

## CONSTITUTIONAL PROTECTION, EDUCATION AND THE PRESERVATION OF IDENTITY: THE GERMAN MINORITY IN POLAND TODAY

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### The Fourth Partition and the Nationalities Question

In his desperate need for new allies following the German invasion of the Soviet Union in June 1941, Josef Stalin was forced to re-appraise his attitude toward the Polish question. This re-appraisal had three major short-term ramifications: first, Moscow established diplomatic relations with the Polish government-in-exile in London. Secondly, as a result of this rapprochement, hundreds of thousands of Poles were released from imprisonment in the Soviet Union and transported via the Middle East and Africa to the United Kingdom (UK). Thirdly, the Soviet Union began recruitment into Soviet-based Polish armed forces from among those Polish prisoners who were either forbidden to travel to the UK or who for whatever reason decided to throw their lot in with the Soviets.

Inevitably alongside this dual military power grew a dual civilian power. As relations between the London government and Moscow worsened, so the political profile of Soviet-backed, communist-led forces was raised. Via a combination of *faits accomplis* and military muscle between 1944 and 1948 a neo-Stalinist regime was established in Poland. Not only was a new political system established, Poland was territorially shifted westwards. However this westward shift in no way solved the problem of identity in Poland. It simply served to change the focus of Polish nationalism firmly toward the now potentially huge German minority.

The Jewish population had been decimated by German-led genocide. The Soviet Union's re-incorporation of those territories which it had lost to Poland in 1921 served to reduce the numbers of Lithuanians and Belorussians living in Poland to more 'manageable' levels. Ukrainian nationalist resistance in Poland was broken by 1948 via a combination of military might and mass deportation of Ukrainians away from their traditional areas of settlement. As for the German population, relations at all levels between Germans and Poles plumbed new depths as a result of the German occupation. As early as 1943 it had become clear that Poland would be compensated for material losses incurred as a result of German and Soviet aggression and for territorial losses to the Soviet Union, via a westward expansion. The only questions were how far west would Poland extend, and what would be the fate of Germans living within post-war Poland.

Answers to the former question were arrived at during the closing months of the war and ratified at the Potsdam conference of July-August 1945. Poland's western border moved all the way to the *Oder-Neiße* line. Although the solution to the latter question became apparent only after the conclusion of hostilities, it in fact commenced prior to the end of the war. Polish politicians of all hues had become convinced during the war that in post-war Poland nation and state should as far as possible be rendered coterminous.

Just how many people were expelled as a result of these decisions is a matter which is still hotly disputed. In 1944 there may have been as many as twelve million Germans within territory that came to be included in post-war Poland. We should also acknowledge that among this number were huge numbers of retreating soldiers and civilians who had either fled westwards from the Soviet Union or had been re-settled in Poland during the war as part of the Nazi's Aryianisation programme. This then leaves around eight million citizens of pre-war Germany and the free city of Danzig, together with around one million Germans who had been citizens of the pre-war Polish Republic. Of this nine million, approximately half fled beyond the *Oder-Neiße* line as the war drew to an end.

As to the fate of the remainder, as shall be shown below, and contrary to popular mythology in Germany, it is untrue to say that all Germans were forcibly expelled from post-war Poland. However, it is equally untrue to pretend as did successive communist governments in Poland, that those Germans who left Poland after the war did so in an orderly manner in accordance with the terms of the Potsdam Agreement. What in fact occurred was a combination of mass flight and mass expulsion, which regardless of whether people wanted to leave or not, involved the re-establishment of former German concentration camps, organised and random acts of brutality, pauperisation and up to a million deaths between 1944 and 1948.

However, as was mentioned earlier, the incoming Polish authorities did not seek forcibly to expel every German who now resided in People's Poland. In parts of Lower Silesia, East Prussia and Pomerania, skilled workers were often allowed to remain, although by 1960 the vast majority had opted for emigration, and in Upper Silesia, Kashubia, Masuria, and Ermland formerly German groups were, following a 'verification procedure' collectively re-classified as Poles. An indeterminate number of people of mixed descent were also allowed to remain. Before dealing with these various groups, we must ask ourselves what the communist authorities hoped to achieve from pursuing such policies.

In part the communists were hoping to gain greater legitimacy. By pursuing a policy of ruthless nationalism, the communists hoped to gain a wider degree of popular support. Formerly German-owned property and land could be redistributed to people who themselves had lost everything. By expelling the bulk of the remaining Germans, the communists could also go some way to at last establishing a Poland which was ethnically homogeneous and free from 'fifth columns'. This objective had been partially secured by the mass murder of Jews by the Nazis and the return of former Soviet territory to the Soviet Union. In a sense, the communists were therefore simply completing a particularly vicious cycle.

However, the search for legitimacy is only part of the answer. From a practical point of view there was also a need to re-house millions of destitute Poles and in particular those who were now in turn being expelled from their homes in former Eastern Poland. These people had to be re-housed somewhere. Also by allowing Germans to stay in place in areas where there were skills and labour shortages, national economic recovery could be aided. Indeed unlike the 'autochthons' of Upper Silesia and other areas these people were allowed to maintain their German identity in post-war Poland.

What then of the fate of the 'autochthons', and most particularly of the Upper Silesians who were so categorised? It is from this group that the overwhelming number of declared Germans living in contemporary Poland stems. We should also acknowledge

that the term 'autochthon' is not one which finds favour with German Upper Silesians.<sup>1</sup> As indicated earlier the ideological decision taken was that as Germanicised Slavs, the objective of the new Polish government was to facilitate the re-entry of such groups to the Polish nation. To this end each of these groups was designated as having 'autochthonous' status. However the Polish authorities placed themselves in a conundrum which they sought to solve in a manner which was predicated upon their authoritarian and ideological disposition.

The Ermlanders of East Prussia presented the Poles with the least problems. The very numerical weakness of the latter dictated that those who wished to stay in their ancestral homelands had little choice other than to bend before what was in reality a policy of forced assimilation into the Polish nation. Their status as autochthons did not afford them any collective protection or recognition of their unique characteristics. With regard to the Kashubes of Pomerania, they essentially fell into two camps: those who were oriented toward Germany, and those who favoured Poland. Of all the autochthonous groups, it was this latter which was the least Germanicised, and their integration into Polish society was accomplished without much active or passive resistance. German oriented Kashubes survive today in Poland as isolated individuals the overwhelming majority having left Poland. In theory the fate of the Masurians should have been similar to that of the Ermlanders and Polish oriented Kashubes. Yet, large numbers who despite the fact they spoke little or no *Hochdeutsch* refused to take part in the 'verification process' and were as a result expelled to Germany. Their adherence to Protestantism, and that of the Poles to Catholicism may well have been a factor here. In Poland over the past two hundred years adherence to Catholicism has been an integral to the maintenance of Polish national identity. In Masuria, if nowhere else, there was therefore a correspondence of views between the Catholic church and the communists. Neither group wished to encourage the presence of alien elements on Polish soil, and the church was particularly hostile to those elements which adhered to a 'German' form of Christianity.

In Upper Silesia however, the situation was somewhat different. The bulk of the population regardless of linguistic affiliation was Catholic. Here a sizeable sector of the population did submit to the 'verification process' in the hope they would be allowed to remain.<sup>2</sup> The verification process itself was arbitrary and implemented in a crude manner. In order for German speakers to remain in their homes, they had to satisfy the authorities of their Polish origins. That large numbers of German-speaking Upper Silesians are of Slavic descent is not a matter of serious dispute. What is more contentious however is the idea propagated by *Volkisch* Polish nationalists, that once the German veneer had been stripped away, ancestral Slavic characteristics were bound to reveal themselves in adherence to the Polish nation.

