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Joanna Einbock, Gesine Fuchs, Heiko Pleines

Representation of Polish Interest

Groups at the EU Level

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Content

Joanna Einbock

The Activities of Polish Trade Unions at the EU Level	5
<i>Introduction</i>	5
<i>European Issues as a Framework</i>	5
<i>European-Level activities</i>	8
<i>Conclusion</i>	13

Heiko Pleines

The Polish Agricultural Lobby between Warsaw and Brussels.....	15
<i>Introduction</i>	15
<i>Part I: The Agricultural Lobby in Polish Politics</i>	16
<i>Part II: The Polish Agricultural Lobby and the EU's Common Agricultural Policy</i>	26
<i>Conclusion</i>	28

Gesine Fuchs

Polish Non-Governmental Women's Organisations and the EU.....	31
<i>Introduction</i>	31
<i>The Significance of EU Gender Policies</i>	31
<i>Political Influence of Civil Society in the EU and Polish Women's NGOs</i>	33
<i>Conclusion</i>	40
<i>Literature</i>	41

Working Papers of the Koszalin Institute of Comparative European Studies	45
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Quarterly Electronic Bibliographies of the Koszalin Institute of Comparative European Studies.....	46
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The Activities of Polish Trade Unions at the EU Level

Introduction

Trade unions played a significant role during the historical processes of economic and political transformation in Poland. Nowadays, among all civil society organisations, trade unions are, with permanent access to political decision-makers at the national level, still the most influential actors. Thus, considering the growing and already far-reaching regulatory powers of the European Union (EU) in the areas of the trade unions' interests, it is not surprising that Polish trade unions are becoming more and more active at the European level as well. They seem to be following the motto once cited by Mazey and Richardson: 'You need to shoot where the ducks are.'¹ As a consequence of Poland's accession to the EU, the Polish trade unions' spheres of influence have widened considerably; European bodies are now among their addressees and European trade union organisations, such as the European Trade Unions Confederation (ETUC) and the European Industry Federations, have become their allies in interest representation.

The focus of this paper is on the European activities of the two largest Polish trade union federations. The first group of factors to be analysed can be viewed as internal indicators of Europeanisation. They include changes in internal structures and the inclusion of European issues in the work programmes. On the other hand, external indicators, such as formal representation and co-operation as single interest groups and within transactional umbrella organisations at the European level, will be taken into consideration. The crucial questions discussed are: How are Polish trade unions represented at the European level?; What problems do they face?; What successes have they scored two years after Poland's accession to the EU?

The first trade union federation to be analysed is the Independent and Self-Governing Trade Union Solidarity (NSZZ Solidarność),² founded during the worker protests on the basis of the Gdańsk Accords of August 1980. Today it represents nearly 1.2 million workers from all industry branches and services (i.e. 7.6% of the total workforce in Poland). The structure of the union consists of around 14,000 local organisations associated into 37 regions and organised as national branch sections, forming 16 national branch secretariats. The second, the Polish National Association of Trade Unions (OPZZ),³ was founded in November 1984 as a state-run trade union federation. It consists of 104 national federations and trade unions, with a total membership of about 800,000. Both organisations were directly entangled in politics for quite some time; NSZZ Solidarność and OPZZ have been seen as representing the right and left wings of the Polish political scene, respectively.

European Issues as a Framework

Of the international issues which have occupied Polish trade unions for the last few years, questions concerning the eastern enlargement of the EU and Polish EU membership in particular have played major roles. The hitherto existing aims, orientations and modes of

1 Mazey, Sonia / Richardson, Jeremy. 1996. 'The Logic of Organisation: Interest groups'. In: Richardson, Jeremy (Ed.). *European Union. Power and policy-making*. Routledge: London, p. 200.

2 See: <http://www.solidarnosc.org.pl>

3 See: <http://www.opzz.org.pl>

action have been challenged by these new political constellations. They have forced the whole trade union movement to work out new approaches, including structural changes and a stronger focus on activities at the international and European levels.

