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The Self-governing Republic in the Third Republic*

Abstract: This article discusses *The Self-governing Republic*, a programmatic-ideological conception which was part of the “Solidarity” Program accepted at the union’s First Convention in 1981. This conception was rooted in the ideas of the democratic opposition of the nineteen-seventies but it also reflected the pivotal changes in social consciousness which took place in 1980–81. Its main focus were postulates for the development of democratic institutions in all walks of social, political and economic life, postulates concerning the development of participant institutions, and the postulate to lay the moral foundations for democracy (e.g., responsibility of those guilty of communist crimes). This text confronts the programmatic legacy of *The Self-governing Republic* with its only partial implementation after 1989. The foundations of procedural democracy had been laid by this time but development of the moral foundations for democratic transformation were conspicuously lacking. The institutions of social self-government were only partly developed in the form of territorial self-government and, not without considerable resistance, development of the NGO sector which became the main programmatic successor of “Solidarity’s” legacy. In the nineties those changes which did take place in this sector were mainly the result of grassroots pressure and foreign aid. Since 2001/2002, however, positive institutional improvements have been observed in the vicinity of this sector. These improvements correspond with the sector’s new conditions of functioning following Poland’s accession to the European Union.

Keywords: self-governing Republic, Solidarity movement, civil society, nongovernmental organizations, third sector, public benefit, mass, elites.

This article is an attempt to analyse the vicissitudes of that aspect of the conceptual project of the Independent Self-governing Trade Union “Solidarity” which became known in the history of human ideas as *The Self-governing Republic*. As a sociologist, I am of course most interested in the sociological perspective, i.e., less in the history of the idea itself and more in the way the idea has been transferred to social reality.¹

From the historical vantage point, *The Self-governing Republic* project is commonly associated with worker’s self-government. From a more contemporary perspective it is associated first and foremost with the concept of civil society (Gawin 2000: 18). This is because both these approaches to self-governance were very salient in the

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¹ In Polish sociological literature this problem mentioned by, among others, Joanna and Jacek Kurczewski (2001).

way self-governance was conceived in the programmatic discussions of the Polish opposition in the nineteen-seventies which, needless to say, had a powerful effect on the “Solidarity” program and also on the fact that the latter approach “survived” the 1989 breakthrough. “Worker’s self-government,” wrote Dariusz Gawin, became a pointless idea in face of the systemic transformation whose purpose was now to develop a free-market system. Meanwhile, in public discourse, the problem of social self-organisation came to embrace the concept of civil society” (Gawin 2000: 18).

It must be emphasised very strongly, however, that this dual understanding of the concept of self-governance was closely related to the specific nature of the “Solidarity” social movement. As a nation-wide and pro-democratic movement, “Solidarity” in Poland drew from such sources as Jacek Kuroń’s concept of social self-organisation or Adam Michnik’s “new evolutionism” (1985).² As a workers’ movement and a trade union it drew from Szymon Jakubowicz’s employee self-government concept and from the economic ideas of e.g., Tadeusz Kowalik and Ryszard Bugaj.

The Project

But as I said before, *The Self-governing Republic* was more than just a generic idea encompassing both of the aforementioned approaches to self-governance. It also produced a specific and concrete program expressing an ideological stance on the one hand and “Solidarity’s” determination to introduce specific changes on the other hand. I am referring here to Chapter six of the Union program accepted by the First National Convention in the “Olivia” Hall on 7 October 1981 and called *The Self-governing Republic*. This, let me point out, was definitely the largest chapter and it contained more than one-third of all the programmatic propositions (14 of the 37 propositions spelt out in eight chapters). Also, it probably dealt with issues which were most important as far as social change is concerned (although other parts of the program also referred to very important issues, i.e., social policy, economic reform, protection of labour and trade union issues, union identity), ones which were to determine the force and scale of the announced systemic transformation. Hence it is surely no accident that the Program of the Convention at the “Olivia” Hall passed into history under a name which was actually only the title of one of its chapters—the very potent name *The Self-governing Republic*.

The nature of these 14 propositions fully reflects the historical context in which the program was conceived. It clearly echoes the tension between the urge to introduce radical changes and the need to draw one’s reins. It also clearly shows how this dilemma was to be resolved. Finally, the very definition of self-governance, self-organisation and the social reality we have come to call civil society, is rather specific. More than anything else, however, four characteristics of the project stand out.

² According to Zbigniew A. Pelczyński (1988) this concept was first published in Paris in October 1976. [...] “«the new evolutionism» [...] postulated the creation of all kinds of independent, self-governing associations and publications alongside the party-controlled institutional framework, through which the social pressure could be even more powerfully exercised.” (Pelczyński 1988: 362).

First, only one proposition in *The Self-governing Republic* deals with employee self-government (proposition 20). It says that authentic employee self-government is to be the basis for the Self-governing Republic and also that the Union demands an authentic, legally protected co-operative movement. It must be stressed, however, that the whole idea of civil enterprise (“managed by the crew, to be represented by the employee council, and operated by the manager, to be nominated by the council by means of a competition, and also to be dismissed by the council” [Program 1981]³) and “new socio-economic order which is to combine plan, self-government and market” and the demand to “abolish the command economy” and introduce economic reform is set down in Proposition 1 in Part Three of the Union program entitled “The Union in the face of economic crisis and reform.”

Second, many of the postulates of *The Self-governing Republic* deal with democratic opening-up of the system and preparation of a specific foreground for life in freedom, both of which seem to be treated by the authors of the program as something natural, to be taken for granted. Hence the project puts evident emphasis—quite understandable if we remember that the program was developed in a totalitarian historical context—on the need to develop a plethora of independent (or quasi-independent) institutions in almost every walk of social life (independent jurisdiction, freedom of scientific research, independent cultural and educational institutions etc.) and also demands guaranteed liberties and cessation of persecution for one’s beliefs (proposition 25).

