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# POLITIČKI MONITORING MIGRACIJSKIH I POVRATNIČKIH PROCESA

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## Two passports – One Nation? Parliamentary Debates on Multiple Citizenship in Poland

### SUMMARY

The article presents the descriptive and analytical approach to the discursive events concerning the issue of dual/multiple citizenship. In order to reconstruct the processes leading to redefinition of Polishness among the symbolic elites, it focuses at argumentative strategies used by the disputants in the Polish parliamentary debates. The process of redefinition of political identity on this level is particularly visible in the policy discourse constructed around the legislative proposals. The rhetoric structure of this discourse reflects the dividing lines shaping the belief systems among the symbolic elites. It also shows the directions of the present and future developments of the concept of Polishness. The end of the communist regime in Poland brought not only systemic changes, but also the need to redefine the legal basis of Polish political community. As it occurred, the problem of citizenship is very much interwoven with the idea of the nationhood, what can be quite contrary to the recent globalization of the concept. The debates on dual/multiple citizenship in Poland provoked the much deeper debate on the limits of Polishness, the spacial and ideational creation of political communities and the issue of getting to terms with the painful past. Therefore, the analysis of the Polish policy discourse on multiple citizenship inevitably uncovered the underlying struggle on a new definition of Polish political community. The clear distinction, present in the debates, between the multiple citizenship of Polish and non-Polish origin must evoke certain worries concerning the scale of ethnocentrism governing the concept of citizen in the new Poland.

KEY WORDS: multiple citizenship, Polish identity, political debates, minorities, discourse

Polish citizenship is not an easy concept to determine, the proof of which can be found many times throughout the history of Polish constitutionalism. The development of the concept has been related to the various stages of Poland's history, the history of a Central European country, the crossroads of Europe experiencing waves of armies, refugees and settlers constantly passing in each of the four directions. The need to organize life of a dominant community and the minorities within defined borders of a nation state according to democratic principles required precise definitions. These definitions start with the concept of the "Nobility's Republic of Poland", in effect from the 14<sup>th</sup> to 18<sup>th</sup> century, during which time only members of the gentry and aristocracy were considered citizens, through the introduction of the mixed blood and territorial principle of a multiethnic population in-between the wars, to the final confirmation of the blood principle in the Citizenship Act of 1962.

The communist regime, through various acts of expulsion, brought homogeneity to Poland's doorstep. Throughout the 50 years of the Polish People's Republic, minorities were thus not the main focus of citizenship policy. However, another group simultaneously gained importance – the Polish emigration community, the so called Polish Diaspora. The members of this group often hold dual citizenship and the type of national ties that should link them to the Homeland have been discussed several times.

In this paper,<sup>1</sup> I will examine the argumentative strategies of Polish parliamentary debates on the main bills concerning the concept of citizenship. Following the terms of the debate, I will give an outline of the belief systems of Polish lawmakers related to the concept of dual citizenship.

## 1. The debates on multiple citizenship – an overview

The issue of multiple citizenship was discussed in the Polish parliament in the years 1999-2001, under the government formed by a coalition of AWS-UW<sup>2</sup>. It was then that the coalition put forward several important legislative proposals, i.e. 1) *Bills on the Renunciation of the Conventions on Avoidance of Dual Citizenship* (concerning mutual relations with post-soviet countries); 2) *Bills on Polish Citizenship*; 3) *Polish Chart and the Procedure of Recognition of the Membership in the Polish Nation or of Polish Origin Bill*; 4) *Bill on Repatriation*. Each Bill dealt with a broad range of issues related to the problem of citizenship and nationality. Although rarely explicitly stated, the concept of multiple citizenship appeared throughout the debates, interwoven with notions of history, nation and Polishness.

The Bills constituted an interesting stage in the development of the concept of the nationhood. It can be argued that during the debates the belief systems regarding Polish nation were established. The analysis of the argumentative structure of the debates will thus reveal these systems and facilitate a link between the concept of multiple citizenship and the new idea of nationhood. The debates were chosen on the basis of their relevance to the research purpose following two criteria, corresponding roughly to two characteristics, distinct for each of the two types of discourse present in the deliberations.

The first criterion concerned the actual appearance of dual citizenship as a verbalized topic of discussion. The Bills on Renunciation of the Conventions on Avoidance of Dual Citizenship and the Bill on Polish Citizenship fall into this category. Here, the debates developed around this concept and the arguments related explicitly to this issue. Nevertheless, in each case the nature of that relation was different.

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<sup>1</sup> This paper presents the preliminary results of the research on the Polish case, being a part of international project led by the University of Bremen and funded by the Volkswagen Foundation: "Multiple Citizenship in a Globalising World. Germany in Comparative Perspective", unpublished.

<sup>2</sup> The abbreviations of the parties as quoted in this text: SLD – post-communist, left-wing party; AWS – post-Solidarność center-right party; UW- post-Solidarność center-right party; PSL – Farmers' Party; ROP-PC – post-Solidarność right-wing party; BBWR – post-Solidarność right-wing party; KPN – post-Solidarność right-wing party; SKL – post-Solidarność right-wing party.

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

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

## 2. Method – argumentative approach

The sphere of ideas, beliefs and meanings can be analyzed best through discursive structures. The way people talk about certain issues uncovers the world they create with words, a truth different for each individual. Discursive strategies aim to persuade others to accept for themselves the version of reality one believes in (or promotes) (Campbell, Jamieson, 1990). Political discourse is particularly fertile in this regard. It is important to note though, that I define political discourse as policy discourse (Czyżewski, Kowalski, Piotrowski, 1997), which is a different concept to political discourse analyzed in the field of critical linguistics (Wodak, 1989) or communication studies (Crigler, 1996). It is present in discursive events taking place in an institutional and legislative context, i.e. during parliamentary debates and Committee sittings, and is thus not to be mistaken as meaning political in the sense of public/populist discourse.

Language, on a pragmatic and semantic level (in general, and that of political actors in particular), is structured by the ideology in which it is anchored (Fairclough, 1989). Therefore Polishness, identity, nation, are concepts which hold many functions when appearing in parliamentary debates (Kress, 1985; Wodak, 1999). The structure of discourse, if woven around these concepts, gives an interesting insight into the underlying belief systems of the speakers, which can be uncovered while analyzing the argumentative structures of the debate. It is here where political elites (van Dijk, 1993) create the reality which justifies or opposes certain legislative proposals, which in turn regulate in real terms the life of the society. Thus, the belief systems of political actors are crucial in shaping the attitudes present across the social strata. The arguments used in such debates should appeal not only to fellow law-makers, but also to the society bound by the laws, i.e. the source of ultimate legitimization (van den Däle, Neidhardt, 1996). Arguments can be thus considered a form of negotiation not only among politicians themselves, but also between politicians and society at large.

Rhetoric provides important tools for analysis of the argumentative structures. In each argument we can trace a similar structure: (X) believes/thinks/proposes (Y) because of (Z). There are many forms of this triad, but it always consists of a statement and a reason for this statement. And these are the exact forms of reasons used while preparing the typology of arguments (Wodak, Meyer, 2001; Toulmin, 1969; Ziomek, 1990).

According to these typologies, arguments can be of a descriptive or normative nature. The second type is adequate for use in political debates, since it underlines the necessity of change. Among them, four types were distinguished, in keeping with a modified version of Habermas categorization: expressive, instrumental, moral and legal (Habermas, 1992). Instrumental arguments refer to practical aspects of introduction of a law and its impact on existing legal procedures. Expressive arguments evoke historical, traditional and national sentiments and place community at the heart of the argumentative structure. Moral arguments stress the need to protect the rights of an individual citizen as a subject of democracy. Legal arguments evaluate the level of compliance of the new law with already existing ones.

Analysis of argumentative structure helps us to understand the importance the question of multiple citizenship occupies in Polish political discourse and consequently draw conclusive remarks on belief systems regarding the idea of the Polish political community.

## **2.1 Parliamentary procedures**

According to the Constitution, Bills can be presented to the Sejm by the government, MPs and by the Senate. The first reading of any Bill can take place in the Committees (e.g. the Bills of the government) or directly at plenary sessions (e.g. the Bills of the Senate). After the first reading, the Bill passes to an appropriate Committee. Then the improved version is presented to the Sejm at the second reading. Any opinions from MPs are gathered and considered during the Bill's second phase in the Committees. Then the third and the final<sup>3</sup> reading at the floor takes place. If an amended Bill does not pass the voting session, it is cancelled. If it does, it is forwarded to the Senate to gain its acceptance. Then the Senate's amendments are discussed in the Sejm Committee. The decision of the Committee concerning the Senate's amendments is presented at the plenary session and accepted or rejected by the Sejm. Upon reaching agreement, the Bill is enacted and becomes a binding law. At the end of the term, however, Bills are in danger of not being enacted since there is often insufficient time to put them on the agenda to final voting.

Discussion at plenary sessions is scheduled according to a very strict parliamentary code, quite unlike debates held in the Committees<sup>4</sup>. In the former the debate is

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<sup>3</sup> However, less controversial Bills are very often enacted during the second session in the House, when second and third readings are ordered on the same date.

