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A SILESIAN REVOLT? IDENTITY RESTITUTION PROCESSES IN UPPER SILESLIA AND THE IDEA OF A UNITARY STATE

When describing decentralisation/devolution issues in European countries, it was noted that little was written about a unitary state in relevant literature. To start with, there is no definition of that concept. If sociologists or political scientists refer to *unitary state*, it is usually in opposition to the widely described model of a federal State. The term *unitary state* is used to describe a political organisation of a centralised national state.¹ A unitary state is a political organisation in which all power, or most of it, is in the hands of the central administration. Characteristically, in such a state, the central authority delegates some powers to local self-government units to execute specific tasks.² Typical features of a unitary state include: integrity of public authorities, uniform law applicable in the entire state, and territorial integrity, i.e. the lack of a territorial division (which is feasible in case of very small states) or a strictly administrative division. The above is possible because all power is in the hands of the central administration which delegates some of its executive powers to units at a lower level, operations of which are dependent on the central administration.³

In Poland, discussions about a new model of public administration began in 1989. The need for regionalisation appeared obvious, considering the country management system which was a combination of the previous and the new political system, the excessive number of small voivodships (“provinces”), the lack of demo-

¹ R. A. Rhodes, P. Carmichael, J. McMillan, A. Massey (2003), *Decentralizing the civil service. From unitary state to differentiated polity in the United Kingdom*, Philadelphia, p. 3.

² Actually, there many models of a unitary state. When reviewing political territorial solutions in modern states, Michael Keating notes that, undoubtedly, the archetype of a unitary state is the Napoleonic system established in France (though its beginnings go back to the French revolution during which, in the name of national unity, local privileges were liquidated, and new huge departments were established) with its uniform system of law and administration adopted later in many countries of Europe and, in particular, in its southern part. Its key feature is the uniformity of policy guaranteed by entrusting some administrative tasks of the central administration to officials “in the field”. M. Keating, *The Territorial State*, in: R. Axtmann (2003), *Understanding Democratic Politics. An Introduction*, London.

³ Cf. P. Sarnecki, *Uwagi do art. 164 Konstytucji RP*, in: *Komentarz do Konstytucji Rzeczypospolitej Polskiej*, Vol. IV, Warszawa 2007, p. 1.

cratically elected representative bodies in voivodships, and the necessity to create structures which would facilitate integration with the European Union, the policy of which underlined interregional contacts and cooperation.⁴ The debate on the reform of state administration resulted in numerous projects of a new territorial division of the country.⁵ On their basis, two basic approaches to future regions can be identified. In one approach, the then existing voivodships were to be covered by a network of greater units, i.e. regions. In the second approach, completely new voivodships were to be created. The first idea, for unclear reasons, did not have many supporters. Its opponents, in turn, claimed that the existing division of the country into 49 voivodships had too short tradition for people to identify with them strongly enough to make old voivodships a necessary level of the new territorial administration.⁶ Finally, the decision was taken to design voivodships anew and their concept was that of “regions”. More significant, however, was the concurrent discussion on their powers. Out of three basic models, the model of self-governing voivodships-com-regions was chosen. It fitted perfectly the concept of a unitary state where central authorities delegate some of their power to units at a lower level while remaining the only entity responsible for regional legislature and, consequently, regional policies. Thus, regionalisation was limited to de-concentration of power without substantially increasing the competencies of regions. The reluctance to strengthen the authority of regional self-governments resulted, to a large extent, from worries about the new democracy being fragile and, primarily, from typically Polish concerns about the inviolability of Poland’s borders.⁷ Autonomy of regions was and still is perceived by a large part of Polish society as a form of separatism and hence as a threat to the unity of the Polish State.

Another difficulty for regional communities is the fact that the concept of the Polish unitary state is closely related to the binding concept of Polish national identity. Jacek Wódz qualifies that identity as a Romantic one. It is “a symbolic amalgam, in which the Polish identity was supposed, first of all, to be symbolically uniform and based on common historical roots, and secondly, that identity – while glorifying

⁴ Cf. e.g. B. Jałowicki (1996), *Nowa regionalizacja*, “Przegląd Polityczny” No. 32.

⁵ From 1990 to 1992, as many as 26 various projects were presented with proposals to establish 6 to 14 regions.

⁶ As it turned out, during the introduction of the territorial reform in 1999, the identification was stronger than expected and the liquidation of old voivodships led to many protests and conflicts, some of which persist till today. A good example is the Bielskie voivodship and recurring ideas to separate it from the Silesian voivodship, i.e. the idea of the Podbeskidzie Autonomy Movement promoted by a group associated with Grażyna Staniszevska or their vision to establish a southern sub-region with its capital in Bielsko-Biała.

⁷ A good example may be the results of surveys about national security conducted since the 1990s by the CBOS [Public Opinion Research Centre]. Among potential threats, respondents have indicated our closest neighbours, i.e. Germany and Russia. They have justified their opinions with attempts of the two stronger neighbours to make Poland economically and politically dependent. Such historically conditioned fears were and are fuelled by rightwing politics.

the community of symbols – worryingly tolerated symbolic differences between particular regions perceiving them as a threat to the essence of the state”⁸. Such a model of national identity and of the state has been particularly unfavourable for regions distinct culturally and ethnically whose inhabitants were strongly attached to their regional identity and where efforts to increase the region autonomy were made. Such a region is Upper Silesia. Its history has been bound to the history of Poland since 1339 when Casimir the Great renounced all Polish claims to Silesia in the context legal battles in the papal court in the case Poland vs. Teutonic Knights. (In that trial one of arbiters was the king of Bohemia and Hungary.) Over the following centuries, Silesia was in Czech, Prussian and German hands.⁹ In result, a specific culture developed in that region, which is typical of borderlands where regular interactions with culturally different neighbours take place.¹⁰ Its culture combined elements of Polish, German, and Bohemian cultures with unique local culture elements. That culture has become one of core elements of the Silesian identity about which Emil Szramek wrote in 1934 as follows:

in result of the long infiltration, i.e. a national mixture, there are individuals who are not only bilingual but also have double national identity, similarly to boundary stones which have the Polish mark on one side and the German mark on the other, or boundary pear trees dropping off fruit on both sides. These are not people lacking character but having a borderland character.¹¹

After World War II, the Silesian culture was considered secondary to other regional cultures, and in particular to national culture. Its status was the result of its clearly borderland character:

The Silesian axionormative system and social behaviours which manifested it were thus socially defined as deficient but also essentially foreign culturally. In terms of categories of P. Bourdieu [...], it can be said that, owing to post-war processes and developments, the Silesian culture was socially defined as illegal.¹²

Silesians were subject to national verification.

⁸ J. Wódz, *Polskie regiony – dynamika tożsamości*, in: A. Michalak, A. Sakson, Ż. Stasieniuk, (eds) (2011), *Polskie Ziemie Zachodnie*, Poznań, p. 38.

⁹ Cf. e.g. J. Bahlcke, D. Gawrecki, R. Kaczmarek (2011), *Historia Górnego Śląska. Polityka, gospodarka i kultura europejskiego regionu*, Gliwice; A. Herzig, K. Ruchniewicz, M. Ruchniewicz (2012), *Śląsk i jego dzieje*, Wrocław; M. Czaplinski, E. Kaszuba, G. Wąs, R. Żerelik (2002), *Historia Śląska*, Wrocław; J. Bahlcke (2001), *Śląsk i Ślązacy*, Warszawa; K. Popiołek (1972), *Historia Śląska od pradziejów do 1945 r.*, Katowice.

¹⁰ Cf. e.g. M. Szmeja (2000), *Niemcy? Polacy? Ślązacy!*, Kraków, pp. 194-195; J. Wódz, *Region pogranicza – wyzwanie europejskie*, in: J. Wódz, (ed.) (1993), *Niektóre problemy społeczne w województwie katowickim*, Katowice; A. Kłoskowska (1996), *Kultury narodowe u korzeni*, Warszawa.

¹¹ E. Szramek (1934), *Śląsk jako problem socjologiczny*, "Roczniki Towarzystwa Przyjaciół Nauk na Górnym Śląsku" Vol. IV, Katowice, p. 35.

¹² W. Błasiak, *Śląska zbiorowość regionalna i jej kultura w latach 1945-1956*, in: M. Błaszczak-Waclawik, W. Błasiak, T. Nawrocki, (eds) (1990), *Górny Śląsk. Szczególny przypadek kulturowy*, Kielce, p. 128.

The economic and political transformation of the 1990s promised a chance to change the approach of central authorities to Upper Silesia and Silesians. Inhabitants of the region started to hope for a better future. That hope

followed from the permanent feeling that their group was ousted to socially peripheral positions, from regular 'exploitation' of the region and, finally, from the increasing negation of the People's Republic of Poland. [...] Expectations towards 'the new democracy' were remarkably high, especially in that region. Silesians felt disadvantaged. Rapid changes for the better were much awaited.¹³

The lack of any chances that expectations of the region's inhabitants would be met, the growing sense of economic alienation of the region deepened by restructuring of its heavy industry as well as the persisting feeling of being disadvantaged and the belief in the region's impairment became the basis for the revival of regional movements in the early 1990s. Their emergence, the growth of pro-autonomy tendencies, and the highlighting of cultural separateness caused many controversies.