Third, few people remember that the program included a very strong postulate concerning the building of moral foundations for the suggested reforms. Proposition 26 contains the categorical demand that those guilty of “abuse of lawfulness” in 56, 68, 70 and 76⁴ and during the Bydgoszcz provocation,⁵ as well as those guilty of the “economic ruin” in 1970–80, be held accountable for their wrongdoing. The program also proclaimed that “individuals in top party and state positions shall not be excluded” and even announced that “if legal proceedings in these cases are not initiated by 31.12.1981 the National Commission shall elect a civic tribunal which shall conduct a public hearing and judge and condemn the guilty.” This proposition, together with proposition 31 which says that “The Union shall wage war against deception in every sphere of life because society wants and has a right to live in truth, embodies the longing for fair social order, without which the authors of the program could not imagine a future, and which also reflects the obvious and perhaps more pragmatic⁶ belief that until the guilty are held accountable for their deeds and appropriate moral foundations referring to the past and to evaluation of the system

³ In this article the “Solidarity” Program is discussed on the basis of the text which was published in a special supplement to weekly *Tygodnik Solidarność* (Program 1981) and all quotations are gleaned from this source.

⁴ Dates marking Polish society’s overt protests against communist rule.

⁵ In March 1981 the militia brutally beat up “Solidarity” activists in Bydgoszcz. The purpose of this brutal intervention was to provoke an acute political crisis in the country.

⁶ In my opinion, the specific pragmatism of this opinion was reflected in the belief that, given the lack of any developmental resources, the existence of a particularly valuable resource, i.e., social mobilisation, could not be overemphasised but that in order to maintain it, trust in the authorities had to be reinstated and a sense of social justice had to be developed.

and the conduct of its functionaries are laid, this new, just social order cannot be built.

Fourth and last, *The Self-governing Republic* project stands out in historical perspective mainly as a program of basically revolutionary change, a fact which also does not seem to have registered in social consciousness. This program includes postulates and specific plans for such change, mainly in the form of preparation of new parliamentary bills, their implementation and the development of new institutions which would basically foster the transition from real socialism to democracy. These projects are much more than mere cosmetics or the democratic “opening” of the system. They were a real “programmatically revolution,” encompassing postulates concerning the passing of specific acts of parliament on associations or territorial self-governments (which were to be “legally, organisationally and financially independent”); the project also postulated the introduction of local taxes and the Union was to develop a project for a new, democratic law for elections to National Councils by 31 December 1981.

Also demanded were new legal acts concerning the co-operative movement and national education, the “publication” act, the Civil Militia and Security Service act and the amendment to the Committee for Radio and Television act. The authors demanded legal amendments and changes in almost every sphere of social life and above all they wanted major amendments of the Constitution of the People’s Republic of Poland abolishing the leading role of the party (proposition 23), inclusion of the citizen equality principle and amendment of the parliamentary election law. They also demanded de-monopolisation of science, education and culture etc. Neither did they forget to mention the need to introduce substitute military training. They also postulated “granting the right to legislative initiative to the trade unions.” This last postulate was introduced just in case other more systemic postulates were not met. They also demanded specifically indicated systemic institutions such as the Constitutional Tribunal, the Civic National Culture Fund, the Radio and Television Council, the Civic Culture Council and the Civic National Education Commission.

When certain postulates could not be explicitly verbalised because the Union had made specific obligations to the authorities or was entangled in some ideological dispute with them,⁷ they were formulated in a more camouflaged way. Two issues in particular were subject to such linguistic encryption: the existence of independent political parties and abolition of censorship. But basically the programmatic postulates were unequivocal. Proposition 19 which opened the chapter on *The Self-governing Republic*, read: “Democracy in the self-governing Republic should be based on pluralism of world view and social, political and cultural pluralism,” and further, “The Union shall support and protect civil initiatives whose purpose is to present society with a variety of politic, economic and social programs and to organise itself so as to implement these programs. On the other hand, we disapprove of any involvement of our Union’s statutory authorities in the development of organisations which are political parties.”⁸ Proposition 31, in turn, said that “The Union shall wage war against

⁷ These were mainly concerned with fundamental ideological issues which served to preserve the system’s linguistic status quo, e.g., party monopoly or the “indisputable” concept of socialism.

⁸ As we can see, this is a very thinly veiled expression of the political pluralism postulate.

deception in all spheres of life because society wants and has a right to live in truth” and “we believe that censorship in the mass media is a bad thing to which we agree only temporarily and only out of necessity. We do not recognise censorship in the sciences and the arts.”

In general, if we refer to the familiar conceptual categories of the Eastern-European political opposition during the pre-Solidarity period, we may say that *The Self-governing Republic* was not a project for any alternative, independent society of some parallel *polis* (Rupnik 1988: 285), it was a project for a normal (surely we all remember the longing for “normality” [Łukasiewicz 1985] in the post-Soviet countries), democratic state with a mixed-economy model and a clear anti-political foundation (Havel 1988). One which would serve as the moral-honorific base for the new order (as an understandable reaction to totalitarianism, an expression of intelligentsia ethos, but maybe also something more: the belief that without proper moral foundations, without axiological order, it is impossible to build a sensible political and social community). All in all, this sounded a bit like a pivotal, systemic Constitution and a bit like a book of suggestions and complaints...