<sup>4</sup> The debate is conducted by the Marshall of the Sejm, whose function requires objectivity and a sense of balance. The debates have a similar sequence: firstly, the Bill in question is presented by its author; then the Marshall decides on the length of speeches to be held by the MPs; the MPs present the position of their parliamentary caucuses, with the majority going first; after the first round the Marshall accepts individual questions to the authors of the Bill and establishes their duration; when all the questions have been asked (in the order of registration) the authors answer them in one speech referring to the individual MPs or to the repeated questions. The debate in the Committee, on the other hand, allows more interaction. Usually members of the Committee are few and they invite experts and authors of the Bill to sit in and discuss any proposed amendments (amendments are usually elaborated in sub-Committees, for which no transcripts are publicly available).

rigid with hardly any argumentative structure ever present in direct interaction. Nevertheless, monologue-like argumentative statements can arise; such statements, however, are rarely directed at an individual MP posing a counter-argument but take a more general perspective. In the case of the Committee debates, the Chair schedules the statements of the members, but the whole discursive interplay resembles everyday speech situations. Therefore, the argumentative structures embedded in the rhetoric schema are more common, and binary pairs of arguments and counter-arguments can be easily traced.

## **2.2 Source of the data**

The excerpts for analysis were chosen from texts of transcribed debates held in the Sejm, both of plenary sessions and in the Committees<sup>5</sup>. The debates held in the Senate were not considered, since it was the Sejm, not the Senate, which was the main battlefield in all of the relevant cases. The analyzed fragments were taken from the debates held at each stage of the legislative process, and the argumentative structures examined followed two general modes: the plenary session mode and the Committee mode. It is worth noticing that more arguments have been found in the Committee debates' transcripts. In each of the analyzed cases, most of the arguments used at the Committee sittings were echoed during the plenary sessions; however, some of them did not reappear in the House, because they had already been cancelled by counter arguments at Committee level. It should be mentioned that, in general, debates led in the Committees tend to be less emotional and spectacular. The quotations used to illustrate the analysis have been chosen from among other excerpts conveying the same argumentative idea. The source of the argument, i.e. whether it appeared during the Committee or plenary session debate, is given in the final notes. The arguments composing the argumentative structure are grouped in descending order, from the most to the least frequently used. In this way, the general character of the discussion is immediately noticeable.

## **2.3 The Bills in question – an overview**

The analysis focuses on Bills which had a significant impact on political discourse in Poland concerning questions of citizenship, nationhood and Polishness.

As stated earlier, they were discussed in a similar time span. Table 1 presents the chronological order of the parliamentary proceedings in each case.

The concentration in time is symptomatic and indicates the political engagement of the parliamentary majority of the right-wing parties in the process of redefining Polishness, coming to terms with the country's Communist past and establishing conditions for membership of the Polish nation. However, in the present analysis only the first four cases will be considered, and the last two will be merely mentioned.

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<sup>5</sup> The Committees where the debate over the Bills was held were: Administration and Internal Affairs Committee (referred to in the quotations as AIA); and Committee on Liaison with Poles Abroad (referred to in the quotations as LPA).

Table 1

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

Source: author's own representation

### 2.3.1 Bills – subject to analysis

The main aim of the *Bills on Acts of Renunciation of the Conventions on Avoidance of Dual Citizenship*<sup>6</sup> was to denounce the treaties binding Poland's sovereignty. They counteracted cases of dual citizenship by regulating the ways of obtaining, renouncing and being deprived of foreign citizenship. Generally speaking, the conventions introduced the practice of enforcing the renouncement of one citizenship while acquiring another. The Conventions were an infamous heritage of the communist past, when bilateral agreements on dual citizenship were in a sense promoted among the socialist states. The Bills promoting renunciation were thus meant to prepare the ground for the new Polish Citizenship Act, by throwing away the historical burden. The notion of how to deal with the past was prominent throughout the deliberations, demarcating the basic terrain of further debates.

<sup>6</sup> The five Bills on the Renunciation of the Conventions on Avoidance of Dual Citizenship, enacted in 2000, (concerning mutual relations with Ukraine, Czech Republic, Slovakia, Mongolia, and Byelorussia) were incoming to Sejm separately, but in the same period, their 1<sup>st</sup> readings were also separate. However, starting from the 2<sup>nd</sup> reading, they were discussed in one block, allowing thus for concentration of the debate. There have been other separate Acts on the Renunciation of the same conventions related to other countries of the Soviet block, but they were not concentrated and this made the analysis less complete and less argument-rich.

As regards the *Bills on Polish Citizenship*<sup>7</sup>, it was the next step in this procedure. Dual citizenship appeared as a legal issue rather than a prerogative of the Polish State. I will discuss the debates of the version of the Bill at the later stage of the procedure, i.e. the Bill uniting the Senate and Government proposals, since this was the document that was finally voted on.

Throughout the debates at different stages of the parliamentary procedure the theme of restoration was regularly invoked. The issue of those who were deprived of Polish civic membership for historical reasons, was not part of the debate providing a source for argumentative structures. Instead, any references to restoration were used as a cross-party praising invocation, starting every speech in the House, thus determining the pattern for further discussions<sup>8</sup>.

The focus of the actual debates that would follow was internal rather than international. The central theme of the discussions was the problem of the so-called amended<sup>9</sup> Article 4, introducing the State's formal recognition of dual citizenship holders of Polish origin.<sup>10</sup> Some minor deliberation was devoted to the amended Article 44, opening new possibilities of naturalization of dual citizens of non-Polish origin. The presence of the concept of dual citizenship was thus two-fold; on one hand it was discussed in relation to people considered to be vital elements of the Polish nation; on the other hand, it tackled the question of extending citizen rights to foreigners. The argumentative structures were thus divided into two clearly cut parts, which were mutually exclusive.

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<sup>7</sup> The Polish Citizenship Act of 1962 has been in force for over 40 years, and it has been amended several times, mainly in 1990s. The Act defines conditions of acquisition of Polish citizenship, it also provides a definition of Polish citizenship based on *ius sanguinis*. The Act is commonly perceived as rather outdated and unfit for contemporary demographic and political challenges. The three Bills of the new Citizenship Acts, launched in 2000 (see Tab. 1), were elaborated by the Senate, the government and the Sejm. Finally the two first versions were incorporated in one document, passed by the Sejm. The approval procedure in the Senate resulted in many amendments, the majority of them rejected by the Sejm. However, the final voting of the improved Bill never took place, since the final reading was removed from the agenda of one of the last 3<sup>rd</sup> term parliamentary sessions. Therefore the whole Citizenship Act procedure had to start once again in the 4<sup>th</sup> term.

<sup>8</sup> The quotations illustrate the invocation of restoration used by the right and the left wing parties: "The Bill compensates for some harms, discussed here, done to Polish citizens, who as a result of the war and also as a result of the repression suffered in the People's Republic of Poland, were deprived of their Polish citizenship." (Sejm, 3<sup>rd</sup> term, 12.10.2000, SLD); "[the Bill] provides for a wider restoration of Polish citizenship as an elementary justice towards our kinsmen. The adoption of this law will be a partial compensation for the harm that was suffered by many citizens during the WWII and the People's Republic of Poland" (Sejm, 3<sup>rd</sup> term, 12.10.2000, AWS).

<sup>9</sup> The amended Articles discussed during the Polish Citizenship Act debates were the articles of the Bill approved by the Sejm and then amended by the Senate. The amended Bill was discussed again in the Sejm and the changes to the articles were voted.

<sup>10</sup> During the first reading of the Senate's Bill there were only two MPs asking the question concerning Article 16, defining conditions of restoration of Polish citizenship to the citizens of other countries. According to this article, people, who were forced to emigrate and to relinquish Polish citizenship abroad, should be entitled to regain Polish passports and be re-included in the community. No one actually raised the question of dual citizenship, although apparently the new citizens would not be asked to relinquish their present citizenships

The Polish Chart as proposed in the *Polish Chart and the Procedure of Recognition of Membership in the Polish Nation or of Polish Origin Bill* is a very particular case of an attempt to introduce legal conditions for a semi-dual citizenship policy of the State. The Bill was drafted in order to regulate the citizenship matters of ethnic Poles and emigrants, whose host countries do not allow for dual citizenship. Polish Chart was meant to enable them to keep in touch with the Homeland by granting them several citizenship rights<sup>11</sup>. Although the Chart did not provide for dual citizenship *sensu stricto*, it nevertheless provided for semi-citizenship rights for the citizens of a foreign country, based purely on ethnic bonds. The doubts arising in the discussion in Sejm considered the possibility of giving State recognition of such a form of *de facto* dual citizenship.