In this article, processes of creating and restoring the Silesian identity after 1989 and issues resulting from a unitary concept of the state binding in Poland are presented. Contradictions between the adopted model of national identity and the identity of Upper Silesia inhabitants are discussed. The Silesian identity is based on a different canon of cultural values not matching the aforesaid model and, hence, it challenges the model. One of main objectives is to demonstrate that the present structure of the state is a basic cause of conflicts in Upper Silesia, of the support for regional movements and, most importantly, that it strengthens the process of Silesian identity restitution. The paper is based on qualitative and quantitative research conducted since 1997 and on analyses of secondary sources. I will limit the analysis to the part of Upper Silesia which in the past constituted the Katowickie voivodship. That choice largely results from the fact that most conflicts over the creation and restitution of the Silesian identity have taken place in that area and that there, three groups of prime importance for the emerging discourse about Silesia have been most active.

REGIONALISM AFTER 1989

The political and economic transformation which began in 1989, contributed to the revival of regional movements in Upper Silesia.¹⁴ Most important organisations on the regional political scene include: Upper Silesian Union (Związek Górnośląski),

¹³ M. Gerlich (2010), "My prawdziwi Górnoślązacy..." *Studium etnologiczne*, Warszawa, p. 75.

¹⁴ Cf. e.g. M. Szczepański, *Regionalizm górnośląski w społecznej świadomości*, in: W. Świątkiewicz (ed.) (1993), *Spoleczne problemy Górnego Śląska we współczesnych badaniach socjologicznych*, Katowice; idem (1998), *Regionalizm górnośląski: między plemiennością a systemem globalnym*, "Kultura i Społeczeństwo" No.1; idem, *Regionalizm górnośląski w świadomości społecznej*, in: B. Jałowicki, G. Gorzelak (eds) (1993), *Czy Polska będzie państwem regionalnym?*, Warszawa; J. Wódcz,

Movement for Silesian Autonomy (Ruch Autonomii Śląska), Union of People of Silesian Nationality (Związek Ludności Narodowości Śląskiej), German Working Group *Reconciliation and Future* (Niemiecka Wspólnota Robocza „Pojednanie i Przyszłość”), *Polish Silesia* Civic Movement (Ruch Obywatelski Polski Śląsk), Polish Western Union (Polski Związek Zachodni, PZZ), and Silesian Sovereignty Defence League (Liga Obrony Suwerenności Śląska). I will focus on activities of the first three groups because their activities and programmes have defined the shape of Silesian regionalism and of the discussion about the region and its future. What is more, problems with registration experienced by the Union of People of Silesian Nationality became the basis for restarting the discussion about the identity of Silesians and, above all, about the manner of defining regional and ethnic groups and national minorities in Poland.

In the beginning, the most influential organisation was the Upper Silesian Union, established on 30 November 1989. Its dominance on the regional political scene resulted primarily from the fact that, in contrast to the Movement for Silesian Autonomy and other regional organisations founded at the time, it enjoyed wide political support. Its core membership included members of regional political, cultural and social elites. In addition, the shared oppositional past of its leading activists and their activity in the Catholic Intelligentsia Club in Katowice were not without importance. The Union started to grow and develop its structures rapidly. In two years, it had field branches in the majority of large towns of the then Katowickie voivodship and in some towns in the Opolskie voivodship. Its political significance was becoming more apparent, too. The voivod and vice-voivod of the Katowickie voivodship, the head of the Office for State Security, the chairman of the voivodship regional parliament, several mayors and chairpersons of town and commune councils and MPs were members of that Union.

Having had such a political power, the Union became the main actor on the regional political scene and played the decisive role in preparing the development strategy for the Katowickie voivodship and the voivodship restructuring project. Its leaders were supporters of regionalisation and State decentralisation, and advocated the creation of the so-called Great Silesia. Great Silesia was supposed to be a region embracing all Silesian lands, including Opava Silesia (part of the Czech Republic) and parts of the historical Dąbrowa Basin (Zagłębie Dąbrowskie) in the Katowickie voivodship. The planned region had a clear cross-border character and the first step

Tożsamość śląska jako zjawisko polityczne, in: W. Świątkiewicz (ed.) (1998), *Regiony i regionalizmy w Polsce współczesnej*, Katowice; idem, K. Wódcz, *Regionalizm, dzielnicowość, tożsamość narodowa*, in: M. Wanatowicz (ed.) (1995), *Regionalizm a separatyzm – historia i współczesność. Śląsk na tle innych obszarów*, Katowice; T. Nawrocki, *Spór o regionalizm i regionalizację na Górnym Śląsku*, in: B. Jałowicki, G. Gorzelak (eds) (1993), *Czy Polska będzie państwem regionalnym?*, Warszawa; R. Geisler, *Oblicza śląskich regionalizmów. Od konfliktów do demokracji deliberatywnej*, in: K. Bondyra, M. Szczepański, P. Śliwa (eds) (2005), *Państwo, samorząd i społeczności lokalne. Piotr Buczkowski in memoriam*, Poznań.

towards its creation was the establishment of the Union of Upper Silesia and Northern Moravia Communes (Związek Gmin Górnego Śląska i Północnych Moraw) in 1992. Activities of voivod Czech and the Upper Silesian Union caused several protests of the Confederation of Independent Poland party and of the Polish Western Union¹⁵ which demanded the dismissal of the voivod. They argued that the establishment of such a Euro-region was contrary to Polish national interest.¹⁶

Allegations of the Confederation and the Polish Western Union seem absurd if we take into consideration the fact that from the very beginning of its existence, the Upper Silesian Union was an organisation of the native population, emphasising bonds of Upper Silesia with Poland and the unitary character of the Polish State. In no document of the Upper Silesian Union, there were suggestions to create an autonomous region. Instead, the Union underlined the need for regionalisation of the State and widening self-governance competencies of the region. In the opinion of the Union representatives, self-governance was supposed to be based on the concept of financial independence, meaning that some income generated in the region should remain there instead of being passed to the state budget. The concept was never properly developed by the Union activists and it was never determined what part of the income should remain in the voivodship and on what basis.¹⁷

In the late 1990s, the significance of the Upper Silesian Union started to fade. It was no longer the leading actor on the Silesian political scene. Now it is a formation with few members which, from time to time, organises cultural events which do not attract crowds. More importantly, the Union has not succeeded in reaching the youth in the region as it has nothing to offer to them. The best summary of its recent activity was given by Michał Smolorz.

In the past 20 years, the Upper Silesian Union, a former power, screwed up everything what could have been screwed up, but at the historical palace in Stalmacha street [...] in Katowice, one can still hear the classic verse: what can we screw up next, gentlemen, what? It is the only recipe for life of

¹⁵ The Polish Western Union appeared on the Polish political scene for the first time in 1934. It was a mutation of the Western Borderlands Defence Union. The group which appeared after 1989 was strongly linked to the Confederation of Independent Poland and, in 1991, introduced four MPs to the Sejm thanks to them being candidates "of" the Confederation. In Upper Silesia, from the very beginning, the Union activists were critical of activities of voivod Czech and the Upper Silesia Union which was associated with him. Opinions of Polish Western Union activists often contained comparisons to the "V column" and another partition of Poland. Voivod Czech was accused of unequal treatment of the region's inhabitants and excessive promotion of the native population. It was said that the voivod was obsessed with Upper Silesia, which was manifested in changing names of institutions in the voivodship by adding the adjective "Upper Silesian". There were jokes that under the rule of the voivod, Silesian dumplings would have their name changed to Upper Silesian dumplings.

¹⁶ Cf. e.g. T. Majcherkiewicz, *Górny Śląsk – opinie regionalnych elit administracyjnych w latach dziewięćdziesiątych*, in: Z. Leszkowicz-Baczyńska, (ed.) (2005), *Transgraniczność w perspektywie socjologicznej. Nowe pogranicza?*, Zielona Góra, pp. 275-278.

¹⁷ Cf. A. Skudrzykowska, J. Tambor, K. Urban, O. Wolińska (2001), *Gwara śląska – świadectwo kultury, narzędzie komunikacji*, Katowice, p. 25.

the coterie of losers consuming leftovers of past prosperity. None of them is ready to accept the fact that 23 years have passed since 1989 and that a new generation of Silesians has entered their adulthood, for whom wearing yellow pants and a wreath with beads, all those dialect contests and pseudo-folk songs are but a ridiculous theatre which has nothing in common with modern regionalism. That generation is not satisfied with licensed Silesian culture limited to celebrating Saint Barbara's Day, laying wreaths at the monument to insurgents, and singing 'Poof, poof from the pipe' [...]. I have the impression that chairman Andrzej Stania and people around him live in some imaginary world completely detached from reality, and that a dream of power still runs through their heads.¹⁸

At present, the Union struggles to survive and that struggle comes down to opposing the Movement for Silesian Autonomy.