What complicated any policy of ethnic 'cleansing' in this area was the fact that Upper Silesia also contained native Polish speakers and those who spoke indigenous Silesian dialects, collectively labelled as *Wasserpölnisch*.<sup>3</sup> Given that in addition many Upper Silesians were multilingual, even the most fervent of ethnic nationalists was bound to encounter problems in separating the various groups from one another. In any event the German speakers, many of whom had originally fled with the German army and then had

<sup>1</sup> Interview with Ms Klaudia Kandzia of the BDJM. 9 November. 1995.

<sup>2</sup> Andrzej Sakson: *Die deutsche in Polen: Gegenwart Und Zukunft*. August 1993. p. 8.

<sup>3</sup> Interview with Mr. Heinrich Kroll MP. 16 November 1994.

returned to their homes, found that if anything their status as 'autochthons' singled them out as targets for official discrimination.

The German language was banned as a medium of instruction in school, the German-language press was banned, and the use of German was forbidden in religious services. Personal and place names were Slavicised from 10 November 1945,<sup>4</sup> and use of the German language even in private was regarded as in effect a sign of treasonous intent.<sup>5</sup> Indeed not only were obvious signs of dissent banned, it was also apparently forbidden to hum German tunes.<sup>6</sup> The consequence of such policies was something other than envisaged by the romantic ideologues of the Polish United Workers' Party (PUWP). Although the ban on the German language reduced the numbers of ethnic Germans/autochthons in Upper Silesia with a working knowledge of the tongue, it did not promote any closer identification on the part of former German nationals with Poland. In fact such policies served to further alienate them from the Polish state, and stimulate a previously watery identification with Germany and the German nation on the part of this group. According to official Polish statistics, even as late as the summer of 1952, almost 70,000 people in Upper Silesia still refused to acknowledge their new ethnic status.<sup>7</sup> It could be argued that the virulent nationalism pursued by the PUWP succeeded in achieving the objectives which successive generations of German nationalists had set for themselves but failed to achieve.<sup>8</sup>

## A Bitter Legacy

Upper Silesia is unique in contemporary Poland in that it contains a sizeable German minority. Despite the ethnic cleansing of 1944-1949, the repatriation programmes between 1950 and 1990 when an estimated total of 1,372,188 ethnic Germans left Poland<sup>9</sup> and easy access to a united Germany since 1990, a claimed 600,000 German-speakers remains; primarily in the *Voivodships* (provinces) of Katowice, Opole and Czesochowa, with a large majority of these residing in the Opole *Voivodship*.<sup>10</sup> Let us now identify the socio-economic and demographic characteristics of this group in order to better understand their concerns.

As and when the opportunity arose, many Upper Silesian Germans chose the alternative of emigration to Germany between 1950 and 1990. This has resulted in there being something of a demographic imbalance among the German population as it is primarily those born since 1945 who have availed themselves of the opportunity to leave for Germany. Another distinctive characteristic of the German community is that it is largely rural in character. At the end of the war, the large towns and cities were emptied of Germans who were in turn replaced by (Polish) survivors of the Soviet deportations from

<sup>4</sup> *Schlesisches Wochenblatt*, 15 December, 1995.

<sup>5</sup> Interview with Mr. Heinrich Kroll MP, 16 November 1994.

<sup>6</sup> *Schlesisches Wochenblatt*, 22 December, 1995.

<sup>7</sup> *Schlesisches Wochenblatt*, 5 January, 1996.

<sup>8</sup> Interview with Dr. Dieter Bingen of the *Bundesinstitut für ostwissenschaftliche und internationale Studien*, 8 November 1994.

<sup>9</sup> Barbara Marshall: 'Migration' into Germany: Asylum Seekers and Ethnic Germans: German Politics: Vol. 1. No. 1. 1992, p. 131.

<sup>10</sup> Interview with Mr. Heinrich Kroll MP, 16 November 1994. Once again this figure can only be taken as an estimate. The exact figure is not known and is still a matter of debate.

<sup>11</sup> Interview with Father Wolfgang Globisch, 9 November, 1995.

pre-war eastern Poland. These people together with migrants from *Wielpolska* thereby came to form the new administrative and tertiary class in urban areas of Upper Silesia.<sup>11</sup>

In terms of their occupational status we find to no great surprise that a large majority of Germans are employed either directly or indirectly in the agricultural sector, in small firms or are indeed self-employed.<sup>12</sup> We need now to identify the reasons why the Germans of this region have remained in such numbers, how they perceive themselves, the nature of their contemporary relationship with the Polish state and population, and what the future holds for them.

Turning to the first question the answer would seem to lie in main with the notion of *Heimat*. It has been argued that identification with *Heimat* is the single most important factor in this case. Attachment to place of birth, a belief in collective origin, a particular set of cultural orientations and customs all contribute to the creation of a sense of identification with *Heimat*. It may also be argued that the Germans of Upper Silesia were never fully accepted during the period of German rule as full members of the *Volk*. Their Catholicism, Slavic origins, and dialects combined with a certain parochialism served to differentiate them from other members of the *Deutschum*. Upper Silesia passed into Prussian hands only in 1742, and was something of a backwater until the onset of the industrial revolution in the nineteenth century. As is well-known, although the Prussian political elite sought to create a German nation in their own image, this was only achieved in an uneven fashion, and at the price of alienating key communities such as Catholics. Prussian nation-building policies in effect were counter-productive in Upper Silesia, and instead re-enforced identification with the *Heimat*. Indeed the Nazis provoked further estrangement from Germany by categorising the majority of German-speaking Upper Silesians as Third Class Germans, precisely because they were deemed to be insufficiently Aryan.

Poland therefore inherited a group of people who spoke a mixture of German and German-West-Slavic dialects, and as such were distinct from the remainder of the German nation. Yet, the self-perception of the Germans of Upper Silesia has clearly undergone something of a change in the last fifty years. From being a people unsure of their national identity, large numbers now come to view themselves quite firmly as German. This even includes people whose parents thought of themselves as Polish, and who are descended from people who fought for the Polish cause during the Silesian uprisings at the end of World War One. This change in perception is in large measure a consequence of the chauvinism of the PUP. In part it is also due to the post-war policies of the old West German state which actively sought to facilitate the emigration of ethnic Germans from former German territories and traditional areas of German settlement. In so doing the West German government was signalling that it felt itself morally responsible for the fate of these communities and regarded those who wished to declare for the Federal Republic as Germans first and say Upper Silesians second and not the other way round. In this context must also be mentioned the activities of the *Landsmannschaften* who to this day consistently lobby Bonn on behalf of Germans in Upper Silesia and other parts of Poland, and have over the years sought to maintain links between themselves and their compatriots in Poland. Indeed although these societies have for years been denigrated as 'revisionist', in reality their endeavours increasingly centre around maintaining ties

<sup>11</sup> Interview with Dr. Dieter Bingen of the *Bundesinstitut für ostwissenschaftliche und internationale Studien*, 8 November 1994.