Next, in the context of Jadwiga Staniszkis’s otherwise sound statement concerning the self-limiting revolution (1984), we may surely say that the Oliwa Program both crowned and contradicted this process. As I mentioned before, the program had traces of tactical limitation and camouflage but it also expressed rather tersely the determination to introduce pivotal changes. It was no longer possible to restrain this national urge to normalcy, a normal state and self-governing society. Hence the evident radicalism of the Oliwa Program, compared e.g. with the 21 Gdańsk Postulates,⁹ and hence the by no means accidental acceptance by the Convention of the famous Address to the Workers of Eastern Europe.¹⁰

Change of Historical Context

The following question, a question which is fundamental for this text, must be asked: to what extent and how has *The Self-governing Republic* project been realised in independent Poland? Before I try to answer this question, let me make four more important introductory comments.

First, my main focus in this article is the institutional dimension of the transformation. For lack of space, I will pay practically no attention to changes in social consciousness, attitudes and behaviour (although of course it would be possible to conduct such an analysis and I have actually done so in other works concerning self-organisation in the Third Republic to which I shall refer readers).

Second, I cannot possibly discuss every dimension of the Program, every proposition and every minute programmatic postulate. I shall therefore discuss the overall

⁹ The postulates formulated in the Gdańsk Shipyard in August 1980 during the strike which initiated the “Solidarity” movement.

¹⁰ An appeal in which the “Solidarity” delegates directly addressed the people of the Soviet block countries above the heads of their governments, expressing solidarity and hope for change.

shape of the changes in the dimension which interests us here and I shall focus on those elements of civil society which are salient today and which were included among “Solidarity’s” programmatic ideas.

Third, I must draw attention to the fact that in confronting the 1981 project with post-1989 reality, we are dealing with two quite different historical times. The program put forward by the First “Solidarity” was unfortunate in that it could not be implemented in the time for which it was conceived and when ten million citizens were willing to realise it. Of course we do not know how long this “holiday” would have lasted had martial law not been introduced but we do know for certain that there was enormous mobilisation potential in 1980–81 and that, for many reasons, this potential was lacking in 1989 except in certain circles of the intelligentsia. And it is worth pointing out that perhaps just one year earlier such potential was emerging anew in the atmosphere of workers’ and student strikes when the young, radical “generation 88” rushed onto the public arena (Gliński 1996: 175).¹¹

One way or another, the continuity of social time was disrupted, and although the “Solidarity” program was only eight years old in 1989, Jacek Kuroń said in public that the worst thing which could happen to “Solidarity” was a power take-over because in reality nobody in the opposition was prepared to govern. Things were probably even more complex than that. The problem was not lack of specific programmatic ideas or the fact that some of them were incompatible (although that also happened, e.g., as far as suggested economic solutions are concerned). The problem was social communication between the oppositional elite and the masses who were sick and tired of living in people’s democracy and the poor social mobilisation of the latter. The masses no longer felt the social enthusiasm of the years of First “Solidarity” whereas the elite was perhaps somewhat sceptical of society, its ability to self-govern and self-organise.

Let us add that in 1989 psycho-social and material condition of the Polish population was rather miserable and therefore the social context did not generally encourage the development of civil institutions. There was a general *homo sovieticus* syndrome, marked with anomie, demoralisation, learned helplessness, social void, mainly negative communities, dirty social capital, civil initiatives limited to small enclaves only, real islands in the magma of an atomised “population.” But most important of all was probably the lack of the enormous enthusiasm of 1980–81 and—seldom mentioned today—the lack of natural Solidarity elites (trade union activists of various levels who were forced to leave the country after 1981).

This lack of social enthusiasm in 1989 (compared with 1981 and even 1988), together with the liquidation in very unclear circumstances of the Civil Committees, an important substitute for grassroots social mobilisation,¹² tipped the scales so that

¹¹ In 1988 spontaneous protests and strikes broke out in the Polish universities and then in many workplaces. They were organised by a new generation of often very young and radical activists.

¹² Civil Committees had been developing in Poland since 1989, stimulated by the democratic changes. These initiatives, particularly in the provinces, were largely bottom-up and spontaneous. The new elites, recruited from the democratic opposition, initially competed for control over the committees then decided to liquidate them. For more on this see footnote 16.

the Third Republic lacked the pioneering atmosphere of the republican myth which should provide the foundation for every inchoate political community.

Fourth and last, the new historical and social context rendered some of the postulates of the “Solidarity” Program naturally obsolete or else the disputes concerning these postulates were quickly, and usually negatively, resolved. This last contingency applied mainly to the question of employee self-government and civic enterprises. The socialist economy was transformed in the spirit of Leszek Balcerowicz’s liberal reform rather than in the vein of the “social” concepts proposed by *The Self-governing Republic*. There are now about 1000 employee-owned companies in Poland (including several stock companies). These companies do not always adhere to the rules of market economy alone but they have managed to survive, nevertheless. They are a chance for those work places which are threatened by the logic of pure market economy and they also help to enhance employee empowerment (Jarosz 2005). Yet their contribution to the economy is negligible and their role in the economic discourse is hardly noticeable.

At the same time the demise of the co-operative movement has been sanctioned, so to say. Next to nothing has been done to meet the second part of proposition 20 of *The Self-Governing Republic* which says that “the union [...] demands that the self-governing nature of co-operatives be reinstated.” Basically, the pseudo-co-operative movement in Poland remained in the hands of the post-communist bureaucracy and the lack of an authentic political left stood in the way of its revival. Today limited efforts to develop a so-called social economy¹³ are being made in Poland. The social economy rationale resembles the ideas of the co-operative movement to a certain extent (e.g., so-called welfare co-operatives are being developed).

