texts of new acts).

to other citizens (both Polish and Jewish origin) who remained in the communist Poland exposing themselves on repressions. On the other hand, however, it discussed the losses of the emigrants of 1968 who were deprived of civil and political rights, welfare benefits and their property.

It is worth mentioning an important article published in *Rzeczpospolita* concerning a problem of a dozen or so millions of different groups of Poles remaining outside Poland and deprived of Polish citizenship in spite of their strong ties with the Polish culture, history, land and society. Those people were presented as either individuals needing assistance from compatriots (such as Poles on the East) or valuable partners (such as Polish emigrants on the West). The article reminded that even though a promise that free and democratic Poland would regulate the situation of involuntary Polish emigrants and ethnic Poles remaining in post-Soviet countries, had been made in 1989, these people could not regain their citizenship and return to homeland. An existing discrepancy between *de jure* regulations and *de facto* practices was also criticised. The article accused also the political elites of a lack of will and determination to resolve this sensitive problem. According to the article, the regulations in force, contradictory to the Polish Constitution, treat Poles without Polish citizenship as foreigners what additionally humiliates them. Moreover, the article confronted helpless individuals and their individual tragedies with a bureaucratic anonymous system and its callous servants. The clash between moral obligations of making up for the past harms and practical problems like ownership rights and social benefits was demonstrated.

Rzeczpospolita was a place where Polish emigrants dissatisfied with the Bill on Polish Citizenship most extensively protesting against the regulations unfavourable for them. Although instrumental, and, to a lesser extent, legal arguments generally prevailed in the researched debates, moral and expressive argumentative structures were also relatively frequent in the journal.

Nasz Dziennik might be described as a title with a strongly right and Catholic orientation. Its rhetoric might be characterised as dramatic, lofty and pessimistic. *Nasz Dziennik* played predominantly on expressive and moral arguments, and focused on the fate of Poles on the East and, to a lesser degree, on the issue of anti-communist activists who had to emigrate from the communist Poland. The paper widely discussed the matter of the discrimination of Poles in post-Soviet countries in terms of civil (statelessness), economic and cultural rights. *Nasz Dziennik* concentrated on promoting the idea of fast and massive repatriation and a need for assistance for Poles on the East, particularly Poles in Kazakhstan who were the most harmed Poles left behind in the dramatic conditions and paid a high price for remaining faithful to their Polishness. The journal ran the letters of Siberian exiles complaining that they were not admitted to homeland and properly presented as heroes who fought for Poland's freedom and independence.

According to *Nasz Dziennik*, people who were proclaimed the heroes of March 1968 by Polish post-communist authorities were communists as those repressing the Polish nation. Thus, they should not be called patriots who were fighting for Poland's freedom and liberation. The newspaper heavily protested against the special procedure proposed by the President for the victims of March 1968 wishing to regain Polish citizenship. *Nasz Dziennik* speculated that this would allow wealthy American Jews to reclaim their former property rights in poor Poland. On this occasion, the newspaper called also for defending the Polish nation from the claims of Jews and Germans who put pressure on the Polish government, foreign countries and international organisations such as NATO or the EU in order to take over Polish property and lands. *Nasz Dziennik* accused these groups of emigrants of playing on anti-Polish prejudices and stereotypes. *Nasz Dziennik* put also extensively forward a danger of buy-out of Polish properties and lands by foreigners after the EU enlargement.

In *Nasz Dziennik*, the idea of the great Polish nation including all ethnic Poles regardless of their other citizenships was very visible. A nation was a highly important category and supreme value in the title. The newspaper advocated the need of integration of all Poles perceiving it not only as a moral duty but also as a strategy that would provide for strength and prosperity of the nation. According to the journal, Poland should take advantage of Polish emigrants who want to keep ties with the land of their fathers and bring investments, and who could also serve as Poland's ambassadors abroad.

Trybuna is a newspaper known of its leftist political orientation and of supporting the successors of PZPR. The rhetoric used in *Trybuna* tends to sensationalise the news although it includes also critical texts presenting controversial opinions. It is worth mentioning that between February and March 1998 there were exclusively few articles, published in *Trybuna*, referring to the issue of Polish citizenship and in a period from June to July 2000 there was no single piece of article on this matter, even any mention that the Bill on Polish Citizenship was discussed in the *Sejm*. The absence of the issue of citizenship in *Trybuna* might be explained by the avoidance of "dealing with the past" observed among post-communist parties. In addition, *Trybuna* declares that it does not attach any importance to problems of ethnicity and ethnicity as not fitting a leftist and progressive standpoint. The incidents of March 1968 were also undermined and represented as a struggle for power within the communist party or more rarely interpreted as the biggest dishonour of the Left in Poland. The newspaper did not refer to the idea of making up for the previous harms and restoring Polish citizenship to the victims of March 1968 either. Faint and rare argumentative structures revealed a tendency towards instrumental reasoning.

5.4.3. March 1968 and the Bill on Polish Citizenship in opinions of different actors

In the two analysed debates, different actors were active and problems raised differed. Thus, for demonstrating positions of various actors, the two debates needs to be dealt separately. The most active parties propagating an idea of the restoration of Polish citizenship to the emigrants of March 1968 included the President, UW and UP parties, and the *Senat* of Warsaw University. In mid-February, a civil initiative concerning the incidents of March 1968 was taken up. The representatives of Warsaw University condemned communist repressive actions against freedom and civil liberties aiming at intellectuals and Polish citizens of Jewish origin. The University appealed to the *Sejm* and *Senat* for urgent making up for the past harms and giving back Polish citizenship to all who left Poland as a result of anti-Semitic persecutions. The *Senat* of Warsaw University regarded this deprivation of Polish citizenship as unlawful and against international law forbidding countries to deprive individuals of their citizenship. According to the representatives of the biggest Polish University, the Polish state should annul the unlawful decision and restore a citizenship to the emigrants of March 1968.

More or less the same appeals made two post-Solidarity parties: UW and UP⁸⁴. Marek Pol, a leader of UP asked the President, government and parliament for a legislative initiative which would automatically abolish all consequences of the Decree of 1958⁸⁵ that was used by the communist authorities as a legal basis to take away Polish citizenship. Also Tadeusz Mazowiecki, on behalf of WU, claimed restoration of citizenship to these emigrants who left Poland as a consequence of the March 1968.

All the above mentioned actors opted for the automatic and unconditional restoration or acknowledgement of Polish citizenship to the emigrants of 1968 and criticised a procedure

⁸⁴ Although the founders of UP had links with the anti-communist opposition, nowadays the party has strongly leftist program and forms a ruling coalition with the post-communist SLD.

⁸⁵ The Decree concerning the permission for people leaving to Israel to resign from Polish citizenship; the Decree of the Council of Ministres 5/58, 1958, (unpublished); (Albiniak, Czajkowska, 1996, p. 325).

requiring from the emigrants to apply individually for Polish citizenship. They used an argument that the victims of 1968 had not wanted to relinquish Polish citizenship, so the state, on its own initiative should take a proper action to compensate its wrong decision. It was argued that a necessity to ask for Polish citizenship could be another humiliation for the victims and could be perceived as legitimisation of the communist regulations. All the parties suggested that the emigrants of 1968 constituted a specific group requiring particular satisfaction due to deprivation of Polish citizenship and ethnic persecutions that it had encountered. The above declarations supported, indirectly, dual citizenship with the aid of moral, expressive and legal arguments.

The representatives of post-communist parties evasively and rarely expressed their opinions on restoration of citizenship to the victims of March 1968. SdRP, the successors of the communist PZPR, condemned the events of March 1968 and admitted that students' demonstrations were used by political fractions within the communist party in a struggle for power. Some leftist politicians criticised the communist government for depriving of Polish citizenship and confirmed a need for symbolic making up for the past harms. That might illustrate a general declarative consensus across a political scene in Poland on the fact that the individuals deprived of their citizenship should be given a chance to regain it.

The active role of the President Kwaśniewski in the debate on the anniversary of March 1968 can be regarded as exceptional bearing in mind his leftist affiliation⁸⁶. The president paid homage to all those who fought in 1968 for human rights and country's independence; and called the March persecutions of Polish citizens of Jewish origin one of the most dishonourable acts in the Polish history. The president declared a will to facilitate the procedure of granting Polish citizenship to people who were forced to leave Poland in 1968. He publicly promised a special - simplified and shortened - procedure for this particular group of emigrants. Although in his occasional speeches, the president mainly used the mixture of expressive and moral rhetoric, legal arguments in the debate on the citizenship for the emigrants of 1968 also extensively appeared. The president explained that restoration of Polish citizenship was not possible within existing Polish legal regulations. His advisers, opposed the idea of annulling the past acts and the idea of radical changes in legal regulations. Instead of implementing a new legislation, they proposed minor modifications and reinterpretations of existing regulations. They revealed a technical approach to restoration of Polish citizenship warning that automatically restoration could be disadvantageous for many emigrants due to intolerance towards dual citizenship in the countries of their current residence. Moreover, the presidential experts suggested that only a small group of emigrants was in fact really interested in regaining Polish citizenship.

Right-wing parties were also relatively active in the debate on the anniversary of March 1968. On that occasion, AWS publicly condemned the communist authorities for their repressive actions, paid homage to all those who fought for human rights and dignity of individuals and nations; and supported the general idea of the restoration of Polish citizenship. However, the representatives of ROP and ZChN, and to a lesser degree AWS, argued that the emigrants of 1968 should not be a privileged group but Polish citizenship should be restored equally to all people who were forced to emigrate from the communist Poland due to political reasons as well as Poles on the East who found themselves outside the Polish borders after WW II. According to rightist parties, a completely new urgent comprehensive legal solution was needed. On that occasion, also the Polish episcopate expressed its opinion that all Poles who unjustly lost their citizenship should be treated equally and regain Polish citizenship quickly. Another controversy across right-wing parties evoked presidential apology to the victims of March 1968. The fact that it was done on

⁸⁶ The President was elected as a representative of SLD. However, as the President, he does not openly support SLD.

behalf of the Polish State instead of the communist party was heavily criticised by rightist parties. In the debate on issues related to dual citizenship, rightist politicians first of all referred to moral and expressive rhetoric, but, to a lesser degree legal arguments, were also present in their opinions.

A different division appeared in the debate on the Bill on Polish Citizenship. In this case, the media stressed a declarative consensus among political parties and states' officials who agreed on restoration of Polish citizenship to people who were deprived of it under the communist rule (for both the compulsorily displaced and involuntary emigrants) and on retaining the principle of the exclusiveness of Polish citizenship.

From an administrative point of view, represented by state's officials, the most important issue was an efficiency and clarity of regulations so they extensively drew on instrumental and legal reasoning and proposed new, coherent and precise legal regulations. Additionally, state's officials supported the idea of the exclusiveness of Polish citizenship with the aid of a concept of the equality of rights which could be also regarded as sort of moral argument. For example, Piotr Stachańczyk⁸⁷ representing a government⁸⁸ argued: "The similar regulation has been existing so far, there would be only a small change in words. It is intended to prevent the manipulation of citizenship dependently on needs when foreigners have different rights and duties than Polish citizens. All Polish citizens should be equal in the face of the law regardless of other citizenships. A Pole should not be able to escape his/her duties – i.e. compulsory military service because of his/her foreign citizenship." The proposed solution aimed to equalise rights and duties for all Polish citizens, prevent dual citizens from overusing their privileges and escaping their duties. The new regulations were indented to unable individuals to seek help against Poland in foreign countries. In the opinion of state's officials, the new Polish regulations were liberal and modern since Polish citizens were not forbidden to hold other citizenships. According to Stachańczyk, dual citizenship is not recognised also in the most modern states such as the EU countries, Czech Republic, the USA, Canada and Australia.

The principle of unrecognising of foreign citizenship of dual citizens and resulting from it prohibition on the usage of foreign documents by Polish citizens (under economic threat) on the Polish territory was, however, heavily contested by the Polonia. Polish emigrants from the USA turned to be a particularly active and influential interest group in fighting with the aid of media against the new regulations. To a great extent, Jan Nowak-Jeziorański⁸⁹ represented the voice of the Polonia in the debate on Polish citizenship. He published five long opinions concerning the Bill on Polish Citizenship in one of the most prestigious newspaper sections of both *Gazeta Wyborcza*⁹⁰ and *Rzeczpospolita*⁹¹.