The Movement for Silesian Autonomy appeared on the Silesian political scene a little later than the Upper Silesian Union, i.e. on 13 January 1990, in Rybnik. One year later, it was registered by the Voivodship Court in Katowice. From its very beginning, the Movement was perceived as an organisation more radical than the Upper Silesian Union. Its primary objective was the restoration of Upper Silesia autonomy. Its plan was that the first stage of that process would be the reconstruction of the autonomy on the basis of the Act of 15 July 1920. The Act granted substantial powers to the Silesian Sejm, both passive and active. The only matters beyond its powers were, in fact, matters related to foreign policy, customs, and the military.¹⁹ Such a design of autonomy evoked much controversy among inhabitants of the region but mostly outside it, i.e. it was controversial to Polish political parties and central authorities. The controversy resulted mainly from the lack of the tradition of autonomous regions in Poland and equating autonomy with separatism. The concerns grew in 1996 when some activists of the Movement for Silesian Autonomy founded the Union of People of Silesian Nationality.

The Movement for Silesian Autonomy built its position somewhat more slowly than its competitor, i.e. the Upper Silesian Union. The Movement was a local initiative and, at the beginning, it was perceived in that way by observers of political life in Silesia. That situation started to change with a new generation of regionalists who took control over the Movement. They steadily built a new image of the Movement as an association fighting for the case of Silesia and Silesians and taking care of the Silesian culture and tradition (hence, organisation of the Upper Silesian Heritage Days, digitalisation of Upper Silesian press, cataloguing the lost and stolen cultural heritage of Upper Silesia, and numerous conferences and debates devoted to the issue of culture and history of Upper Silesia). Initially, their activities resembled happenings which, on the one hand, resulted from the lack of financial resources and, on the other, allowed them to reach the youngest inhabitants of the region. The hard

¹⁸ M. Smolorz, *Związek Górnośląski spieprzył wszystko*, "Dziennik Zachodni" 28.04.2012.

¹⁹ Cf. e.g. M. W. Wanatowicz, *Województwo śląskie na tle Drugiej Rzeczypospolitej*, in: F. Serafin (ed.) (1996), *Województwo śląskie (1922-1939). Zarys monograficzny*, Katowice, p. 23. S. Janicki (1928), *Samorząd województwa śląskiego*, in: *Dziesięciolecie Polski odrodzonej. Księga pamiątkowa 1918-1928*, Kraków-Warszawa, pp. 201-203.

work paid off and since 2000, the popularity and importance of the Movement for Silesian Autonomy in the region have grown. From a small organisation in conflict with almost everyone, the Movement for Silesian Autonomy transformed into the strongest player on the Silesian political scene. It has been efficiently managed and avoided mistakes made by other Silesian organisations like focusing on their own community only, lacking a vision for the development of the region and the future of their own organisation, entering into inconvenient alliances with nation-wide parties²⁰, personal conflicts within their own organisation and, last but not least, promotion of the Silesian culture as folk art only.

SILESIA VS THE REPUBLIC OF POLAND: CONFLICT AREAS

The conflict caused by the identity resurgence in Upper Silesia includes three areas closely connected to the concept of the state and national identity adopted in Poland. The first one is the issue of granting the autonomy status to the region. The second one, evoking most controversy, is the issue of the existence of the Silesian nation. Finally, the third and seemingly least controversial area is the status of the Silesian dialect and attempts of regional organisations to grant it the status of a regional language. Those three issues are the main ones but, obviously, the list of problematic issues which are the cause of the conflict between Silesians and authorities of the Polish state is longer. At the margin of the above issues, there will always be the financial one as, undoubtedly, it is one of most important and fully articulated issues in relations between Upper Silesia represented by regional organisations and local inhabitants, and the state authorities.

Upper Silesia Autonomy

As I have already mentioned, the issue of Upper Silesia autonomy appeared in declarations of regional organisations already in the early 1990s. Autonomy demands resulted from the traditions of the region dating back to the inter-war period and addressed the popular idea of a Europe of regions.²¹ Restitution of the autonomy,

²⁰ The Movement for Silesian Autonomy (RAŚ) has cooperated with political parties, various organisations and associations on various projects but never abandoned its goals. When those objectives are at risk or a partner's vision of the future of the region is substantially different from the one of RAŚ, their paths diverge and RAŚ withdraws from the inconvenient arrangement. This can be illustrated with what happened to its coalition with Civic Platform (Platforma Obywatelska, PO) in the Silesian Sejmik (voivodship parliament) after the 2010 local elections. The appointment of Mirosław Sekuła as the voivodship marshal [i.e. the local parliament Speaker], the removal of Leszek Jodliński from the post of director of the Silesian Museum, issues related to a substantial conversion of the Silesian Stadium and a difficult situation of Silesian Railways, were reasons why the chairman of RAŚ resigned from being a member of the executive body of voivodship self-government and broke the coalition with PO.

²¹ In his pronouncements, the chairman of RAŚ has frequently referred to one of key authors of the

which the Śląskie voivodship enjoyed in the inter-war period, has been the primary objective of the Movement for Silesian Autonomy. Two most significant manifestations of that autonomy were the Silesian Sejm and the Silesian Treasury. Pursuant to the Act of 1920, the Silesian Sejm had full statutory powers in the following areas: the use of Polish and German languages in the Śląskie voivodship; legislation concerning Silesian administrative authorities as well as powiat, municipal and commune self-governments; administrative division of Silesia; sanitary legislation with the exception for regulations on fighting infectious diseases and contagious animal plagues; organisation of police forces and gendarmerie; construction, fire safety, and road inspection; all types and levels of education; church matters with the exclusion of the Concordat between Poland and the Holy See; support for the poor and fighting vagrancy and begging; legislation on professional agricultural organisations such as agricultural chambers, agricultural credit unions, accumulation of lands, agricultural and forest production, and amelioration; water law with the exclusion of artificial waterways and regulation of navigable and border rivers; legislation on public and private electrification; legislation on secondary and tertiary railways as well as electrical and motor transport; law on usury; matters related to public service facilities and public works financed by the Silesian Treasury; the right to decide annual Silesian budget and contract voivodship loans, and rights related to sale, exchange, and charge. Despite the creation of the autonomous voivodship, central authorities were not particularly

interested in expanding competences of the Silesian Sejm, as they supported the unification and integration processes in the State. Hence, Article. 81 of the April [1935] Constitution abolished the provision of the Organic Statutes which read that the Silesian autonomy cannot be liquidated without consent of the Silesian Sejm. The separate status of the Silesian voivodship remained unchanged however, until the outbreak of World War II and was formally abolished only in 1945.²²

In their declarations, representatives of the Movement have clearly underlined that the restitution of the autonomy from the inter-war period will be the first stage in their struggle to reach a stage (not fully defined) at which Upper Silesia obtains “full autonomy”.²³ With time and growth of the Movement, the concept of autonomy has become increasingly concrete. In the year 2000, Jerzy Gorzelik, chairman of the

idea of Europe of regions Denis de Rougemont but, generally, references have been mainly made to the concept of “Europe of 100 flags” of Breton national activist Yann Fouere. Following Fouere, RAŚ supports the idea of united Europe in which the role of a national state is significantly reduced and most of its powers is transferred to historical regions.

²² M. Wanatowicz, *Województwo śląskie (1922-1939)*, in: J. Bahlcke, D. Gawrecki, R. Kaczmarek (eds) (2011), *Historia Górnego Śląska. Polityka, gospodarka i kultura europejskiego regionu*, Gliwice, p. 242.

²³ During the initial period of the Movement’s existence, that “full autonomy” was a rather enigmatic slogan. It was nowhere specified what it was supposed to mean, what powers would be in the hands of the region, and on what legal basis that autonomy was to be introduced.

Movement, stated that members of the Movement were supporters of Euro-regionalism, in other words, they supported a Europe which

is a federation of regions, old historical regions, thus - as I have already said - [RAŚ] advocates the return to some natural geography of the continent. It is not about detaching some part of Poland and creating a state essentially similar but within other borders, that is a smaller state, a miniature of a national state. Instead, it is about creating such a political structure which, on the one hand, will meet the present needs, so the trend towards globalisation which is so much talked about and which surely is not just a slogan because it is a fact. Some national states are already not able to solve their problems, so there is a need for some greater structure. On the other hand, the basic structures will be those regions which are natural homelands and which, in a way, are adjusted to the human scale. A national state (Poland, France, Sweden) is already obsolete for two reasons: on the one hand, it stifles regions and individuals; it is too large for individuals and imposes on them certain solutions; regions and smaller communities are not able to oppose such a state. On the other hand, that state does not solve fundamental economic, security problems.²⁴

That vision still lacked a clear division of competencies between regions and the central authority. Some of few assigned powers were those connected with defence which, according to the chairman of the Movement, were to remain the domain of the central authority. What drew the attention, however, was the fact that the autonomy was a project which not so much concerned changes to the Polish model of territorial administration but one inscribed in processes taking place within the framework of the European Union like the emergence of common social and political space and common economy.