This new orientation can, for example, be clearly recognised in the current Programme Resolutions of NSZZ Solidarność, adopted by the 15th National Congress of Delegates held in Warsaw in September 2002.⁴ The Congress addressed the various challenges to the Polish as well as the international trade union movement posed by the ongoing effects of globalisation and European integration. According to the resolutions, co-operation with the International Confederation of Free Trade Unions and the World Confederation of Labour will comprise the focal point of NSZZ Solidarność's international activities in its next terms of office. The aims set include the further democratisation of the world economy, the establishment and growth of independent union movements worldwide, and the exertion of influence on decision-making processes in the international concerns, organisations and governments of the richest countries. NSZZ Solidarność especially wants to pressure the Polish government to adopt the social dimensions and the ILO basic standards into the World Trade Organisation rules as well as to ratify ILO conventions, EU directives and the Social Charter in Poland.

Within the European context, NSZZ Solidarność considers the EU not only a treaty or constitutional commonwealth, but an entity based on a common European identity consisting of shared roots, heritage and values, such as Christian traditions. On questions of European integration, the Programme Resolution refers to the words spoken by the Polish Pope John Paul II in front of the Polish Parliament: 'We must build new European unity, if we want it to be a lasting one, on the spiritual values that once shaped it; and the richness and diversity of cultures and traditions of individual nations must be taken into account. It must be a great European Spiritual Community.'⁵

The conditions of Poland's EU accession became, however, a highly discussed issue among Polish politicians and citizens, revealing a lot of hopes and fears. In response, NSZZ Solidarność issued a resolution stating that the EU integration process should respect Poland's national sovereignty and identity and entail the adoption of the socio-economic standards determined by the European Directives and the European Social Charter. At the same time, NSZZ Solidarność saw itself as obligated to obstruct decisions which would be disadvantageous for the Polish workforce. It also stressed the necessity for the Polish government to present reliable reports on the state of negotiations as well as on the benefits and risks of the EU accession. The union made it its duty to inform its members on these topics before the accession referendum.

Two National Commission Departments in particular became active on these issues: the International Department, which handles the trade union's foreign affairs, such as its relations with international bodies, foreign trade union centres and other international organisations, and the Commission for European Integration, which concentrates more strictly on European issues. Various working papers and statements whose objective was to communicate the union's position regarding the EU integration to the Polish government and to raise its members' awareness on these issues have subsequently been published. In its resolutions, NSZZ Solidarność criticises the manner in which the accessions negotiations were conducted by the Polish government as well as the way the citizenry was informed about their course. Moreover, the union claims that Poland was not prepared for the accession to the EU. At the same time, it strongly encouraged Polish citizens to participate

4 See: http://www.solidarnosc.org.pl/dokumenty/xv_kzd/u_prog.htm

5 http://www.solidarnosc.org.pl/english/docs/15eng_pr.pdf, viewed on 21.11.05

in the accession referendum and later in the elections to the European Parliament in June 2004.⁶

Furthermore, in order to accomplish the tasks mentioned above, NSZZ Solidarność underlines in its Programme Resolution the necessity of strengthening international co-operation, exchanging experience, information and expertise and further developing joint programmes together with trade unions from other EU member states and EU-level trade union organisations. As far as the activities planned at the European level are concerned, the ETUC plays the crucial role. NSZZ Solidarność therefore wants to actively participate in the European social dialogue through the ETUC and the European Trade Federations. The strengthening of the European social model, including the common policy of employment, working conditions and social protection is among the most important issues mentioned in this context. Moreover, NSZZ Solidarność formulated its further aims in the Resolution of the 16th National Congress of Delegates on International Co-operation. First and foremost, they included constitutional guarantees in the EU for the right to organise cross-border trade unions and negotiate cross-border collective agreements, implement the social model based on the dialogue of the social partners, to access information, participate in consultations and exercise co-decision-making power. The democratisation of EU institutions through the strengthening of the role of representative bodies, more transparency in the decision-making processes and the limitation of the unanimity principle to constitutional matters are further postulates.⁷ Yet Poland's accession to the EU provides NSZZ Solidarność with new instruments and paths of action in order to put these into force.