Edward Moskal, the president of the American Polonia Congress also publicly criticised the Bill on Polish Citizenship. In addition, *Nasz Dziennik* joined in the critique of the Bill publishing a commentary article with an example of a petition to the speaker of *Senat* protesting against the new regulations.

In numerous letters, following a leading voice of Nowak-Jeziorański, Polish emigrants formulated a set of various arguments, predominantly instrumental but also moral, expressive and legal. Polish emigrants from the USA published mainly in *Rzeczpospolita*. They were criticising the Bill on Polish Citizenship as highly unfavourable for both the

⁸⁷ In the article published in *Gazeta Wyborcza* 1-2 VII 2000

⁸⁸ In 2000, he was the director of the Foreigners and Refugees Department in the Ministry of Interior and Administration.

⁸⁹ A legendary courier of the underground during the Nazi occupation, a long-standing director of the Polish section of radio „Free Europe”.

⁹⁰ In July 2000.

⁹¹ In *Rzeczpospolita*, his articles were published after July 2000 (XII 2000, III 2001, V 2001 and III 2002) but they represented a similar way of reasoning.

American Polonia and Poland. According to Polish-Americans, the Bill evoked among Polish emigrants consternation, indignation and bitterness. It was interpreted as a repressive action aiming at the Polonia and a manifestation of Poland's ingratitude for the Polonia who had great merits and services to Poland⁹². In the emigrants' view, close relations with American citizens of Polish origin were in Poland's best interests due to the powerful position of the group in the USA and its potential economic impact on the situation in Poland. It was argued that the proposed regulations could discourage Americans of Polish origin from visiting Poland and keeping connection with the Polish society what would reduce American remittances, investments, takings from tourism, etc. Also sort of legal and moral argumentation was used saying that the Bill on Polish Citizenship reminded communist regulations treating emigrants, particularly those with foreign citizenships, as traitors and enemies, whereas Polish emigrants were forced to resign from Polish citizenship and acquire American citizenship in order to protect themselves from the communist regime. Emigrants argued that forgetting about American citizenship during their trips to Poland would be a form of disloyalty towards generous America.

Poles living in the USA warned the Polish authorities that when Americans of Polish origin had to choose between loyalty to Polish and American citizenships, they would relinquish Polish citizenship. They argued that Americans of Polish origin, such as Jan Nowak-Jeziorański, could better serve Poland being American citizens. According to Polish emigrants, formalities concerning procedures of both obtaining Polish passports or resigning from Polish citizenship should be eliminated, as they could discourage the Polonia members from visiting Poland. In addition, the new regulations were criticised as difficult to bear by Polish consulates and domestic authorities. Emigrants opted for either remaining *status quo* (*de facto* toleration of dual citizenship) or the proclamation of the Polish Chart that would provide all those expatriates who feel Polish and meet adequate criteria with full civic rights.

On the occasion of the debate on the Bill on Polish Citizenship, the voice of Henryk Kroll, a representative of German minority in Poland, was also publicly cited. He criticised the new regulations, using legal and instrumental arguments, as introducing unnecessary complications and formalities, and leading to potential difficulties and ambiguities. He described the new regulations as unfavourable both for individuals and the State. He argued that they reminded him of practices of PRL and corresponded rather to Asian solutions than to European standards. The press cited also a critical comment of Dietmar Brehmer from the German Community of Reconciliation and Help who raised an issue that obligation of holding Polish documents could not be equally exercised and publicly known dual citizens would be discriminated by more frequent controls.

5.5. Conclusions

The issue of dual citizenship as such was weakly present and rarely verbalised in the Polish press, especially in the context of Polish legislation. That made the problem of argumentative structures and belief systems related to dual citizenship in Poland, particularly difficult to research. Therefore, it was essential to uncover hidden arguments and reconstruct a vague and faint ideological divisions and belief systems structuring attitudes towards dual citizenship in Poland. The findings of the research should be interpreted as possible tendencies that could occur when dual citizenship would be really debated rather than the description of actual state of affairs.

⁹² It contributed to country's restoration in 1918, during "cold war" assisted in its fight for freedom and democracy, helped with final recognition of the Polish western border and contributed to the admission of Poland to NATO.

The media debate on dual citizenship should be considered in the context of the following six major dimensions (from the most important to the least significant): emigration, dealing with the communist past, Polishness, equality, modernisation, European integration and international relations. Dual citizenship was first and foremost discussed in the light of the rights of Polish emigrants to regain Polish citizenship they lost during the rule of communist authorities. The issue of dual citizenship virtually did not occur in the context of immigration, except for the case of repatriation.

The issue of citizenship was also immersed in the debate on nationhood, where the value of national membership, the criteria of belonging to the Polish nation, the level of Polishness of different groups and their rights and duties resulting from it, were debated. The idea of the great nation seemed to prevail in Poland. There was a declarative consensus of opinions that members of the Polish nation were entitled to Polish citizenship. It was believed that Polish citizenship should be granted/restored to individuals of Polish origin regardless of their current statehood belonging by virtue of their ethnicity, their services to the Polish country and as a compensation for their previous losses. The debate on the anniversary of March 1968 revealed, however, controversies on granting Polish citizenship to emigrants of Jewish and German origin.

The principle of equality appeared in the discussion on Polish citizenship in two contexts. Firstly, the problem was linked with entitlements to the restoration of Polish citizenship and manifested itself in two general questions who was truly entitled to Polish citizenship and if there were groups which should be given a priority among the groups entitled to Polish citizenship. Secondly, the issue of equality was raised in relation to the rights and duties of foreign citizens holding Polish citizenship. The main argument supporting the idea of the exclusiveness of Polish citizenship on the Polish territory, formulated either in moral or in legal terms, referred to the equality of all Polish citizens regardless of their other statehood belonging.

The debate was also placed in the context of modernisation, European integration and international relations. A great deal of arguments pro and against dual citizenship referred to images of “modern” and “backward” legislative regulations, European standards, the perception of Poland by Western countries and Polish interests on the international scene.

The analysis of the press indicates that the category of nationhood is more important in Poland than the category of citizenship. For former Polish citizens of Jewish and German origin, the right to restore Polish citizenship was questioned and the problem of foreign immigrants was virtually ignored. Therefore, a prevailed belief system might be described as a combination of the ethno-cultural vision of nationhood and a strong tendency towards ethno-cultural homogeneity which might be identified with assimilationist attitude.

Arguments used in the media debate indicates that in Poland co-exist, or even clash, two different discourses on citizenship – ideological and pragmatic. The first discourse largely refers to expressive and moral arguments opting for the fast and radical restoration of Polish citizenship to Poles deprived of their citizenship by the communist rule, regardless of their current statehood belonging. This standpoint was the most visible in rhetoric of rightist parties and present in *Nasz Dziennik*, although arguments pro dual citizenship were rarely explicitly formulated and openly expressed.

Within the second discourse, legal and instrumental arguments were predominantly used to support a concept of dual citizenship limited (both when the number of potential individuals who could exercise it and the scope of their rights are considered) by current abilities and interests of the Polish state. These arguments, by their nature, were far more elaborated and directly articulated than moral-expressive arguments. This discourse was largely represented by the voice of Polish officials and governmental experts who concentrated on strategic and technical issues pertaining to citizenship. Within this

approach, arguments against dual citizenship, to be precise against abolishing exclusiveness of Polish citizenship, were the most visible. Although it is difficult to ascribe the pragmatic discourse to one specific political orientation, undoubtedly this type of reasoning was more characteristic of the parties of leftist and centrist political orientation.

The representatives of the major left-wing party rarely express opinions on the problems related to dual citizenship. The issue of Polish citizenship was also seldom dealt in *Trybuna*. The absence of this subject in the voices of left-oriented political actors and newspapers can be explained by the general avoidance of topics linked with dealing with the communist past and nationhood, observed among post-communists. In this context, the declaration of the President originating from the post-communist party who publicly took a stand on restoration of Polish citizenship to the victims of March 1968 was an exception. Nevertheless, neither the president nor his representatives did voice openly on the issue of potential dual citizenship of potential applicants, although it was suggested that in this case the president would not insist on relinquishing foreign citizenships.

In slightly left of the centre *Gazeta Wyborcza* and in faintly right of the centre *Rzeczpospolita* these two discourses co-exist. Regardless of political opinions, the expert character of *Rzeczpospolita* brings it closer to legal and instrumental reasoning, whereas in *Gazeta Wyborcza* an expressive and moral rhetoric seems to be slightly predominant. To a certain degree, these two types of rhetoric are present in the voice of Polish emigrants settled in Western countries, particularly the Polonia in the USA, who constitute a powerful pressure group actively supporting the idea of dual citizenship.

6. Multiple citizenship and the political opinion makers

6.1. Introduction

Multiple citizenship is becoming more and more common phenomenon in Europe and worldwide. However, in Poland, unlike in other countries, it has been yet rarely an issue of the public debates. Therefore, the first question raised in this chapter concerns the reasons for the low resonance of this problem in the public discourse, considering, that multiple citizenship carries serious political implications. Of course, the answer to this question, if based merely on interviews conducted with the representatives of the elites, cannot be complete. Nevertheless, the explanations and justifications obtained throughout these interviews can provide a valuable insight to the research question, formulated in this way. The question seems even more important, when we consider that multiple citizenship is *de facto* accepted in Poland.

The question why this fact is accepted so unanimously can be answered by the representatives of the elites. When it comes to the significant problems, the beliefs and the views of the opinion making elites always play a part in the formation of legal provisions, political practice and public discourse. And thus, the next important question to be asked concerns the elite's awareness on the issue of multiple citizenship: whether their related knowledge is profound and to what extent their opinions differ, when deriving from contrasted beliefs, political ideas or other factors. The answer to this question will place the research question in a proper perspective and thus allow for the following reformulation: is the absence of the problem of the multiple citizenship in the public sphere an outcome of the broad consensus on the issue, or does it have its roots in the sheer ignorance?

The analysis will be completed by the answer to the question about the influence the experts exercised on the formation of the lawmakers' and opinion makers' views on the

issue. We will thus search for the answer to the question: is their influence restricted to providing necessary information to politicians, or is it rather about shaping the opinions of the ignorant and unconcerned politicians?

The first chapter demonstrates the sampling method and the approach to interviews' analysis. Two following chapters are devoted to analysis of the interviews with experts and politicians. They were divided into subchapters concerning the concept of citizenship as provided by the respondents. We assume that this concept should be recognised as the foundation for all the beliefs on citizenship, multiple citizenship, and the Polish Chart. In the last chapter, an attempt of reconstruction of the respondents' explanations concerning the virtual inexistence of the issue of multiple citizenship in the Polish public discourse is made.

6.2. Research method and the mode of analysis

It has been difficult to give a precise definition of “elites” in case of our research. We decided, to simplify our task, that the interviews should be conducted not only with experts on the issue, but also with individuals engaged in the legislative process, who would be involved in the debates on citizenship (multiple citizenship) because of their position and interest. We focused on the MPs and senators of the present term. Some of them already held some experiences on the issue from the previous term. We have chosen this path, since currently, there are no politicians who would be “specialised” in the problem. We conducted interviews with four MPs, members of the AIA and LPA Committees, who represent the largest caucuses, from the centre-left to the centre-right,⁹³ and the German minority. Moreover, there were two interviews conducted with the representatives of the *Senat*, unfortunately with the senators of the present parliamentary minority. These two respondents played an important part in the 3rd term *Sejm* debates on citizenship. The group nominated as “politicians” also included a representative of the Prime Minister’s Chancellery. The quantitative proportions between the representatives of the present parliamentary minority and majority were not strictly followed in our sampling; actually, the politicians of the centre-right were as many as the representatives of the governing centre-left. Such an over-representation derived from the fact, that the present minority was very much engaged – especially in the previous term of the Parliament – in the problems of citizenship, restoration of citizenship and repatriation. The difference in the attitude towards this question reflects somehow the attitude towards the “symbolic politics”, where the political Right evokes the past and calls for a satisfactory resolution of the problem of “dealing with the past”. The Left, post-communist in large part, tries very hard, and by using all means, to avoid any public debates on the issues, which concern getting to terms with the past. Such confrontations inevitably bring about the notion of personal and organisational continuity between the communist PZPR and the present SLD.