<sup>12</sup> Interview with Mr. Tadeusz Willan Chairman of Masurian Society in Allenstein, 14 November. 1994.

with those who were left behind, and on maintaining links with their place of origin (see below).<sup>13</sup>

## A Changing Environment

With the rise of Solidarity in Poland and their eventual triumph, came the project finally to establish the notion of civic society and a notion of individual civil and collective human rights. Fundamental to this re-appraisal of the relationship between state and society was a re-assessment of nation and citizenship in Poland and a move away from the idea that the Polish state was almost exclusively comprised of ethnic Poles. Thus as Solidarity moved toward the attainment of political power had to confront the position of indigenous ethnic minorities in Poland. Apart from anything else it would be impossible finally to jettison the legacy of Yalta, without acknowledging all of the human consequences that had stemmed from it. The role of the first post-communist prime minister Tadeusz Mazowiecki was particularly important at this time. Not only was he instrumental in repairing Polish-German inter-state relations, he was also supportive of the attempts of the German minority to organise itself both politically and culturally.<sup>14</sup>

When it came to the position of ethnic Germans such a re-appraisal also fairly obviously contained an element of *Realpolitik* on the part of Solidarity. It was inevitably intertwined with relations between Poland and united Germany and a definitive recognition of Poland's western border. Thus the first post-communist government in Poland became actively engaged in the 'Two-plus-Four' negotiations on German unification. After much soul-searching on both sides and not a little disagreement, two treaties eventually emerged which sought to re-define bilateral inter-state relations, and in addition sought to promote reconciliation between the two peoples. The first of these treaties was the German-Polish Treaty of 14 November 1990. This treaty finally granted to the Poles recognition of Poland's western border by the government in Bonn in international law and not merely in accordance with the norms of international law, as had the treaty of 1970. The second of these treaties was the Treaty on Good Neighbourly and Friendly Co-operation of 17 June 1991 and is that which most directly concerns us. The basic trade-off was that in return for definitive German recognition of Poland's western border, Poland would not stand in the way of German unification and would undertake to recognise the existence of an indigenous German minority. In return the German government would further reduce its support for elements among the *Landsmannschaften* who demanded the right of return to their places of origin and/or compensation from the Polish government for material and emotional harm suffered as a result of their expulsion. Of greater importance however, was the fact that Germany agreed to act as Poland's *de facto* ambassador with regard to Polish membership of the European Union (EU), and Nato.

Under the treaty of 1991 Poland recognised that an ethnic German minority resided in Poland and granted official recognition to that minority. The inability since then of parliament to pass a Law on National Minorities has contributed to a situation where no single ministry has overall responsibility for minority questions. A Commission for National and Minority Rights was established in 1988, within the Ministry of the Inte-

<sup>14</sup> Dr. Berthold Johannes of the German Foreign Office in conversation with the author, 25 October, 1994.

rior. With the completion of the first phase of the post-communist transition in 1990, the Commission was transferred to the more appropriate Ministry of Culture, and was upgraded to the status of Bureau in 1992. To complicate matters further, the Ministries of Education and Foreign Affairs quite obviously become involved in the affairs of ethnic minorities from time to time. Thus a negative consequence of a laudable endeavour has been to muddy accountability and to encourage buck-passing.<sup>15</sup>

Just how many Germans remain in Poland is a matter of some conjecture. Estimates vary from Polish nationalist estimates of a few thousand, to German nationalist claims of over one million. Both are certainly wrong. A claimed total of 420,000 adults are currently affiliated to the *Verband der deutschen sozial-kulturellen Gesellschaften in Polen* (VdG). Of these 180,000 are to be found in the Opole Voivodship, 75,000 in the Katowice Voivodship, and 20,000 live in the Czestochowa Voivodship.<sup>16</sup> The rest of the membership is scattered throughout the country, with the next biggest concentrations to be found in Lower Silesia, Masuria and Ermland. In recent years the greatest area of growth has been Pomerania.<sup>17</sup> There are other smaller German organisations, throughout Poland, and some individuals remain unorganised. We must also acknowledge that only around one third of the claimed total membership actually pays its membership dues. The claim of one million Germans could only be sustained if in addition to all people of mixed descent, all Kashubes were so classified, and this is a designation which Kashubes especially overwhelmingly reject.

There is also the additional problem of how people of mixed descent categorise themselves, and the fact that most Germans born in Poland since the war have Polish as a first language, and in many cases speak little or no German. There are also different categories of German, (some of whom in German law have never lost their German nationality) much in line with the distinctions made between 1939 and 1949.<sup>18</sup> Whatever the case, out of this definitional tangle it is normal for German academics to offer a figure in the region of 500,000.<sup>19</sup> For good measure under the terms of the treaty, analogous recognition was accorded to the Polish community in Germany, which according to some estimates also numbers around one million. Although just how many of this number are in fact *Spätaussiedler* and can also be counted as German is another matter.

The objectives of Polish governments since 1989 have been varied. At one level they wish to foster good-neighbourly relations with their German counterpart. They have recognised that in order to achieve this objective some concessions have to be made with regard to the minority question. The Poles have also been keen to facilitate Poland's entry in such organisations as the European Union (EU) and The Council of Europe (CoE). Just as importantly, and as previously mentioned they have sought definitively to break with past political practice and promote the growth of civil society within Poland.<sup>20</sup> This ideal is of particular importance in the context of German-Polish

<sup>15</sup> W. Dressler-Holohan & M. Ciechocinska in ed. L. O'Dowd & T. Wilson: *The Recomposition of Identity and Political Space in Europe*: Aldershot, Avebury, 1996, p.165 ff.

<sup>16</sup> *Schlesisches Wochenblatt*, 22 December, 1995.

<sup>17</sup> *Schlesische Nachrichten*, 15 January, 1996.

<sup>18</sup> Joachim Rogall: *Die deutschen Minderheit in Polen heute: Das Parlament*, 26 November, 1993.

<sup>19</sup> Interview with Dr. Dieter Bingen of the *Bundesinstitut für ostwissenschaft und internationale Studien*, 8 November 1994.

<sup>20</sup> Dieter Bingen: *Deutsch-Polnische Beziehungen Nach 1989: Themen Und Tabus*. Undated conference paper, contains an excellent commentary on the 1991 treaty and its objectives.

<sup>21</sup> Stanislaw Bieniasz, in *Dialog*, Nos. 2/3, 1995.

relations, where for years the Federal Republic had been portrayed by successive communist governments as the main enemy of the Polish nation.<sup>21</sup>

## Securing the Language and Culture

The response of the emerging leadership of the German community in Upper Silesia to the wider process of political change in Poland was to press forward with a series of political and cultural demands. As early as 1988 Johann Kroll and others attempted to register a 'German Friendship Circle' with the courts. Although their initial attempt was unsuccessful, they met with positive results when in January 1990, such societies were registered in Katowice.<sup>22</sup> With the treaties of 1990 and 1991 any remaining legal obstacles to the registration of German cultural societies were removed. The immediate consequence was that a plethora of such societies appeared throughout Poland, even in such cities as Radom and Gdansk, where the German population had been reduced to a mere remnant of its pre-war size. The objective of the societies in Upper Silesia as elsewhere was to secure the support of both governments for a series of activities which were designed to maintain the collective existence and cultural cohesion of the German community.

These societies operate in a total of twenty-two of Poland's *Voivodships*. Their activities are co-ordinated by a ten-person national executive, which is in turn led by senator Gerhard Bartodziej. Following legalisation, they set themselves a number of tasks.<sup>23</sup> At one level these centre on taking steps which are designed to preserve the German language. This is especially the case in *Voivodships* and cities such as Poznan, where the German population is small, elderly and scattered. Community centres have been established and a range of ancillary organisations such as 'The Association of Silesian Farmers', which has 3,500 members have come into existence.