OPZZ has dealt with similar questions and challenges during its last few terms of office. For example, the work programme for the 2002–2006 period was adopted during its 5th Congress in Spala in May 2002.⁸ Its preamble stresses OPZZ's commitment to Poland's integration with the EU and confirms the objectives of the previous programme, which identified integration with the EU as Poland's highest priority. At the same time, however, OPZZ demanded a public debate regarding the conditions of Poland's membership in the EU and the consequences thereof, especially concerning social policy. Similar to NSZZ Solidarność, OPZZ required the Polish government to present appropriate position papers involving the participation of social partners. Accordingly, OPZZ organised various conferences and lectures addressing these issues prior to the accession referendum. Furthermore, in a later chapter of the programme committed to social policy, OPZZ also demands the Polish government's adjustment of Polish employment and social laws to meet the standards of the ILO conventions, the European Social Charter and the EU Directives. These demands are further elaborated upon in a separate chapter on OPZZ's international activities. In light of growing globalisation and industrial integration, OPZZ stresses the necessity of co-operation with international trade union movements for establishing a stable social model. The commitment to the idea of 'social Europe' plays an important role in this context, a goal which can be reached, according to OPZZ, through tight co-operation with the European trade unions and social organisations as well as through bilateral partnerships with trade unions from other countries. The strengthening of Polish trade unions' active participation in the EU social dialogue is one of OPZZ's major priorities.

6 See: http://www.solidarnosc.org.pl/integracja_europejska/stanowiska.html

7 See: <http://www.solidarnosc.org.pl/english/docs/16eng.pdf>, viewed on 21.11.05

8 See: <http://kongres.opzz.pl/?i=13>, viewed on 21.11.05

European-Level activities

One of the most significant aspects of the European engagement of Polish trade unions and an external indicator of their Europeanisation is their activities with the European Economic and Social Committee (EESC). The EESC is a consultative body providing direct access for representatives of national socio-occupational interest groups (including social partners and other major players in civil society) to a formal platform for voicing their opinions at the European level. It also plays an important role in the EU decision-making process. Hence, among Polish trade unions, it has become one of the major European avenues for their interest representation. Even preceding the eastern enlargement of the EU, the EESC maintained relations with Polish interest groups. For example, in 1997, on the initiative of the then-secretary of the Polish Committee for European Integration, a joint committee with the EESC was established. It mirrored the EESC's structure and aimed at a higher degree of involvement of social partners in the negotiation process. NSZZ Solidarność and OPZZ belonged to this committee from the beginning on. With Poland's EU accession in May 2004, the Polish government gained the right to nominate 21 members for appointment by the Council of the European Union for a renewable 4-year term of office. In this term of office, NSZZ Solidarność and OPZZ are represented within the employees' group by three and two members, respectively. Moreover, another Polish trade union federation, the Trade Union Forum, has one representative to the EESC (see Table 1).

Table 1: Polish trade union representatives to the EESC⁹

Federation	Representative	Position	Section of EESC*
OPZZ	Rożycki, Stanisław	Vice-President of the Federation of Unions of Polish Higher Education and Science Teachers	ECO, TEN
	Jasiński, Tomasz	Senior Specialist in International Co-operation and European Integration	REX, SOC
NZSS Solidarność	Krzaklewski, Marjan	Member of the National Commission	ECO, TEN, CCMI
	Adamczyk, Andrzej	International Secretary	REX
	Sobon-Bartkiewicz, Katarzyna	Expert in European Integration	SOC
Trade Union Forum (FZZ)	Szynaka, Edmund	Secretary General of FZZ	REX, SOC

* ECO = Economic and Social Cohesion; TEN = Transport, Energy, Infrastructure and the Information Society; REX = External Relations; SOC = Employment, Social Affairs and Citizenship; CCMI = Consultative commission on industrial change; NAT = Agriculture, Rural Development and the Environment

9 Source: <http://eescmembers.esc.eu.int>, 21.11.2005

The Polish trade unions' involvement in European networks and international partnerships can be viewed as a further indicator of their Europeanisation. NSZZ Solidarność, as a pioneer of the free trade union movement in Eastern Europe, was immediately recognised by international bodies and established various institutionalised and non-institutionalised contacts with its European and international counterparts even before the break-down of the socialist regime in Poland. In 1986, as the only East European trade union, it became a full member of the International Confederation of Free Trade Unions and of the World Confederation of Labour. It has been represented in the Trade Union Advisory Committee of the OECD since 1997. At the European level, NSZZ Solidarność gained observer status in 1991 at the European Trade Union Confederation and became its affiliate only four years later. Furthermore, the former co-ordinator of the European Integration Commission and vice-president of the National Commission of Solidarność, Józef Niemiec, was elected one of the four confederal secretaries of the ETUC in May 2003. Janusz Śniadek, the current president of the National Commission, and Andrzej Adamczyk, head of the International Department, are additional Solidarność representatives in the Executive Committee of the ETUC. The ETUC is a European social partner and is recognised by the European Union as the only representative cross-sectoral trade union organisation at the European level. It works with all the EU institutions and is involved in economic and social policy-making as well as the European social dialogue with the aim of improving the European social model. Considering the significance of the ETUC, Andrzej Matla from the International Department of NSZZ Solidarność stated: 'Being represented in the ETUC means that our voice has influence on the shape of the European social dialogue.'¹⁰ Nearly all of NSZZ Solidarność's branch sections and secretariats are also affiliated to the European Industry Federations (many of which are also affiliated to the ETUC) (see Table 2) as well as to the Global Union Federations. For example, the former president of NSZZ Solidarność, Marian Krzaklewski, is Poland's representative at the Council of European Professional and Managerial Staff.