The Self-governing Republic after 1989

Keeping in mind the foregoing comments on the changes in the historical context in which *The Self-governing Republic* has been realised, the following analysis will skip the question of employee self-government and focus briefly on the four major themes of the program (paying most attention to just one of them). I mean to focus on the moral and axiological foundations of the new order (accountability of the guilty—proposition 26); the opening and pluralisation of the totalitarian system (change of the general conditions for state and social functioning); reform of territorial self-government (proposition 21); and development of a genuine nongovernmental sector (proposition 19).

These main areas of *The Self-governing Republic* correspond with the four basic components of the present project for civil society: 1) moral community (i.e., reference to a set of fundamental values shared by all members of society and to the sense

¹³ Social economy in Poland is mainly being promoted by nongovernmental institutions (the Institute of Public Affairs, the “Barka” Foundation etc.) and its developmental program is mainly being implemented with the help of European money (the EQUAL program). The Regional Social Economy Funds project realised by the Ministry of Social Policy is an exception—cf. footnote 21.

of social equity); 2) the democratic state which is to guarantee at least procedural democracy (or, better still, participant democracy) and the ensuing general conditions for the functioning of civil society and especially its so-called soft cultural tissue, i.e., individual civil attitudes, group bonds, informal civil networks etc.; 3) territorial self-government and the development of civil local communities; and 4) development of the nongovernmental organisation sector, social movements, less formal civic communities etc.

Point one of these four components has practically not been realised: after 1989, those guilty of the tragic events in 56, 68, 70 and 76 were not punished although the delegates at the “Solidarity” Convention demanded that they be held accountable; there was no just clearing of accounts and de-communisation; inspection was delayed and fragmentary. Poland is also the only Central European country which has not re-privatised, not to mention compensating for the damages suffered by thousands of citizens who lost their property for ever due to the communist regime. Neither were the millions of Poles forced by the system into political or economic emigration ever redressed, if only symbolically. Meanwhile, until such accounts are cleared, it will be difficult to develop a genuine civil society. Let me repeat: the democratic, programmatic ideals of the First “Solidarity” have not at all been realised.

What did emerge after 1989 was a democratic state, particular in the form of procedural democratic institutions. This fulfilled the majority of the postulates of *The Self-governing Republic* and laid the general foundations for the development of institutional pluralism, citizen freedom, social self-organisation and the formation of civic attitudes. On the other hand, however, a problem which still remains to be solved of course is the poor quality of these institutions, many of which—e.g., the police, the public procurator’s department or the judiciary—are simply not functioning adequately. Also, the institutions of the democratic state in Poland have still not become participant institutions. In this context, when the lawful state is not functioning properly and faith in state institutions is very low, it is impossible to say that individual civic attitudes and social capital are in the process of development. All in all, however, we may legitimately conclude that, at least formally, “Solidarity’s” programmatic “testament” has been realised. It is just unfortunate that the principle of ongoing perfection of institutional reforms (mainly with respect to participation) has not been adopted.

As far as the third component i.e., territorial self-government is concerned, we may say that two-thirds of the institutional reform have been completed in Poland. Phase three, consisting above all in granting greater financial competency to the self-governments so as to ensure greater independence and self-sufficiency has still not begun. Hence society is learning local self-governance “hands-on,” the practical way, and it is making a good job of it. But the general conclusion from existing research is that local civil communities are developing with great resistance and are almost completely nonexistent in large cities; the self-government is too politicised; it is corroded with clientism and cronyism; and it is typically gerontocratic (Gąciarz and Pańków 2004). The outcomes of this most successful of all Polish reforms are therefore also unsatisfactory.

And finally component four, i.e., development of the nongovernmental sector. I shall discuss this more thoroughly than the three remaining components, partly because all the developmental problems of civil society in Poland, both existing ones and ones which I have not discussed here, are mirrored in its fifteen-year history and its typical features.

The systemic foundations of nongovernmental pluralism were laid in the second half of the nineteen-eighties when two acts of parliament were passed, the association law and the foundation law. Besides, the eighties witnessed the emergence of many more or less formal social organisations and civic communities. For example, at least 135 independent, active ecological groups and organisations were then founded (Gliński 1996), self-help initiatives sprouted (Siellawa-Kolbowska 2002), economic societies, church and non-church religious movements budded etc., etc. All this was the natural aftermath of the great “Solidarity” transformation and was the first post-Solidarity wave of reconstruction of civil society, attesting to the fact that the trauma of martial law could not kill the great transformation of consciousness which took place in Polish society during the 16 months of existence of the “Solidarity” movement. The people’s capacity in the fields of spontaneous self-organisation, self-defence and survival in the face of threat¹⁴ acquired in those days was one of the most tangible and natural legacies of “Solidarity,” a great civic potential, even if it was to be institutionally supported and abused after 1989.

From a broader perspective, the aforementioned legislative introductions were not to be consumed until after 1989 and when this finally happened, they took the form of an avalanche of institutionalisation, i.e., the third sector. In 1990–1992, the years of the greatest proliferation of nongovernmental organisations, tens of thousands of new organisations emerged. There are now about 52 thousand NGOs and about 10% of Polish men and women belong to them.

It is noteworthy that at more or less this same time the so-called “war at the top”¹⁵ was waged. The winning option was that of cautious, procedural development of democracy in Poland. The Civic Committees were resolved and hence bottom-up social energy was demobilised.¹⁶ And although some of the former Civic Committee activists must surely have found jobs in the third sector, the decision of the Polish elites generally weakened civic involvement, leading to great disappointment, frustration and despondency and above all to scepticism of the new political elite among the rank-and-file, potential creators of civic structures. One way or another, what happened

¹⁴ According to Phillip Schmitter, a well-known investigator of democratic transformation, survival capacity in face of threat is one of the most important attributes of civil structures (cf. Gliński 1996: 387).