Recently, RAŚ prepared two draft documents essential to changing the status of regions in Poland: draft amendments to the Constitution of the Republic of Poland (the last version of that document is from 8 July 2011) and a draft of “Organic Statutes” defining the autonomy framework for the Silesian voivodship (the last version of which is from 15 January 2012).²⁵ The “Organic Statutes of the Silesian Voivodship” proposed by the Movement for Silesian Autonomy reads that the voivodship “has a legal personality and its separate rights are respected in accordance with the Constitution, the legal system of the Republic of Poland and international structures of which it is a member”²⁶. There is no information in any of the Movement documents which would indicate that the autonomy would be an introduction to a creation of a separate state or an attempt to create another German federal land. According to its leader, the Movement’s draft documents assume a change of the Constitution but, what is also important,

²⁴ An interview conducted in July 2000 as part of the research on Upper Silesian regionalism [co-author R. Geisler].

²⁵ Both documents are published on the Movement’s website: <http://autonomia.pl>. They are supplemented by a list of answers in the FAQ section.

²⁶ *Statut Organiczny Śląskiego Województwa Autonomicznego*, <http://autonomia.pl/n/statut-organiczny> [accessed: 20.04.2013].

the autonomy should be approved by the people concerned. That means that the autonomic or organic statutes, at a certain stage, should be approved in a referendum. In our concept of that entire procedure facilitating the development of such an autonomy, we are dealing with an initiative of regional elites, that is the existing voivodship parliaments, followed by negotiations at the central level and, later, the final product of those negotiations is assessed by society in a referendum. Of course, the existing voivodships can be combined and a draft of a joint autonomic statutes can be presented by self-governments of two neighbouring voivodships. And, of course, it is also possible to hold local referendums on administrative affiliation in disputed areas.²⁷

The autonomy is to ensure that inhabitants of Silesia can decide, to a larger extent, about the directions of the region development and on what the generated income is to be spent. Of course, that is also to allow to take care of the culture and history of the region.

In Poland, the idea of autonomy is surely not a most popular one. This is largely due to historical reasons. Poles, who fought for independence for many years, perceive attempts to reconstitute the autonomy of Upper Silesia as manifestations of separatism and attempts at changing the borders of the Polish State. That was clear in a report on the state security disclosed in 2000. The report, produced by the then State Security Bureau (Urząd Ochrony Państwa, UOP), mentioned the Movement for Silesian Autonomy as a potential threat. To quote:

The Katowice branch of the State Security Bureau monitors activities of some communities, groups, movements and associations as to whether the aims declared in their statutes are consistent with their actual implementation. We do it by monitoring generally accessible sources such as radio, TV, press, and the Internet. [...] Undoubtedly, separatist movements attract interest of intelligence agencies in all countries where such movements appear. They pose a potential threat to the state, its structures and stability which, of course, does not mean that they are combated. If their activities are consistent with their statutes approved by courts, there is no reason for concern both for such movements and the state which, as the very name of the Bureau indicates, we should protect. [...] **A potential threat to interests of the Republic of Poland, in particular in the context of Polish efforts to join the European Union, may be posed by activities of structures (sic!) affiliated to German *Landsmanschaft* organisations (Federation of Expellees). In this context, the massive propaganda for Silesian autonomy can be mentioned (implemented with involvement of some German minority communities and activists of the Movement for Silesian Autonomy).**²⁸

The idea of the autonomy caused concerns also among politicians, in particular those representing the right side of the Polish political scene. In 2008, Zbigniew Girzyński MP of PiS (Law and Order) party commented on an article by Kazimierz Kutz in which Kutz recalled that Prime Minister Tusk promised him to promote the idea of Upper Silesia autonomy in exchange for Kutz being a PO (Civic Platform) candidate in parliamentary elections. Girzyński argued that such promises were a worrying sign for Poland because they might lead to violation of the state integ-

²⁷ An interview conducted on 11 October 2012 as part of the research on new regionalism and post-colonialism in Upper Silesia [co-author R. Geisler].

²⁸ J. Dziadul, *Jaskółka kala gniazdo*, "Polityka" 29.04.2000, No. 18.

city.²⁹ In 2009, Rajmund Pollak, a former member of the Silesian Sejmik [voivodship parliament], wrote a letter to Prime Minister Tusk, in which he demanded to delegalise the Movement for Silesian Autonomy, arguing that it was an anti-Polish organisation which was a threat to the integrity of the Polish State. RAŚ was, in his opinion, “a new 5th column”, cooperating with *Landsmanschaft* movements and the Federation of Expellees of Erika Steinbach.³⁰

The lack of understanding of the autonomy issue has been also evident in pronouncements of Poland’s highest authorities. President of the Republic of Poland Bronisław Komorowski associated autonomy with a breakdown of the state and thus a threat to its integrity. In his opinion, one should think about Poland and its future a whole. Referring to the PO and RAŚ coalition formed in 2010 after local elections, he argued that it was dangerous to allow a formation advocating autonomy of regions to co-govern. He warned that it could result in a growing number of organisations with similar demands and advance regional autonomy which no one would be able to control and which would contribute to the weakening of the state. He underlined that the local government reform of 1999 was a major achievement of Polish democracy. Moreover, as a result of the reform, substantial powers were transferred to communes, poviats, and voivodships which helped resolving local problems more effectively. In his view, the autonomy demanded by RAŚ was not about decentralisation but about satisfying aspirations of some regional politicians.

The reluctance of Polish politicians to debate the concept of autonomy of regions largely results from the concept of a unitary state, characteristic features of which include a uniform legal system in the country and subordination of territorial administrative units to central authorities. Autonomy demands in Silesia are perceived as a threat to the Polish State. They are perceived as contrary to the existing model of the state and, therefore, wrong. Autonomous regions are not associated with solutions which for years have functioned in western Europe. They are associated with separatism and bloodshed, the best example of which are frequent comparisons of the Movement for Silesian Autonomy to ETA and the Basque Country. There have been no attempts to debate whether the introduction of autonomic regions in Poland could be beneficial for the development of the state and specific regions, and whether regions are necessary. No one makes the effort to review and evaluate the current regionalisation model in that context. No one tries to dispute the Movement’s proposals, that is to present rational arguments that the idea of autonomy is not feasible

²⁹ Cf. A. Szulc, *Górny Śląsk znów chce autonomii*, “Przekrój” 31.01.2008.

³⁰ An interview given by Pollak to “Nasz Dziennik” was an interesting supplement to his letter to Prime Minister. Repeating the argument about the threat posed by the Movement for Silesian Autonomy to the Polish State, he claimed that during a para-referendum on restitution of Upper Silesia autonomy organised by the Movement in Pszczyna, he saw cars with German licence plates at the outskirts of the city. He compared that event with the 1921 referendum on the future of Upper Silesia. He highlighted that some Silesians had both Polish and German citizenship. Thus RAŚ could easily organise a referendum similar to the one in 1921 and make 100 thousand Germans come and vote because they “are disciplined like an army”.

or is unnecessary because the existing solutions provide regions with sufficient powers to achieve their objectives and to develop further. The proposal of autonomy is rejected because it is seen as a threat to the state integrity and the existence of the state within its present borders.

The Silesian nation

The issue of the Silesian nation and nationality has appeared in discussions on Upper Silesia in connection with the founding and attempted registration of the Union of People of Silesian Nationality. The Union applied for registration to the Voivodship Court in Katowice on 11 December 1996. Its application was widely discussed not only in the region but also in the entire country. Local organisations and regional authorities reacted strongly. Both the name of the Union and provisions of its statutes appeared problematic. The statutory objectives included the awakening and embedding of national awareness of Silesians, activities aimed at reviving the Silesian culture, and protection of ethnic rights of people of Silesian nationality (§7). Any person having the Polish citizenship, who confirms in writing his or her Silesian nationality, may become a full member of the Union (§10). Most controversies, however, were evoked by §30, according to which the Union was an organisation of the Silesian national minority. On the one hand, the controversies resulted from the fact of “setting up” the Silesian national minority and, consequently, of the Silesian nation. On the other hand, they were related to legal consequences of the above. A recognition of the existence of the Silesian nation and Silesian national minority would entitle the Union to privileges granted in the Electoral Law to national minorities. According to that Law, election committees formed by national minority organisations do not have to reach the 5% electoral threshold. Moreover, Article 35 of the Constitution of the Republic of Poland of 2 April 1997 reads that national minorities have “the right to maintain and develop their own language, to maintain customs and traditions and to develop their own culture” and “the right to establish educational or cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity”³¹. Thus those rights would be granted to the recognised Silesian national minority as well.