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

### 2.3.2 Bills not considered in the analysis

There are two Bills mentioned in the introduction that will not be subject to analysis. The *Sejm Bill on Polish Citizenship* cannot be considered since it has never been discussed in Parliament, overlooked in favour of better prepared Bills of the Senate and the Government. As for the *Bill on Repatriation*<sup>12</sup>, the only successfully enacted legislative

<sup>11</sup> The Bill on *Polish Chart and the procedure of recognition of membership in Polish Nation or of Polish origin* provided for the ways of determining national affiliation of persons of Polish origin or of Polish nationality. It offered to individuals membership of the Polish nation, regardless of place of residence, freedom of entry and extended social rights. Polish Chart was designed to be a Polish official document issued by Consulates to individuals of Polish origin. It would be a personal document, valid only with any other travel documents, e.g. passport. The Chart would thus play a role of a lifetime visa, since it also provided for nationality visa, introducing *de facto* non-visa movement across borders. Thus, the expenses of coming to Poland would be reduced. The regulations of admission of foreigners to Polish territory would not apply in the case of the Chart bearer, since the individual would cross the border under the same conditions as a Polish citizen, i.e. free of any financial requirements. Also the right of his/her children to enter Poland would be satisfied by the document. The Chart would not provide for political rights if a person is non-resident, however the voting rights of Polonia would be upheld. People with the Chart would be treated as Poles while on Polish territory. They would be entitled to free education and to medical care (if residents). The question of pensions and welfare was not addressed directly, however the general tendency was to provide for such possibility on the same basis as for Polish citizens, i.e. paying social security taxes. The rights of Polish Chart holders were the main reason for turning down the project at an early stage. During the Parliamentary debates it was agreed upon that Poland is too poor a country to provide for social rights for all the possible Chart holders. It was also regarded with distrust by the EU. The discussion about the Chart has been recently reinitiated, however at this time the questions concerning social rights included in the Chart are being scrutinized more thoroughly.

<sup>12</sup> The Repatriation Act of November 9, 2000, defines the repatriates as ethnic Poles, not foreigners nor emigrants. Therefore, only persons that do not have Polish citizenship can be repatriated. The criterion for repatriation is being of Polish origin, a definition which has two dimensions: nationality and culture. The repatriation visa can be issued to an applicant, who claims Polish nationality and used to hold Polish citizenship. The “Polish origin” rule is also applicable if one of applicant’s parents or grandparents, or both



proposal referred to herein, it has been omitted from this argumentative structure for several reasons.

Firstly, even if it seems that the debate on the Bill could meet the second criterion of material selection for its focus on widening the basis of the Polish political community, in reality it was the one least related to the formally stated issue of dual citizenship. The main theme of all the discussions were who and on what grounds should be repatriated, and thus automatically granted Polish citizenship. Therefore the debate centered on the notion of conditions of membership in the political community. The disputants did not question the *ius sanguinis* rule, merely trying to formulate a proper definition of Polishness and Polish origin, a discussion that took place mainly during the 1<sup>st</sup> reading in the House. Nevertheless, the implicit presence of the concept of dual citizenship, and the related dilemma have been incorporated in the legal provisions: the repatriates, at the moment of crossing the border, are granted Polish citizenship without being required to relinquish their current one. In practical terms, this means that unless the country of origin of the repatriate demands him or her to cut citizenship ties, there will be a growing group of dual citizens who come to live in Poland. Interestingly enough, the debate on the Bill did not focus on the fact that the process of repatriation would make it possible for a growing number of dual citizens to reside on Polish territory. A statement which explicitly confronted the problem of dual citizenship in the context of repatriation appeared only once,<sup>13</sup> during the 1<sup>st</sup> reading of the Bill at the plenary session, being put in the form of a rhetorical question and never answered by the authors of the Bill. The tacit consensus on not pushing forward the issue of double citizenship in the case of repatriates was apparently working very well.

The second reason for not analyzing the debate on the Bill on Repatriation is that any lack of the debate on dual citizenship was compensated for by lengthy discussions concerning Polishness and financial costs of social rights of repatriates. Unfortunately, debates on this Bill and on the Bill on Polish Chart were conducted simultaneously, and the arguments used in the discussion of the first were related also to the latter, without clear distinction. Concerns expressed in debates on Polish Chart related to patriotism of Poles abroad as well as to the financial costs of spreading the basis of political community, were presented also in relation to repatriation. But in the first case the spectrum of arguments was wider and more focused on the issue of dual citizenship. And thus it would

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great grandparents were of Polish nationality or were Polish citizens. Such a person should demonstrate the alignments with “Polishness”, meaning the cultivation of Polish traditions, customs and language. The provision is based on ideological concept of the national bond, and thus the obligation of the Polish nation towards the descendant of the patriots displaced forcefully to the East. The Act provides solely for the repatriation from the territories of the Asian republics of the ex-USSR. Nevertheless, repatriation from other areas could be allowed in a special government decree, provided that persecution of the Polish minority took place. The repatriates, and their minor children, are automatically granted Polish citizens’ rights on the border and they are actively supported by the State and local authorities

<sup>13</sup> “The second question, I think the most important one in the whole Bill [Repatriation Bill] is the question of citizenship... I think that one thing was omitted in the presentation and tacitly avoided in the speech of the Senator presenting the Bill, i.e. the question of the dual citizenship... In my opinion the rule of dual citizenship in the situation of Poland, in complicated Polish history... will cause loyalty conflicts in the case of individual citizens, conflict which is dangerous for the State” (Sejm, 3<sup>rd</sup> term, 22.09.1999, UW).

be scientifically counterproductive to try and divide the homogenous discussion in two parts. Instead, a more profound analysis of the debate on Polish Chart will be proposed.

### **3. Burning the bridges with the Communist Past – Renunciation of the Conventions on Avoidance of Dual Citizenship**

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

The debate over the Bills was not heated. The general atmosphere was the one of breaking any existing bonds which tied the III Republic to the past. The MPs did not engage in any prolonged discussions in the Committee, nor did they do so during the House readings<sup>14</sup>. Any incidental voices trying to raise dissent were eventually lost in a chorus of approval. Nonetheless, some form of argumentative structures can be traced in that debate.

#### **Arguments in favor of pursuing the renunciation procedure**

The argument most often used in favor of pursuing the renunciation procedure can be labeled as expressive. It was argued that the State's sovereignty suffered serious harm, since the conventions made any decision on Polish nationality dependent on the permission of the other side<sup>15</sup>. The question of ability to take sovereign decisions was also evoked by instrumental arguments, which introduced the perception of the Bills as "clearing the ground" and preparation for the new Citizenship Act<sup>16</sup>. Poland, free of any

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<sup>14</sup> The quotations in this section are taken generally from the Committee sittings, since the arguments used in the plenary session were more limited, if they appeared at all.

<sup>15</sup> "First of all, the conventions signed with the communist countries conditioned the possibility of conferment of Polish citizenship on the permission of the other partner of the treaty" (AIA Committee Biuletyn 1989/III, 06.10.99, Government). "To put it shortly, other State will not decide upon who can and who cannot become a Polish citizenship" (AIA Committee Biuletyn 2045/III, 20.10.99, AWS).

<sup>16</sup> "Third, as we all know the new citizenship regulation is being elaborated (...) and therefore we would like to have a sort of 'clean ground' in the parliamentary discussion on this issue. To put it differently, we do not want the new provisions to be conditioned nor bounded by any international conventions signed in the past" (AIA Committee Biuletyn 1989/III, 06.10.99, AWS).

shameful historical bonds, would follow the same laws in international relations towards all states as far as the recognition of the citizenship rights is concerned<sup>17</sup>. According to another instrumental argument, no state should be granted any special treatment by an individual legal provision. With this in mind, speakers indicated the need to maintain the unique standards of citizenship regulations in the case of Western as well as Eastern Polish communities, and one-sided conventions with Eastern-European countries did not serve this aim well.<sup>18</sup>

Throughout the debate, the disputants also tackled the issue of the attractiveness and unattractiveness of Polish citizenship to foreigners. This was the only moment in the debate when the issue of immigrants was raised. However, the danger of misusing the naturalization procedure was waived by an instrumental argument presenting Polish citizenship as undesirable to migrating crowds; therefore, even if foreigners kept citizenship of the country of origin, there would be no special provisions to regulate the numerous cases of dual citizenship holders of non-Polish origin<sup>19</sup>.

The instrumental arguments also concerned the improved legal provisions to be enacted, e.g. the long-awaited Citizenship Act, which was proposed as the only way of regulating the problem of dual citizenship which would respect the Polish Reason of State, as opposed to the bilateral agreements, which were seen as inappropriate. The conventions were thus thought to be a faulty instrument which needed to be replaced by a modern and more workable one<sup>20</sup>. Since the renunciation procedure concerned several countries, debate over individual cases had a comparative character and different instrumental arguments were used in each case. Arguments stressing better legal solutions introduced via past amendments to the Citizenship Act of 1962 were used in discussions relating to the Ukraine and Byelorussia<sup>21</sup>. According to some speakers, the conventions had ceased to have any legal impact because the new provisions were more efficient in the fight against e.g. commercial marriages with the citizens of these countries<sup>22</sup>. In the case of Mongolia, the argument of “dead law” prevailed<sup>23</sup> – since the regulation had never been used, it had been rendered movibund.