¹⁵ The “war at the top” was an acute conflict which took place at the beginning of the Polish democratic transformation. The object of this conflict was a power struggle within the former anti-communist opposition between Lech Wałęsa and his adherents on the one hand and the so-called secular left on the other hand. This was really a faction power struggle and none of the competing groups decided to seek the support of grassroots civil movements.

¹⁶ The fascinating process of emergence and dissolution of the civil committees has been quite well researched and described by young Polish sociologists. The conclusions of this research are now largely forgotten but basically they included identification of the extraordinary suspiciousness of the political elites of the day with respect to any sign of grassroots democracy and natural social self-organisation (Borkowski and Bukowski (Eds.) 1993; Rykowski 1994).

was a major, negative shift of attitude in the new Polish elites towards civil society and related issues.

These elites, which are now, i.e., at the close of 2005, perhaps leaving the Polish political stage due to their own mistakes, not only disrupted the natural process of political self-organisation and the first phase of civil mobilisation in the form of the already mentioned Civic Committees of 1989–1991. Despite many lofty declarations, they were not basically interested in the development of social and civil self-organisation in the following years of transformation in Poland.

From the passing of the two aforementioned acts of parliament in the late eighties to 2003, i.e., over a period of about 15 years, practically nothing of substance was done in the way of legislation to support the nongovernmental sector in Poland. Determination was lacking from the very start and there was neither vision nor encouragement as far as this sector, born “out of nothing” so to say—of the enthusiasm and commitment of its activists—was concerned¹⁷ despite the major deficit of resources of any kind at the threshold of the transformation. The Polish political elites were also reluctant to take advantage of those resources which were available but which they felt to be dangerous competition. For example, many experts on civic institutions at home and abroad were not allowed to participate in decisions concerning the ongoing changes in Poland because they did not belong to the “elite.” This includes members of the Polish Diaspora who came to Poland at the beginning of the transformation out of patriotic motives, in the illusory hope that someone could do with their council and experience.

Under these circumstances, the Polish nongovernmental sector, abandoned by the elites, still managed to develop in the time of transformation. This development was triggered by two major determinants: the self-growth and self-education mechanism which is typical for many social and civic movements (Eyerman and Jamison 1991) and foreign assistance in the broad sense.

The first of these two factors involved the grassroots, “bottom-up” civic activity of part of Polish society which, for various reasons, was determined to keep up the “Solidarity” or intelligentsia ethos, but which was also driven by interests of its own or by the need to defend its own life situation¹⁸ and decided to mould the framework of social self-organisation by itself. This activity has several specific properties.

First of all, it is rooted in the great, under-appreciated and generous work of outstanding individuals—local and central leaders and participants of the nongovernmental movement. Second, as the few studies on this topic suggest, in the majority of cases this activity tends to involve realisation of the public benefit rather than one’s own interests or those of one’s group although it usually combines both these goals (Gliński 2006). Third, and most importantly as far as self-development of the third sector in Poland is concerned, so-called *cognitive* actions play a very important

¹⁷ It must be pointed out that there were a few exceptions among the Polish elites, including the political elite, who actively supported the nongovernmental sector. In general, however, this support in no way translated into systemic support. Then as now, social and civic activity were viewed as a suspect oddity or at best as a harmless margin of public activity.

¹⁸ For more on the motives underlying work in the third sector see: Koralewicz and Malewska-Peyre 1998; Chimiak 2004.

part in this sector. These include self-education, professionalisation, self-reflection, self-regulation and—last but not least—self-analysis.¹⁹ All these phenomena have led to the rapid maturation and professionalisation of part of the NGO movement (Gliński and Palska 1997: 381–382) and above all to the creation of an institutional network within the internal infrastructure for the support of the sector. This fascinating process of civic self-organisation shows clear signs of the “Solidarity” tradition, a sense of continuity with Solidarity” 1980–1981, the first phase of self-organisation in Poland. Many third sector activists originate from that movement and the informal leader of the NGO sector in Poland, Jan Jakub Wygnański, often acknowledges the “Solidarity” roots of the contemporary civic movement (he underscores, for example, that the “Szpitalna” nongovernmental centre in Warsaw is seated in the same building which used to be the “Mazowsze” Region “Solidarity” headquarters in 1980).²⁰

The second developmental factor—foreign assistance—has at least four dimensions: financial, educational (mainly know-how organisations), cultural (revival of the civic ethos), and political. This last dimension includes a specific “boomerang effect,” particularly in face of EU integration, in the form of indirect, civic pressure on the Polish political elites via western elites and standards.

Meanwhile—a fact which is typical and which we have already pointed out—the Polish elites were absent, to say the least, when the nongovernmental sector was development (with the exception, perhaps, of the earliest stage and, to a certain extent, the last few years) (Gliński et al. 2002; Frączak 2002; Gliński 2000). We may say with a considerable degree of certainty that although many democratic institutions in Poland were designed and implemented in top-down fashion, Polish civil society has in fact been constructed bottom-up, with the help of foreign agents, by just a fraction of the Polish nation and often in spite of the so-called elites. Hence civil society in Poland is largely limited to small enclaves.

The most important factor blocking civil self-organisation in Poland is therefore the attitude of the majority of the country’s elites, which are largely ill-disposed towards the nongovernmental sector, and by this I mean not only the political elite but also the cultural, media, business or even intellectual elites. These circles typically manifest an attitude of pity and scornful superiority with respect to the idea of grass-roots social self-organisation. Suffice it to say that within the 16-year-old history of Polish transformation no serious medium in Poland has organised a reliable debate on the condition of civil society and that journalists and intellectuals alike who set the trends in public discourse in the country have only recently begun to notice that the

¹⁹ The most precursory and comprehensive sociological research and studies of the third sector in Poland have been conducted since the early nineteen-nineties by NGOs themselves (mainly by the Klon/Jawor Association but also by the Academy for the Development of Philanthropy in Poland or the Institute for Public Affairs).