The second group of our interviewees consisted of experts: three representatives of governmental institutions, one independent expert cooperating with NGOs, and the representative of the “Polish Community”, an NGO supporting and representing ethnic Poles living abroad. Having concluded the first investigation, we decided not to conduct any interviews with the representatives of the media, because there are no media nor journalists that would specialise in this issue area, and these individuals, who write or talk about it in

⁹³ We did not consider the populist far-left (*Samoobrona*) and the nationalistic far right wing (LPR) nor the Polish Peasants’ Party: PSL. There were many reasons for such a decision. None of the two extreme parties had representatives in the parliament of the 3rd term, when the debate over citizenship reached its peak. The representatives of *Samoobrona* and PSL do not have precisely verbalised beliefs on the issue, and thus any contacts with them would be counterproductive; the representatives of LPR, who could be competent on the issue, were out of our reach in the period of the research.

the media on national level, do it incidentally (for description of interviews see Appendix III).

We prepared one interview scenario, multi-question and all-inclusive, of which only appropriate parts were used during each interview; the list of questions was flexible and depended on the particular case. In effect, each interview is slightly different. However, there were some common core parts, i.e. questions concerning the concept of citizenship and the attitude towards dual citizenship and Polish Chart, as well as the questions examining the opinions on the right to dual citizenship for different groups (we asked here for specification) and on the political standpoints on the issue.

The interview analysis has been conducted in the following way: the interviews with the politicians (i.e. MPs and the representative of the Prime Minister's Chancellery) have been distinguished as a one group; the rest of the interviews was labelled as expert interviews. Such manoeuvre can be justified by two facts:

First, despite choosing politicians, who apparently should be the most knowledgeable on the topic, it turned out that they heavily depended on the opinions of the experts. As one of the interviewees said, we could not expect him to have this sort of expertise. The politicians would very often quote the opinions of the experts or they would articulate very similar conclusions, although built on different argumentation.

Second, the limited knowledge of the MPs on the dual citizenship results in the reaction-based character of their opinions – they express them only as an answer to the direct question. The relation of such views to the general beliefs of the respondent, not to mention his/her party platform, is unclear. However, it can be assumed that to the limited extent the interviews provide an insight to the present ideological divisions on dual citizenship.

In the analysis, I focused on the following topics: the concept of citizenship, which is supposed to uncover the belief systems of the elites; the differences in the opinions on the multiple citizenship concerning different groups of Poles (e.g. repatriates and emigrants of Polish origin), and non-Poles (e.g. emigrants of Jewish origin deprived of Polish citizenship), subject to restoration or granting Polish citizenship; and the opinions on Polish Chart. For both groups, experts and politicians, the arguments for and against multiple citizenship and Polish Chart are presented and shortly discussed, following the division depending on the type of argument: instrumental, legal, expressive and moral. In the separate chapter, I will try to provide an answer, as formulated by our interviewees, to the question why there is no place for a public debate on multiple citizenship in Poland.

6.3. Experts

6.3.1. Citizenship

The experts describe the citizenship as a form of legal bond between an individual and the State. In the opinion of the lawyers, citizenship is a legal bond between an individual and the State (5E) or a “formal and legal bond”, which determines that this individual is a citizenship of this and not another country, and this fact entails many mutual obligations (4E)”. Other experts provided alike definitions, either evoking the formal bond between a citizen and the State, conditioning the citizen's rights and duties (10E); or describing citizenship as a subject-oriented (i.e. related to an individual) membership in the State structure (4E). One of the respondents pointed out that there should be a bond of citizenship and the cultural membership of a person applying for the citizenship of a given nation, what could be reflected e.g. in the language skills (1E).

In the opinions of the experts, the fact that the Act on Polish Citizenship of 1962 is irrelevant. This point of view was justified by ascertaining that the formal sense of

sovereignty had not changed (what had changed was the sovereignty in practical terms) (2E); or that in reality the solutions included in the Act merely require some modifications (e.g. related to the problem of repatriation) but not deep changes (4E). Such standpoint was accompanied by the statement that the most important change related to citizenship after 1989 was that it gained on importance; before 1989, even the State itself used to have a formal-decorative character (10E).

6.3.2. Dual Citizenship⁹⁴

According to the experts, the dual citizenship is *de facto* tolerated in Poland; particularly it concerns political and economic emigrants and their descendants, as well as minorities, and especially the German minority. The experts believe that restoration of citizenship to people who lost it under the communist regime will inevitably result in the multiplication of the dual citizenship holders.

Almost all statements of the experts concerned the Poles who would either apply for restoration of citizenship, or who already had some other citizenship. The question of immigrants was treated marginally. One of the interviewees would underline that the absence of Polish roots does not influence *in minus* the decisions on naturalisation, adding at the same time, that such roots can be very helpful, though (1E). The opinions on the multiple citizenship in the context of immigration were very rarely, if at all, expressed – the experts did not refer to this problem. Therefore, we can assume that the arguments presented below refer mainly to the emigrates, return migrants and repatriates. The question is very often linked to the theme of getting to terms with the past, which have failed to be concluded in Poland. The problem omitted in the analysis, i.e. reprivatisation, is closely related to the questions of restoration and repatriation, but it also has not been settled yet.

While giving their opinion on multiple citizenship, the experts used instrumental and legal argumentative structure. The instrumental arguments in favour of dual citizenship were as follows: holding two citizenships in Poland does not bother anyone (1E); it can facilitate people's life (2E); it does not make any sense to pretend that such a phenomenon does not exist, i.e. the *status quo* needs to be legalised (2E). These arguments were accompanied by a legal argument, which called on Constitution of the Republic of Poland. One of the experts said that in the case of the individuals holding Polish citizenship, or those holding it *de facto* (i.e. having the right to hold it) while being citizens of another country, the only way for the State to avoid problems related to dual citizenship would be to the request them to relinquish Polish citizenship. Such manoeuvre is on the other hand incompatible with Polish law (i.e. Constitution) (10E).

The instrumental and legal arguments accepting dual citizenship, characteristic for expert statements in general, were nonetheless accompanied by some expressive and moral arguments. The first type included arguments stating that the multiple citizenship is positive a phenomenon, because it provides possibilities for intensive contacts of The Polonia with the Homeland (10E). Similarly, the expressive, and to some extent moral, character was distinguishable in the historical arguments recalling tradition of the II Republic of Poland as a multiethnic and multicultural state. Other historical arguments would stress the communist heritage, caused by the forced deprivation of citizenship, and thus would argue that the acceptance of dual citizenship of individuals who lost Polish citizenship against their will is at least a partial chance for making up for the harms of the past (1E). One of the interviewees, while talking about higher rank state officers⁹⁵, used a moral argument

⁹⁴ The interviewer was asking for opinions about “dual citizenship”, as the term “multiple citizenship” occurred to be too specialists for interviewees

⁹⁵ After the 1989, there were several cases of higher rank state officers in Poland were multiple citizenship holders, e.g. Radek Sikorski.

stressing that the problem of double loyalty is not a good argument against dual citizenship, because the relation between the two phenomena is doubtful (10E).

Experts indicated also the threats the consent on dual citizenship could bring. Criticising the idea of multiple citizenship, they would call for legal arguments: if Poland assents for multiple citizenship, it may lead to conflicts with international law and the law of other states (1E; 10E; 4E). One of the experts, contrary to the idea of multiple citizenship in general, pointed out that the consequence of such a consent would be opening the way to intervention of foreign courts in Poland, e.g. in cases related to property rights (5E).

The second group of arguments against the consent on multiple citizenship was constituted by moral arguments. They referred in various ways to the abovementioned question of dual loyalty (1E; 10E; 5E). The most developed of them evoked the concept of law, as being derivation of national and State identity. If we treat Constitution as the supreme law, and the duty of each citizen is to observe the law, and especially to follow the constitutional rules, then we have to reject multiple citizenship, because it is impossible to follow different Constitutions at the same time (5E). Other arguments of this kind would stress the problems that might arise in some institutions, which require the declaration of loyalty, as the army (10E; 5E).

6.3.3. Polish Chart

Experts did not say a lot about the Polish Chart. They were rather unfavourable, even openly contrary, to adopting of such a document, with the exception of the representative of the “Polish Community”. The con argumentation was incomplete, the opponents rather uttered limited statements calling this particular legal solution a “wretched” law (1E), or saying that there is no need to introduce Polish Chart (10E). There should be precise constitutional provisions instead that would regulate the right to settlement in Poland of all these individuals, whose Polish origin has been confirmed in compliance with a legal act that would be better drafted. According to our interviewee, the provisions included in the Constitution are good enough, and they are not accompanied by any other special legal regulations, as to the date (10E).

The only supporter of the Polish Chart stressed that it should be introduced as soon as possible, before the introduction of the visas to the ex-USSR countries. His argumentation was also incomplete, but it had a certain expressive twist evoking the obligations towards the Poles on the East (2E): we should introduce the Polish Chart, or a similar legal solution, because it is our moral obligation towards the kinsmen on the East.

Those few con arguments, built on the wider basis than “no, because no...”, were of instrumental character and referred to ether economic costs of the fulfilling the conditions of the Polish Chart, i.e. access to education, medical care or social security services free of charge for a large group of new eligible individuals (5E). Another instrumental argument had a different sounding: “the Polish Chart is unnecessary, because no one needs an innovation on European scale, which is perceived negatively by other states, what has been already confirmed in the case of less expansive solutions as Hungarian Status Law and Slovak Chart (10E)⁹⁶. The first instrumental argument concerning the costs was complemented by the expressive argument stating that this kind of decisions cannot be taken without consultations with the whole political community, if the whole community will sustain the expenses of such a law (5E).

⁹⁶ The interviewee did not mention the Italian Chart, but it generally was absent from the field of interest of our respondents.

6.4. Politicians

6.4.1. Citizenship

The politicians usually understood citizenship as a state membership (6P) determined either by birth or by choice (3P). Therefore, citizenship has been interpreted in the perspective of national association, in compliance with *ius sanguinis* (3P) or *ius soli* (3P; 9P), or as a contract between the state as a structure and an individual (i.e. in the Hobbesian spirit) (6P; 7P; 8P). In between these approaches, there lied the definition of the citizenship as the confirmation of existing bond of an individual with the political community. In this case, the citizenship can grant political rights, i.e. rights to active participation in the process of decision making concerning the future of the political community (11P).

It can be argued that independently of the given definition of citizenship, the ideas of politicians, as well as the ones of the experts, leave the space for a debate on multiple citizenship. The defenders of the category of the nation as the subject of the State laws should think about Polish emigrates living in foreign countries and their right to the Polish citizenship; the supporters of the *ius soli* and of all contractual solutions should consider the case of an individual willing to acquire second citizenship while living in Poland.

6.4.2. Dual citizenship

In reality, it occurred that the politicians are not aware of the problem of dual citizenship. Merely the representative of the Prime Minister's Chancellery said that dual citizenship is *de facto* accepted in Poland anyway and that it does not bother anyone (12P). Other interviewees mention it only in the context of the rights of Polonia, the restoration procedures or the provisions for granting of citizenship to individuals of Polish origin. The similar meaning is attached to the discussion about Polish Charter, in the legal process of which some of our respondents were actively involved. In general, it is easier to receive opinions on repatriates and Polish citizens holding another passport.

As for the statements related directly to the issue of the dual citizenship, they can be divided into the following groups: the opinions appearing in the context of restoration of Polish citizenship to the Poles living abroad (2P; 6P; 8P; 11P) and the opinions given in a general context (6P; 8P; 9P).

In reference to the ethnic Poles not having Polish citizenship, merely the expressive arguments for the restoration are used. They evoke the concept of the nation as a community, recalling the obligations of the nation-community towards its members (3P). These arguments are formulated in a high-toned language, closer to ideological persuasion than to rational debate.

The adversaries of restoration use instrumental and expressive arguments. Among the instrumental arguments, there are calling for limitations that should be imposed on the restoration procedure. The representative of the *Sejm* Right argued that Poland should not introduce automatic restoration procedures, since the individuals applying for it are driven by two motives: emotional one, i.e. emotional bond with the nation; and pragmatic, material one, which in reality determines the decision to come back. Nothing justifies using simplified procedure to grant Polish citizenship to the individuals employing the second motive (11P). The instrumental arguments used in the open critiques of the restoration are as follows: Polish State has neither money nor possibilities to support this method of granting citizenship. Besides, according to the interviewee, the play on emotions overshadows the real problems, which are brought by restoration/granting of citizenship to repatriates (6P; 8P). Expressive arguments against repatriation evoke the threats for Polish society brought about by the process of integration of the people who will become new citizens (mafia), and

moral arguments indicate the harms that might be done unintentionally to the supported individuals and the countries of their residence: brain drain, interruption of the career in the country of origin (8P).