<sup>17</sup> “The convention introduces inequality in international relations” (AIA Committee Biuletyn 1989/III, 06.10.99, AWS).

<sup>18</sup> “On the West the Poles were free to obtain foreign citizenships, because there were no bounding conventions, and on the East it was impossible. This situation should be unified” (AIA Committee Biuletyn 2039/III, 19.10.99, AWS).

<sup>19</sup> “The fears of the MP Cimoszewicz can become real in remote future, if we ever become country of attractive citizenship” (AIA Committee Biuletyn 2039/III, 19.10.99, UW).

<sup>20</sup> “The case was deeply analyzed during the works on the government project on Citizenship Act. In that Bill there are measures counteracting the majority of cases of dual citizenship” (AIA Committee Biuletyn 2039/III, 19.10.99). “The State’s interest should be guaranteed by a good Citizenship Act, and not agreements with single countries” (Sejm, 3<sup>rd</sup> term, 17.11.1999, SLD).

<sup>21</sup> In the 1990s the series of new amendments regulated e.g. the question of mixed marriages.

<sup>22</sup> “The agreements with Ukraine and Byelorussia were needed from the Polish point of view until the amending of the Citizenship Act of February 15, 1962, those amendments decreased the threat related to the acquisition of the citizenship by the simplified procedure, e.g. by getting married for commercial reasons, what could increase the number of persons coming to Poland and applying for Polish citizenship” (Sejm, 3<sup>rd</sup> term, 17.11.1999, SLD).

The instrumental arguments were supported by legal arguments stating that such conventions violated international law, such as the 1997 Council of Europe Convention on Citizenship creating the conditions for statelessness<sup>24</sup>. Moreover, a resounding argument indicated that the conventions did not represent behavioural standards in international relations<sup>25</sup>. The issue of incompatibility with domestic law was also raised, arguing that the Polish State was unable to pursue its own legal provisions in the area of citizenship, being bound by the opinion of another state<sup>26</sup>. The legal arguments also evoked conflict with the Constitution, which in Art. 34 states that “a Polish citizen cannot lose Polish citizenship unless s/he renounces it”.

This argument was also used in the form of moral argument concerning the individual rights. The bilateral conventions made the free choice of Polish citizenship by the ethnic Poles dependent on the will of their host country; and the members of the Polish minorities abroad<sup>27</sup> should not have any barriers regaining Polish citizenship.<sup>28</sup> This argument is the direct outcome of the Constitutional provisions and the *ius sanguinis* perception of citizenship as the inborn right of individuals of Polish origin. Still in this spirit, the renunciation of the conventions leading to the situation facilitating dual citizenship was often perceived as the key action opening the gates to the Polish Diaspora in the countries, with which the conventions had been signed. The arguments supporting the Bill often stressed that the permissive Polish doctrine on the multiple citizenship is needed to keep in touch with the Diaspora<sup>29</sup>. The idea of the second part of the nation living abroad was constantly present throughout the debate and was distinctly divided from the issue of dual citizenship holders of non-Polish origin.

#### **Arguments against the renunciation procedure**

Arguments against the renunciation procedure were rare and usually brought into question the general position of the Polish State on multiple citizenship. Instru-

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<sup>23</sup> “This convention is to some extent ‘dead’ and it does not tackle any vivid common interests of Poland and Mongolia” (Sejm, 3<sup>rd</sup> term, 17.11.1999, UW).

<sup>24</sup> “The convention forces the statelessness of individuals whose applications for Polish citizenship are being processed” (AIA Committee Biuletyn 2039/III, 19.10.99, AWS).

<sup>25</sup> “The conventions of this kind are not used in the European relations and are not the standard of international relations” (Sejm, 3<sup>rd</sup> term, 17.11.1999, UW).

<sup>26</sup> “In the international practice concerning the children from mixed marriages the parents leave the question of citizenship to the child’s choice when it turns the major age. The convention, in case there is no option of citizenship on the part of the parents, defines the citizenship of the child without their involvement using the birth place right. The renouncing of the convention will allow using Polish legislation and will also re-establish the sovereignty of the Polish State in the area of citizenship” (Sejm, 3<sup>rd</sup> term, 17.11.1999, UW).

<sup>27</sup> Some MPs referred explicitly to the minority in the Czech Republic.

<sup>28</sup> “The Convention is seen negatively by the Poles in the Czech Republic since it forces the residents to give up their Polish citizenship if they want to obtain the local rights.” (AIA Committee Biuletyn 2039/III, 19.10.99, Government)

<sup>29</sup> “Polish doctrine, i.e. assuming that a Polish citizen is treated as, and only as, Polish citizen by the Polish authorities, i.e. recognition of the exclusiveness of Polish citizenship in relation to Polish authorities, is a good doctrine for Polish Diaspora abroad. Millions of Poles in the last 45 years lived in exile and obtained foreign citizenships. We want them to come to Poland even if they have dual citizenship” (AIA Committee Biuletyn 2039/III, 19.10.99, AWS).

mental arguments focused on Polish policy towards multiple citizenship in the case of Polish citizens. Answering the pro-argument on the superiority of the domestic legal provisions, the renunciation of the conventions was perceived as a move that would cancel a much needed instrument, since it was likely that domestic laws (e.g. Citizenship Act) would not be enough to guarantee State control over international citizenship relations of Polish citizens<sup>30</sup>.

The legal arguments concentrated upon the problem of international trends concerning avoidance of cases of dual citizenship. Poland should not rely on domestic, one-sided regulations in this aspect because they are not in the line with international trends.<sup>31</sup> It is interesting to notice that this argument was used both pro and con.

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The debate was rather toned down, the few counter-arguments being immediately contradicted by pro-arguments, especially those stressing the need to amend the mistakes and harms of the communist past (the argument on facilitating acquisition of Polish citizenship by members of the Polish minorities). It seemed that in this debate the standpoint of the Polish State on multiple citizenship was not defined. On one hand, the provisions counteracting dual citizenship were to be abolished; on the other hand a clear-cut statement of formal acceptance of dual citizenship was not formulated. All pro-arguments, which appeared in the AIA Committee, were incorporated in the presentations of the Committee Speaker during the plenary session and thus hardly resembled classic arguments, showing little real political debate; legal and instrumental arguments were presented rather in the form of rhetorical questions. The general mood of dealing with the communist past was overwhelming and practically eliminated any real discussion. The opposition would not fight too openly against the Bills, because it would have been immediately accused of Communist sentiment. Thus, the renunciation procedure Bills were passed by a substantial majority of votes.

#### **4. Dual citizens and the State – debate over the Bill on the Citizenship Act**

The terms of the debate on the Bill on Citizenship reflected the overall belief that the Citizenship Act of 1962 was an archaic instrument, impossible to amend more effectively than had been done during the 1990s. And thus the main question to be addressed was not if Poland should have a new Act, but what the limits of the political community as established by the future Act were. There were three important concepts in the debate on the Citizenship Bills, in their Senate and Government versions. The first one, concerning Dealing with the Past, dominated the debate on the Senate's Bill while the two others, focusing on the issue of dual citizenship and the rights of Polish Diaspora versus foreigners, appeared during the debates of the Government Bill.

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<sup>30</sup> “By limiting the question only to domestic regulations we consciously agree upon possible, and most probably more frequent cases of the dual citizenship among Polish citizens” (AIA Committee Biuletyn 2039/III, 19.10.99, SLD).

<sup>31</sup> “[in such cases] international regulations aiming at limiting the cases of dual citizenship are generally adopted” (AIA Committee Biuletyn 2039/III, 19.10.99, SLD).

The Senate's Bill was discussed in depth only once, during the first reading in Sejm, together with the two other Senate Bills (on Repatriation and Polish Chart). Here, the new draft was backed up by all the MPs who unanimously supported the idea of restoration of Polish citizenship to those Polish ex-citizens who were forced, by historical or political circumstances, to renounce it<sup>32</sup>. The topic of people meriting recognition of their civic rights as a form of acknowledgement of their suffering and patriotism was present in all speeches regardless of the political party.

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

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

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

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

The Senate's amendment to the Sejm's Bill in 2000:

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

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

The Senate's Article 4(1) was controversial to the Polish government, while 4(2) did not satisfy Polonia, who were willing to have certain rights and exemptions recognized because of their dual status (dual taxation, military service etc.). As a matter of fact, the Senate's amendment introduced a new approach to multiple citizenship by stating officially that the Polish State recognizes the right of any Polish citizen to hold multiple

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<sup>32</sup> Some MPs would express their concern with restoration – if the legislative provisions are good enough to ensure that the people who acted against the Polish Reason of State/Nation will not be eligible for the restoration. It is worth mentioning that the Senate's Bill did not include Polish citizens of Jewish origin deprived of the citizenship in March 1968. The Government Bill introduced the right of this group to restoration. Discussion of this article was virtually absent from the parliamentary debate as if the MPs did not perceive it as a problem.

citizenship. What was at stake in the debate over that amendment was the open acceptance of multiple citizenship replacing its previous incarnation of unofficial practice. The main debate took place at the joint-sitting of the AIA/LPA Committees, and again later at the plenary session. The atmosphere of the debate in the Committees and in the House was very heated. It reflected the clash of two lobbying groups: 1) Polonia, pushing for broader recognition of its status, influencing the Senate and some right-wing groups in the Sejm, and 2) center-right, center-left and leftist parties following the European standards promoted by the enlargement process<sup>33</sup>.