The German language is disseminated through both the printed and broadcast media. There is a German-language press in Poland, and in the Opole and Katowice *Voivodships*, there are now weekly radio broadcasts in German.<sup>24</sup> Radio broadcasts in German, including German language lessons, can now also be heard in the Masurian city of Olsztyn, where the German-speaking population has been greatly reduced by emigration.<sup>25</sup> In Opole, where the greatest number of Germans live, there is also a fortnightly German-language TV programme. Indeed, in the Baltic port city of Szczecin, although there are no radio or TV broadcasts in German, one of the public libraries now stocks a range of fiction and non-fiction for the local German community.

Another key objective has been that religious services either be conducted partially in German where such demand exists. For decades the Catholic church in Poland and in particular the current primate Cardinal Glemp, sided with the government in its claim that whereas there may be 'autochthons' there were no Germans in Poland. The problem of liturgical language was particularly sensitive. German Upper Silesians are deeply religious, and the right to hold services in their mother tongue was one of the original demands of the activists in the late 1980s. The first bilingual church service since 1945,

<sup>22</sup> Andrzej Sakson: *Die deutsche Minderheit in Polen: Gegenwart Und Zukunft*: August 1993, p. 1.

<sup>23</sup> Joachim Rogall: *Die deutschen Minderheit in Polen heute: Das Parlament*, 26 November 1993

<sup>24</sup> W. Dressler-Holohan & M. Ciechocinska in ed. L. O'Dowd & T. Wilson: *op.cit.*, p. 167.

<sup>25</sup> *Schlesisches Wochenblatt*, 7 February, 1997

<sup>26</sup> Bishop Alfons Nossol, *Dialog*, Nos. 2/3, 1995.



and one which signalled a return to pre-war practices was eventually held on 4 June 1989 at *Sankt Anneberg* the holiest shrine in Upper Silesia.<sup>26</sup> By 1991 and mainly thanks to the endeavours of Bishop Nossol of the Silesian diocese, and despite opposition from Cardinal Glemp, the situation had changed and such church services are once again a regular occurrence.<sup>27</sup>

However, the objective of Bishop Nossol, who incidentally received full backing from the Pope, was neither to secure special privileges for Germans, nor to further divide them from their Polish co-believers. In addition to masses in Polish, bilingual services are available in over 200 hundred parishes in Upper Silesia, and priests are required as far as possible to be bilingual, as they were throughout Silesia before the World War Two. Similarly, Bishop Nossol was instrumental in gaining permission for bilingual services to be held for the Moravian, Ukrainian, and Armenian communities of Upper Silesia.<sup>28</sup>

Turning toward educational activities, we may divide them in to three broad headings: the first comprises of those which are designed to promote Polish-German understanding, and are not necessarily aimed at the German minority itself. The second concerns the provision of education for the German minority as a minority. The third comprises a series of cultural activities sponsored by the *Bund der Vertriebenen* (BdV), and the VdG which aims to inform both members of the minority and Poles of the cultural inheritance of formerly German areas of Poland. We shall now deal with each of these in turn.

## Building Bridges

With regard to the broader aim of German-Polish reconciliation, some of the most important work in recent years has been performed by the Polish-German Schoolbook Commission. This body was established in 1972 with the aim of devising a common approach to the teaching of history in both (West) Germany and Poland. Given the ideological gulf that existed between the two states before 1989, work in the early years was laborious in the extreme. The original aims of the Commission were above all to provide a contribution to the eradication of stereotypes. Whereas this aim still holds, the fall of communism in Poland enabled the Commission to extend its brief to examine Germany's role in the post-war European movement.<sup>29</sup> This was a theme which had been all but ignored by the PUWP, because Bonn's endeavours in this field contradicted the official portrayal of the Federal Republic as being incorrigibly revanchist.

The work of the Commission proceeds primarily through workshops which deal with both specific and general issues. Laudable though the aims of the Commission are, its work has proven to be both controversial and difficult. It must also be borne in mind that it only possesses recommendatory powers. Additional problems are that its results have not been as widely disseminated in Poland as they have in Germany, and in both countries particularly Poland, textbooks which present a one-sided picture are still commonplace. Indeed, so far only about 300,000 copies of books which incorporate its recommendations have been published in either country. An additional problem in Ger-

<sup>27</sup> Interview with Father Wolfgang Globisch. 9 November. 1995.

<sup>28</sup> Interview with Father Wolfgang Globisch. 9 November. 1995.

<sup>29</sup> *Dialog*, No.2. 1996.

many is that although publishers, schools and authors are generally more eager to take on board the deliberations of the Commission there is less knowledge of the detail of twentieth century German-Polish relations than in Poland. This can lead to misunderstandings, particularly in consideration of the wartime German occupation of Poland and its immediate aftermath. By the same token, the BdV, which is increasingly active within Polish society (see below), still rails against aspects of the Commission's work, because of the avoidance of the word *Vertreibung* in their description of the fate that awaited many Germans who found themselves on the Polish side of the border in 1945.<sup>30</sup> In line with the work of the Schoolbook Commission, is that of the explicitly Christian Stiftung *Haus der Aktion 365*, which also concerns itself with the presentation of stereotypes in German and Polish schoolbooks. The Institute is supported by the Faculty of Theology at The University of Opole, and unlike the Schoolbook Commission, in addition concerns itself with Czech-German and Czech-Polish issues.<sup>31</sup>

Within this overall field there is also a of schemes aimed at promoting German-Polish student exchanges, and reconciliation. One such example is the *Gemeinschaft zur Förderung von Studienaufenthalten polnischer Studierender in Deutschland*. The society was established by academics at the University of Freiburg in 1984, who in addition to achieving the aforementioned objectives, wished also to contribute to the process of making the iron curtain more porous. Since its foundation, this organisation has provided around forty stipends a year for Polish students who wish to study in German institutions of higher education. For its part, the Polish sister organisation provides around twenty stipends a year for young Germans who wish to make the reverse journey. The scheme itself is funded on a charitable basis by various German-Polish institutes, such as the Institute for Polish-German Co-operation and the Stefan Bartory Institute, together with donations from private individuals. Recently, the programme has been somewhat inadvertently undermined by the larger state-run *Deutsche Akademische Austausch Dienst* (DAAD), which recently has been attracting more para-state capital, and is primarily aimed at postgraduates.<sup>32</sup> Once again the programme is not without its ironies. Demand, particularly from the Polish side, always exceeds supply, and many of the 'German' applicants are in fact recent migrants to Germany from Poland, who see the scheme as a means of facilitating cheap re-emigration!

Such work is in itself complemented by more general youth exchanges. One of the most poignant of these centres is at Auschwitz which lies in Upper Silesia itself. It has been in existence since the early 1970s, and caters for around fifteen mixed nationality groups each year. In addition to Poles and Germans, groups from countries such as Ukraine, France and Israel take part. Once again there appears to be evidence of differing perspectives on the part of the German and Polish participants. German youths tend to visit Auschwitz in order better to understand what occurred there and why. Their Polish counterparts, who are usually well-versed in German language and culture tend toward a broader perspective than that held by many Germans, who once again often know very little about Poland.<sup>33</sup>

<sup>30</sup> *Schlesische Nachrichten*, 15 March, 1997.

<sup>31</sup> *Schlesisches Wochenblatt*, 21 February, 1997.

<sup>32</sup> *Dialog*, Nos. 3/4, 1996.