The case of the registration of the Union of People of Silesian Nationality was settled by courts of all instances in Poland and, finally, reached the Court of Human Rights in Strasbourg. In Poland, a court of first instance registered the Union, taking its decision on the basis of the Law on Associations of 7 April 1989. The court decided that the Union’s Statutes did not violate legal regulations in force, and that the decision whether the Silesian nation and Silesian nationality existed was not in the competence of the court examining the application and was not the subject matter

³¹ *The Constitution of the Republic of Poland*. Text adopted on 2 April 1997, <http://www.sejm.gov.pl/prawo/konst/polski/konl.htm> [access 20.04.2013].

of the dispute being settled. The court decision which was favourable to the Union was widely commented by politicians. The then President of Poland, Aleksander Kwaśniewski, commenting on that decision said:

Although it is not my habit to comment on court decisions, it seems to me that the appeal procedure should be launched to explain that issue. In my opinion, a Silesian nationality, understood as a separate nation, is a misuse. Of course, there are Silesians. Similarly are people of Wielkopolska region and others. Thus there are groups of Polish society which have their own traditions, linguistics features, and perhaps even separate interests. But issues of Silesia cannot be considered in terms of nationality and obscure what really the essence of nations is according to global standards. I will request the substantiation of the court decision to be sent to me. Because, honestly, I do not understand the intention of people who want something like a Silesian nationality to be legally approved. If that is a harbinger of separatism, or of Italy's experience with Padania, it would be, of course, terrible.³²

The decision of the court caused consternation among regional authorities and they decided to appeal. On 24 September 1997, when examining the application filed by Katowicki voivod Eugeniusz Ciszak³³, the appellate court in Katowice decided to change the decision of the court of first instance and dismissed the application for the registration of the Union. The appellate Court decided that “the Statutes presented by the Union are invalid in accordance with Article 58 of the Civil Code because the Statutes violate social norms. In compliance to Article 288 § 1 of the Code of Civil Procedure, facts widely know do not require justification and such a fact, in the opinion of the Court, is the non-existence of the Silesian nation. [...] Silesians are a separate group in a regional and not national sense.”³⁴ It is worth underlining that, in its decision, the court for the first time referred to issues which were not directly the subject of the dispute. The basis for rejecting the application for registration of the Union of People of Silesian Nationality was not the Law on Associations, but the Court's conviction about the non-existence of the Silesian nation.

As one may easily guess, the position taken by the appellate court on the existence of the Silesian nation resulted in the Union lodging a pleading with the Supreme Court which, similarly to the appellate court, dismissed the registration application. Again, the compliance with the Law on Associations was not part of the court

³² A comment for *Sygnaty dnia* of 27.04.1997

³³ In an interview in July 2000, a key officer in the Katowice Voivodship Office said that one should also consider the fact that voivod Ciszak “was quite strongly associated with PSL [agrarian Polish People's Party] [...] It is a fact that, let's say, a sense [...] of national identity or a patriotic feeling is very strong among farmers and PSL has always supported patriotic trends [...] voivod Ciszak was also under great pressure, [...] he became a voivod owing to personal support of prime minister Pawlak. At that time, SLD [Democratic Left Alliance] was already in power, but voivod Ciszak [...] as if remembered about his roots and how he made it to the Voivodship Office. There was a great pressure to do so [to appeal], in particular on the part of PSL coalition activists, but I think that SLD, which was in power at that time, pressed the Katowickie voivod as well”. The interview was conducted as part of the research on Upper Silesian regionalism in July 2000 [co-author R. Geisler].

³⁴ *Naród odwołany*, “Dziennik Zachodni” 25.09.1997 No. 224.

reasoning, and the court referred mainly to the definition of a nation and objective determinants of its existence. The Court argued that: “the choice of nation [national affiliation] by an individual is always inseparably connected with objective criteria relevant to national identity. [...] An individual has, therefore, the right to make his or her subjective choice about nationality [...] but that does not result directly in the emergence of a new separate nation or national identity.”³⁵ The Court also noted that a Silesian nationality does not exist because Silesian people have never been treated by other national and ethnic groups as a separate nation. Hence, the belief of a few people that they belong to such a nation cannot change that objective fact in any way. Moreover, the Court did not see any obstacles to the realisation of objectives specified in the Union’s Statutes by other already existing organisations.

After the decision taken by the Supreme Court, there was no more possibility to lodge a pleading again in Poland. Therefore, the Union’s activists submitted their complaint against Poland to the European Court of Human Rights. The judgement of the Court was anxiously awaited in Poland and many other European countries. It was assumed that a judgement favourable to the Union of People of Silesian Nationality could set a case law to be respected by courts in Europe and thus open the path to demand compliance with claims of various separatist organisations for years active in EU members states. In December 2001, the Court upheld the decision of Polish courts. It acknowledged that the Poland had the right to dismiss the Union’s application for registration. In the context of the unitary state concept, the following part of the Court judgement is interesting:

The Court would also point out that pluralism and democracy are, by the nature of things, based on a compromise that requires various concessions by individuals and groups of individuals. The latter must sometimes be prepared to limit some of their freedoms so as to ensure the greater stability of the country as a whole. This is particularly true as regards the electoral system, which is of paramount importance for any democratic state. The Court accordingly considers that, in the particular circumstances of the present case, it was reasonable on the part of the authorities to act as they did in order to protect the electoral system of the state, a system which is an indispensable element of the proper functioning of a “democratic society” [...].³⁶

The court admitted that there is no legally approved definition of a national minority, which results in legal uncertainty for individuals, especially since persons claiming to belong to a minority, in order to be recognised as such, had to make use of a procedure which was not designed for that purpose. That gives authorities much freedom in making decisions about which of the groups should be considered a minority. In the case of the Union of People of Silesian Nationality, however, the issue

³⁵ A copy of the document in my archive.

³⁶ The European Court of Human Rights, the Fourth Section, *Case of Gorzelik and Others v. Poland*. Application No. 44158/98. Judgement, 20 December 2001; [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx#{"appno":\["44158/98"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx#{) and see 44158/98 44158/98 | Judgment (Merits and Just Satisfaction) | Court (Fourth Section) | 20/12/2001 [accessed: 20.04.2013].

of the possible existence of Silesian nationality proved to be less important than a possible disturbance of the existing social order caused by the Union's registration.

The decision of the European Court for Human Rights did not mean the end of the battle for Silesian nationality. Prior to the 2002 National Census, activists of the Movement for Silesian Autonomy and of the Union of People of Silesian Nationality launched a campaign among inhabitants of Upper and Lower Silesia, during which they encouraged inhabitants of those regions to declare their Silesian nationality in the census. The results of the campaign surprised many observers in Poland, made some politicians of major parties anxious, and caused heated debates in the media. According to results of the Census published by the Central Statistical Office, Silesian nationality was declared by 173,153 people.³⁷ Thus, Silesians became the largest minority in Poland. To compare, the German minority, long considered the largest one in Poland, had 152,897 members according to the same census. For Kazimierz Kutz, a film director and a Silesian, what happened during the Census was "a great triumph of democracy. Finally people stopped to be afraid to admit who they are. And they have the right to say who they are. Silesia was under various governments and part of various States and people there were but a workforce. Now they have demonstrated that they do exist and it would be good if authorities understood that."³⁸ Jacek Wódz commented on the results, saying: "First of all, Silesians are not a nationality, but a group. Secondly, the fact that they called themselves 'a nationality' in the census is not enough. To be a nation(ality), it is necessary that other people recognise such a group as a nation [...]. And, thirdly... Only 173 thousand, and what kind of a nation is it?"³⁹ In his analysis of the issue of the Silesian nation, Lech Nijakowski referred to a catalogue of conditions which are necessary and sufficient for a nation to exist⁴⁰, arguing that in the case of Silesians they are not met because they are

an ethnic group, whose members make very different declarations in response to the question about who they are. Some of those responses can be treated as a declaration of national identification (mainly Polish or German, and Czech in Cieszyn Silesia), some as a declaration of regional or ethnographic identification, and other as a declaration of ethnic identity. Such an answer, however, is not complete because it does not take into consideration dynamic transformations of the Silesian community.⁴¹

³⁷ Numerous irregularities were reported during and after the Census, mainly refusals to enter Silesian nationality and cases of Polish nationality being arbitrarily entered by census collectors. Such irregularities were confirmed by the Helsinki Foundation for Human Rights.

³⁸ *Kto Ty jesteś? Ślązak!*, "Gazeta Wyborcza. Katowice" 20.06.2003.

³⁹ *Ibidem*.