#### **The arguments in favor of the State's recognition of dual citizenship (the Senate's amendment of Art. 4)**

The arguments in favor of the amendment were largely of an expressive character. Legal confirmation of dual citizenship was promoted because of its consistency with the Polish tradition of accepting dual citizenship to enable better contact between emigrants and the Homeland<sup>34</sup>. The solution would thus formally adopt the idea of a nation larger than the population within Polish territory, and would therefore consider the interests of those living abroad. Another expressive argument was based on the idea of compensation for the harms of the past to be paid to the victims of emigration of the Communist years and a prize for cherishing national ties<sup>35</sup>. In this sense also moral arguments were involved, stating that Polish emigrants expected the Polish parliament to pass this resolution, i.e. speakers promoted the right of emigrants to influence Polish MPs.

The instrumental argument used in this patriotic strain tackled the practical matters related to being an emigrant. The formal recognition of dual citizenship would facilitate the disrupted lives of all emigrants by enabling them to join two citizenships<sup>36</sup>. Apart from instrumental arguments, legal arguments also found their way through. Some speakers defended the amendment, arguing that it is in compliance with the Polish Constitution and with the European Convention on Citizenship<sup>37</sup> and other European laws adopted in the process of European integration. This argument was used as a counterpart to legal arguments against the solution, which tried to prove that any legal obstacles were basically irrelevant.

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<sup>33</sup> The arguments quoted in this section were encountered both in the Committee and in the House.

<sup>34</sup> "While working on the Bills we have to keep in mind the expectations of Polonia and the Poles living abroad" (AIA/LPA, Biuletyn 3213/III, 15.09.2000, BBWR).

<sup>35</sup> "This solution is compliant with Polish tradition and meets the expectations of millions of Polish emigrants all over the world, especially in the US. These Poles, our kinsmen, very often would emigrate in search for bread, or for political reasons, they would accept the citizenship of other countries, however they never broke the ties and bonds with the Homeland. Poland stayed for them the first Homeland, the mother" (Sejm, 3<sup>rd</sup> term, 07.06.2000, AWS).

<sup>36</sup> "This is needed, because as we know, many Poles living all around the globe – for different reasons, as mixed marriages and other situations – would like to benefit from the Polish citizen status, joining it with the host country citizenship" (Sejm, 3<sup>rd</sup> term, 07.06.2000, SLD).

<sup>37</sup> "First of all, the Bill is in compliance with the Art. 34 and 137 of the Constitution, and it is in compliance with the assumptions of the European Convention on Citizenship, so it will not disturb the works related to European integration" (Sejm, 3<sup>rd</sup> term, 07.06.2000, SLD).

#### Arguments against the State's recognition of dual citizenship (the Senate's amendment of Art. 4)

The counter-arguments, mostly expressive, were far more numerous and sophisticated, and generally focused on the in-border population. It was claimed that Polish citizenship is something unique and of supreme value, and consequently the trend should be to provide for uni-citizens. Thus, according to the speakers, the role of the Parliament was not to encourage new individuals residing in Poland to obtain other citizenships<sup>38</sup>. Expressive arguments focusing on the integrity of the nation were also used. A vision of the Polish nation as homogenous would be threatened by the amendment, because such legal permission might encourage citizens residing in Poland to associate according to the dual citizenship criterion. Such divisions might not only shatter the unity of the nation, but could be dangerous from a political, social and economic point of view<sup>39</sup>. The other expressive argument, used in this sense, concerned the danger of misusing the privileged dual-status situation. The threat was seen to be especially real on the part of Polish citizens holding German citizenship. It was suggested that the enactment of formal recognition of dual citizenship might encourage misuse of dual status by the German minority in Poland, ready to claim their rights as foreigners, not Poles. The category of “a German” misusing or overusing his dual rights<sup>40</sup> was clearly aimed towards those MPs rooted in Polish meta-text<sup>41</sup>.

Among the expressive arguments, worries concerning the image of Poland on the international arena were also put forward. As no contemporary state defines its citizenship this way, nor should Poland, if it wants to be considered a part of the international democratic family, where no state encourages its citizens to acquire other citizenships<sup>42</sup>. This argument was used also to counteract the *Pro Diaspora Bono* arguments. It was thus recalled that in the host countries of the Polish emigrants there are no provisions recognizing *par explicate* the citizenship of some other country<sup>43</sup>. Such re-

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<sup>38</sup> “I believe that the Parliament of the Republic of Poland should not encourage Polish citizens to acquire a foreign citizenship. We should treat Polish citizenship as a supreme value. I understand, that having so numerous group of kinsmen abroad we have to tolerate the dual citizenship, but we should not encourage next individuals to do so” (AIA/LPA, Biuletyn 3213/III, 15.09.2000, SLD).

<sup>39</sup> “Adoption of this solution would create a situation in which the citizens could organize on the Polish territory according to the criteria of foreign citizenship, and this would cause serious consequences, not only political, but also social and economic” (Sejm, 3<sup>rd</sup> term, 12.10.2000, independent, Parliamentary Circle for Poland).

<sup>40</sup> “The fact of formal recognition of the dual citizenship could be misused by, to say it openly, by e.g. Polish citizens who hold simultaneously German citizenship” (Sejm, 3<sup>rd</sup> term, 12.10.2000, AWS).

<sup>41</sup> “In Polish tradition, Germans are associated with a possible danger and potential enemy. Such an attitude derives from historical experience and sometimes pops out in the speeches that rely heavily on expressive arguments.

<sup>42</sup> “No contemporary state defines its citizenship this way... this solution would constitute an exception in the family of democratic states and would encourage Polish citizens to acquire citizenships of other countries” (Sejm, 3<sup>rd</sup> term, 12.10.2000, SLD).

<sup>43</sup> “Poles living in their [host] countries know very well that their host countries, of which they are citizens, do not define explicitly the rule that citizens can acquire citizenship of other country” (Sejm, 3<sup>rd</sup> term, 12.10.2000, SLD).



cognition was also deemed dangerous because of the possible impact of the regulation on the concept of citizenship *per se*. Since citizenship assumes loyalty towards one country, if the State were to officially recognize several citizenships, the logic of the institution of citizenship would be broken<sup>44</sup>.

Instrumental arguments were also common, the most popular being one concerning legal procedures related to dual citizens claiming that there is no need to bother with additional legal regulations. Since in Poland there is a tradition of tolerance versus dual citizenship, it should be enough to ensure proper treatment of such cases and no special provisions, such as Article 4, were necessary.<sup>45</sup>

The other aspect of the instrumental argumentation was the problem of national security. When used as a counter-argument of the *Pro Diaspora Bono* arguments, it stated that the interests of Polonia and Polish emigrants are secondary to the question of national security, endangered by the possibility of formal recognition of dual citizenship and the flow of dual citizens into the country; accordingly, a practical point of view should be acquired<sup>46</sup>. This threatening atmosphere brought about the most curious instrumental argument recalling the problem of Polish land and its ownership. The argument stated that in the case of formal and open permission, foreigners waiting to purchase Polish land in North-Western Poland would obtain Polish citizenship just to conclude the transaction, and in cases where foreign citizenship was retained, Polish lands could be sold abroad. Using this argument, speakers made appeals to feeling of national solidarity present among the Poles abroad<sup>47</sup>, urging them to stop pushing for formal recognition of dual citizenship, and to keep in mind that the outcome would serve not only Diaspora interests, but also the interests of strangers hoping to gain possession of Polish lands.

Moral arguments concerned the position of Poles abroad, especially those with dual citizenship. Some speakers maintained that the official permission of the State may cause violation of individual rights in the country of second citizenship, since those people would find themselves in a situation of dual loyalty and might be treated by their host country accordingly<sup>48</sup>. The issue of rights and duties of citizens was often

<sup>44</sup> “The logical consequence of the institution of citizenship is the loyalty to one of the citizenships. If we adopted the solution proposed by the Senate, we would simply break the logic of this institution” (Sejm, 3<sup>rd</sup> term, 12.10.2000, PSL).

<sup>45</sup> “According to the tradition shaped in the Republic of Poland, Poland tolerates the second citizenship of its citizens and it does not cause any problems in this respect. It seems that this practice should be beheld, instead of proclaiming [enacted] solutions” (Sejm, 3<sup>rd</sup> term, 12.10.2000, SLD).

<sup>46</sup> “This point of view [Polonia’s interest] is very one-sided since Polish parliament as the legislative power needs to consider all the consequences of the law to national security, including all the threats” (Sejm, 3<sup>rd</sup> term, 12.10.2000, independent, Parliamentary Circle Coalition for Poland).