<sup>33</sup> *Schlesisches Wochenblatt*, 31 January, 1997.

## A German Education

As for the education of the minority itself, we find that the right for a distinct education is provided for under Articles 20, 21 and 22 of the treaty of June 1991. The Polish Ministry of Education has overall responsibility in this field, but works closely with the German government and various para-state bodies. It also attempts to co-ordinate its activities with local authorities in which there is a demand for minority education, but here there is a raft of problems as is made clear below. German community leaders view such educational provisions as constituting an inalienable right, and complain that aspects of the mainstream Polish curriculum, particularly the teaching of history and culture do not meet the needs of Poland's minorities.<sup>34</sup>

In those schools which contain sufficient numbers of German students, supplementary lessons are held in German, or German is the notional language of instruction. A limited number of stipends is available for gifted children from the educational arm of the VdG. Once again, the source of funds is the German government; this time in concert with The Institute for the Development of Silesia.<sup>35</sup> Funding for the schools themselves comes jointly from the Polish and German governments. Although it is the German government which provides funds for books and other materials, as well as paying the salaries of teachers on secondment from Germany itself.<sup>36</sup> The lack of teaching materials and of teachers capable of teaching in German has proven to be a bone of contention with community leaders in Upper Silesia. They claim that neither government is doing enough in this area. Although as mentioned, the Ministry of Education in Poland has overall responsibility for the provision of education for the German minority under the terms of the 1991 treaty, it doesn't actually publish any German language textbooks. The situation of the German minority in this respect contrasts sharply with that of the Belorussian, Lithuanian, Slovak and Ukrainian minorities. Here the Polish government does assume responsibility for the publication of native language textbooks. Again, German community activists accuse the Polish government of deliberate foot dragging.<sup>37</sup> However, given the few books that are actually published under this scheme, and the comparative poverty of states such as Ukraine, the Germans in Upper Silesia and elsewhere are probably better off, because of the financial support they receive from the German government, the BdV, and other organisations in Germany.<sup>38</sup> They are most certainly better off than the Lehmke, Kashubes and Roma who have no external patrons, no powerful domestic lobby and have to live off their wits and hands.<sup>39</sup>

At root the problem is that most German children of school-age in Upper Silesia have only a rudimentary knowledge of the language, and that demand particularly for teachers, outstrips supply.<sup>40</sup> The experience of the primary school in the Upper Silesian town of Chalupki is indicative of these aforementioned problems. German is available at this school for a total of six years. In the final year German is supposed to be the universal

<sup>34</sup> Interview with Senator Gerhard Bartodziej In *Dialog*, Nos. 3/4, 1996.

<sup>35</sup> *Schlesisches Wochenblatt*, 7 February, 1997.

<sup>36</sup> W. Dressler-Holohan & M. Ciechocińska in ed. L. O'Dowd & T. Wilson: op.cit., p.164.

<sup>37</sup> *Schlesisches Wochenblatt*, 10 January, 1997.

<sup>38</sup> *Schlesische Nachrichten*, 31 January, 1997.

<sup>39</sup> *Schlesische Wochenblatt*, 7 February, 1997.

<sup>40</sup> Interview with Ms Monika Witek, Head of the Education Section of the VdG, 9 November, 1995.

<sup>41</sup> *Schlesisches Wochenblatt*, 24 January, 1997.

medium of instruction. However, the school has experienced constant difficulties in recruiting suitably qualified staff, and has more often than not had to make do with retired teachers from Germany. Given the lack of finances for text books and other materials, it has only been through the assistance of a Cologne-based educational charity, and the endeavours of a few dedicated individuals, that the school has been able to provide the level of education it is supposed to.<sup>41</sup> Never the less, it must be remembered that resources are finite, and that neither government is prepared to accord Upper Silesia an increased level of special treatment. By way of riposte, the minority claims that once again the Polish government is deliberately dragging its heels on the issue, and uses financial arguments as a smoke screen to mask its unwillingness to help out.

Various schemes aimed at alleviating this problem have been put in to effect in recent years. The VdG itself runs supplementary courses for Polish-born teachers who wish to upgrade their qualifications. Such courses may last from a few days to a few weeks, and take place both in Germany and Poland.<sup>42</sup> In the town of Niwki a special teacher-training project was begun in 1992. The scheme has proven to be fairly successful, and has been extended to other towns and cities such as Gliwice. There are currently over 150 students taking part in this programme, a figure which in itself testifies to its success.<sup>43</sup> Such schemes are of obvious long-term importance. In the short-term they compensate for the fact that few qualified teachers which to relocate from Germany to Poland. Not only do such migrants rarely speak Polish; they also have problems in coming to terms with life in (rural) Upper Silesia, and with the parochial nature of sections of the German minority. Having said that, the VdG in concert with Bonn and Warsaw, and the *Land* governments of Thuringia and Saxony, managed to raise the number of migrant German teachers in Upper Silesia from forty-five to seventy for the academic year 1996-97.<sup>44</sup>

In those schools where German is available as a foreign language, German language instruction is available for two hours a week. Where German is designated as the official language of instruction in school, given the aforementioned limitations, German language instruction is usually only available for three hours a week.<sup>45</sup> For example, it is claimed that the provision for the children of the approximately 24,000 Germans who live in and around the city of Gliwice is much lower than it should or could be.<sup>46</sup> Of these schools, 132 are to be found in the Opole *Voivodship*, and it is estimated that there is sufficient demand to warrant German being taught in a total of 180 schools. It is reckoned that in the Opole region 13,200 children are receiving an education which recognises that they are German. This represents around ten per cent of all children of school-age in the *Voivodship*. There are also four bilingual grammar schools, and five bilingual primary schools. Those who attend the grammar schools in Wodzislaw, Opole and Cracow, if they pass their school leaving certificate, plus a series of supplementary written and oral exams in German, receive the automatic right to study at a German university. Such a programme is of obvious benefit and attraction to Germans, but is of course open to all.<sup>47</sup> Sometimes classes are split between those who are proficient in

<sup>42</sup> *Schlesisches Wochenblatt*, 24 January, 1997.

<sup>43</sup> *Schlesisches Wochenblatt*, 14 February, 1997.

<sup>44</sup> Joachim Czernek, MP in the *Schlesisches Wochenblatt*, 20 December, 1997.

<sup>45</sup> Interview with Mr. Heinrich Kroll, MP, 16 November 1994.

<sup>46</sup> Roman Kurzbaauer MP, in the *Schlesisches Wochenblatt*, 20 February, 1997.

<sup>47</sup> *Schlesisches Wochenblatt*, 7 February, 1997.

<sup>48</sup> *Schlesisches Wochenblatt*, 14 February, 1997.

German, and those whose knowledge of the language is lacking.<sup>48</sup> Given that in effect it in Upper Silesia it was forbidden for Germans to speak their own language for nigh on forty years and that Polish became the *lingua franca* this whole issue is of particular significance.