Among the interviewees who had a general remarks on the multiple citizenship, the arguments in favour of dual citizenship were rather weak, the respondents would limit themselves to the statement that they are not bothered by the multiple citizenship holders. Sometimes they would use instrumental or *quasi*-legal arguments: dual citizenship should be accepted because the right to have many citizenships is a citizen right and no one can deprive an individual of it, nor forbid him/her applying for another one (9P); multiethnicity has a positive impact on economic growth (8P); dual citizenship can be functional (11P).

Arguments against dual citizenship were of moral character: they would refer to the concept of citizenship understood as a legal bond between an individual and the political community, which – if treated seriously - should exist only in relation with one country. In such cases, dual citizenship is interpreted as breaking of this rule, and even as the proof of weakening or deterioration of the feelings of loyalty towards one of the countries of citizenship (if a person decides to acquire another citizenship). However, even the MP, who expressed such opinion, noticed that multiple citizenship is a fact that relates only to some part of The Polonia, and thus these considerations are purely theoretical (11P). There were also some weak expressive arguments against multiple citizenship. They usually evolved around the pride of being a Pole (3P). Some respondents avoided this topic at all; maybe they were constrained from the answer by the political correctness or sheer ignorance (3P).

6.4.3. Polish Chart.

The opinions of the politicians concerning Polish Chart were much more distinguishable, for the political character of this document. The opinions differ extremely and are independent of political option. On one hand, there are opinions assuming the point of view expressed by The Polonia, which would present the Polish Chart as a document awaited by the Poles abroad, especially the Polish minorities on the East. In this case, the argumentation was of expressive character, it would refer to obligations the Poles have towards their kinsmen abroad, especially those on the East, which were abandoned by their Homeland, and not otherwise. The present common obligation is to compensate for the harms of the past. The instrumental arguments are used with similar purpose; they claim that there are no obstacles for adoption of the Polish Chart, especially if the Hungarians did the same passing the Status Law by acclamation. In this type of argumentation the clear division between “Us” and “Others” comes into light: in the moment of introducing the visas for the citizens from beyond the Eastern border, we should have visas for “the Others”, and the Polish Chart for the ethnic Poles (3P).

On the other side of the spectrum, we encountered the opinion claiming that the idea of adopting the Polish Chart is “definitely a bad one”. The arguments for such statement are mostly legal; to be precise: the interviewee recalled here the documents of OSCE, stating that ethnicity is a subjective category, what is in clear contradiction to the idea of such a document as the Polish Chart (6P). The critics of the Polish Chart also use instrumental arguments: if the Polish Chart is to grant the right to education, medical care and social security services free of charge, then Poland cannot afford it, because it already encounters problems to provide these services to its citizens. Therefore, a possible solution would be granting a document, which would not provide for any material benefits, but that would merely facilitate obtaining a visa, or it would be a pure document of honour (8P). Additional justification for such a solution was the statement that the citizenship rights, as the right to vote, should be also linked to the obligations, such as taxpaying. The Polish Chart is thus a bad solution, since it proposes to grant citizen rights without executing the duties (12P).

Between the two extreme positions, of accepting and rejecting the idea of the Polish Chart, there are some mid-way opinions. The interviewees, who uttered them, accepted the idea but rejected the legal construction as proposed by the *Senat*, arguing that it is faulty. The indicated flaws of the law concerned the risk of adopting a fictional law, since the authors of the Bill did not analyse the actual financial resources of the State. These were the instrumental arguments. One of the respondents would argue as well, that the Polish Chart has a bad legal construction, because the provisions that it adopts bring about the risk of a conflict with the legislation of the neighbouring countries, and Poland does not need this (7P). The MPs representing this standpoint believe that a better solution would be to adopt a law “defining the rights deriving from Polish origins” (11P).

6.5. Why is dual citizenship not an issue?

The interviewed experts notice that the question of multiple citizenship is not important in Poland, and it is virtually inexistent in the public debate. The simplest explanation provided by them is as follows: the multiple citizenship is a secondary question because of the limited scale of the phenomenon, but also for the socio-economic problems present in the contemporary Poland. Moreover, there are no specialists, who would deal with the problem; in particular, the membership of the appropriate parliamentary Committees is rather accidental (1E), therefore it is difficult to talk about any political divides around this issue. In many cases, a lot depends on the decision of the President, who determines the granting of citizenship. Such a solution, for all its advantages and disadvantages, is satisfactory (1E; 10E), and thus maybe there is no need to look for other solutions and to discuss them. The advantages of the giving almost a free hand to the President in this field above all include the possibility of leaving the question out of the sphere of present political debates; the disadvantages concern the weak control of the external institutions on the decisions taken, and the possibility of a potential conflict between the President and the state administration.

One of the experts, relying on his own experience, pointed out that the lack of political interest in the question of multiple citizenship (in the context of granting and restoration of citizenship) might be caused by the way the decision-making is in general practiced in Poland. According to his knowledge, many decisions are usually made by the government and the experts. It thus happens that the Parliament merely adopts the provisions agreed upon, without any debate. It was suggested that the case of multiple citizenship could follow this general pattern. Apart from that, the actual State policy versus multiple citizenship is determined to some extent by the state officers and their opinions, and explicitly, their negative attitude toward it (2E). Therefore, it can be assumed that no one, who could start the public debate on the issue (politicians, officials, experts) is interested in doing that.

The politicians stated, as the experts did, that the problem of multiple citizenship had not been an issue since 1989. The reasons, according to them, could include the lack of awareness of the possible consequences of multiple citizenship (11P), but also the specialised character and specificity of the problem and its little resonance in the Polish reality (8P; 9P). However, some of the MPs noticed the traces of the political divisions on the issue. The identification of these divisions according to one of our interviewees is as follows: extreme right accuses the multiple citizenship holders of the lack of loyalty towards Poland, on the contrary to other political forces (9P). However, he does not give the definition of the extreme right.

As for the media, our interviewees underlined that the journalists are not prepared nor interested in writing about multiple citizenship. There is also the lack of experts specialising in this field. They write about it only if it is related to some sensational information, often in

a very unprofessional way. The next reason for the little attention paid by the media to the problem is its minuteness of details and limited importance. It had been incidentally presented in the press, but only when it finally provoked emotions, did it become a “hot headline of the day” (8P). In general, our interviewees rather ascertain that the press does not find the multiple citizenship attractive (6P; 7P). There were the suggestions that maybe nationalistic media would be interested in the problem (e.g. *Nasz Dziennik*). However, these remarks were based only on the general acquaintance with the profile of these media, and not with any concrete examples (8P).

6.6. The concept of citizenship

The interviews proved, what is quite surprising, that there is no distinct conception of citizenship among the politicians. The politicians, as well as the experts, very often limit their definitions to the general statement that citizenship is a type of a formal tie binding an individual to the State. Considering the opinions on dual citizenship, it can be assumed that the model of citizenship dominating nowadays in Poland is of ethno-cultural character. I believe, drawing conclusions from the interviews, that the reasons for that is not nationalistic ideology, but the feeling that such a conception of citizenship, rooted in *ius sanguinis* is more beneficial for the Polonia, on which our interviewees were focused. Also, history of nation, which was built without the state, seems to be one of the causes of domination of that concept of nation.

It is worth mentioning that the granting of citizenship or Polish Chart to the Poles living abroad seems to be justified not so by the common blood, but by the drive to include them into a larger cultural and political community of the III Republic of Poland, and thus offering them the political and social rights as granted to Polish citizens. The arguments of the supporters as well as adversaries of the idea of granting the Polish citizenship to emigrants or of the Polish Chart to the members of the Polonia generally followed these lines. The adversaries would usually claim that the full participation is possible only in one political community, or in other words, that the problem of the loyalty constitutes a fundamental barrier for multiple citizenship. Moreover, they would argue that the membership in a political community should involve not only rights, but also duties. On the other hand, the supporters of the idea would point out that because of historical experience of the nation, especially in the 20th century, the community would not be complete without all these who had lost their citizenship.⁹⁷

We, thus, argue that the model of citizenship present in Poland, ethno-cultural in its roots, evokes more often the idea of cultural ties than the common blood principle. In fact, the idea of common culture is used, both to legitimise and to discredit multiple citizenship. While the concept of citizenship, in opinions of our interviewees, is obviously ethno-cultural, the concept of the nationhood itself is perceived in various ways, from an extremely inclusive, to a very much exclusive. In fact, our respondents tend to approve, first of all, multiple citizenship of Poles. It reveals similar belief systems concerning multiple citizenship to those deconstructed on the basis of political debate (in the parliament): arguments put forward along lines of ethno-cultural concept of nation and citizenship

⁹⁷ The same argument can be used to support the pro and con views, depending on the point of view of the disputant. E.g. the argument claiming the threats of double loyalty is used to promote on one hand the exclusion from the right to citizenship of the minorities (especially Polish citizens of Jewish origin), and on the other hand - the Diaspora's exclusion. Therefore, both arguments are used to justify the *ius sanguinis* and *ius soli* rules. An argument can also be used by different groups of disputants in relation to different groups of potential new citizens (it usually concerns the arguments about membership in the political community), e.g. some disputants support the restoration of Polish citizenship to Jews, other talk only about restoration concerning ethnic Poles. In both cases, the argument used for the restoration sounds the same.

advocate acceptance of multiple citizenship of people representing appropriate level of Polishness. It should be noted, however, that material from interviews provides richer view than political debate. It shows that republican values inherited in a common interest of the Polish political community also play an important role in concepts of Polish nation and citizenship. Moreover, interviewed politicians and experts differentiated between problem of multiple citizenship for Polish emigrants and immigrants explicitly. It could not be found in political debate, as immigration has not yet earned a status of political issue in Poland. This allows putting forward a conclusion that acceptance of multiple citizenship differs dependant on the group of potential multiple citizens involved.

6.7. Conclusions

The interviewed experts almost unanimously stated that the present solutions concerning citizenship are good enough. At the most, there is a need for slight modifications, but not for radical changes. Regarding multiple citizenship, all of them argued that it is at least *de facto* tolerated in Poland, especially as far as the individuals holding non-Polish citizenship as the second one are concerned, or people having any rights to Polish citizenship. They did not propose any changes in this situation, although some of them held negative attitude towards the concept of multiple citizenship. But the majority of them rejected the Polish Chart, arguing that it was a *lex imperfecta* and its implementation would be too expensive. The only person who did not follow this type of argumentation was the expert representing the "Polish Community". The statements of the experts were dominated by the legal and instrumental arguments, for and against multiple citizenship. The interviews with the experts were important, because in the situation where there is no public debate on the issue, these are the experts, who play an important role in the process of law-formation. Their opinions influence the decisions of politicians, what was confirmed in their statements. Thus, it can be assumed that the consent on multiple citizenship expressed by the majority of them can influence the legal provisions in the future, and definitely, it can shape the administrative procedures.

To sum up the statements given by the politicians, it can be said that their knowledge of the issue is very limited. Although we talked to people who are supposedly well informed, they would often give *ad hoc* answers. Thus, it is difficult to indicate any ideological divides around the question of multiple citizenship. The supporters of the idea can be found in the ranks of post-Solidarity parties, as well as in the post-communist SLD. Similarly, none of the parties is characterised by the negative attitude towards the Polish Chart, even if the Bill itself had been drafted by the representatives of the post-Solidarity parties. Therefore, it is hard to distinguish any political differences. The only difference worth mentioning concerns the case of the MP representing SLD, who was openly contrary to repatriation and supported the idea of multiple citizenship. Such a configuration of beliefs did not appear in the case of representatives of the post-Solidarity parties, it was not even repeated by the second of the SLD politicians, the representative of the Prime Minister's Chancellery.