Table 2: Affiliations of Polish trade unions and federations to the European Trade Union Federations¹¹

European Trade Union Federations	Branch structure of NSZZ Solidarność	Branch federations of OPZZ
EMCEF (European Mine, Chemical and Energy Workers Federation)	Chemical Workers' Secretariat; Energy and Miners' Secretariat	Trade Union of Miners in Poland (ZZG w Polsce); Federation of Oil and Gas Industry Workers' Unions (FZZGNiG); Federation of Chemical, Glass and Ceramic Industry Workers Unions in Poland (FZZPCSIC)
UNIEUROPA (Union Network International Europe)	Commercial, Clerical and Professional Employees' Secretariat; Postal Telegraph and Telephone Workers' Secretariat	Affiliate of UNI-Europa Graphical: Trade Union of Graphic Industry Workers (ZZPPP)

¹⁰ In: *Tygodnik Solidarność* 35(884)/2005, <http://www.tygodniksolidarnosc.com>, viewed on 21.11.05 (author's own translation)

¹¹ Sources: www.solidarnosc.org.pl, www.opzz.org.pl viewed on 21.11.05, *Przegląd Wydarzeń Związkowych* 1(125)/2005

European Trade Union Federations	Branch structure of NSZZ Solidarność	Branch federations of OPZZ
ETUCE (European Trade Union Committee for Education)	National Section of Education; National Section of Science	Polish Teachers' Union (ZNP)
EFFAT (European Federation of Trade Unions in Food, Agriculture and Tourism Sector and Allied Branches)	Food Workers' Secretariat; Agricultural Worker's Secretariat	–
ECF-IUF (European Committee of Food, Catering and Allied Workers' Unions within the IUF)	Food Workers' Secretariat	–
ETUF-TCL (European Trade Union Federation – Textiles, Clothing and Leather)	–	Federation of Independent and Self-Governing Trade Unions of Light Industry (Federacja NSZZ Przemysłu Lekkiego)
EMF (European Metalworkers' Federation)	Metalworkers' Secretariat	–
ETF (European Transport Federation)	National Maritime Section; National Section of Sea Port Workers; National Section of Railway Workers	Federation of Trade Unions of Seamen and Fishers (FZZMiR); Trade Union of Aviation Workers (ZZ Personelu Latającego i Pokładowego)
EPSU (European Public Service Unions)	Health Protection Secretariat	–
EFBWW (European Federation of Building and Woodworkers)	–	Observer status: Trade Union of Building Workers 'Budowlani'
EUROCADRES (Council of European Professional and Managerial Staff)	National Section of Science	–
FERPA (European Federation of Retired and Elderly Persons)	Secretariat of Retired Employees and Pensioners	–

NSZZ Solidarność stresses the importance of the model of social dialogue established in the EU as an example for the Polish social partners: 'The experiences of the European dialogue became an inspiration for social partners in Poland even before its EU accession. Now we have gained not only a real influence on the course of this dialogue, but we also benefit from its achievements. We are convinced that the quality and the intensity of the social dialogue at the European level directly influence the course of the dialogue at the

national level.¹² NSZZ Solidarność also emphasises that the European social dialogue is far more developed and efficient than the one taking place in Poland. Józef Niemiec pointed to a serious obstacle in this context: ‘It often happens that it is much easier to reach advantageous agreements at the European level than to implement them later at the national level.’¹³ Thanks to Poland’s EU accession, Polish trade unions have gained new channels of participation in the European social dialogue and the development of social policy. NSZZ Solidarność, as a full member of the ETUC, the European umbrella trade union organisation, as well as of numerous European trade union federations and one of the social partners at the EESC, became actively involved in the transnational decision-making process and established structures for interest representation both on the national and supranational levels.