## Maintaining the Culture

The formal education German children of school age is complemented by a range of supplementary activities carried out by both the BdV and VdG; usually in concert with one another. The aim of such activities is varied. Some are aimed at improving the knowledge of modern Germany, the German language and German culture among the minority in Poland. We can illustrate this point by briefly referring to Youth Hostelling holidays to Germany for Polish-born Germans organised by the BdV. The overriding objective of such ventures is to strengthen the bonds between German Silesians past and present in the face of enormous countervailing pressures.<sup>49</sup> Within Poland itself, both the VdG and individual DFK's organise competitions about Germany for schoolchildren in an attempt to awaken interest in and improve knowledge of the childrens' own cultural inheritance.<sup>50</sup>

There are also other activities which are aimed at informing German refugees about contemporary Silesia, and some which are essentially aimed at disseminating knowledge of Silesia's past among the Polish population. For over forty years, the BdV and its associated *Landsmannschaften* treated the Polish authorities with an air of contempt, which was returned by the Polish population with interest. Today, however not only do BdV activists take part in conferences alongside Polish academics and politicians, the BdV actually holds functions in Poland itself. Thus in November 1996, the BdV held a seminar for its female members in the former German city of Walbryzch. The objective of the seminar was to inform the participants of the fate of those Germans who remained behind after the expulsions were completed, and to meet local Polish officials in order better to understand the Polish perspective, and to create a constructive dialogue. This change in attitudes cannot be over-emphasised. Since the overthrow of Communism in Poland, and the possibility of Germans who were expelled to meet with Poles who were re-settled in their stead, a constructive dialogue is at last beginning to emerge between the two sides.<sup>51</sup>

By way of conclusion to this section, we will examine one further cultural-educational project. A series of such seminars has been held over the past two years in the city of Zabrze. Although the German community there is very small it is extremely active. The objective of these seminars has been to bring Germans (particularly German refugees) and Poles closer together, so that they can better understand one another. The seminars usually focus upon the history of Upper Silesia and involve politically and culturally interested Polish Silesians, Polish schoolchildren and their teachers, as well as members of the local German community.<sup>52</sup>

<sup>49</sup> *Schlesische Nachrichten*, 15 February, 1997

<sup>50</sup> *Schlesisches Wochenblatt*, 10 January, 1997

<sup>51</sup> *Schlesische Nachrichten*, 15 January, 1997.

<sup>52</sup> *Schlesische Nachrichten*, 15 February, 1997.

## Politics and Constitutional Change

So far we have focused upon areas which are not explicitly political in their nature. In Upper Silesia the German community has sought to translate its numeric preponderance in the rural areas into political muscle. In 1990 the German minority entered the political arena. Its objective was to complement the work of the non-political associations and achieve national and local representation for the Germans of Upper Silesia and on behalf of the smaller German communities scattered around Poland. The party met with immediate success in the October 1991 elections when seven of their candidates were returned to the *Sejm* and one to the Senate. Given the multiplicity of parties which adorned this first post-Communist *Sejm* the role of smaller parties was of importance in coalition formation and the maintenance of governments. At one level German minority and its political leadership can be characterised as conservative. However given the nationalist tendencies of the Polish right, the minority finds itself most comfortable with the left-liberal, post-Solidarity Freedom Union (FU), and along with the FU has been firmly in the opposition camp since the elections of 1993.<sup>53</sup> Given the narrow base of its constituency, i.e. the Germans of Upper Silesia, and the fact that the VdG operates as both political party and interest group, it defies straightforward classification.<sup>54</sup>

In general the VdG uses both houses of parliament as a means of publicising its grievances and in reality confines itself to a rather parochial range of issues. It also uses the Parliamentary Committee for National and Ethnic Minorities, and the relevant sections of the Ministries of Interior and Culture in pursuance of its aims.<sup>55</sup> How successful the party has been in achieving its objectives is a moot point. Significant gains have been made in recent years, although the party claims that areas of discrimination do exist. Thus it has been claimed that because (collective) minority rights which guarantee equality before the law to all ethnic minorities in Poland, have not yet been enshrined within the Polish constitution, the various minorities do not necessarily receive equal treatment.<sup>56</sup> This is held particularly to apply to the German community, whose existence prior to 1990, unlike that of the Ukrainian and other minorities was never officially recognised. Having said that, a Law on National Minorities has now been agreed upon by the relevant parliamentary committee, upon which the German representative Henryk Kroll has pronounced favourably. The main problem with the law is that it cannot be passed until parliament has enacted a law proclaiming Polish as the official *lingua franca* of the country, and that parliament will be dissolved no later than August in order to prepare for elections.<sup>57</sup> Legislative time therefore is currently at a premium.

On the other hand, the impasse on the constitution itself has at last been broken. In the immediate phase of post-communism, a series of amendments was passed to the 1952 constitution which struck out all clauses which pertained to the leading role of the communist party, and were incompatible with the transition toward liberal democracy. Subsequently, numerous drafts were proposed, but none was actually laid before parlia-

<sup>53</sup> Henryk Kroll MP, in the *Schlesisches Wochenblatt*, 20 December, 1996.

<sup>54</sup> Interview with Dr. Dieter Bingen of the *Bundesinstitut für ostwissenschaftliche und internationale Studien*, 8 November 1994.

<sup>55</sup> Andrzej Sakson: *Die deutsche Minderheit in Polen: Gegenwart Und Zukunft*. August 1993, p. 3.

<sup>56</sup> Interview with Henrk Kroll. MP. 16 November 1994.

<sup>57</sup> Heinrich Kroll MP, in the *Schlesisches Wochenblatt*, 20 December, 1996.

ment. In the winter of 1996/97, the constitutional committee finally reached agreement on a draft which was submitted for ratification at the end of March 1997. Although as we shall see, the constitution was bitterly opposed by Polish integralists led by the Solidarity Electoral Alliance, the constitution was approved by 450 votes to forty. For our purposes it is important to note that the German parliamentarians are reasonably satisfied with the proposed constitution. They are particularly pleased that the constitution is drafted 'In the Name of the Polish People and all Polish Citizens'. In other words the draft constitution recognises that all Polish citizens are not ethnic Poles. They also are satisfied that the constitution goes as far as it can in providing for the maintenance of minority languages and cultures, in securing the overall situation of national minorities and in creating a society that is based upon the rule of law.<sup>58</sup>

The importance of this wording and the clauses which guarantee such rights cannot be overstated. However, after the constitution was approved by Parliament, the wider issue was not one of whether or not the constitution suits the German minority; but whether it would ever be enacted. After the draft received the requisite two-thirds majority in both houses of parliament, it was submitted to popular referendum on 25 May 1997. Given the fractured state of society, this was a huge obstacle. The results of the referendum can best be described as mixed. On the one hand 53 per cent of those who voted approved the constitution, and with presidential approval a formality the constitution is now in force. On the other hand, only 42 per cent of the population bothered to vote in a campaign that became increasingly ugly and xenophobic in tone, and in which elements of the Catholic clergy were prominent in criticising the input of aliens and atheists in to the constitution itself.

Similar apathy was evidenced in September of that year at the third post-communist general election. The post-communist SLD and their Peasant Party allies lost power to a coalition of the Solidarity Electoral Alliance (SEA), and the Freedom Union (FU). The sole criterion for this government seems to be anti-communism, or to be more accurate anti-post-communism. The FU is secular, neo-liberal on social issues, in favour of classical liberal economic policies, pro-European, and tolerant of diversity. For its part, the much larger SEA is in fact an amorphous collection of over thirty organisations; which are riven by factionalism, and are to varying degrees nationalist, conservative, Catholic-traditionalist, as well as being suspicious of both the EU, and those who are not 'True Poles'. Despite being rhetorically committed to privatisation, the SEA is beholden to special interest groups in the coal and steel industries, and is opposed to selling state assets either to 'communists' or foreigners. Quite how this government intends to take Poland 'into Europe' is as yet, unclear.