²⁰ The outcomes of a survey of former activists of the “Solidarity” opposition grouped in the Freedom of Speech Association, which was conducted in December 2005, confirm and expand this hypothesis by indicating the partly oppositional origins of the NGO sector: underground activists of the nineteen-eighties “are still publicly active but mainly in nongovernmental organisations (42 percent), not in politics or the administration (10 percent)” [Mit...].

problem of social self-organisation exists.²¹ True, the electoral programs of political parties in Poland in 2001 and 2005 showed a clear-cut change for the better as far as the significance ascribed to civil society is concerned (Słodkowska 2005) but if we analyse specific behaviours and utterances of various politicians in 2001–2005 we find that “[...] they confirm the negligible interest of the majority of politicians in the problem of civil society [...]” (Piotrowski 2005: 16).

In the face of this state of affairs, some sociologists and participants of the non-governmental sector, bearing in mind the aforementioned conceptualisations of civil society verbalised by the Polish and Central-Eastern European opposition in the seventies and eighties, or particularly “Solidarity’s” program entitled *The Self-governing Republic*, even go as far as to say that the new Polish post-1989 elites betrayed the idea of civil society (Gawin 2000; Gliński et al. 2002). In the new reality of transformation, these elites were quick to reject both the old oppositional self-government projects of the nineteen-seventies and the radical program for self-governmental and civic reform accepted at the “Solidarity” Convention in the “Oliwia” Assembly Hall in 1981.

Institutional Change

In recent years, more or less from the beginning of the new millennium, and particularly from 2001 on, we have been observing inchoate and significant institutional change in Poland with respect to *The Self-governing Republic*, i.e., to the development of new institutions of civil society. There are probably three reasons for this.

The first source of this new development lies in the grassroots development of the nongovernmental sector and the strictly related bottom-up pressure of representatives of NGO circles on the political elites to introduce new legislative and institutional solutions which would be third sector friendly. At least from the mid-nineties if not earlier, this pressure has taken the form of various integrative, institutional initiatives and both formal and informal lobbying. This was a process of constant dropping to wear the stone, i.e., the political elite and the state administration.

As from 1996, National Nongovernmental Initiative Forums have been organised every three years. In addition to integration and mobilisation, education and self-regulation, these forums have strongly advocated for pro-civic reforms. Many nongovernmental alliances and regional, local and sectoral networks have developed and forced the authorities to modify their policies (e.g., the Forum for Educational Initiatives which played a leading role in the prevention of the closing down of small village schools). The third sector’s stance on significant issues, particularly public issues, has been formulated and publicised (one of the most important documents of this kind was the Memorandum of the Association for the Forum of Nongovernmental Initiatives [FIP] concerning the need for the legal regulation of the conditions

²¹ Jan Piotrowski, who conducted a content analyses of two leading newspapers, “Gazeta Wyborcza” and “Rzeczpospolita,” found that journalists are paying more and more attention to the problem of civil society due to the fact that this topic “is now «fashionable» in Polish opinion-setting circles” (2005: 16–17).

of functioning of the non-profit sector in Poland). Many very significant non-profit programs have been launched. These programs have filled the void in state policy and have been the first to publicise important social issues, giving testimony to the professionalism of civic organisations (e.g., the sector's swift help for flood victims in 1997, the program for the development of local funds launched by the Academy for the Development of Philanthropy in Poland, the Anti-Corruption Program or the Civic Groups program organised by the Stefan Batory Foundation, and many, many programs for the development of civil society realised by numerous other nongovernmental institutions: the SPLOT support organisation network, the Foundation for the Development of Local Democracy, the Civil Society Foundation, the BORIS Foundation, the Polish-American Freedom Foundation, and many others).

Institutions for communication and the gathering and dissemination of information are also well developed (e.g., the nongovernmental www.ngo.pl web-site managed by the Klon/Jawor Association was launched in 2000, the "Third Sector" quarterly published by the Institute for Public Affairs, a more "scientific" continuation of the journal "Associations" which had been on the market since the early nineties, was launched in 2004). Research of the sector (Dąbrowska et al. 2002, Gumkowska and Herbst 2005) and monitoring of public funds (Gliński 2004: 239) were continued. Promises made during electoral campaigns continued to be monitored during the successive Nongovernmental Initiatives Forums. All the time less formal lobbying was also continued, leading to permanent consultant positions in many parliamentary commissions (e.g., during work on the access to public information act and many others) and in governmental projects. Despite the scepticism of the politicians and the administration, the sector has demonstrated its professionalism and high level of involvement and, thanks to the toil of its activists and leaders, it has managed to secure the position of the "weaker partner" which could no longer be relegated to the role of philanthropist or social worker alone, a partner who although still feeble was nevertheless well qualified professionally and responsible, whose activity could no longer be completely ignored.

Grassroots pressure on the authorities and the professional maturity of the nongovernmental sector gained support after the 2001 elections when a more favourable political climate for the development of civic institutions followed in wake of Jerzy Hausner's appointment to the function of Minister of Labour and then Minister of the Economy and Deputy Prime Minister. This was the second determinant of institutional change in the conditions of functioning of civil society in Poland. The fact that the person who contributed much more to the development of civil institutions in free Poland and at least partly to implementation of the programmatic legacy of "Solidarity" than many former members of the opposition holding state functions was an ex-functionary of the Polish United Worker's Party and also the deputy prime minister in what was probably the worst post-communist government in the Third Republic is yet another paradox of the Polish transformation but Hausner's achievements are indisputable. He was the first politician of such high rank to have a well-prepared program for the development of the nongovernmental sector and who understood

how important civil society was for democracy, but even he was unable to enforce all his reforms.