In contrast to NSZZ Solidarność, which achieved international recognition shortly after its founding and established relations to international and European structures early on, OPZZ is still endeavouring to make inroads into the European arena. In 1991, OPZZ officially left the World Federation of Trade Unions (WFTU) (to which trade unions of the Eastern bloc used to belong), but maintained a partnership with it, and some OPZZ federations are still members of the branch trade unions of this international organisation. In the 1990s, OPZZ also established its first relations with West European trade union organisations. In May 1998, OPZZ’s 4th Congress set ‘the rapprochement to the European Trade Union Confederation, as the most representative organisation of the trade union movement in Europe’¹⁴ as one of its priorities.

In December 1998, OPZZ applied for membership in the ETUC. The general rule is for the ETUC to have one affiliate per country, usually the largest national centre, despite the presence of multiple union confederations (as is the case in Poland). Regarding new admissions, the ETUC seeks the views of its existing affiliates. The tensions between NSZZ Solidarność and OPZZ indeed seemed to constitute a significant obstacle here. The decision of the ETUC was continually postponed, and OPZZ finally abandoned its efforts. OPZZ further claims that NSZZ Solidarność hinders the development of its international activities in general. As reasons, it primarily cites OPZZ’s communist heritage and the unsolved problem of the confiscated Solidarność property inherited by OPZZ in the 1980s. These issues are also advanced as the reasons for the failure of the negotiations with the ETUC.¹⁵ OPZZ does not currently belong to any European or international trade union organisation. However, neither does it remain a passive object of the international trade union movement.

The International Labour Organisation plays an important role in OPZZ’s international activities. Several OPZZ representatives are members on its committees. It also maintains tight bilateral relations to trade unions from East and West European countries, including Austria, Denmark, France and Spain. In some branches, such as the graphic, chemical and mining industries, as well as the teaching trade, intensive co-operation takes place between the German Confederation of Trade Unions (DGB) and the corresponding federations of OPZZ. Various OPZZ member organisations are also members of international and European union federations (see Table 2 on pp. 9/10).

12 Janusz Śniadek, President of the National Committee of NSZZ Solidarność. In: *Tygodnik Solidarność* 35(884)/2005, <http://www.tygodniksolidarnosc.com/>, viewed on 21.11.05 (author’s own translation)

13 In *Tygodnik Solidarność* 35(884)/2005, http://www.tygodniksolidarnosc.com, viewed on 21.11.05 (author’s own translation)

14 <http://opzz.org.pl/end/index.php?dzial=inter&nr=44>, viewed on 21.11.2005 (author’s own translation)

15 Ryszard Lepik, the vice-president of OPZZ. In: *Przegląd Wydarzeń Związkowych* 1(125)/2005, p.3

The representatives of the OPZZ branch federations complain, however, that particularly in the initial stage of their international activities, they faced mistrust due to OPZZ's negative reputation among foreign trade unions. Under such circumstances, OPZZ has had to work hard to convince its international counterparts of its competence.¹⁶ Furthermore, in many European industry and branch federations, the membership of the national umbrella organisation in the ETUC is a precondition for membership for the national branch federations. This pertains to the case of the Budowlani trade union in Poland, which organises building workers. Budowlani is unable to become a member of the European Federation of Building and Woodworkers (EFBWW) despite years of good co-operation and unofficial observer status to the EFBWW. Other OPZZ branch federations were admitted into the European structures and have scored successes, however. For example, Sławomir Broniarz, the president of the Polish Teachers' Union (ZNP), the oldest and largest trade union for teachers in Poland, became Poland's representative to the Council of the European Trade Union Committee for Education in 2003.

The representatives of the OPZZ federations count direct access to relevant information as among the most significant benefits of membership in European organisations and active participation at the European level. Broniarz claimed, for example, that the information the ZNP received from the responsible Polish ministries was often insufficient, and that access to international research programmes had therefore been blocked for his union¹⁷. The president of the Federation of Chemical, Glass and Ceramic Industry Workers' Unions in Poland (FZZPCSIC), Józef Wozny, once pointed out [in reference to the accession of his federation to the European Mine, Chemical and Energy Workers Federation (EMCEF)]: 'Analysing the situation of the branch, we came to the conclusion that we were sustaining many losses by not participating actively in the European trade union forum. We couldn't wait any longer.'¹⁸ Despite the initial uncertainties and fears concerning the financial costs of membership in a European federation, Andrzej Chwiluk, the president of the Trade Union of Miners in Poland (ZZG w Polsce), also considers the accession of his union to the EMCEF in June 2004 as a turning point. The membership opened new possibilities for the union, allowing it to exert influence on the European legislative processes and access information and documents to which only the Polish government had hitherto had access.¹⁹