The consequence of the limited knowledge of the politicians is their dependence on the opinions of the experts, who were even mentioned to us as interviewees who would help us better. The following can be concluded from the above remarks:

1. In some situations, when the issue enters the *Sejm* sessions, what took place in 2000, there is a group of MPs well prepared to the debate. At the time of the interviewing, the question of citizenship was absent from the public sphere. In such circumstances we could not expect any precise and clear-cut statements;
2. It is also possible that the debates on the topic are dominated by the standpoints of the experts, on whose opinion the decisions of Parliament depend. However, if truly the

decisions are finally taken only by experts, one should worry about the state of democratic procedures in the country. For these are not elected politicians, who take the binding decisions, but the experts, who are not subjects to democratic elections.

3. The differences between the institutions (*Sejm*, *Senat*, Government, and Administration) sometimes play a more important part in the case of the debate on multiple citizenship than the political divides.

A problem of its own is the absence of the issue of multiple citizenship from the public debate. According to our interviewees, this state of things derives from the minuteness of details of the issue and its little importance in the domestic situation of Poland. Additionally, it can be justified by a relatively low attractiveness of this subject. Moreover, there are no experts dealing with the issue, what is strictly connected to the abovementioned remarks. If the issue makes it to the media, it is usually served in a form that is easily acceptable by the audience, as the uncontroversial report of the fact: the people of Polish origin use several passports. Moreover, the question does not provoke any political conflicts. As I have already written, it is easier to find differences between representatives of different institutions than between those of different political options. Some of our interviewees see it in the same way. In such case, it is hard to talk about any public debate that might be interesting for media. The only issue related to the dual citizenship dividing political scene in two neat parts, and evoking media interest is the symbolic politics of coming to terms with the past.

It is worth mentioning the exclusiveness of Polish citizenship rule, which regularly appeared in the interviews, and which has not been analysed in the previous chapters. The majority of our respondents the question of the exclusiveness of Polish citizenship on the Polish territory was more important than the fact of having several citizenships itself. The experts, who would strongly emphasize this, as well as the politicians, claimed that this rule is the most important one for the sovereignty of Poland in the context of the debates on multiple citizenship. Thus the guarantee that every Polish citizenship holder has the same rights and, primarily, the same duties, is the most important consequence of having and using the Polish passport on Polish territory. To put it more precisely: it is crucial that any of dual citizens cannot be supported by the administration of any other country, citizenship of which he or she holds in addition to Polish citizenship. It can be argued that the fact that the exclusiveness rule was so often quoted proves that according to our interviewees the duties of the citizen towards the political community are serious.

Our interviewees presented mainly ethno-cultural concept of citizenship. Only leftist MP was close in his opinions to republican view. Consequently, multiple citizenship was discussed chiefly as possibility and reality for Poles and as a tool for “dealing with the past”, but not as a factor influencing immigrants’ integration in Poland.

Concluding, the interviews with the elite members entitle us to say that in Poland the multiple citizenship has not become a public problem at least for several reasons:

1. There is a consent for holding multiple citizenship by the Poles.
2. General concept of citizenship is ethnocultural.
3. There are no significant political differences concerning this issue. The exception could be made by SLD (as it can be guessed from the statement of its representative), which is rather inclined to limit repatriation and the rights of the Polonia, but such a line of political debate would be too risky for a post-communist party.
4. All political actors agree that multiple citizenship is acceptable to some extent, but the most important is to guarantee the exclusiveness of Polish citizenship.
5. Politicians are rather uninterested in the issue, also because it brings about only insignificant political differences. And it is not, apart from some few cases, it is not attractive for the media.

6. The deciding role in the debates on multiple citizenship is played by the narrow group of experts.

7. Explaining political outputs concerning multiple citizenship

7.1. Introduction

Pivotal debates on legislation concerning multiple citizenship in Poland ended up without enactment of respective legal acts in the III Republic of Poland. The Bill on Polish Citizenship has been removed from a parliamentary platform, whereas an idea of the Polish Chart has been given up. At present, works on similar Bill – on Procedure of Recognition of the Membership in the Polish Nation – are underway. Preliminary stage of these works do not allow for far reaching reflections on differences between this proposal and the unsuccessful Polish Chart. It seems, however, that the presently discussed Bill focuses on facilitation of entry and stay in Poland, whereas the collection of social rights that are to be given to recognised Polish people living abroad has been considerably limited.

The collection of enacted Bills is small. The Polish government terminated bilateral agreements on avoidance of dual citizenship being effective between Poland and many other countries of the Soviet bloc in the communist era. Thus, the ground for acceptance for multiple citizenship has been cleared up. Also, the Act on Repatriation has been enacted leaving space for multiple citizenship⁹⁸ for returning Poles that are automatically granted Polish citizenship without need to resign from foreign citizenship.

At the same time, *de facto* acceptance of multiple citizenship is a rule in the Polish politics on citizenship. It is perceived as a necessity due to practical reasons. Contacts with the large Polonia comprising Polish citizens holding passports of their countries of residences need to be preserved. Inclusion of this group of citizens into Polish national and political community is widely supported and perceived not only as a duty, but also as a solution providing benefits for the Polish State. We argue that this Polonia-specific element of the Polish politics on citizenship is empowered by the fact that importance of good relations with the Polonia is politicised in the Polish context. Relations with the Polonia is a duty of a chief institution of the Polish political system – the *Senat*. Moreover, the Polonia developed official institutions which represent its interests before the Polish government. In this way, the Polonia has a lobbying power that makes her influential actor in the field of citizenship. Nevertheless, *de iure* acceptance of multiple citizenship has not found its way in the Polish legislative system.

We also argue that widely observed consensus on *de facto* tolerance towards multiple citizenship is in fact limited only to acceptance of multiple citizenship of Polish people. In this context, even though the Polish political scene seems undivided in the field of multiple citizenship, the other important division comes into prominence – political forces supporting interests of the Polonia and those who did not involve themselves in the pro Polonia activities. Moreover, we argue that differentiation between *de facto* and *de iure* state of arts is pivotal in the context of multiple citizenship in Poland. This directly translates into different importance of political and public debates for political outputs (*de facto* and *de iure* state of arts) concerning multiple citizenship.

This chapter is to demonstrate the most decisive institutional and discursive factors influencing tolerance towards multiple citizenship in Poland. It starts from presentation of

⁹⁸ It should be noted that it is not stated openly in the Act on Repatriation.

political coalitions, interest groups and institutional actors in the field of multiple citizenship in the short history of the III Republic of Poland. Then, dominant lines of relevant political and public debates are described so as to uncover a character of tolerance towards multiple citizenship observed in Poland basing on belief systems revealed in these debates. Next sections are devoted to demonstration of differences between political and public debates with an aim to present influence that each of them has on political outputs concerning multiple citizenship in Poland. The chapter closes with the section commenting the role of global conditions favouring tolerance of multiple citizenship in Poland.

7.2. Political coalitions and interest groups

7.2.1. Setting a context

Polish citizenship was not a topic of discussion in the Polish People's Republic not only due to a general lack of political and public debate at that time in Poland, but also because this field covered variety of sensitive historical events that could not be touched under the communist regime. Moreover, immigration of foreigners to Poland was marginal at that time, whereas Polish emigrants were not prone to return to Poland and avenues for restoration of their Polish citizenship rights were greatly limited if not unrealistic. Thus, the debate on definitions of belonging to the Polish nation and related citizenship was neither possible nor necessary.

Only, the establishment of the III Republic of Poland brought about a need to resettle a context for Polish citizenship and multiple citizenship. As a communist heritage, legal and political situation of some Polish emigrants became ambiguous. Others, holding foreign citizenship, decided to come back to Poland and claimed their rights to Polish citizenship. The introduction of democratic rules and reinforced implementation of law on Polish citizenship brought also about peculiar situations when foreign citizens living abroad discovered that in contrary to their best knowledge they were still Polish citizens with all rights and duties involved. Apart from resetting a practical side of recognition of Polish citizenship, more broader issue had to be tackled – identification who is to be considered as Polish citizen and/or Pole in line with the Polish idea of nation and citizenship. This had been deeply embedded in the general problem faced by all post-Communist countries – getting to terms with the communist past.

Thus, multiple citizenship, with focus on a need for restoration of Polish citizenship to persons unlawfully deprived of it and for reinforcement of contacts with the Polonia, could become a topic of political and public debates only at the beginning of 1990s. In fact, the main discussions (still not ended) took place in the late 1990s. Restoration issue and contacts with the Polonia, strongly embedded in the problem of “dealing with the past”, did not and still does not divide the Polish political scene. It has been revealed in analysis of debates carried out in last years in Poland and advocated by politicians and experts dealing with problem of citizenship in Poland.

7.2.2. Political divides

Position on multiple citizenship, Polish citizenship and ethnicity is not embedded in political program of any Polish party. This applies to both post-communist and post-Solidarity parties. It can be even argued that political parties do not define their positions on the above problems. MPs formulating their opinions about the issue seem to represent their individual point of view which does not have to correspond with an orientation of a given party. In other words, in a party or coalition representing a common political programme, both advocates and opponents of multiple citizenship can be easily found. On the other

hand, Polish politicians can be divided into those actively supporting the Polonia and others. The first group takes rather unified position in favour of multiple citizenship. The division crosses political parties divides even though it can be argued that pro Polonia MPs can be found first of all among post-Solidarity groups and in the *Senat*.

Right-wing parties are also more active in promoting “dealing with the past”, thus, also in citizenship and contacts with the Polonia fields. MPs involved in works on the Bill on Polish Citizenship and the Polish Chart originated mainly from post-Solidarity parties. It is also rather not accidental that a trial to introduce a new Act on Polish Citizenship and the Polish Chart took place in the III term in office with majority of post-Solidarity centre-right parties in the Polish parliament. The post-communist parties are rather unwilling to take a position on issues related to “dealing with the past”. Bearing in mind that “dealing with the past” is dealing first of all with a negative Polish communist heritage, this tendency seems obvious. This directly influences participation of post-communist politicians in debates concerning citizenship. Representatives of post-communist parties raising voices against restoration of Polish citizenship hence also against multiple citizenship, could be accused for voting, in this way, against “dealing with the past”. Therefore, this political group limits its arguments to some pragmatic comments on the issue, not formulating straightforward pro or con opinions. Certainly, it is not a part of any political programme, but strategy applied to some problematic for this group spheres of the contemporary Polish politics.

7.2.3. Political and institutional actors

Even though, the *Sejm* was the main battlefield of the debates on multiple citizenship, position on this issue does not divide the Polish political parties and coalitions and is not a part of their political programs. However, there are other political and institutional actors influencing debate on multiple citizenship in Poland. Among them, the President Chancellery should be considered as a pivotal actor. The President can grant, thus, also restore, Polish citizenship rights and it is up to his decision if a “would be” Polish citizen is to retain or relinquish his/her foreign citizenship. In this respect, he has virtually unrestricted power, as his decisions do not have to be justified, thus, they can not be challenged by any Polish court. In this way, due to the fact that the Act on Polish Citizenship of 1962 leaves a great space for discretionary decisions, the President can, in fact, run his own politics concerning multiple citizenship. It should be noted, however, that the Chancellery has not formulated its official position on multiple citizenship. It seems also likely that the Chancellery does not want to make this part of its policy public arguing that it is a right of the President not to uncover his position in this field⁹⁹. Openly, in 1998, the President supported a necessity of restoration of Polish citizenship to people unlawfully deprived of it in the past. This stand point of the Chancellery has not changed, but other aspects and situations concerning multiple citizenship (e.g. multiple citizenship in naturalisation of foreigners) have not been a subject for the official President’s declarations.

As shown above, Polish courts can not challenge the President’s decisions, thus, their role is limited in the field of multiple citizenship. Moreover, in Poland, there were no direct conflicts concerning multiple citizenship that would require intervention of courts. The importance of courts’ decisions comes on the ground when a question whether a given person lost its Polish citizenship or not needs to be answered. In fact, the decisions of the Supreme Administration Court challenging a legal ground of the acts concerning group

⁹⁹ As a part of research, we were trying to interview a representative of the President Chancellery. We were, however, turned down and refusal to give an interview was justified by the confidentiality of the Chancellery’s policy (not only in the field of multiple citizenship).

renunciations of peoples of German (1956)¹⁰⁰ and Jewish (1958)¹⁰¹ origin from Polish citizenship was an important element in the field of multiple citizenship in Poland. These binding decisions revealed existence of a considerable group of persons that had not lost Polish citizenship even though either individuals concerned or the Polish authorities had declared otherwise. It appears that decisions of the Supreme Administration Court are not determined by any political orientation. They built upon legislative framework settled in the Polish Constitution and the Act on Polish Citizenship. On the other hand, reported in media (not so often) open statements that there are Polish citizens holding foreign citizenship in accordance with the Polish law contribute to the widening of the recognition that multiple citizenship is an accepted reality in Poland.