A sprinkling of adherents of the civic sector was to be found in many Third Republic governments, for example Jacek Kuroń, Tadeusz Mazowiecki and Bronisław Geremek. Despite their many achievements, however, they were unable to introduce the necessary institutional systemic solutions supporting the nongovernmental sector. In February 1998 the Electoral Action Solidarity (AWS) cabinet even appointed a vice-secretary of state—the Prime Minister’s Proxy for Co-operation with Nongovernmental Organisations—in the person of Zbigniew Woźniak. In strict co-operation with the third sector, Woźniak began intensive efforts to introduce appropriate changes in the legislation but the decision-makers of the day did not show much understanding and Woźniak resigned in March 1999. The office of Proxy was liquidated.

The third determinant of change was the process of Poland’s integration with the European Union. This process may be viewed as an element of continuation of one of the two mechanisms of development of civil society in Poland discussed above, i.e., foreign assistance in the broad sense. More or less from 1997 on, the stipulated date of the beginning of the withdrawal of pro-civic American funds from Poland (and their transfer further east), the European Union steadily increased its financial and programmatic involvement in the development of civil society in Poland. Pre-accession and pre-integration EU programs and EU standards concerning partnership in relations with the nongovernmental sector (Kozłicka 1999, 2000, 2002) provided increasing pressure to institutional change and change of mentality of the Polish elites and also helped to reinforce the nongovernmental sector in Poland. Additionally, this process was very intensively supported by the sector itself which, precisely for this purpose, established the Representation of Polish NGOs in Brussels and lobbied intensively for its interests, in both Brussels and Warsaw (e.g., for inclusion of NGOs in the process of application of European funds). The Representation also initiated several professional advocacy and educational campaigns addressed to both the nongovernmental sector (the Liaison Officers for Regional Structural Funds Program; the Euro-NGO program) and to society at large (campaigns preceding the EU accession referendum).

Several phenomena and processes seem to have contributed to the aforementioned significant institutional shift in the place and role of the nongovernmental sector in the state, and in society in general: (1) the territorial self-government reform in 1999; (2) the introduction of new if still very imperfect institutions of social dialogue in the administration in 2000 (Krasuska et al. 2003; Frieske and Poławski 2003; Gliński 2004: 233–235); (3) enforcement of the volunteerism act in 2003 and the public benefit act in 2004, and the work of the Council for Activity in the Name of Public Benefit established by the act; (4) development of legislation which laid the foundations for “welfare economy” in Poland (above all, passing of the welfare employment act and work on the welfare co-operative movement act²²) and the Regional Welfare Economy Funds project realised by the Ministry of Social Policy; (5) launch-

²² Nearly 30 welfare co-operatives are currently in operation in Poland. These co-operatives have from 5 to 50 members and help to integrate socially excluded persons (mainly the unemployed and the disabled).

ing of the Civil Initiative Fund by the Polish government in 2004;²³ and (6) improving the access of nongovernmental organisations to European funds and programs.

In addition to the above, spectacular changes may be expected in the near future thanks to (7) implementation of the National Development Plan in 2007–2013 (an EU development funding program for Poland amounting to about 500 billion PLN). One of the main elements of this plan is the aforementioned operational program for the development of civil society prepared, *nota bene*, in active partnership with representatives of the NGO sector—a novelty in Poland.²⁴

It is impossible to say to what extent the presented institutional reform will lead to significant and desirable cultural and social change. It is particularly disturbing that some of the institutional and legislative changes which are now being introduced have been badly designed (this applies first and foremost to the institutions of social dialogue), others are not functioning properly (e.g., the public benefit act, the Civil Initiatives Fund) and still others may be impossible to implement on a permanent basis at all.

One flagship example of the legislative problems of the NGO sector, and one which has significant bearing on the future success or failure of the institutional reform, are the problems with the implementation of the aforementioned public benefit and volunteerism acts, the most important legal acts regulating the functioning of the third sector in Poland.

The former act, passed by parliament in 2003 after seven years of great effort on behalf of NGO communities, is supposed to promote and provide institutional guarantees for a new, partnership model of co-operation between the state and NGOs²⁵ and to facilitate the work of civil organisations in Poland. Among other things, the act ensures easier access of NGOs to the realisation of public works and the contracting of services, obligates the territorial self-government to co-operate with NGOs on a partnership basis and enables citizens to donate 1% of their income tax to the public benefit. The act has been criticised however for its complicated and imprecise language, its restricted range of “delegation to the people” (many decisions are still in the hands of the state administration) and the fact that, due to too much red tape, powerful and highly professional organisations are the ones which will benefit most. The legal regulations also make it difficult, for strictly procedural reasons (and this was done on purpose), to donate 1% of one’s income tax to public benefit organisations. Also, a large and wealthy category of entrepreneurs who pay linear tax instead of income tax cannot donate their “1%.”

This form of activity was initiated by Barbara and Tomasz Sadowski, creators of the Mutual Help Foundation “Barka” in Poznań (cf. Matusz 2006).

²³ The Civil Initiative Fund is the first governmental, central fund for the financing of civic society in Poland, established 15 years after the regaining of independence. This fund has only 30 million PLN at its disposal and cannot be spent on any institutional costs.

²⁴ Unfortunately it is hard to say whether and to what extent this program, especially its civic dimension, will be continued by the new administration which took over in autumn 2005.