Returning to the theme of electoral politics, we find that in the general elections of September 1993 and September 1997, the VdG in common with all similar associations was exempted from the thresholds introduced under the amendments to the electoral law. Yet in 1993, it had its representation in the *Sejm* cut from seven to four seats, but maintained its seat in the Senate. If these losses were not bad enough, the results in 1997 were catastrophic. The senator in this midst of accusations of collaboration with the communists lost his seat, as did two of the four members of the *Sejm*. It has been claimed these losses were incurred to disillusion with politics in general and the VdG in particular. Unsurprisingly the VdG leadership claims that these losses were incurred

<sup>58</sup> *Schlesisches Wochenblatt*, 11 April, 1997.

<sup>59</sup> Interview with Henryk Kroll MP, 16 November, 1994.

<sup>60</sup> M. Luczak in 'Wprost', No Date.

through no fault of their own but primarily through the increased participation of ethnic Poles in the electoral process.<sup>59</sup> Such excuses are a long way from the truth. In 1997 the constituencies with the lowest rates of participation were precisely those which had the largest numbers of ethnic Germans.<sup>60</sup> Older members of the German community were quite simply not motivated to vote. As for middle-aged and younger Germans where they voted at all, they tended to vote for mainstream Polish parties. What all of this signals, is that if the VdG is to survive next year's local elections as a credible force in any part of Upper Silesia it needs to take serious stock of its own shortcomings.

In the arena of local government, we find that the VdG has made significant gains. As of July 1993, it had representatives in sixty-three councils in Upper Silesia. In twenty-eight it was in a majority and fifteen had appointed German-speaking mayors. In addition, it had twenty-three representatives in the Opole *Voivodship* council.<sup>61</sup> Working relationships have been established with the great majority of Polish representatives, and political issues have not been overlain with questions of ethnicity. By the same token the centralised nature of the Polish state means that local government has few significant powers, which in itself perhaps fosters good inter-communal relations. Having said that, there have been complaints from representatives of the German minority, that following recent reforms, local authorities are expected to perform more functions than their budgetary powers allow.<sup>62</sup>

## German and European Perspectives

It is now appropriate to examine the role of this minority with regard to bilateral Polish German relations. For years the position and existence of the Germans in Upper Silesia and other parts of Poland dogged bilateral relations between Warsaw and Bonn. The two sides eventually established formal diplomatic relations in 1970, with one of the fruits of this tentative rapprochement being that over 550,000 people claiming adherence to the *Deutschtum* were allowed to leave Poland between 1970 and 1988.<sup>63</sup> As previously mentioned the changed political climate in Poland from 1988 resulted in official recognition by the Polish government that Poland did in fact possess an ethnic German minority. However we also need to note that the fall of communism prompted a further exodus of designated Germans from Poland to Germany, and that this exodus coupled with the changed political climate in Poland prompted a re-think in Bonn of policy toward (the future of) this minority.

As a consequence of the above factors and the general disquiet in Germany over the huge number of immigrants that west Germany absorbed in the late 1980s, from 1990 the German government changed its position on the German minorities in Poland and elsewhere in eastern Europe. In the wake of the passing of The War Consequences Consolidation Act by the German parliament, (descendants of) ethnic Germans resident in Eastern Europe and the former Soviet Union born after 1 January 1993, are not recognised as German nationals.<sup>64</sup> The emphasis is now upon taking measures which will aid in the stabilisation of the new economic and political structures of these countries, coupled

<sup>59</sup> Gerhard Bartodziej: *Die Lage der deutschen Minderheit in Polen*. August 1993.

<sup>60</sup> Joachim Czernek MP in the *Schlesisches Wochenblatt*, 20 December, 1996.

<sup>61</sup> T. Garton Ash: In *Europe's Name*: London, Jonathan Cape, 1993, p. 660/661.

<sup>62</sup> M. Kuechler: *Germans And Others*: German Politics: Vol. 3, No. 1. 1993, p.50.



with a diplomatic offensive aimed at securing official recognition of these groups as indigenous ethnic minorities. Through the successful implementation of these policies it is hoped that a number of objectives will be achieved. In the short term it is hoped that through the provision of material incentives, political support and constitutional guarantees groups such as the Germans of Upper Silesia will remain *in situ*. So far this policy has proven to be successful. In the medium term it is hoped that through the provision of economic aid that is designed to improve the situation of both the minority German and host community, a positive image of Germany will be projected and barriers between Germans and Poles will be broken down. The long term goal is to encourage the growth of a civic consciousness that will effect a decisive shift away from previous patterns of authoritarian political behaviour, and toward the growth of societies which can be admitted into the EU. Discussion of whether these latter goals are in some way being achieved is beyond the scope of this paper. However, it is the opinion of this author that the situation has developed in a more positive manner than anyone had a right to expect in 1988.

It now remains for us in the light of our findings to make some assessment of the future of the German community in Upper Silesia. The pattern of migration to Germany has temporarily at least, been broken. Despite the uncertainty over exact numbers, the German community appears now to be the largest ethnic minority in Poland, and certainly is the best organised.<sup>65</sup> However, this does not mean that the political leadership among the German community is necessarily happy with either the attitude of or level of support it receives from Bonn. There are also complaints that the wider population of the Federal Republic has insufficient interest in the fate of the Germans of Upper Silesia.<sup>66</sup> In a sense such feelings demonstrate the years of isolation from Germany, and the existence of a which finds it difficult to come to terms with the reality that the experiences and orientations of post-war Germans, and particularly post-war west Germans, are very different to those Germans who have remained in Poland.<sup>67</sup> Thus the community leaders claim they are receiving insufficient financial and material support from the federal government. For its part the federal government sees itself as a facilitator of aid and rarely involves itself in issues which it considers to be solely within the competence of the Polish state. It has also made it crystal clear to the nationalist fringe which inevitably inhabits various of the German societies that any activities which might lead to disturbance in Polish-German relations, or within Polish society will not be tolerated.<sup>68</sup>

Neither is (the leadership) of the German community over-enamoured with the attitude of much of the Polish polity. There are still important matters which need to be fully resolved. The question of pension rights for those who served in the German armed forces up until 1945 was settled only solved in the autumn of 1995. This settlement, for which time spent as a prisoner-of-war, or in the *Landarmee* or as civilian forced labour (either in Poland, Germany or the Soviet Union), is not reckonable, has proven to be something of a disappointment for many members of the minority.<sup>69</sup> In

<sup>65</sup> Andrzej Sakson: *Die deutsche Minderheit in Polen: Gegenwart Und Zukunft* August 1993 p. 7.

<sup>66</sup> Interview with Ms Klaudia Kandzia of the BDJM, 9 November, 1995.

<sup>67</sup> Interview with Dr. Dieter Bingen of the *Bundesinstitut für ostwissenschaftliche und internationale Studien*, 8 November 1994.

<sup>68</sup> Dr. Berthold Johannes of the German Foreign Ministry in conversation with the author, 25 October 1994.

<sup>69</sup> Roman Kurzbauer MP, in the *Schlesisches Wochenblatt*, 20 February, 1997.