Another important political and institutional actor in the field of multiple citizenship is the *Senat* responsible for contacts with the Polonia. Even though, the *Senat* comprises politicians originating from various political parties and coalitions, it represents a common stand point supporting interests of the Polonia. The Bills on Polish Citizenship and the Polish Chart proposed by the *Senat* were favouring idea of *de iure* acceptance of multiple citizenship and giving extensive social rights to the Polonia (East and West), respectively. It should be noted that the *Senat* is a political actor that openly supports not only *de facto* tolerance of multiple citizenship, but also its *de iure* acceptance.

A strong interest group that gained also lobbying power in the field of Polish citizenship and the Polish Chart is the Polonia. This applies first of all to the West Polonia, as the East Polonia is much less active in this field. This group takes a position on multiple citizenship and speaks with an unified voice. The West Polonia wants far reaching acceptance of multiple citizenship in a *de iure* form. This is justified by ideological (belonging to the Polish nation) and practical reasons including bureaucratic difficulties encountered by members of the group bound by the rule that Polish citizens have to use their Polish documents when in Poland. The only aspect that seems to divide the West Polonia is a question whether restoration of Polish citizenship should take a form of automatic procedure or be preceded by an expression of will (application) of an individual interested¹⁰². It should be noted, however, that the West Polonia perceives an introduction of the Polish Chart, if not as a better solution, as a satisfactory substitution for *de iure* acceptance of multiple citizenship in Poland. According to representative of the government (10E) some shift in opinion represented by leaders of the West Polonia has been observed from focus on *de iure* acceptance of multiple citizenship towards emphasis on a need for the Polish Chart implementation. It should be noted that the East Polonia is less active in taking voice on multiple citizenship issue not only due to its less organisational and political power, but also because its members are not entitled to restoration of Polish citizenship rights. Thus, the solution which is designed for this group is the Polish Chart.

Looking back at the short history of the III Republic of Poland, there was no visible shift in political orientations in citizenship matters. Process of “dealing with the past” and of

¹⁰⁰ The Decree concerning the permission for German repatriates to resign from Polish citizenship; the Decree of the Council of Ministers 37/56, 1956, (unpublished); (Albiniak, Czajkowska, 1996, p. 324).

¹⁰¹ The Decree concerning the permission for people leaving to Israel to resign from Polish citizenship; the Decree of the Council of Ministers 5/58, 1958, (unpublished); (Albiniak, Czajkowska, 1996, p. 325).

¹⁰² Different opinions on this issue can be found. Those who advocate automatic restoration argue that it is humiliating that Polish citizens mistreated by the Polish communist state have to take any bureaucratic actions to be considered Polish citizens. The other group share an opinion that automatic restoration of Polish citizenship would cause unnecessary difficulties for those who either do not want to be Polish citizens or can not hold Polish citizenship due to regulation of countries of their residence.

setting relations with the Polonia is not over. Settlement immigration to Poland is still a marginal problem. Thus, a context for a debate on multiple citizenship holds unchanged since the beginning of the 1990s. At the same time, this problem appears to have rather a secondary importance for the Polish political parties and coalitions.

7.3. Debate on multiple citizenship – main threads and arguments

Political and public debates on multiple citizenship and the Polish Chart share some main threads that reflect nature of tolerance towards multiple citizenship in Poland. The context of the debates - predominance of the problem of restoration of Polish citizenship or semi-citizenship (the Polish Chart) to people unlawfully deprived of it and satisfactory contacts with the Polonia – has determined their argumentative structure. Other problems related to multiple citizenship, in particular multiple citizenship of immigrants, were virtually untouched in the Polish debate. Consequently, arguments formulated by disputants fell, first of all, under a broad category of appropriate definition of the Polish nation, citizenship and related rights and duties of the Polish State and its citizens. In this context, arguments in favour of restoration of Polish citizenship, in particular wide restoration, were tantamount with arguments pro multiple citizenship.

It appears that instrumental arguments formulated in a different form advocating a need for maintaining links with the Polonia (“a Polish ambassador abroad”) and a necessity of compensating harms encountered by Polish emigrants deprived of Polish citizenship have been the most appealing. Nevertheless, expressive stand points prevailed in a variety of pro arguments. They were addressing duties of the Polish State towards its members residing abroad; necessity of maintaining Polish community links and a need for recognition of services that the Polonia rendered to Polish community (e.g. military service during WW II). Such expressive arguments were supported by moral arguments that first of all stressed the right to Polish citizenship of those who were unlawfully deprived of it in the communist past. Legal arguments in favour of multiple citizenship were rare when compared with a frequency of arguments of the other types. First of all they referred to some “not working law” and a need for “Europeanisation” of Polish legislation concerning citizenship. Thus, it can be argued that expressive and moral arguments in a team of instrumental arguments advocating a need for reinforcing contacts with forgotten members of the Polonia played a chief role in the argumentation in favour of multiple citizenship in the Polish context.

The biggest group of arguments against multiple citizenship falls into category of instrumental and legal arguments. The former referred first of all to negative financial consequences of too generous policy of granting Polish citizenship (also mass buy-out of the Polish lands by foreigners with Polish passports). Legal arguments were addressing a problem of compatibility of the Polish law with international standards. They were used, in particular, when an issue of *de iure* acceptance of multiple citizenship came forward. Chief group of moral arguments against multiple citizenship related to a problem of multiple loyalty of people holding several passport, whereas con expressive arguments frequently referred to preservation of interests of narrowed understood in-border Polish nation. Apparently, an important aspect can be identified in this con argumentative structure – secured level of acceptance of multiple citizenship has to match financial abilities of the Polish State and its sovereign interests (sometimes understood as interest of the in-border group of Polish citizens).

The above scheme was replicated in the debate on the Polish Chart, with even bigger contrast between pro and con arguments used. Supporters of the Chart were using mainly expressive, moral and instrumental arguments of a similar nature that it has been observed in the debate on citizenship. From among con arguments, instrumental arguments referring

to enormous financial burden that the Chart would put on the Polish State Budget were particularly resonant. Here, giving extensive social benefits to the Chart's holders created real controversies supported by a moral argument that it would introduce inequalities in Poland, as the Chart's beneficiaries would be in position to take advantage of two sets of their rights: of foreigners and Polish citizens. Also, legal con arguments flourished in this debate addressing a problem of a compatibility of the Polish law and international solution. The Polish Chart is not a legal invention, as similar documents were introduced in Slovakia and Hungary (Fowler, 2002). However, at the moment, they do not meet standards of the European Union legislation and discussions on adjusting them appropriately are underway.

In the debate on multiple citizenship (restoration of Polish citizenship being a main topic) and the Polish Chart pro voices spoke with the use of chiefly expressive, moral and strongly related to them instrumental arguments whereas the con arguments came mainly in a form of pragmatic outlook using legal and instrumental arguments. In other words, arguments of opponents formed a voice advocating "reasonable" acceptance of multiple citizenship and the Polish Chart (semi-citizenship) in Poland. We argue that it is an important element of the Polish tolerance towards multiple citizenship that needs to be further elaborated. Evidently, the widely observed consensus on acceptance of multiple citizenship (even if only *de facto*) does not apply to an idea of multiple citizenship as such.

Multiple citizenship as a designate of growing multiculturalism of social reality is not, for example, a subject of interest in the Polish case. In fact, this aspect is hardly recognised by participants of respective discussions. The debate was virtually limited to the problem of multiple citizenship for Polish people. It went on discussing an appropriate level of Polishness – in a form of ethnic and cultural (also political) ties – justifying multiple citizenship (Polish and foreign). Certainly, one reason for such a situation is that immigration to Poland is not overwhelming at the moment and due to its relative novelty small part of foreigners resident in Poland classifies already for acquisition of Polish citizenship. It determines a minor attention that contemporary Polish politicians attract to multiple citizenship of immigrants. The material from interviews with experts and politicians suggests, however, that attitude towards multiple citizenship varies dependent on the group of potential multiple citizens concerned. Limitations of material does not allow for far reaching reflections. It seems, however, that discussion on multiple citizenship for immigrants, if such would take place in Poland, would go in a slightly different direction than the discussion that took place in the last years. We drove our predictions from the fact that rule of inclusion in the Polish nation presented in political and public discourses is approaching an ethno-cultural approach. Even though, republican values are highly embedded in the concept of Polish citizenship, an appropriate level of Polishness is a pivotal precondition for the inclusion in the Polish nation. Widely observed, in the contemporary Poland, consensus in the field of multiple citizenship applies, in fact, chiefly to acceptance of multiple citizenship held by Polish people. This context of the multiple citizenship problem becomes even more evident when we take into account efforts to introduce the Polish Chart which would give appropriately defined Polish people a set of extensive social rights in Poland.

7.4. Political and legal outputs – the role of political and public debates

7.4.1. De facto and de iure acceptance of multiple citizenship

As noted before, the present Act on Polish Citizenship of 1962 leaves much space for discretionary decisions (especially for the President). This implies that politics of multiple citizenship is flexible in Poland, notwithstanding the fact that the law on citizenship has not

changed since the communist era. In this context, differentiation between *de facto* and *de iure* political outputs concerning multiple citizenship is crucial. On the other hand, the line between *de facto* and *de iure* acceptance of multiple citizenship is sometimes not obvious for different actors taking part in debates on multiple citizenship in Poland. Thus, in our earlier analyses, we differentiated between these two possible types of acceptance of multiple citizenship only occasionally when it appeared necessary for showing some important mechanisms observed in the Polish case.

The difference involved is important, in particular, for understanding an impact of political and public debates on outputs concerning multiple citizenship in Poland. Lack of *de iure* acceptance implies that the rule of exclusiveness of Polish citizenship holds. Polish citizens can not be treated as foreign citizens when in Poland. Furthermore, the Polish legislation does not deal *expressis verbis* with the issue of multiple citizenship. Neither the present Act on Polish Citizenship nor the proposed Bills mention the problem¹⁰³. In this way, the issue of multiple citizenship is simply absent in Polish legislation. If successful, the Polish Charter would be the first example of open legal acceptance for holding dual sets of rights – Polish and foreign. Nevertheless, the Polish Charter is not Polish citizenship, but semi-citizenship set of rights.

It should be mentioned, however, that greater acceptance of multiple citizenship seems rather unrealistic in Poland. A situation that multiple citizens can take advantage of dual sets of rights when in Poland would not only interfere with the international law practices but also create privileged group of Polish citizens. The latter is against the Polish Constitution which demands a rule of equality of all Polish citizens. Introducing a concept of multiple citizenship more explicitly to the Polish legislation would, however, provide for, lacking at the moment, transparency in the politics of multiple citizenship in Poland. This would reduce an importance of *de facto* politics in this field – creating controversies and conflict situations at present.

7.4.2. Political and public debate – potential for influencing political and legal outputs

Political and public debate on multiple citizenship are rather “poor” in Poland, as revealed in analyses of these debates and advocated by experts in their interviews. It is conditioned, on the one hand, by the limited importance of the issue when compared to variety of political and economic problems to be solved on the Polish way towards market economy and democratic political system. On the other hand, complexity of the problem makes it difficult topic for a media debate which, per definition, is addressed to a wider audience. Consequently, impact of political and public debates on legal and political outputs concerning multiple citizenship differs.

Political discourse on multiple citizenship is virtually limited to a parliamentary floor. Actors taking part in the debate are or at least should be aware that what is discussed on the parliamentary platform is *de iure* acceptance of multiple citizenship, whereas *de facto* acceptance is already secured. In fact, the discussion in the Polish parliament was devoted to *de iure* aspect of the problem. Even though it took on flowery expressive and moral arguments, instrumental and specialist legal arguments have been also widely addressed. It was not heated but it had some argumentative structure that revealed relevant belief systems represented by Polish politicians.