²⁵ To this end, the act calls into being for example the Council for Activity in the Name of Public Benefit, a heterogeneous consulting-advisory body (including 10 representatives of the NGO sector) whose job is to monitor acts of parliament and co-operate with the authorities on issues concerning the NGO sector.

Despite the foregoing reservations, this legal regulation is quite up-to-date and good for the development and increasing role of NGOs in the country. Of course the problem lies in the practical realisation of the law.

Two years after the passing of the said act of parliament, monitoring of the process of implementation has shown that many initial fears were justified. For example, only 50–60 percent of the local self-governments in Poland have passed resolutions concerning co-operation with NGOs and only 3% of those Polish tax payers who were entitled to donate 1% of their tax for 2004 to public benefit organisations did so (Sadłowska 2005).²⁶

Concluding Remarks

It is hard to say whether the ongoing institutional changes around the nongovernmental sector will also increase the dynamic of the sector itself. A number of various sociological analyses conducted within the last few years suggest at least four such probable or anticipated changes.

First, some researchers have pointed out that “civic depression” is now on the decline and both the number of NGOs and the number of volunteers in Poland are increasing. Second, NGOs in Poland are still in the process of multiple qualitative changes initiated in 1989 which may be summarised as the maturation and professionalisation of the nongovernmental sector (the fact that the number of civic activists is the same does not mean that the quality of civic activity has not changed). As the sector is developing, it is also becoming more aware, professional, efficient, poly-motivated etc. Third, for several years now we have been observing an increment in the civic participation of the rural population. Fourth and last, we are also observing an increase in the number of NGOs in regions which used to be blank spots on the NGO map, mainly in small towns. Existing research has also shown that the reason for these changes is that it was not until the end of the nineteen-nineties that “NGO culture,” which had developed mainly in large cities after 1989, began to penetrate these areas (the aforementioned process of organisational “maturation”). Hence the last few years have probably been marked by a specific postponed effect of the self-development of the NGO sector in the Polish provinces.

Characteristically, this increased civic involvement is assuming many different forms, determined both directly by institutional changes and vicariously, in wake of these changes and adopted in defence against the consequences of “reforms” or so as to take advantage of the new legal-institutional opportunities. One example of this is the aforementioned organising of “Small Schools” in the villages, managed by civic associations, in order to save the schools from being closed down as a result of the educational reform.

²⁶ In 2005 (i.e., as for 2004), public benefit organisations in Poland earned about 41 million PLN on the “1% deduction,” i.e., slightly more than 10% of what they could have earned had all entitled taxpayers taken advantage of this privilege (Sadłowska 2005). In comparison, 0,35% of the entitled taxpayers donated about 10 million PLN in 2004 (Gumkowska et al. 2004).

All in all, however, civic activity in Poland is still low and inhibited. This is indirectly attested to by the public opinion data on NGOs: 36% of the Polish population say that they had been participants or recipients of NGO work (Wygnański 2003). At the same time 46.6% say that in order to be a good citizen one should be active in organisations or associations but only 17.9% indicate specific organisations or associations which are important to them. This last figure—by far the lowest in all European countries (ESS 2002), probably means, among other things, that there is a scarcity of good NGOs in Poland. All the more so that according to other studies, over 50% of the Polish population said that no NGO serves their interests and more than 40% declared that were such an organisation to be created, they would willingly join it (Gliński and Palska 1996; Gliński 2000). These findings suggest that there is enormous, latent civil self-organisational potential in Polish society. Appropriate institutional reform may be able to release this potential quite rapidly.

Poland's accession to the EU certainly speeded up the process of development of the NGO sector in Poland. Above all, as already mentioned, it stimulated a change of mentality in the Polish elites and, consequently, efforts to introduce legislative and institutional change. The national 2007–2013 National Development Plan offers some hope (albeit slightly toned down recently), together with the fact that more than 70% of NGOs in Poland declare that they plan to apply for European funds (although only 20% are able to name the fund or EU program in which they are interested). So far, however, only 17% of Polish NGOs have actually been granted pre-accession assistance funds and more than half are afraid that poverty, i.e., lack of the required financial participation, will prevent them from being able to use EU funds (Gumkowska and Herbst 2005).

To summarise and to put the above discussion in the context of the Solidarity tradition of *The Self-governing Republic*, we must say that specific areas of continuation and neglect can clearly be outlined in the Third Republic. First, in independent Poland, with the exception of certain marginal phenomena which, although worthy of attention and support because of their important social functions, the idea of workers' self-government launched by the First "Solidarity" has not really caught on. Second, the moral-axiological foundations of democratic order, so forcibly postulated by the authors of *The Self-governing Republic*, have not been laid. Third, the basic structure of procedural democracy has been built top-down fashion although the quality of democratic institutions is still very wanting. Fourth, the institutions of territorial self-government have also been built top-down and they are still awaiting further reform and undergoing ramified changes but, if they are to develop properly, they need a strong civic partner which they do not have so far. Fifth and last, bottom-up rudiments of an enclave civic society have been built and it is now painstakingly developing its own institutions, mainly with the help of foreign agents.

Therefore, the impact of "Solidarity's" programmatic traditions was most visible in the early phase of the transformation in the form of top-down general democratic reforms and—throughout the Polish transformation—in the form of grassroots development of enclaves of civil society. It is above all the civic "masses" rather than the political and social elites which are continuing the ideas of "Solidarity" in free Poland.

Nongovernmental institutions and civic local communities have become the real depository of the programmatic traditions of “Solidarity.” And here lies the hope for positive changes in other democratic sectors and institutions which may only change in response to bottom-up pressure exerted by a powerful and mature civic partner.

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