⁴⁰ That catalogue, according to Nijakowski, included: having an ethnic territory; considering that territory to be the native land and inhabiting it; active and creative maintenance of the community's own distinct cultural heritage by its members; existence of a common language or languages; self-categorisation as a nation and belief in shared ethnic origin; existence of numerous strong social ties among people belonging to various social categories; existence of common self-stereotypes and biases; having a State at present, in the past or manifesting the will to create one or to gain a considerable autonomy; belief of "the social environment" in cultural and/or ethnic distinctiveness of a given community.

⁴¹ L. Nijakowski, *O procesach narodotwórczych na Śląsku*, in: L. Nijakowski (ed.) (2004), *Nadciągają Ślązacy. Czy istnieje narodowość śląska?*, Warszawa, p. 155.

Preparations for the next Census (2011) involved a wide information campaign addressed to inhabitants of three voivodships: Śląskie [Silesian], Opolskie, and Dolnośląskie [Lower Silesian]. That time more regional organisations got involved. Active were also people previously not associated with activities of regional movements. One of them was Marek Plura, MP of PO, who appealed to Silesian organisations to launch a joint information campaign encouraging people to declare their Silesian nationality in the Census. Plura succeeded in winning the cooperation of e.g. activists of the Upper Silesian Union strongly dissociating themselves from activities of the Union of People of Silesian Nationality and the Movement for Silesian Autonomy. The campaign was also strengthened by the *Raport o stanie Rzeczypospolitej* [Report on the condition of the Republic of Poland] published by PiS, in which it was argued that “the **Silesian identity** which rejects Polish **national** affiliation is simply a kind of cutting off from the Polish identity and, presumably, it is a camouflaged adoption of the German option”⁴². When asked to comment on the above, Jarosław Kaczyński, the leader of the party, stated that he and his political party treat all people who claim that the Silesian nation exists, as a camouflaged German “option”. His comment outraged a large part of the population living in that region and those who previously did not intend to declare their Silesian nationality did so during the Census.⁴³ Kaczyński’s comment was considered a manifestation of the typical of the Polish State treatment of Silesians not as citizens of Poland but as representatives of the German minority struggling to separate Silesia from Poland. In the opinion of the region’s inhabitants, it was a typical manifestation of the long colonial policy of the State towards Silesia and the lack of understanding for Silesian cultural distinctness. The 2011 Census turned out to be another success of regional organisations. According to the latest data published by the Central Statistical Office, the Silesian nationality was declared by 847 thousand people, 376 thousand of whom declared it as their only national identity.⁴⁴ Thus, once again Silesians turned out to be the largest minority in Poland. It is worth noting that the second largest minority proved to be the Kashubian one with 233 thousand people. Marek Szczepański commented on the results of the Census in the following way: “RAŚ has recently had great election results. That census is also their success. The question is what next? Will the region benefit from those data? I would like to learn how RAŚ is going to utilise those dec-

⁴² *Raport o stanie Rzeczypospolitej*, Law and Justice Office, Warszawa 2011, pp. 34-35.

⁴³ What is more, the Silesian nationality was declared by people who did not live in Silesia and were loosely or not at all connected with that region, just to annoy Kaczyński. One of them was Marcin Meller who posted the following note on his Facebook profile on 3 April 2011: “watching nationalistic instigations by Jarosław Kaczyński and his journalists, I publicly declare that I am going to declare the Silesian nationality in the general census despite of the fact that my only link with Silesia is my Silesian wife. I witnessed such abomination as this threatening people with Germans and questioning their Polish identity in the time of the martial law and I read about such abomination while reading about March 1968 [in Poland].”

⁴⁴ Data published in 2012, http://www.stat.gov.pl/cps/rde/xbcr/gus/Przynaloznosc_narodowocna_w_2011_NSP.pdf.

larations and whether local population will get mobilised to take pro-social attitudes towards their ‘little homelands’⁴⁵.

The trouble with the Silesian nation is, to a large extent, the result of the lack of one binding definition of a *nation* and, more precisely, the lack of its objective determinants. When describing problems connected with defining a national identity and a nation, A. D. Smith draws attention to two basic models which have developed over centuries. The first one has its roots in the Western tradition where nations were seen as culture communities whose members were united by common historical memories, myths, symbols and traditions. What is relevant in the context of the Silesian nation trouble, components of the Western model of the nation include historic territory, legal-political community and legal-political equality of members. In the Eastern tradition, which in Smith’s opinion is typical of Eastern Europe and Asia, an “ethnic” concept of the nation is common. That model emphasizes a community of birth and native culture.⁴⁶ Therefore, in the Western model, the nation is associated with the state, while in the Eastern model it is associated with culture.

The first school has its roots in a political concept of the nation which gains the shape in an already existing state. In the second one, the starting point is the ethnicity concept, the core of which are people usually deprived of their state. If the state existed and national identity could gain shape there, a voluntary understanding of the nation evolved in which the will to form a political community came first. If there was no common state, intellectuals referred to the so-called natural categories, i.e. categories related to the reality existing prior to the formation of the state such as language, origin and culture, and construed – in their presentations – a community based on culture and origin. What is typical of that school is the belief that nations exist first outside state structures.⁴⁷

The dispute about what the nation is, constitutes the primary axis of the conflict between representatives of RAŚ and authorities of Poland. Opponents can be divided into supporters of the definition that highlights objective determinants of the existence of a nation such as language, territory and institutions, and supporters of the definition referring to the subjective determinants of a nation which include self-identification, behaviours and feelings.⁴⁸ The second definition is definitely closer to the Movement for Silesian Autonomy and the Union of People of Silesian Nationality. In their definitions of what a nation is, the most important role is played by the self-identification of Silesians as members of the Silesian nation. In the case of Upper Silesia, this is surely a most important determinant of group affiliation. Other de-

⁴⁵ *Spis Powszechny: Ślązaków jest ponad 800 tys.*, “Gazeta Wyborcza” 22.03.2012.

⁴⁶ A. D. Smith (1991), *National Identity*, Reno, p. 11.

⁴⁷ U. Altermatt (1996), *Das Fanal von Sarajevo. Ethnonationalismus in Europa*, Wien [Polish translation: *Sarajewo przestrzega. Etnonacjonalizm w Europie*, Kraków 1998, pp. 36-37].

⁴⁸ Cf. A. D. Smith (1997), *Theories of Nationalism*, London [Polish translation: *Nacjonalizm*, Warszawa 2007]; S. Fenton (1999), *Ethnicity: Racism, Class and Culture*, London [Polish translation: *Etniczność*, Warszawa 2007]; A. D. Smith (1986) *The Ethnic Origins of Nations*, Oxford [Polish translation: *Etniczne źródła narodów*, Kraków 2009]; J. Hutchinson, A. D. Smith (1996), *Ethnicity*, New York.

terminants, due to the complicated history of the region, are not always “workable”, i.e. sufficient to ascertain whether a given individual is a Silesian or not.⁴⁹ At this point, it is worth recalling Gordon Mathews’ ideas. In his analysis of changes taking place in today’s societies, Mathews argues that at present we live in global cultural supermarkets which provide us with seemingly unlimited possibilities to choose who we are, what values we identify with, and what the basis of our identity is. Longing for the sense of connection with a wider whole, individuals construct their sense of home from the cultural supermarket’s shelves, and endeavour to forget that their cultural home is a recently erected construction.⁵⁰ Taking into consideration the complexity of national and regional identifications typical of inhabitants of Silesia, RAŚ and its concept of the Silesian identity is an offer⁵¹ and it is a quite interesting one. On the one hand, it is an offer departing from the traditionally defined Silesian identity based on natal and behavioural determinants. That identity was problematic for a large part of inhabitants who arrived in Silesia after World War II attracted by prospects of higher earnings, jobs and accommodation. On the other hand, it is a modern offer which one does not need to be ashamed of or hide. It allows to construct a self-image which does not make one “lesser” in relations with others. Such a definition of oneself as a Silesian is based on various characteristics and, inevitably, they are related to the specific culture of Upper Silesia. In the opinion of the leader of RAŚ, what is characteristic of that region is a sort of over-interpretation of features or attitudes resulting from a different history of Upper Silesia. They are often called the pillars of the traditionally understood Silesian identity:

the ethos of work, commitment to family and to the Church. Statistically, religion is probably more practiced, even much more than in the neighbouring non-Silesian diocese that is the diocese of Sosnowiec. Those differences, however, become less and less noticeable. I think that some level of technical culture, which is a result of industrial conditionalities, is still higher. There is a different perception of history, some other kind of historical sensitivity – perhaps we have talked about it last time – which I could compare to the contrast between the worm’s-eye view and the bird’s-eye view. So, traditionally, the Upper-Silesian perspective is the worm’s eye view, owing to which we see history and historical processes through the prism of individuals and their experiences. The Polish perspective, in turn, is the perspective conditioned by a metanarrative, which allows to synthesise but which fails to recognise the experience of an individual. I believe that it is rather important, because contrary to what one may often hear, the way we look at history determines also our relations with the environment and our thinking about the future.⁵²

⁴⁹ A good example is, for instance, the language used by autochthonic and immigrant inhabitants of the region. However, the youngest generation of Silesians speak the local dialect much less. Interestingly, recently some Silesian tongue courses have been offered in the region and they enjoy considerable popularity among the youngest inhabitants.