In public debate, difference between *de facto* and *de iure* acceptance of multiple citizenship and their consequences for the Polish State and its inhabitants were frequently not captured. As a consequence, in the media, these two types of possible legal acceptance

¹⁰³ Only the *Senat*'s proposal that did not get an acceptance of the *Sejm* was to include an issue of multiple citizenship in the Act on Polish Citizenship and to introduce its *de iure* tolerance.

were blurred making the public discussion on multiple citizenship problematic. In fact, many demands formulated in media in a form of pro multiple citizenship arguments are already satisfied by existing its *de facto* acceptance. Rather seldom voices of experts presenting a complexity of the issue and commenting on *de iure* acceptance of multiple citizenship were not resonant due to their specialist language. They were attracting mainly an attention of the Polonia limiting in this way a group of disputants involved.

It should be also noted that groups of actors that took part in political and public debates on multiple citizenship differ. In political discussions main role was secured for MPs designing the Polish law and selected experts consulting the legislative process¹⁰⁴. In contrast, media presented rather limited collection of statements made by MPs, but they published voices of the Polonia's representatives and declarations of the Polish President – a pivotal actor in the citizenship field. Experts, as noted above, focused on a problem of exclusiveness of Polish citizenship when speaking via media.

Due to the fact that political debate on citizenship is virtually limited to a parliamentary floor and the complexity of the problem is difficult to present in media, legal outputs concerning citizenship (*de iure* state of arts) in Poland are chiefly determined by parliamentary works and discussions. However, advocating that public debate has not impact on political outputs concerning multiple citizenship would go too far. As a matter of fact, parliamentary works on the Bill on Polish Citizenship, the Polish Chart and on Repatriation had media coverage that presented not only technical side of legislative process but also opinions of various actors involved in the topic. Moreover, particularly extensive media debates took place when parliamentary works on relevant bills were underway.

7.4.3. De iure outputs – the role of public and political debate

In fact, *de iure* political and legal outputs concerning multiple citizenship in the III Republic of Poland are virtually lack of outputs apart from the enacted Act on Repatriation allowing for multiple citizenship of repatriates. Moreover, it appears that a position on multiple citizenship was a source of disagreement between political actors that restrained enactment of the Bill on Polish Citizenship. To be precise a consensus on the problem of retaining/abolishing a rule of exclusiveness of Polish citizenship has not been achieved in the Polish parliament.

The lines of division of the parliament went between advocates of removing the rule of exclusiveness of Polish citizenship from the Polish law – defenders of interests of the Polonia (chiefly the *Senat*) - and more pragmatically and legally oriented politicians that were raising instrumental and legal arguments supported also by expressive and moral arguments against such a step. Namely, the *Senat* was persisting on introducing *de iure* acceptance of multiple citizenship and it did not earn a wide acceptance of MPs in the *Sejm*. The Bill was left for consultations with the Polonia and has never come back on the parliamentary floor¹⁰⁵.

The public debate, dominated by the voices of the Polonia advocating *de iure* acceptance of multiple citizenship, had a limited impact on legal outputs of the above debate. Intricacies of introducing *de iure* acceptance of multiple citizenship were difficult to capture on the media platform. We can assume that the stand point of the *Senat* was influenced by the opinion of the Polonia, it did not, however, found an approval of the wider parliamentary audience.

¹⁰⁴ Experts took part in the discussion either personally or via their expertises provided to MPs.

¹⁰⁵ Some MPs tried to put the Bill again under the discussion later on, but it was not welcomed enthusiastically by MPs, as always there were some more urgent bills to be discussed.

7.4.4. *De facto* outputs – the role of public debate

For *de facto* outputs concerning multiple citizenship, public debate seems to play an important role. For example, discussion carried out in media on a practical aspect of lack of *de iure* acceptance of multiple citizenship relating to a so called “passport trap” appears to have impact on *de facto* policy on multiple citizenship in Poland. The “passport trap” concerns bureaucratic difficulties encountered by the Polonia members upon arrival to Poland due to requirement that a Polish citizen should not use a foreign passport when in Poland. Published in media, protests of the Polonia concerning “unacceptable” treatment of its members on the Polish borders stimulated representatives of the government to take part in a public discussion on this problem. The outputs of this discussion did not have a form of changes in the Polish law. They influenced, however, *de facto* politics towards multiple citizens. The scope of changes is difficult to judge, but as advocated by the representative of the government (10E), as a consequence of this conflict media discussion the Border Guards got instructions recommending “very careful” treatment of peoples with several passports¹⁰⁶.

The role of public debate seems to be particularly important for practice concerning restoration of Polish citizenship directly related to multiple citizenship. In fact, we argue that an issue of restoration became a subject of symbolic politics as a part of politics surrounding a problem of “dealing with the past”. It was manifested on the occasion of thirtieth anniversary of March 1968. Polish media hosted statements of policy makers asking for automatic restoration procedures. It has not been introduced in the Polish law, but it stimulated the President to make a declaration, published in media, that he would use his virtually unrestricted right for granting citizenship so as to restore Polish citizenship of people to Jewish and German origin deprived of it in the communist time. Justification for this step based on a need to compensate harms caused by the Polish People’s Republic to those people (moral and instrumental argumentation). This part of public discussion, deeply embedded in a symbolism of “dealing with the past”, paved a way for higher *de facto* acceptance of multiple citizenship. It should be noted, however, that the President did not formulate his position on multiple citizenship on this occasion. His declaration referred only to a particular group of potential multiple citizens.

Examples presented above show that, even though public debate on multiple citizenship is limited in the Polish case, it influences *de facto* politics concerning multiple citizenship. Certainly, it is less transparent that impact on *de iure* outputs. Thus, it is more difficult to trace. It is also more difficult to assess a scope of influence in *de facto* politics. Nevertheless, *de facto* aspect of acceptance of multiple citizenship is pivotal in Poland, thus, importance of public discussion in this field, even though limited, can not be undermined.

7.5. Global trends

Globalisation processes were limited in Poland due to the “iron curtain” separating Central and Eastern Europe from the rest of democratic and highly-developed world till the end of 1980s. In fact, the end of the Cold War has been a quantum leap for incorporating Poland in a globalisation process. This historical step has been also a turning point for re-setting a context for acceptance of multiple citizenship in the Polish scenario.

The main factor, from a collection of “global determinants”, that plays an important role for tolerance towards multiple citizenship in the Polish context is growing importance of human rights. Its role has been reinforced upon joining, by Poland, various international

¹⁰⁶ To be precise, the Polish Border Guard had not punished Polish citizens using foreign documents before the described discussion took place.

institutions and its preparations to the accession to the European Union. Embedded in a human rights approach strive for combating statelessness was an important determinant of termination of bilateral agreements concerning avoidance of dual citizenship which Poland had held with the former Soviet bloc countries in the past.

European stand point advocating tolerance for multiple citizenship (in justified situations) presented in the European Convention on Nationality of 1997 does not strongly influence Polish view on the issue (Zdanowicz, 2001). In fact, it is rather perceived as a constraint for too far reaching acceptance of multiple citizenship of the Polonia's members. It should be noted, however, that, in contrast to solutions proposed in the Convention, Polish law-makers are rather reluctant to tackle an issue of multiple citizenship in an open language of legal acts.

Growing role of migration that has been enhanced by political and economic transition in Central and Eastern Europe has also rather limited influence on acceptance of multiple citizenship in the Polish context. In contrast, its chief migratory determinants have a historical nature. They comprise a tradition of emigration from Poland dating back to the end of 19th century and consequences of post WW II "political emigration" from the communist Poland. A brand new element influencing acceptance of multiple citizenship in Poland is a phenomenon considered as a designate of globalisation - growing importance of short-term movements and trans-migration. Migration both to and from Poland is increasingly following this pattern (Kepińska and Okólski, 2002). It impacts on field of multiple citizenship particularly when trans-migration of ethnic Germans¹⁰⁷ and semi-returns of Polish emigrants¹⁰⁸ (frequently multiple citizens; Iglicka, 2002) is concerned.

In general, we would argue that only selected global conditions favouring tolerance towards multiple citizenship are important in the Polish case at the moment. An importance of keeping ties with Polish emigrants is not a novelty, but rather a tradition that dates back to the beginning of the 20th century. Moreover, at present, the issue of "dealing with the past" overshadows any other determinants of tolerance towards multiple citizenship. It is very likely that the role of other factors considered as "global conditions" will grow in a future. In particular, growth in immigration to Poland can bring important changes in this field.

7.6. Conclusions

In Poland, discussions concerning multiple citizenship are virtually limited to a problem of Polish emigrants holding foreign passports. Here, restoration of Polish citizenship to those who were unlawfully deprived of it in the communist past is a chief context for political and public debates on multiple citizenship. This is embedded in a broader symbolism of "dealing with the past" in the III Republic of Poland. Consequently, in Poland – post-communist traditional emigration country – the fact that acceptance of multiple citizenship became a subject of symbolic politics supports tolerance towards it.

It seems that similar mechanisms are likely to be observed in other emigration countries that experienced a high-volume political emigration in the past. In Poland, another important factor facilitating tolerance of multiple citizenship is a strong position of the Polonia. In countries where emigrant groups do not have a lobbying power, their impact in this field can be of lesser importance.

¹⁰⁷ People living in Poland and holding Polish and German citizenship.

¹⁰⁸ In the 1990s, return migration of Polish emigrants to Poland has been observed. It includes also return migration of people of Polish descendant who were born abroad. As research showed, these return migrations have various forms and large part of them is in fact trans-migration, i.e. returning migrants do not settle in Poland but travel between Poland and country of their birth. It most often involves work in Poland and family life in a foreign country.

In the III Republic of Poland, there is a practice of tolerating multiple citizenship and it does not create much controversy among political and public actors. This tolerance is influenced and supported by the public debate in media in which the Polonia takes an active part. At the same time, the official position of the Polish State on this issue has never been formulated. Also, efforts to introduce wider acceptance of multiple citizenship by making it independent of discretionary decisions of the Polish authorities have been unsuccessful. Flowery principal arguments in favour of this change, referring to the unity of the Polish nation and interests of the Polonia, met counter-arguments representing principal and pragmatic view advocating a need to preserve interests of the in-border population and the Polish State.

Origins of the virtual consensus on *de facto* toleration towards multiple citizenship and controversies arising around its *de iure* acceptance can be traced in argumentative structures of political and public discussions on multiple citizenship. They are framed mainly by the belief systems concerning concept of “nationhood and citizenship” that is close to an ethno-cultural approach. This framework empowered by strive for “dealing up with the past” and setting up satisfactory relations with the Polonia. We argue that the role of global factors influencing tolerance towards multiple citizenship in other countries is undermined and overshadowed by the Polish context. Aspects like immigration and multicultural policy are practically absent from the Polish debates on the issue. Consequently, tolerance of multiple citizenship in Poland applies, in fact, only to a selected group of people – Polish people – and not to an idea of multiple citizenship as such. This type of tolerance can be effectively exercised by the discretionary implementation of the law and does not require particular legal solutions.

At the moment, political and public debates on multiple citizenship do not flourish in Poland. It is due to complexity of the problem (difference between *de facto* and *de iure* state of arts) and, consequently, its relatively unattractiveness for political actors and media. In the future, it may become political and/or public issue as a result of growth in immigration to Poland and establishment of immigrant minorities which is likely in the light of the Polish accession to the European Union.