Another relevant focus of the European activities undertaken by NSZZ Solidarność and OPZZ was the establishment of the Works Councils in Poland and the strengthening of the Polish trade unions' participation in their work. The legislation implementing the European Works Councils Directive (94/45/EC) came into force in Poland when it joined the EU in May 2004. A part of the Polish workforce, however, has participated in European Works Councils since 1997. There are currently 72 Works Councils in multinational companies located in Poland. Ten workforce representatives are OPZZ members. However, over 50% of the Polish workforce representatives on EWCs are trade union activists with NSZZ Solidarność. They are represented in the EWC's executive committees at Heineken, Real, Thomson Multimedia, Volkswagen, etc.²⁰ Polish trade unions also actively participate in campaigns and protest actions across the European Union organised by the ETUC (in, for example, the run-up to the Intergovernmental Conferences).

16 See various interviews in *Przegląd Wydarzeń Związkowych* 1(125)/2005

17 In: *Przegląd Wydarzeń Związkowych* 1(125)/2005, p. 4

18 In: *Przegląd Wydarzeń Związkowych*, 1 (125)/2005, p. 13 (author's own translation)

19 In: *Przegląd Wydarzeń Związkowych*, 1 (125)/2005, p. 11

20 See: <http://www.solidarnosc.org.pl/erz/erzpolska.htm>, viewed on 21.11.05

Conclusion

The trade union scene in Poland is fragmented and dominated by the two largest federations involved in ideological conflicts. Despite the similarities of work programmes concerning European and international issues, Polish trade unions are not able to speak with one voice either at the national or the subnational level. Furthermore, the tensions between NSZZ Solidarność and OPZZ have turned out to be a serious obstacle for OPZZ in establishing itself in the European arena. Nevertheless, in view of the deepening European integration, the ever-increasing regulatory power of the EU and the challenges of globalisation, a gain in the significance of the lobbying activities at the European and international levels can be observed among both Polish trade union federations and their members. Both internal and external indicators of Europeanisation are visible. Moreover, it can be observed that Polish trade unions employ the so-called multiple strategy of interest representation typical for European interest groups. Greenwood once elaborated on this strategy as follows: 'The multi-level character of European policy process means that actors seeking to participate in European public affairs therefore have a number of so-called 'routes' of influence. At its most simple level, the 'national route' refers to the use of national contacts and national governments to influence EU decision-making, whereas the 'European route', or the 'Brussels strategy', involves seeking to exert influence by representation direct to the European institutions themselves.'²¹

21 Greenwood, Justin. 2003. *Interest Representation in the European Union*. Palgrave MacMillan: London, p. 32f

The Polish Agricultural Lobby between Warsaw and Brussels¹

Introduction

With the demise of the socialist planned economy and the liberalisation of prices at the expense of agricultural products, Polish agriculture fell into a crisis. Over the course of the 1990s, its share in the GDP sank from 7% to 3%.² As no alternative employment was created in the countryside, the agrarian crisis exacerbated over-employment in the agricultural sector and at the same time led to both high (often less visible) unemployment in rural areas and corresponding social problems.³

Concurrent to the EU accession negotiations, Poland began to align its national policy with the EU's Common Agricultural Policy in 2001. During this process, trade barriers were dismantled while market price support became less important in comparison with direct payments of subsidies.⁴ Many Polish farmers viewed these measures sceptically and feared further losses in income as a consequence of entering the EU.

Polish farmers responded to the deterioration of their situation with repeated and occasionally violent mass protests. At the same time, representatives of the agricultural sector were able to win up to 28% of the seats in the Polish parliament. As of the October 2005 parliamentary elections, they still occupy 18%. This enables the farmers to exert considerable political pressure. Meanwhile, Polish agricultural interest groups became active at the EU level when their country joined the EU in May 2004.

1 The author is a member of the research team on post-socialist EU member states formed by project 24 within the Integrated Project 'New Modes of Governance' (www.eu-newgov.org), financially supported by the European Union under the 6th Framework programme (Contract No CIT1-CT-2004-506392).