<sup>47</sup> “Today we encounter a social problem on the Western and Northern lands... There are many foreign subjects, mixed societies, individuals, who hold on lease Polish lands, and who wait for the changes related to finances and European integration to take over the ownership. And if we introduced the amendment, they would be able to acquire soon the Polish citizen status and avoid the consequences of the 1920 Act on the Acquisition of the Land by Foreigners” (Sejm, 3<sup>rd</sup> term, 12.10.2000, PSL).

<sup>48</sup> “We would put our kinsmen abroad in some sort of dual, dangerous situation as far as their loyalty towards their host-country and towards the Polish State is concerned” (Sejm, 3<sup>rd</sup> term, 12.10.2000, PSL).

discussed. Although the Senate’s version of Article 4 openly recalled the rights and duties of Polish citizens as being different from rights and duties of citizens of some other country (*par implicite*) and such dualism nevertheless was approved of. There would be two sets of rights and duties to be followed in the case of a person with dual citizenship, since the wording of the amendment does not exclude such situations. In cases where both sets clashed, legal interpretation was very broad and basically unlimited. Arguments expressing this opinion regularly arose in the discussion<sup>49</sup>.

Legal arguments were infrequent, oscillating similarly in the area of loyalties and rights, touching on expressive argumentation. The most prominent argument was the clear incompatibility with constitutional law, with the constitutional equality rule concerning all citizens seemingly endangered. The rhetorical question of what to do with citizens of dual status was raised: those with dual citizenship, entitled to claim international norms, customs and treaties to deal with Polish State. Such a situation would lead to necessary changes in the Constitution, since either the Act or the Constitution would have to be amended in order to maintain the *status quo*<sup>50</sup>.

**Arguments against the amendment abolishing the request of previous relinquishment of the citizenship of the sending country prior to naturalization (the Senate’s amendment – Art. 44)**

The amended Article 44 was not widely discussed. There were only two arguments used against the amendment, with no pro-argument being posed. The original proposed Article stated that any foreigner applying for Polish citizenship should relinquish previous citizenship, if no other provisions state otherwise. The Senate decided to cancel this article. The instrumental argument against the amendment foresaw its consequences for admission of other foreigners coming to Poland. The Senate’s amendment would then lead to formal permission being granted to future Polish citizens of non-Polish origin to retain multiple citizenship<sup>51</sup>, since there would be no legal provision to prevent it. The other argument used here to keep the Article in the original version was of expressive

<sup>49</sup> “This amendment creates a situation in which in every case a dual citizenship holder presents him/herself, Polish authorities should examine if the case is related to the rights and duties of this person towards the Republic of Poland stated in Polish law. If it was the case, such a person should be treated as a Polish citizen; however, if it wasn’t the case, we wouldn’t know what to do next with such a person. Such wording of the provision causes the recognition of the dual citizenship as a regulation, which someone can claim in the matters, in which a Polish citizen does not have any rights or duties” (AIA/LPA, Biuletyn 3213/III, 15.09.2000, Government).

<sup>50</sup> “Of course, there are constitutional aspects that require keeping the [Sejm] version [of the Article 4], otherwise a question may arise if the constitutional equality rule is upheld. If there were citizens of dual status, i.e. those having only Polish citizenship, and others, whom the Act treats differently because they have other citizenship, then it is clear that in such a case the second category of the citizens can claim the international norms, customs and conventions and demand treatment according to the standards for foreigners. If we want to take the Senate’s amendment seriously we should think about changes in the Constitution, but I do not think it is needed and there are no such intentions” (Sejm, 3<sup>rd</sup> term, 12.10.2000, SLD).

<sup>51</sup> “The consequence of the Senate’s amendment will be a growing group of individuals holding dual citizenship living in Poland. In our [government] opinion the outcomes of such situation would be negative” (AIA/LPA, Biuletyn 3213/III, 15.09.2000, Government).

character. Namely, that the interest of the Polish State is not to allow the establishment of foreign communities holding dual citizenship in Poland<sup>52</sup>. As stated, the interest of the Polish State was not to accept the growing group of dual citizens on its territory.

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Arguments against formal recognition of dual citizenship were and required specialized legal knowledge. Political divisions were blurred in this respect, and thus not as important in the discussion as the divide between the institutions: the *Pro Diaspora* Senate on one hand, and the *Pro Publico Bono* Sejm and government on the other.

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

The Bill on Polish Citizenship failed to be enacted, and one of the most probable reasons for that was the inability to reach consensus on the question of dual citizenship. We may only suspect that the refusal to adopt the amendments expressed by the Sejm in voting was unacceptable for the Senate, and partly for the governing majority. The clash between the interests of the out-border group and domestic interests was visible in the final debate on the Senate's amendments, and it was not attenuated on a deliberative level, as shown in the transcripts. The Senate was openly against the decisions of the governmental experts, who nevertheless managed somehow to impose their point of view on the Sejm members. The tracks of these processes are hidden behind the scenes, leaving thus limited space for democratic procedures.

## 5. Debate on the Polish Nation – Bills on the Polish Chart

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

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<sup>52</sup> “Article 44 does not refer to the Poles living abroad. This provision refers to the individuals, who have been staying for a longer period in Poland and who want to have Polish citizenship. The Bill states that if there are no cases defined in the provision, such a person must relinquish her/his citizenship. The consequence of the amendment would be that the group of people holding dual citizenship will be growing. This is counter-productive” (AIA/LPA, Biuletyn 3213/III, 15.09.2000, Government).

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

### **Arguments in favor of the Bill**

Expressive arguments used in favor of the Bills usually evoked the need for compensation for tragedies of the past, understood as an important level of solidarity. The language of such arguments was dramatically toned, verging on the lyrical. In flowery terms, the speakers would argue that citizenship rights for the individuals of Polish origin living abroad (especially in the East) are moral compensation for the descendants of the heroes who had enough courage to demonstrate their ethnic membership in the Polish nation in everyday life in exile, despite the danger that such manifestations could bring<sup>53</sup>. The virtue of Polishness as understood in cultural and historical terms proved to be crucial. Consequently, another expressive argument stated that Poles are one nation irrespective of borders or geographical residence. On this basis, citizen rights should be available to anyone of Polish origin wherever they live, thereby implying that having foreign citizenship is absolutely irrelevant and beyond consideration in this case. Historical circumstances cannot divide the nation for ever. Interestingly enough, these arguments based on an historical and idealist view of the nation were posed as counter arguments to those con-arguments stressing the financial aspects of the Bills<sup>54</sup> (see next section). The superiority of the nation and the Polish reason of state was also reflected in the expressive argument related to international politics. According to some speakers, the definition of the Polish interest in international politics should be formed by the interest of the Polish nation abroad. Consequently, the opinion of neighboring countries is completely irrelevant and should have no impact on any decision concerning the part of the Polish Nation residing on their terri-

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<sup>53</sup> “The rights incorporated in the Bill [Polish Chart] are a moral compensation for the descendants of the most enduring representatives of our nation, who were able to and who were courageous enough to demonstrate their ethnic origins in everyday life. It is a model we should follow and give to our citizens as an example.” (Sejm, 3<sup>rd</sup> term, 30-06-2000, KPN)

<sup>54</sup> “*We reject the voices the voices, which appeared in the House stating that financial aspects should be an argument for skeptical attitude towards this Bill. We believe that Polish nation is a nation, despite its members live now for historical reasons. Poles living in Lithuania, Byelorussia or the Ukraine are Poles, are the integral part of the Polish nation*” (Sejm, 3<sup>rd</sup> term, 19.06.2001, AWS).

tory.<sup>55</sup> The pride of being a Pole was also evoked in other expressive arguments stressing the meaning of the border as a symbolic division of the nation. The humiliation of being treated as a foreigner at the Polish border experienced by members of the Diaspora is unnecessary; Poles coming from abroad should be treated as citizens entering their own country, with pride, because they are not foreigners. This clear discursive operation differentiating between a person of Polish origin to a foreigner, and giving greater value to the former, again presented the Polish nation as something unique and special in its unity<sup>56</sup>.

The moral arguments indicated the spiritual rights of Poles, regardless of their place of residence. Since Parliament is the parliament of all Poles, perceived as the union of in-border and out-border groups, it has a duty to take care of their spiritual interests. If Poles abroad want to have such a document as a Polish Chart, confirming their rights as Polish citizens, it should be granted to them, unless it violates any international agreements. Such a document is of a higher value than annotations about Polish nationality made in the documents of their countries of residence, because it would introduce the idea of membership to the Polish nation, and this is what Poles abroad are entitled to<sup>57</sup>. Interestingly, the speakers often referred to the members of Polish minorities as “citizens”<sup>58</sup>, even if no formal legal bond of this sort existed.