⁵⁰ G. Mathews (2000), *Global Culture/individual Identity: Searching for Home in the Cultural Supermarket*, Abingdon UK, New York NY [Polish translation: *Supermarket kultury. Kultura globalna a tożsamość jednostki*, Warszawa 2005, p. 35].

⁵¹ Cf. A. Kłoskowska (1996), *op. cit.*, pp. 252-277.

⁵² An interview conducted on 11 October 2012 [co-author R. Geisler].

One more issue is relevant here, i.e. the concept of the state and national identity adopted in Poland. For centuries, the Polish State has been built on a canon of national identity having unitary characteristics. In result, the Polish identity of each citizen is taken for granted, similarly like the uniformity of national culture. In that context, “the other” is perceived as “the foreign”, and not sharing the same canon of values is treated with great suspicion. That canon of identity was consolidated in the communist People’s Republic of Poland. After the regime change, the history of the Polish nation was hardly debated. The justification for Poland’s borders invoking the vision of Poland during the Piast dynasty, which was typical of the former regime, was adopted as well. The result of such a perspective was, *inter alia*, a discussion which accompanied the 90th anniversary of the 3rd Silesian uprising (1921) and Silesia becoming part of Poland again. Some referred to the historical event as “the annexation of Silesia to Poland” and others as Silesia’s “return to the motherland”.

Poles have never had a tradition of a political debate which would facilitate consolidation of certain rational views on our past. Certain visions were imposed on us. I was taught history right after World War II and my teachers, who were great authorities such as Professor Labuda, taught me that the Western Lands were always Polish and they simply returned to the Motherland. That issue, however, has never been seriously discussed in Poland. If views were exchanged, those who were of a different opinion were considered revisionists and were not to supposed to be talked to. Today, instead of feeling offended, we should create a platform for discussion.⁵³

To sum up, it appears that the refusal to register the Union of Population of Silesian Nationality has contributed to the escalation of the conflict in the region. What is more, that refusal results solely from an irrational fear of the state authorities afraid of escalation of demands of regional organisations (mainly of the Movement for Silesian Autonomy and of the Union of People of Silesian Nationality), and not from legal provisions.⁵⁴

The Silesian language

One of basic determinants of Silesians as a regional group is their language. Its role in Upper Silesia has been particularly important. It was one of basic determinants of one’s membership in the group; it separated “us” from “the others”. It made

⁵³ J. Wódz (2012), *Polskość na Śląsku – śląskość w Polsce*, “Śląsk” No. 9.

⁵⁴ In July 1997, the Legal Office of the Chancellery of President Aleksander Kwaśniewski commissioned an expert opinion on national minorities in the light of national and international law, with special focus on the issue of registration of the Union of People of Silesian Nationality. In that expert opinion, Anna Michalska and Renata Hliwa write that: “the statutory objectives of the Union are not inconsistent with the binding legal order irrespective of the fact whether ‘the Silesian nation’ does objectively exist in the light of the aforementioned criteria. What is more, one cannot deprive a group of citizens of their right of association even if objectives of their association are objectively impossible to implement (awakening and strengthening of national awareness of a nation which does not exist), especially in the light of citizens’ freedom to express different views and pursue their individual interests, which freedom of association is to serve.” (Typescript in the author’s archive.)

the group unique and distinguished it from other groups, but at the same time it also protected the group against the others. The knowledge of the dialect was common among inhabitants of the region⁵⁵ who, frequently, did not know standard Polish well. It is worth underlining that the Silesian dialect was an everyday language, spoken with family, friends and neighbours. Polish, just like German in the past, was the official and literary language. It was spoken at schools, offices and at work, although not always and not everywhere. After World War II, the authorities initiated the process of the country cultural unification which in the case of Western and Northern Lands frequently meant re-Polonisation or Polonisation of those territories. The culture typical of Upper Silesia, due to its distinctness and characteristics typical of borderland culture, was considered not fully Polish. Central authorities took many measures to harmonise it with the national culture, mainly to eliminate elements resulting from the intertwining of Polish, German and Czech cultures in those areas. They fiercely fought all traits of German culture or what was associated with it. That was a complex problem due to fact that it was

also a matter of language and thus street names, signboards, advertisements and other letterings. That included also first names, surnames and documents. There was also a symbolic level referring to the past, to the dominant culture, its traditions and artefacts. Those were cemeteries, churches, monuments and their complex symbolism. Thus the scope of liquidation of what was German and of de-Germanisation in Upper Silesia was considerable.⁵⁶

One of the victims of those activities was the Silesian dialect which was considered not Polish enough and contaminated with too many German features.⁵⁷ Efforts were made to eliminate the dialect from public life and replace it with the Polish language.

In 1989, groups of specialists associated with regional organisations started to work on codification of the Silesian language. That objective, however, seemed unrealistic. Many linguists argued that in case of Silesia, one could, at best, talk about many Silesian dialects of the Polish language. There was no single model of the Silesian dialect⁵⁸ and – what was highlighted – there were no literary works in that dialect. In 2000, the leader of RAŚ commented on that issue as follows:

⁵⁵ The ability to speak the dialect is still common in Upper Silesia. My research conducted in upper secondary school in six towns in the Katowice part of the Silesian voivodship, revealed that only 11.1% of students did not understand the dialect and were not able to speak it. As many as 88.9% knew the dialect, of whom 14.4% spoke it every day and 13.2% very often. Most frequently, as one may expect, the dialect was spoken in private with family and friends. There were also frequent responses proving that the respondents spoke the dialect not being aware that they did so. The importance of the dialect is also evidenced by the fact that as many as 54.8% of upper secondary school students considered it to be the most characteristic feature of Silesian culture.

⁵⁶ M. Gerlich (2010), *op. cit.*, p. 169.

⁵⁷ It is important to highlight that the same dialect was not German enough for Germans who called it *Bastardsprache* or *Wasserpolnisch*.

⁵⁸ The Silesian dialect in various regions differs in terms of vocabulary, pronunciation, inflection, and kinds of borrowings (in some areas there are more Bohemisms, in other more Germanisms).

one should make the effort to codify the Silesian dialect and to grant it the status of a full literary language because, at present, it is a sort of an incomplete language, and with that I agree [...]. If we want the Silesian language to survive, we must make a step forward, we must make the effort to codify it. Of course, the State will not do that. Linguists working for the state will not do it because that is against their interest and the national state does not pay them to support a development of Silesian culture promoted as an element of European culture and not of a Polish national culture. Thus there are no illusions. We need to look for support somewhere else, among our people, among people with appropriate education and among people in Europe who have similar experience.⁵⁹

At the beginning, the work on codification progressed very slowly, owing to the fact that there was no single established group which would do that work officially with some help of experts. The work was carried in various centres and by various groups; frequently some work was done by individuals in their own study rooms and it was not shared with others. The work was also frequently interrupted and stopped. When the codification issue was raised again, the work started anew from scratch. In spite of the lack of substantial progress in the codification of the Silesian language, in the 2002 General Census as many as 56.6 thousand respondents declared that it was the language they used at home.

The issue of the legal status of regional languages in Poland was supposed to be finally resolved by the Act on National and Ethnic Minorities and Regional Language of 31 January 2005. The Act specified that a *regional language* is every language traditionally used within the territory of a given state by its citizens whose group is considerably smaller than the rest of the population of that state and which – what is important – differs from the official language of that state. In the light of the Act, a dialect or immigrants' language cannot be considered a regional language. In the opinion of legislators, the only regional language in Poland was Kashubian. The publication of the long-awaited Act with such a content was perceived by activists of some regional organisations and inhabitants of Silesia as evidence of the unequal treatment of Silesians and a revenge of central authorities for the demands of the region to restore its autonomy and for declarations of the Silesian nationality in the 2002 General Census.

In September 2007, a group of 23 MPs representing Śląskie (Silesian) and Opolskie voivodships submitted to the Sejm their joint project amending the Act and granting the status of a regional language to the Silesian dialect. In the project justification, they argued that after the Act came into force, much work was done to codify their language and that granting it the status of a regional language “will make it supported by the Polish State. This will not change the actual existence of the Silesian language which is used within the territory of Upper Silesia as a language used not only at home but also in interpersonal contacts, in the media and books.”⁶⁰ It was

⁵⁹ An interview conducted in July 2000 as part of research on Upper Silesian regionalism [co-author R. Geisler].