2 On the economic situation of Polish agro-businesses since the end of the socialist planned economy, see e.g.: Ingham, Hilary / Ingham, Mike: How big is the problem of Polish agriculture?, in: *Europe-Asia Studies*, 2004, 2, pp. 213–234; Gorton, Matthew / Davidova, Sophia: Farm productivity and efficiency in the CEE applicant countries. A synthesis of results, in: *Agricultural Economics*, 2004, 1, pp. 1–16; Borsig, Agnes / Kriszan, Michael: Die Landwirtschaft Polens zwischen Transformation und Strukturwandel, in: *Europa Regional*, 2003, 2, pp. 46–56; Martin Petrick u.a.: Poland's agriculture. Serious competitor or Europe's poorhouse? Survey results on farm performance in selected Polish voivodships and a comparison with German farms, IAMO Discussion Paper, 2001, 37.

3 On the social consequences of the agrarian crisis, see e.g.: Gorlach, Krzysztof / Drąg, Zbigniew / Nowak, Piotr: Ku wsi zdezagrariumowanej? Ludność wiejska i rolnicza w świetle wybranych danych spisu powszechnego, in: *Studia Socjologiczne*, 2004, 1, pp. 31–45; Kühne, Olaf: Landwirtschaft und Arbeitslosigkeit im ländlichen Raum Polens, in: *Osteuropa Wirtschaft*, 2002, 2, pp. 149–172; Borsig, Agnes / Kriszan, Michael: Die sozio-ökonomischen Auswirkungen des Strukturwandels der polnischen Landwirtschaft. Dargestellt am Beispiel des Landkreises Złotów in der Wojewodschaft Wielkopolska, Hannover, 2002.

4 Good overall portrayals can be found in: Rieger, Elmar: Wohlfahrt für Bauern? Die Osterweiterung der Agrarpolitik, in: *Osteuropa*, 2004, 5–6, pp. 296–315; Wrobel, Ralph Michael: Gemeinsame Agrarpolitik und EU-Osterweiterung. Strukturpolitische Konsequenzen für die Landwirtschaft in Polen, in: *Osteuropa-Wirtschaft*, 2004, 2, pp. 140–161; Czernielewska, Malgorzata: Measuring the effects of integration of the Polish agriculture with the European Union, in: *Comparative Economic Research. Central and Eastern Europe*, 2000, 1–2, pp. 195–213.

This case study starts with an analysis of the Polish agricultural lobby and its strategies in national politics. In the second part, the way in which the domestic agricultural lobby's structure and strategies differ from those of its representation at the EU level will be examined. At this juncture, it will be possible to draw preliminary conclusions about the political impact of the lobby on EU policy-making and to address related questions of accountability.

Part I: The Agricultural Lobby in Polish Politics

Contrary to all other socialist planned economies in the Soviet-dominated Council for Mutual Economic Assistance (CMEA), no comprehensive collectivisation of agriculture was implemented in Poland. Although the state-run large-scale agro-industrial enterprises were indeed given preference over the privately-run farms up to the beginning of the 1980s, their share of cultivated land nevertheless amounted to less than one quarter.⁵ As a result, Polish agriculture remained characterised by small family-run farms, which, due to the mandatory sale of their entire output to state-run commercial enterprises and the overall regulation of the entire economic sector, were tightly bound to the planned economy.⁶

Relatively low acreage, coupled with relatively little specialisation, further contributed to the Polish private farms' low productivity. However, the distinctive historical development of individual Polish regions has resulted in substantial regional differences. The majority of the private farms can be found in central and eastern Poland. After the Second World War, most large-scale agro-industrial enterprises took root in western Poland via the conversion of former German farms. In southern Poland, on the other hand, small farms dominate due to the commonplace practice of the division of estates under the Habsburg monarchy. Due to their size, however, they are frequently run only as a supplementary source of income.⁷

While Poland's private farms survived beyond the end of the socialist planned economy largely intact, the state-run large-scale agro-industrial enterprises meanwhile underwent extensive restructuring. Since their high debts precluded privatisation, they were handed over to the State Agency for Agricultural Property, which sold a few and leased the rest. The tenants invested in operational modernisations and dismissed a large number of employees in order to boost efficiency. Due to the preponderance of private farms, however, Polish agriculture consists of a great many actors. The largest 10% of the agricultural enterprises manage only 40% of the farmland.⁸

Polish agriculture is therefore becoming dominated by unprofitable family businesses that regard state subsidies, immunity from restructuring and protection against competition as necessary for survival. While part-time farmers, who are by and large isolated from

5 In all other CMEA states, the percentage of state-run enterprises on agriculturally utilised land was approximately 85%.