<sup>70</sup> W. Dressler-Holohan & M. Ciechocinska in ed. L. O'Dowd & T. Wilson: op.cit. p.176 ff.

addition, as mentioned earlier one encounters complaints that the German minority does not enjoy the same privileges as the Ukrainian and other minorities in Poland. This is a claim which both the Polish and German governments refute, and have jointly stated that in their opinion the treaty of 1991 conforms to the United Nations' Charter on Human Rights, the Closing Act of the 1975 Helsinki Agreement, the Paris Charter for a New Europe of 1990 and the Copenhagen Document on the Human Dimension of 1990.<sup>70</sup>

The 'Grand Design' of the VdG is to develop (Upper) Silesia as a bridge between Poland and Germany on the one hand and Western Europe and Eastern Europe on the other. Silesia they believe is through its history as a meeting place of cultures, uniquely placed to play such a role.<sup>71</sup> Such grandiose schemes are of course contingent upon Polish admission into the EU and a continued strengthening of the EU's regional policy. Leaving the vagaries of the latter to one side, we can say that not only is the former contingent upon a continued strengthening of the Polish economy, it is also contingent upon a specific programme aimed at radically restructuring the economy of Upper Silesia. As if that were not enough such designs are predicated upon the process of constitutional reform. Given the ambiguities of the situation, current constitutional provision do not fully entrench Poland's assent to the obligations it has assumed through membership of such organisations as the CoE, German (Upper Silesian) anxieties are understandable, if at times exaggerated.<sup>72</sup> According to the new constitution, where Polish law conflicts with international law, the latter takes precedence. However, the matter is much more complex than is suggested by such a bald statement. As we mentioned earlier, there still is no law on national minorities in Poland, and there will not be until a law establishing Polish as the national language comes in to force. On top of that, although Poland has signed a number of international treaties and agreements which refer to the treatment of indigenous minorities, for a variety of reasons none of them is as yet binding in international law; and all of them would require Poland to change political practice in such areas as signage and the use of minority languages as official languages at the local level. If the present socialist led government were to retain power after September's election there is every reason to hope that workable compromises could be found. In the event, a victory by Solidarity, stripped as it is of its former liberal and socialist currents would lead to a changed situation.

In order to render Polish local and regional government more compatible with EU norms, there are plans to re-organise regional government in Poland. At present they centre around amalgamating the current forty-nine *Voivodships* into a number of larger regions with increased but largely unspecified decision-making powers. The plans currently under consideration are certainly not designed to facilitate the creation of a special autonomous region in Upper Silesia. However, whether or not they have been designed in order to reduce the societal cohesion of the Germans in the area is a moot point. Interestingly enough, in late 1996 in a show of regional solidarity, politicians from right across the ideological and ethnic spectrum appealed to Warsaw not to dissolve the *Voivodship*. Apart from the most hidebound Polish integralists, regional politicians seem united in the belief that Upper Silesia has a special character, and that social harmony

<sup>71</sup> Andrzej Sakson: *Die deutsche Minderheit in Polen: Gegenwart Und Zukunft*. August 1993, p.19/20.

<sup>72</sup> Senator Gerhard Bartodziej, in *Dialog*, Nos.2/3, 1995.

<sup>73</sup> *Schlesisches Wochenblatt*, 10 January, 1997.

<sup>74</sup> Interview with Dr. Christoph Liedtke of the Foreign, European and Development section of the Free Dem-

should not be disturbed through interference from Warsaw. Indeed, among the Germans, there is an obvious desire to establish an Upper Silesian *Voivodship* along traditional, (i.e. German) administrative borders. For its part, the government claims that it favours the creation of larger regions as a means of reforming local government on lines that are common throughout the EU.<sup>73</sup> As far as this author is aware, the government has not actually made clear whether territorial reorganisation would be complemented by a meaningful devolution of power from the centre to the periphery.

Whatever the case Polish entry into a federal EU would be predicated upon some form of internal decentralisation.<sup>74</sup> Despite obfuscation the long-term objectives seem clear. The VdG wishes to see Poland enter an EU that is fully-committed to the creation of a federal Europe. As the EU moves toward the creation of federal structures and employs the principles of subsidiarity, so the role of the Polish state in the affairs of (Upper) Silesia would diminish and bilateral links with Brussels and other, especially German regions could replace them. Thus the problems of citizenship, national identification, and the legacy of history could at last be solved. South Tyrol is often seen as the role model for Upper Silesia.<sup>75</sup> This is despite the fact that unlike South Tyrol, Upper Silesia does not border a German speaking state, that German speakers are in an overall minority in all *Voivodships*, and that no Polish party could ever entertain Germany having an internationally agreed special relationship with any part of Poland. For good measure we should add that such a 'solution' is not taken seriously in Germany either.

'Grand Designs' apart, it is important to acknowledge the gains that have been made in Upper Silesia in the past few years. The German minority now has its own voice in both national and local politics in Poland. Their existence is no longer denied by the Polish state, and both the Polish and German governments have sponsored a range of initiatives aimed at preserving the distinct nature of this society. Although it must be noted that there is tendency on the part of the VdG and its affiliates to look to Bonn rather than Warsaw in this respect, and to lobby Bonn through the *Landsmannschaften*.<sup>76</sup> This is a situation given the latter's pre-occupation with the property rights of for that neither government is altogether happy with.<sup>77</sup> However this has not led to real disruption to either inter-state relations or inter-communal relations which at present are good. This is despite the fact that former president Walesa was not above labelling Poland's minorities as 'a threat to state security', a comment which he later withdrew.<sup>78</sup>

The greatest change has perhaps been in the matter of citizenship and ethnicity. What we have witnessed in Poland since 1945 is the creation of a German community in Upper Silesia which is more sure of its identity. This has come about not because of the success of German nation building strategies, but because of the failure of such Polish strategies. Given the authoritarian nature of the PUWP, Stalinist methods were bound to be employed in the post-war years. Because of that experience, it is pointless to talk about 'missed opportunities'. The failure of such methods shows that you cannot foist upon people an identity which they reject. What has been encouraging since 1988 is that the presence of a declared and substantial German minority has not proven to be the major political issue in Poland that some feared it might have become. Their 'discovery' came as something of an initial shock to a people who had for decades been told that virtually no Germans resided in Poland. Yet there has been a halting but steady

ocratic Party, Bonn, 25 October, 1994.

<sup>75</sup> Interview with Ms Klaudia Kandziof of the BDJM, 9 November, 1995.

## Povzetek

***Ustavno varstvo, izobraževanje in ohranjanje identitete: nemška manjšina na Poljskem danes***

Članek govori o nemški manjšini na Poljskem danes in o njenih odnosih s poljsko družbo. Pokazati skuša, da je bila politika bivše Komunistične partije, ki je hotela oblikovati etnično homogeno državo, zgrešena glede na to, da so se "prizadete" skupine upirale pritiskom prisilne asimilacije. Prehod k liberalni demokraciji od leta 1988 dalje je izpostavil paradoks znotraj politike bivše Komunistične partije. Članek prikazuje, da je delovanje poljske vlade v primeru germaniziranih Slovanov v Gornji Šleziji in drugod dejansko okrepilo nacionalno zavest in identifikacijo z nacionalno državo (nation-state).

Vendar pa, namesto da bi spodbudila identifikacijo s Poljsko, je politika prisilne asimilacije spodbudila močnejše identificiranje z Nemčijo. V luči te dokaj nenavadne situacije članek obravnava različne teme. Glavni poudarek je na tem, v kolikšnem obsegu se na Poljskem dejansko upoštevajo v ustavi zapisane določbe o avtohtonih etničnih manjšinah, kot so Nemci. To je dopolnjeno z analizo korakov, ki so bili narejeni znotraj izobraževalne sfere od leta 1989 dalje, da bi razbili negativne stereotipe in ohranili kulturno in lingvistično identiteto nemške manjšine. V članku je podana tudi ocena vloge, ki jo ta manjšina igra z ozirom na širši proces reforme.