⁶⁰ 23 posłów chce nadania gwarze śląskiej statusu języka regionalnego, “Gazeta Wyborcza” 7.09.2007.

also underlined that in 2006, the Silesian language was registered by the International Organisation for Standardization. In 2007, the *Pro Loquela Silesiana* Society for Cultivation and Promotion of the Silesian Speech (Towarzystwo Kultuwowania i Promowania Mowy Śląskiej) was founded and has played an important role in advancing the works on the codification of Silesian and its recognition as a regional language. According to the statutes of the Society, its main objectives include:

ensuring appropriate recognition of the Silesian speech in the community of Upper Silesia and its presence in the public space; promoting knowledge of the Silesian speech; initiating and supporting works aimed at unification of Silesian spelling, grammar, and lexis; promoting the Silesian speech via the media and publications, and supporting authors using the Silesian speech.⁶¹

Thanks to the Society's efforts, a group of six academics was formed⁶² and prepared expert opinions on the Silesian language which were later attached to the amendment project submitted by the MPs.

Despite actions taken, the project of amendments to the Act was dismissed in May 2010. The Ministry of the Interior justified its decision emphasising that a language is a product of history and, therefore, requires many centuries to develop. The Silesian dialect, although to some extent distinct from other dialects of the Polish language such as Masovian, Lesser Polish (of Małopolska), or Greater Polish (of Wielkopolska), is still just a dialect of Polish and not a separate language. Its distinctiveness is a result of the complicated history of the region and its long-lasting separation from Poland, as a consequence of which the Silesian dialect kept developing outside the main stream of the Polish literary language. The justification mentioned also the presumed analogy between the Silesian tongue and the Kashubian language, underlined by the authors of draft amendments. In the opinion of the Ministry, such an analogy does not exist due to the fact that in the case of the Silesian dialect, no recognised authorities on linguistics or ethnology confirmed the thesis about the existence of a separate Silesian language. It was also underlined that efforts aimed at granting it the status of a regional language were politically motivated and were a clear manifestation of ambitions of activists of the Movement for Silesian Autonomy. The dismissal of the amendment project did not discourage members of regional organisations. Actually, it contributed to the intensification of efforts to codify the Silesian tongue and build a strong lobby for amending the Act. At the same time, the dismissal was interpreted as another instance of the lack of understanding for Silesia and Silesians on the part of central authorities, and as a manifestation of oppression

⁶¹ Statutes of the *Pro Loquela Silesiana* Society for Cultivation and Promotion of Silesian Speech, Chapter II, <http://silesiana.org.pl/statut-rozdzialy-i-ii/> (in Polish) [accessed: 20 April 2013].

⁶² Experts from various research centres invited by *Pro Loquela Silesiana* to join the group included Jolanta Tambor (linguist), Tomasz Wicherkiewicz (linguist), Tomasz Kamusella (sociolinguist), Elżbieta Anna Sekuła (sociologist, culture expert), Juan Lajo (Asturian Language Academy), and Jerzy Dadaczyński (philosopher).

by the excessively centralised state which, afraid of losing its authority, throttles regional communities seeking to increase their autonomy.

Few months after the dismissal of the amendment project, Marek Plura⁶³, MP of PO, once again submitted draft amendments to the Act on National and Ethnic Minorities and Regional Language, but this time signed by a group of 65 MPs representing Śląskie and Opolskie voivodships. The leader of the Movement for Silesian Autonomy assessed that initiative in the following way:

that issue is still on the table but we have not managed yet to make a considerable step forward. By a considerable step I mean a step that would lead to some measurable progress. As far as the awareness is concerned, then yes, we have moved forward. The pressure on central authorities is growing and I think that sooner or later concessions will be made because they will have to be made.⁶⁴

As it turned out, the new project of amendments was also dismissed, in February 2013. That issue, however, was widely covered due to Franciszek Marek's opinion which was one of 11 expert opinions prepared for MPs working on the amendments to the Act on National and Ethnic Minorities and Regional Language. In his expert opinion, Marek, a Silesian historian, wrote that the amendments to the Act proposed by the "Silesian" team of experts

seem devilishly cunning and prove that their authors are clever but cynical and, in my opinion, also demoralised experts. If those amendments become legally effective, then our voivodship and governmental authorities will need to constantly support any demands and actions of various political actors, even separatist and anti-Polish ones, aimed at destroying the unity of the State and of the nation. If approved, it would be easy to create artificial nations: the Kashubian nation, the Upper Silesian nation, and perhaps even the Podhale [highland] nation (after all, there was a "Goralen-volk" once).⁶⁵

Marek's expert opinion was full of criticism of those supporting the change of the status of the Silesian tongue, accusing them of attempts to divide the Polish State and comparing their proposal with anti-Polish plans of Heinrich Himmler. In his opinion, the Silesian language would stand a chance to be granted the status of a regional language only if Upper Silesia was within the borders of the Germany. That expert opinion caused much indignation, both among inhabitants of Silesia

⁶³ It is worth noting that it was an initiative of an MP of the governing party which few months earlier had dismissed similar draft amendments. In July 2012, an interviewed member of the Silesian branch of the Democratic Left Alliance party argued that Plura's activities aimed at turning Silesian voters away from the Movement for Silesian Autonomy which was increasingly successful in the region. It was also noted that Plura became more radical in his pronouncements than activists of RAŚ and that, most probably, he had the support of PO authorities trying, in that way, to set the stage for the forthcoming elections to the European Parliament, and then to the Sejm and the Senate. Plura's activities were judged to help eliminate RAŚ from the Silesian political scene.

⁶⁴ An interview conducted on 11 October 2012 [co-author R. Geisler].

⁶⁵ Expert opinion of Franciszek Marek, in: http://opole.gazeta.pl/opole/1,35089,13474119,Ekspert_yza_prof_Franciszka_Marka.html [accessed: 20.04.2013].

and politicians. After a discussion in the Sejm, it was dismissed. What is interesting, however, is that MPs more frequently referred to the wording of the opinion than to the content of comments on the Silesian tongue which they did not question. It is worth adding that the issue of that expert opinion was raised again in a debate titled *Co nas łączy, co nas dzieli* [What unites us, what divides us] organised in Siemianowice. Its participants included both the author of the opinion and the leader of the Movement for Silesian Autonomy. That meeting was a manifestation of the openness of regional organisations in Upper Silesia and of the will to debate issues important to the region, which were missing in the Sejm. The issue of the Silesian tongue is a good example of the politics of recognition of Polish authorities. Due to the lack of objective criteria to determine whether what we are dealing with is a dialect or a language, the authorities decide which languages deserve to be entered into the list of regional languages and which of them will not stand a chance, unless the policy of the State towards specific regional groups changes.

CONCLUDING REMARKS

The Upper Silesian identity restitution processes are seen a threat to the unity and integrity of the Polish State by state authorities, the majority of political parties and citizens of Poland. Such an attitude largely results from the concept of the unitary state adopted in Poland, which, in the public opinion, clearly contravenes the restitution of Upper Silesia autonomy postulated by regional organisations. Outside Silesia, autonomy claims are perceived as an attempt to make Upper Silesia independent from central authorities and even to create a separate state. The financial issue is relevant as well. The restitution of the autonomy of the Śląskie [Silesian] voivodship from the inter-war period would mean, in practice, the restitution of the Silesian Treasury and of the “tangent” meaning a percentage of the local income passed each year to the State Treasury.⁶⁶ That could have a considerable impact on the national budget and its redistribution.

Initially, the discussion about the Silesian nation and nationality was an attempt to resolve issues related to the centralisation of power and the lack of concern of large political parties with difficulties faced by Upper Silesia. The Polish electoral system makes it impossible for candidates of regional organisations to win a seat in parliamentary elections if they were on election lists of such organisations alone. This limits the influence of local inhabitants on issues important for them. A gap in regulations was seen as an opportunity to bypass the electoral threshold. It seems, however, that citizens’ weariness of conflicts among major political parties and their lack of involvement in local and regional issues will make voters cast their votes for

⁶⁶ The amount of “the tangent” was calculated with the use of a special formula and it depended on the revenue inflow to the Silesian Treasury. Usually, about 40% of the revenue in the Śląskie voivodship was passed to the State Treasury.

regional organisations. In Upper Silesia, such a phenomenon has been demonstrated with increasingly better election results of the Movement for Silesian Autonomy.

The conflict over the Silesian nationality has largely resulted from the binding canon of national identity. The lack of understanding for historical, cultural and linguistic distinctness of Silesians makes the feeling of the “Silesian disadvantage” grow and indirectly contributes to the growing popularity of regional movements. Paradoxically, the politics of recognition of the State strengthens the identity of Silesians.

ABSTRACT

The main aim of the article is to analyse the processes of creation and reconstruction of Silesian identity after 1989 and problems related to these processes arising from the unitary concept of the state effective in Poland. The author focuses on contradictions resulting from applying this concept which are manifested by controversies over Silesian nationality, the Silesian tongue and the autonomy of the region. Another crucial issue involves differences in the perception of history and collective memory of the Silesian people who represent the national perspective of local and regional authorities. The paper is based on an analysis of qualitative data derived from the author's own research which she has been conducting since 1997, and from secondary research.