Bibliography

- Albiniak, M., A. Czajkowska (1996), *Przepisy o obywatelstwie polskim 1919-1995*, Toruń: Wydawnictwo 'Dom Organizatora'
- Borkowski, J. (1988), "Opinia w sprawie polskiego obywatelstwa w polskich przepisach", Łódź, unpublished
- de Hart, B. (2003), *Dual Nationality in the Netherlands*, University of Nijmegen, Centre of Migration Law, unpublished.
- de Hart, B. (2003), *Dual Nationality in the Netherlands*, University of Nijmegen, Centre of Migration Law, unpublished.
- Dworkin, R. (1978), *Taking Rights Seriously*, Harvard: Harvard University Press
- Fowler B. (2002), *Fuzzing citizenship, nationalizing political space: A framework for interpreting the Hungarian 'status law' as a new form of kin-state policy in Central and Eastern Europe*, Working paper, Centre for Russian and East European Studies, University of Birmingham, available at:
<http://www.crees.bham.ac.uk/research/statehood/publications.htm>;
- Górny, A. (2001), "Polish citizenship in relation to concepts of integration and transnationalism" in J.W. Dacyl (ed.), *Challenges of cultural diversity in Europe*, Stockholm: Centre for Research in International Migration and Ethnic Relations, pp. 217-53
- Górny, A., A. Grzymała-Kazłowska, P. Koryś, A. Weiner (2002), "Multiple citizenship in a globalising world. Germany of the comparative perspective. The case of Poland – issue areas 2 and 3", Warsaw: CMR, unpublished
- Górny, A., A. Grzymała-Kazłowska, P. Koryś, A. Weiner (2003), "Multiple citizenship in a globalising world. Germany of the comparative perspective. The case of Poland – issue areas 4A, 4B and 5", Warsaw: CMR, unpublished
- Heffner, K., B. Sołga (1999), *Praca w RFN i migracje polsko-niemieckie a rozwój regionalny Śląska Opolskiego*, Opole
- Heffner, K., B. Sołga (2003), "Social situation on the Opole region, of Silesia. Silesian identity, German minority, foreign migrations, double citizenship", Opole: Silesian Institute in Opole, unpublished
- Iglicka, K. (2001), *Poland's Post-War Dynamic of Migration*, Aldershot, Burlington USA, Singapore, Sydney: Ashgate.
- Iglicka, K. (ed.) (2002), *Migracje Powrotne Polaków. Powroty sukcesu czy rozczarowania?*, ISP, Warsaw
- Jagielski, J. (2001), *Status obywatela i cudzoziemca w orzecznictwie*, Dom wydawniczy ABC, Warsaw
- Jagielski, J. (2001), *Status obywatela i cudzoziemca w orzecznictwie*, Warsaw: Dom wydawniczy ABC
- Kępińska, E., M. Okólski (2002) "Resent trends in international migration in Poland" *Migration Series*, ISS UW, Warsaw, Vol. 48
- Kołodziej, E. (1998), "Emigracja z ziem polskich od końca XIX wieku do czasów współczesnych i tworzenie się skupisk polonijnych" in Adam Koseski (ed.) *Emigracja z ziem polskich w XX wieku*, Pułtusk: WSH.
- Łodziński, S. (1998) "Polish citizenship – ethnic boundaries and issue of citizenship in Polish society" in B. Balla, A. Sterbling (eds) *Ethnicity, nation and culture. Central and East European Perspectives*, Kramer: Hamburg, pp. 149-164

- Matelski, D. (1999), *Niemcy w Polsce w XX wieku*, PWN, Poznań: PWN, 1999
- T. Faist, J. Gerdes, B. Rieple (2004), "Multiple citizenship in a globalising world. The politics of citizenship law and dual citizenship in Germany", Univeristy of Applied Studies, Bremen, unpublished
- Weinar, A. (2001), "I modelli dell'Italianità negli scritti autobiografici degli emigrati italiani negli Stati Uniti d'America", pp. 56-9. MA thesis, unpublished.
- Zdanowicz, E. (2001) *Wielokrotne obywatelstwo w prawie międzynarodowym i krajowym*, Dom wydawniczy ABC, Warsaw
- Zdanowicz, E. (2001), *Wielokrotne obywatelstwo w prawie międzynarodowym i krajowym*, Warsaw: Dom wydawniczy ABC
- Żukrowski, A. (2001), "Dyskurs metodologiczny nad terminem Polonia" in Z. Karpus, N. Kasperek, L. Kuk, J. Sobczak (eds), *W kraju i na wychodźstwie*, Toruń: Wydawnictwo Uniwersytetu M. Kopernika, pp. 681-89

Legal acts cited

- Act authorising the Polish President to terminate the Convention, being effective in Polis-Ukrainian relations, between the Polish government and the USSR government concerning avoidance of dual citizenship, signed in Warsaw on 31.03.1965, *Journal of Law*, 109, 1999, 1235
- Act on Polish citizenship, *Journal of law*, 10, 1962, 49
- Act on Polish citizenship; *Journal of law*, 28, 2000, 353
- Constitution of the Republic of Poland, *Journal of Law*, 78, 1997, 483
- Protocol on agreement between the Polish Republic and the Russian Federation on termination of the Convention between the Polish People's Republic and the Soviet Union concerning avoidance of dual citizenship signed in Warsaw on 31.03.1965, *Journal of Law*, 91, 2002, 807
- Protocol on termination of the Convention between the Polish People's Republic and the Hungarian Republic concerning regulations on cases of dual citizenship signed in Budapest on 5.07.1961, *Journal of Law*, 45, 1944, 176
- Act on Repatriation, *Journal of law*, 106, 1998, 668
- Act on Repatriation, *Journal of law*, 106, 2000, 1118

Parliamentary documents

Bills

- MPs' Bill on Polish Citizenship; the *Sejm* document, 2842, 2001
- Government's Bill on Polish Citizenship; the *Sejm* document, 1408, 1999
- Senat*'s Bill on Polish Citizenship; the *Sejm* document, 1222, 1999

Parliamentary proceedings – transcripts of 3rd term *Sejm* debates

- 58 sitting, 1 day (22.09.1999)
- 64 sitting, 1 day (17.11.1999)
- 80 sitting, 2 day (07.06.2000)

81 sitting, 2 day (29.06.2000)
81 sitting, 3 day (30.06.2000)
83 sitting, 2 day (20.07.2000)
88 sitting, 2 day (12.10.2000)
90 sitting, 2 day (09.11.2000)
111 sitting, 1 day (19.06.2001)

Transcripts of Committee sittings – Committee Bulletin (*Biuletyn*)

Biuletyn 3844/III (20.02.2001)

Committee for Administration and Internal Affairs (No. 204)
Committee for Liaisons with Poles Abroad (No. 58)

Biuletyn 3235/III (20.09.2000)

Committee for Administration and Internal Affairs (No. 170)
Committee for Liaisons with Poles Abroad (No. 50)

Biuletyn 3213/III (15.09.2000)

Committee for Administration and Internal Affairs (No. 169)
Committee for Liaisons with Poles Abroad (No. 49)

Biuletyn 3018/III (12.07.2000)

Committee for Administration and Internal Affairs (No. 158)
Committee for Liaisons with Poles Abroad (No. 46)

Biuletyn 2914/III (08.06.2000)

Committee for Administration and Internal Affairs (No. 153)
Committee for Liaisons with Poles Abroad (No. 43)

Biuletyn 2781/III (11.05.2000)

Committee for Administration and Internal Affairs (No. 146)
Committee for Liaisons with Poles Abroad (No. 41)

Biuletyn 2044/III (20.10.1999)

Committee for Administration and Internal Affairs (No. 114)
Committee for Liaisons with Poles Abroad (No. 31)

Biuletyn 2045/III (20.10.1999)

Committee for Administration and Internal Affairs (No. 115)
Committee for Foreign Affairs (No. 76)

Biuletyn 2039/III (19.10.1999)

Committee for Foreign Affairs (No. 75)

Biuletyn 1989/III (06.10.1999)

Committee for Administration and Internal Affairs (No. 111)
Committee for Foreign Affairs (No. 74)

Internet resources:

Minutes of the Polish *Senat* available on-line www.senat.gov.pl

Minutes of the Polish *Sejm* available on-line www.Sejm.gov.pl

The official website of the Polonia in the world www.polonia.org

Appendix I. Polish political parties – explanation of abbreviations

AWS – Solidarity Electoral Action
ChD – Christian Democracy
KLD – Liberal-Democratic Congress
KPN – Confederation for an Independent Poland
LPR – League of Polish Families
OKP – Parliamentary Citizens’ Caucus
PC – Centre Alliance
PChD – Christian-Democratic Party
PL – Peasants’ Alliance
PO - Citizen’s Platform
PPG – Polish Economic Programme
PiS – Law and Justice
PSL – Polish Peasants’ Party
PUS – Polish Social-Democratic Union
PZPR – Polish Worker’s Party
RdR - Movement for the Republic
ROAD – ‘Democratic Action’ Citizens’ Movement
ROP – Movement for the Reconstruction of Poland
Samoobrona – Self-Defence
SdRP – Polish Social-Democratic Party
SLCh – Christian-People’s Party
SLD – Left Democratic Alliance
UD – Democratic Union
UP – Labour Union
ZChN – Christian-National Union

Appendix II. List of articles concerning multiple citizenship in the Polish press

Table 1. Articles concerning dual citizenship by their frequency and subject

Types of articles	<i>Gazeta Wyborcza</i>		<i>Rzeczpospolita</i>	
	Number of articles	Per cent	Number of articles	Per cent
Legislation in Poland major themes: <ul style="list-style-type: none"> ➤ Citizenship Act ➤ Polish emigrants ➤ Repatriation ➤ Forced emigration of Jewish population in 1968 minor themes: <ul style="list-style-type: none"> ➤ Reprivatisation 	30	14	61	26
Polish minorities in the context of international relations and ethnic minorities in Poland major themes: <ul style="list-style-type: none"> ➤ German minority in Poland ➤ Polish-German relationship ➤ Polish minority in Lithuania minor themes: <ul style="list-style-type: none"> ➤ Polish minority in Ukraine ➤ Bilateral agreements between Poland and the post-soviet countries 	17	8	25	10
Individual biographies major themes: <ul style="list-style-type: none"> ➤ Sportsmen minor themes: <ul style="list-style-type: none"> ➤ Businessmen ➤ Criminals and economic offenders ➤ Politicians ➤ Artists 	55	25	59	24
German debate major themes: <ul style="list-style-type: none"> ➤ Immigrants from non-European countries ➤ Elections minor themes: <ul style="list-style-type: none"> ➤ Racisms 	46	21	43	18
Citizenship in the former USSR	43	20	30	12
Others major themes: <ul style="list-style-type: none"> ➤ Ethnic minorities in other post-communist countries (i.e. former Yugoslavia, Czech Rep., Slovakia, Hungary) minor themes: <ul style="list-style-type: none"> ➤ Immigrants in other Western countries (i.e. France, Holland, Sweden) 	27	12	23	10
Total	218	100	241	100

Source: Own elaboration

Table 2. Articles concerning dual citizenship by their frequency and period (context) in which they were published; in number of articles

Period in which an article was published	<i>Gazeta Wyborcza</i> ¹	<i>Rzeczpospolita</i> ¹	<i>Nasz Dziennik</i>	<i>Trybuna</i>
15 II-31III 1998				
➤ Anniversary of March 1968	26 (8 letters)	14 (3 letters)	8 (2 letters)	8
➤ Repatriation and Poles on the East	-	-	8 (2 letters)	1
➤ Reprivatisation	-	-	1	1
➤ Concept of citizenship,	-	2	1	1
➤ Polish heroes, veterans, criminal and normal citizens, ie. Kuklinski, Nowak-Jezioranski	-	-	1	4 (1 letter)
1 VI – 31 VII 2000				
➤ Citizenship Act	11 (2 letters)	10 (8 letters)	3 (1 letter)	-
➤ Immigrants, ie. Olisadebe	5	-	-	4
➤ Reprivatisation	1	3	3	1
➤ Repatriation	-	3	4	1
➤ Racism in Poland	-	-	-	4
➤ EU citizenship	-	1	-	-
➤ Veteran benefits	-	1	-	-
➤ Polonia conventions	2	-	7	1

¹Including articles, notes, opinions and letters.

Source: Own elaboration

Appendix III. List of interviews with politicians and experts

It.^a	Description of an interviewee	Date of an interviews	Duration of an interview
1E	Civil servant in Office for Repatriation and Aliens	14.03.2003	2 h.
2E	Representative of “Polish Community”	17.03.2003	45 min.
3P	Senator, Right wing	20.03.2003	1 h. 40 min.
4E	Lawyer, independent expert	26.03.2003	0,5 h.
5E	Civil servant in Ministry for Foreign Affairs	28.03.2003	1,5 h.
6P	Senator, UW (centre),	02.04.2003	50 min.
7P	MP, PO (centre right)	03.04.2003	25 min.
8P	MP, SLD (centre left)	07.04.2003	0,5 h.
9P	MP, German minority	09.04.2003	40 min.
10E	High official, Office for Repatriation and Aliens	17.04.2003	1 h
11P	MP, PiS (right)	25.04.2003	40 min.
12P	Representative of the Prime Minister’s Chancellery (SLD - centre left)	09.05.2003	0,5 h.

^aInterviews are presented in a chronological order. Symbol ‘E’ is used for interviews with experts whereas ‘P’ stands for an interview with a politician.