The instrumental arguments used for the Polish Chart underlined its unique function of semi-citizenship. The introduction of this document was seen as a practical move, a solution to the problems of Poles abroad. If a Pole cannot apply for Polish citizenship, because of the laws of his country of residence, the Polish Chart would give him very similar rights without creating official problems related to dual citizenship<sup>59</sup>. The legal arguments often stressed that the Bills were aimed at ethnic Poles, and not foreigners, and were therefore not incompatible with international law. According to some speakers, and to expert opinion, in this case there was no discrimination in distinguishing only one group of foreigners by granting them special rights. Poland would not violate any international agreements concerning treatment of foreigners on its territory, because it would refer on-

<sup>55</sup> “We come here to an important argument: how do we understand the vital interests of Poland? Are they some abstract and treated as some absolute value good relations with the neighbors, or are they the interests and the well-being of the Poles living beyond our Eastern or Western border, the border that was not demarcated of our free will. So... I believe we cannot make our support for the Polish Chart dependent on the acceptance given by the neighboring countries... For us the interest of the Poles should be of the supreme value” (Sejm, 3<sup>rd</sup> term, 19.06.2001, AWS).

<sup>56</sup> “The main value of the project we talk about are facilitations for our kinsmen living abroad. These people have merited this. Let them, who stayed faithful to the Polishness, Polish tradition, identity, culture, heritage, religion and roots, not be treated on the Polish border as foreigners any more” (Sejm, 3<sup>rd</sup> term, 19.06.2001, AWS).

<sup>57</sup> “... in this case the House should follow first and foremost the interest of the Poles, the spiritual interest of its citizens, of course without violating any international agreements. If this is their will, they have undisputable right to use a document [Polish Chart] confirming their membership in the nation, and not to have some sort of annotations in the documents in the countries, where they live” (Sejm, 3<sup>rd</sup> term, 30.06.2000, KPN).

<sup>58</sup> See the note above.

<sup>59</sup> “Polish Chart... wants to regulate the status of these people [Poles abroad], who being bound by emotional ties with the Polish nation, cannot have Polish citizenship for different reasons, and who do not live in Poland” (Sejm, 3<sup>rd</sup> term, 19.06.2001, AWS).

ly to ethnic Poles, and thus to people entitled to Polish citizenship. The issue of the dual citizenship was not mentioned in this respect<sup>60</sup>.

### **Arguments against the Bill**

The arguments against the Bill were mainly instrumental. One of the most common was that although the Bill is a worthy solution to the situation of the Polish Diaspora, it gave encouraging promises that unfortunately may prove unreal. The speakers indicated the ongoing institutional reforms of the country, the general organizational chaos of such transformation and the poor economy. The market-oriented logic of the basic social institutions such as healthcare or education was given as one of the reasons why the rights of millions of new citizens would be hard to exercise<sup>61</sup>. Similar instrumental arguments stated that the costs of the Bill were impossible to estimate, and that such costs would be enormous. Therefore, the social rights included in the Polish Chart should be limited and kept down to realistic numbers. Hence, the problem of having to deal with an unquantifiable number of individuals with foreign citizenship entitled to Polish citizen rights arose<sup>62</sup>. A similar tone was apparent while arguing that none of the consular services were ready to accept the burden of executing the enacted Bill in terms of organization, logistics and finances<sup>63</sup>. It was felt that, considering all the costs, the Polish State would do better introducing some realistic long-term policy towards the Diaspora. This instrumental argument stated that instead of creating new financial burdens, such as new work places for consular services, or welfare for unemployed new semi-citizens, it would be more rational and effective to finance some concrete activities aiming at supporting Poles in the East, which would improve their situation. In these arguments, the attitude of treating ethnic Poles as a minority and not as potential citizens or semi-citizens prevailed. Very much along this line was another instrumental argument showing the impossibility of exercising the basic regulations provided by the Bill in practice, namely the prerequisites of being granted the Polish Chart referring to Polishness or to Polish origin<sup>64</sup>. Only

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<sup>60</sup> “I would like to say that we do not give privileges to foreigners but to our kinsmen. ... I would like to stress that, it’s all written down anyway, that the Polish Chart and Repatriation Act are not incompatible with international law, because there were voices stating that they are incompatible, because we are trying to favor one group of foreigners” (Sejm, 3<sup>rd</sup> term, 22.09.1999, BBWR).

<sup>61</sup> “From this point of view it is of course a Bill, which gets support, but it also raises some questions, if it has enough financial security, if it has enough legal security, because many of the areas [of citizen rights] – education, health, social security – is undergoing currently some reforms, they are oriented on the market mechanism of functioning. It would not be good if we wrote in the Bill the statements that may result unreal towards the Poles coming from abroad” (Sejm, 3<sup>rd</sup> term, 19.06.2001, SLD).

<sup>62</sup> “The costs are... impossible to estimate. Potentially the Bills cover all the persons of Polish origin living abroad, i.e. about 17 million of people, and additionally an inestimable group of non-ethnic Poles who can claim the ‘bonds with Polish nation’... As for financial aspects the Bills are open what may cause certain threat for the budgets of the State and of the local administration...” (Sejm, 3<sup>rd</sup> term, 19.06.2001, Government).

<sup>63</sup> “We are concerned if the consular service are ready to take up the burden in terms of logistic, organization and finances” (Sejm, 3<sup>rd</sup> term, 19.06.2001, SLD).

<sup>64</sup> Both the Bills on Polish Chart and Repatriation provided for the same wording of the recognition of Polish origins or alignments with Polishness. And thus, according to the Repatriation Act of 2000, an individual is eligible for repatriation procedure.

on such basis could a person have the right to semi-citizenship. Many speakers indicated the lack of clear criteria and the room for misjudgment, e.g. if the decision was based on some falsified documents. Playing on the stereotype of post-Soviet countries, the speakers built images of mass corruption and an inflow of non-ethnic elements driven by economic interests.<sup>65</sup> This argument was often followed by fears concerning international State security. The relative openness and easiness of gaining Polish citizenship might cause criminals and terrorists to enter Polish territory and obtain citizen rights. The problem of the international dimension of the Polish Chart also arose in one of the most sound instrumental arguments concerning international relations. The Bill, if enacted, may cause conflicts with neighbors and thus create additional problems for the State, harmful to its interests, with the cases of Hungary and Slovakia being cited as an example of possible negative outcomes<sup>66</sup>.

The international dimension was also present in the legal argument referring to the incompatibility with the *acquis communautaire*. The Bill introducing additional types of visa (Polish Chart – a type of national visa of territorial limitation) would violate the legislation elaborated throughout the accession procedures and may cause problems with adjustments to the Schengen treaty<sup>67</sup>. Other legal arguments focused on the problem of domestic constitutional provisions, particularly the problem of the equality rule. The Bill grants broader rights to non-resident citizens by designing special privileges for them, including entrance to Polish high-schools and universities on the same basis as Polish citizens residing in Poland, but with the right to scholarships available only to Polish minorities. This differentiation, made on the grounds of dual status, was rejected as unconstitutional<sup>68</sup>. Interestingly enough, nowhere was the notion of dual citizenship clearly stated, nor the possible consequences of holding a dual set of constitutional rights.

<sup>65</sup> "... on the East getting a document stating that a person is of Polish origin is a matter of price and connections in some circumstances... The bonds with Polish nations can be proved by the membership in Polish organizations or be the outcome of attitude and language skills or keeping the tradition in the family. And here I ask: how we can check it appropriately? We cannot place the Consul in a house to check if someone cultivates Polish traditions, and we cannot count on the opinion of good-willing neighbors either, and there will be problems with that all..." (Sejm, 3<sup>rd</sup> term, 19.06.2001, UW).

<sup>66</sup> "The second important question is related to the fact that the Polish Chart can become a source of conflicts between Poland and the countries where the Poles live. We can witness the situation after the adoption of the Legal Status in Hungary, where the neighboring countries, Romania and Slovakia, sent their complaints to Brussels, and the Legal Status is becoming an European conflict. I think that Polish diplomatic services should obtain the goodwill of the countries, where many Poles live, for such institution. It cannot be this way, that a huge effort on the side of Poland will endanger our interests, i.e. cooperation with our neighbors" (Sejm, 3<sup>rd</sup> term, 19.06.2001, SLD).

<sup>67</sup> "I don't even mention that we need to comment on the very straightforward negative position of the Committee of European Integration, saying that three articles of the Bill are obviously contradictory with European law by introducing some new, unknown to Schengen treaty, types of visas, and we will have great problems in Brussels to justify those visas..." (Sejm, 3<sup>rd</sup> term, 19.06.2001, SKL).

<sup>68</sup> "...a person, who is granted Polish Chart, has the same rights as a Polish citizen in terms of education and its accessibility. The article of the Bill regulating this... says that such a person has the access to education in Poland on the same conditions as Polish citizens [residing in Poland] keeping the right to the scholarships awarded to the Polish minority youth. So it is more than that, it is more than a Polish citizen is entitled to" (Sejm, 3<sup>rd</sup> term, 19.06.2001, UW).

This line of thought developed into the expressive argument stating the problem of dual status of Polish citizens, from among whom one part would be the in-border group of residents paying taxes, and the other the out-border group of people residing in Poland for short periods of time to exercise their rights<sup>69</sup>.

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The dividing lines throughout the debate ran between the opposition and majority, however both sides expressed a generally positive attitude. The MPs of SLD tried to introduce very practical and down-to-earth insight to the discussion, while the right-wing parties constantly evoked the past and the idea of nationhood, treating legal and instrumental arguments as unimportant and even humiliating for Polish communities abroad. The discursive divides were also visible in the language used. The positions in favor were expressed in a high-toned language, bringing to mind populist discourse on the nation and Diaspora as used by Mussolini (Weinar, 2001: 56–59). The adversaries also aimed at populist discourse, albeit of a rather linguistically technical nature, which recalled European standards, thereby revealing another rival point of reference, and finally evoking the well-known all-European topoi “the boat is already full”. The debate lasted for over a year and had no definite results, since it has never come to a vote.

What's more, the republican vision of citizenship was hardly ever addressed. The argumentative structures revealed two main threads of discussion: the concept of nationhood and the concept of the citizen.

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

The first type was the citizen granted Polish citizenship on the basis of any of the procedures proposed by the Citizenship Act, repatriation and restoration included. The second type defined potential citizens who were sometimes called “citizens” despite lacking formal bonds. According to this view, citizens do not need to reside within the borders, because the “homeland” does not mean “state territory”, and they can be members of the Polish political community wherever they happen to live. Both views led to important conclusions related to the drafting of the laws. When referring to the first type of citizens, the lawmakers perceived themselves as servants of the Polish nation living within the borders; in the second case they believed themselves to be represen-

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<sup>69</sup> “I just want to remind that the Polish Chart can concern several million people and it can happen that these citizens, staying in Poland for unlimited time, because this is their right, will execute their social rights, but they will not pay any taxes as other Polish citizens” (Sejm, 3<sup>rd</sup> term, 22.09.1999).



tatives of the much broader Polish political community, and should therefore also fight for the interests of Diaspora, and in doing so forming the assumption that the interests of residing non-dual citizens should be secondary to the interests of the greater nation. To conclude, it can be said that Polish debate on dual citizenship was developed along the well known ideas on nationhood, strongly focusing on Diaspora, and under its direct and indirect influence

## 6. Conclusions

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

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

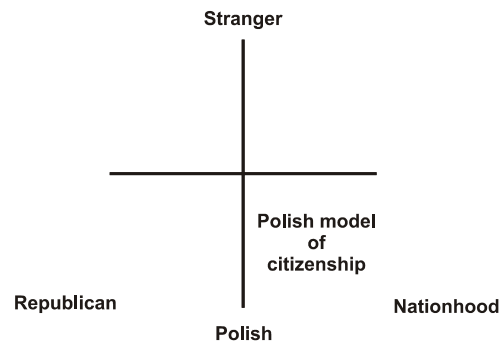
The differences in the value systems between right and left were not enormous. The right wing parties followed the nationalist path, however the center (right and left) tended to choose legal and instrumental arguments. In general, the more a party was involved in active pro-Polonia politics, as is the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

Institutional divisions were also important; the Senate, responsible for contacts with Polish minorities, Polonia and emigration, used more patriotic arguments than the representatives of the government, trying to talk in legal terms. It is noteworthy that visible controversy occurred between the Senate and the government regarding the legislative prerogatives; despite the fact that the AWS held a majority in the Senate and in the government, the mutual critique was sometimes harsh. In general, the government wanted to prove that the Bills prepared by the Senate were *lex imperfecta*, and the Senate accused the government of a lack of patriotic flame. Both sides gained support from various sides of the political arena.

Political consensus on the need to find a solution to the historical problems of the Polish Diaspora and to find some formula for dealing with these issues in the future

were visible in the debates. The overall disinterest in the issue of dual citizenship proves that it is not perceived as a threat, the analysis revealing that the topic is rarely considered in terms other than the problems of Polonia or Polish minorities abroad.

The belief systems uncovered in the analysis fit into the ethno-nationalistic profile. Neither in their content nor in the use of arguments, did the debates recall the concepts of multiculturalism/assimilation.



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The type of citizen as presented throughout the debates had also a twofold version. The basic characteristics of a citizen were clear-cut: Polish origin, commitment to Polish traditions, emotional bounds with Poland. This ideal type could be developed in two ways; the first was a citizen granted Polish citizenship on the basis of any of the procedures proposed by the Citizenship Act, repatriation and re-granting included, residing in Poland; the second type defined potential citizens, sometimes called “citizens” despite lacking formal bonds. According to this view, the citizens do not need to reside within the borders, because the “homeland” does not mean “state territory”, and they can be members of the Polish political community wherever they happen to live.

Both views led to important conclusions related to the drafting of the laws. In the first case, the lawmakers perceived themselves as servants of the Polish nation placed within the borders; in the second case they believed themselves to be representatives of the much broader Polish political community, and should therefore also fight for the interest of Diaspora, and in doing so forming the assumption that the interests of residing non-dual citizens should be secondary to the interests of the greater nation. Thus it would seem that dealing with the past and fixing the disrupted historical events led the parliamentary debates onto the shaky grounds of nationalism.

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Agnieszka Weinar

## DVIJE PUTOVNICE – JEDNA NACIJA? PARLAMENTARNE RASPRAVE O VIŠESTRUKOM DRŽAVLJANSTVU U POLJSKOJ

### SAŽETAK

Članak deskriptivno i analitički pristupa događajima koji se odnose na pitanje dvojnog/višestrukog državljanstva. Kako bi rekonstruirala procese koji vode redefiniciji poljstva među simboličkim elitama, autorica se usredotočuje na argumentirane strategije koje rabe diskutanti u poljskim parlamentarnim debatama. Proces redefinicije političkog identiteta na toj razini osobito je vidljiv u političkim diskursima koji se odnose na zakonske prijedloge. Retorička struktura rasprava odražava podvojene linije koje oblikuju sustav vjerovanja simboličkih elita te pokazuje smjerove sadašnjega i budućeg razvoja koncepta poljstva. Slom komunističkog režima u Poljskoj nije uzrokovao samo sustavne promjene, nego i potrebu redefinicije pravnog temelja poljske političke zajednice. Problem državljanstva isprepliće se s idejom državnosti, što može biti suprotno nedavnoj globalizaciji koncepta. Debate o dvojnog/višestrukog državljanstvu u Poljskoj izazvale su nove dublje debate o granicama poljstva, prostornom i idejnom stvaranju političkih zajednica te pitanju suočavanja s bolnom prošlošću. Stoga je analiza rasprave o poljskoj politici višestrukog državljanstva neizbježno razotkrila dotad skrivenu borbu oko nove definicije poljske političke zajednice. Jasna razlika, prisutna u raspravama, između višestrukog državljanstva osoba poljskoga i nepoljskoga podrijetla mora izazvati određenu zabrinutost zbog razmjera etnocentrizma koji upravlja konceptom državljanina u novoj Poljskoj.

KLJUČNE RIJEČI: višestruko državljanstvo, poljski identitet, političke debate, manjine, rasprava

Agnieszka Weinar

## DEUX PASSEPORTS – UNE NATION ? LE DÉBAT PARLEMENTAIRE SUR LA NATIONALITÉ MULTIPLE EN POLOGNE

### RÉSUMÉ

Cet article offre une approche descriptive et analytique des événements relatifs à la question de la nationalité double / multiple. Pour reconstruire les processus conduisant à une redéfinition de la « polonitude » dans les élites symboliques, l'auteur se penche sur les stratégies argumentées auxquelles recourent les participants aux débats parlementaires. Le processus de redéfinition de l'identité politique à ce niveau est particulièrement visible dans les discours politiques qui se bâtissent autour des propositions de loi. La structure rhétorique des débats reflète les lignes de division qui façonnent le système de confiance dans les élites symboliques et montre les orientations du développement actuel et futur du concept de « polonitude ». La fin du régime communiste en Pologne n'a pas seulement provoqué des changements de système, mais a aussi fait naître la nécessité de redéfinir le fondement juridique de la communauté politique polonaise. Le problème de la nationalité se mêle à l'idée de souveraineté, ce qui peut être en contradiction avec la récente globalisation du concept. Les débats sur la nationalité double / multiple ont suscité en Pologne des discussions plus profondes sur les frontières de la polonitude, la création spatiale et idéelle des communautés politiques et la question de la confrontation avec un passé douloureux. C'est pourquoi l'analyse du débat sur la politique polonaise de nationalité multiple a inmanquablement dévoilé la lutte cachée qui se mène autour de la nouvelle définition de la communauté politique polonaise. La distinction très claire, présente dans les débats, entre la nationalité multiple des personnes d'origine polonaise ou celle des personnes qui ne le sont pas doit soulever une inquiétude quant au degré à la mesure de l'ethnocentrisme qui régit le concept de citoyen dans la nouvelle Pologne.

MOTS CLÉS : nationalité multiple, identité polonaise, débats politiques, minorités, débat