6 On agriculture in socialist-era Poland, see: Wilkin, Jerzy (Ed.): *Gospodarka chlopska w systemie gospodarki socjalistycznej*, Warsaw, 1988 (English as: *Peasant farming in the system of the socialist economy*, Warsaw 1989); Szurek, Jean-Charles: *Family farms in Polish agricultural policy 1945–1985*, in: *Eastern European Politics and Societies*, 1987, 2, pp. 225–254.

7 Buchhofer, Ekkehard: *Agrarsoziale Veränderungen in Polen seit 1988 in ihrer regionalen Differenzierung im Überblick*, in: Buchhofer, Ekkehard / Quaisser, Wolfgang (Ed.): *Agrarwirtschaft und ländlicher Raum Ostmitteleuropas in der Transformation*, Marburg, 1998, pp. 35–58.

8 Lerman, Zvi / Csaki, Csaba / Feder, Gershon: *Land policies and evolving farm structures in transition economies*, World Bank Working Paper, Washington, 2002, 2794, p. 110.

the market, depend on state aid, commercial farms, including many representatives of the large-scale enterprises, have a keen interest in erecting barriers to competition. These different agendas also explain the lack of a uniform stance towards the European Union. While the subsistence farmers seemed particularly hopeful for larger transfer payments, many of the commercial enterprises feared intensified competition within the common European Union market and the loss of the CIS market.⁹

These divergent interests are probably one of the major reasons the farmers' level of organisation is comparatively low despite widespread discontent with national agricultural policy. In 1999, fewer than 20% belonged to a political party¹⁰ even though parties (in the broader sense¹¹) are the only relevant form of organised political representation of their interests.

The oldest of these parties is the Polish Farmers' Party (PSL), which emerged from the communist United Farmers' Party (ZSL). The ZSL was created in 1949 as official representation for the farmers and was intended to integrate the farmers as a communist sister party into the socialist system. Just as the National Union of Farmer Cooperatives and Organisations (KZKiOR), established in the 1970s and which functioned as both a trade union for those employed in agriculture and an umbrella organisation for private farmers, the ZSL was dominated by the communist party until the end of the 1980s with very limited room for manoeuvre.

In defiance of the communist party, starting at the end of the 1970s, some of the private farmers formed opposition groups which organised public protests. At the beginning of the 1980s, three factions of the Solidarity (Solidarność) movement dominated the rural opposition.¹² Before the 1991 parliamentary elections, the pro-Solidarity farmers' movements joined forces and established the Polish Farmers' Party-Farmers' Alliance (PSL-PL).

As the Solidarity-led government introduced free market reforms in 1989 as part of their 'shock therapy' (which triggered the dramatic collapse of agricultural incomes), the ZSL exploited the farmers' discontent in order to establish itself in the post-socialist party landscape. It renamed itself the Farmers' Party (PSL) in 1990 and incorporated the Wilanów

9 Overviews of representative polling of Polish farmers are given in (in chronological order): Nawojczyk, Maria: Facing the new challenge. Polish villagers on European integration, in: *Eastern European Countryside*, 1996, pp. 71–76; Szafraniec, Krystyna: Polish peasants – between 'real socialism' and 'real capitalism', in: *Eastern European Countryside*, 1998, pp. 49–64, here: pp. 58–59; Bieńkowski, Andrzej u.a.: Opinions of owners of family farms on the problems of integration of our agriculture into the European Union, in: *Comparative Economic Research. Central and Eastern Europe*, 2000, 1–2, pp. 176–188; Wilkin, Jerzy: Rural Poland in the process of systemic transformation. Attitudes of the rural population towards the market, state and European integration, in: *Emergo*, 1999, 4, pp. 75–86, here: pp. 80–83, 86; Ingham, Hilary / Ingham Mike: How big is the problem of Polish agriculture?, in: *Europe-Asia Studies*, 2004, 2, pp. 213–234, here: pp. 229–230.

10 Petrick, Martin u.a.: Poland's agriculture. Serious competitor or Europe's poorhouse? Survey results on farm performance in selected Polish voivodships and a comparison with German farms, IAMO Discussion Paper, 2001, 37, p. 24.

11 This broad concept of party encompasses all organisations that participated in national parliamentary elections, independent of their self-descriptions, which were often based on concepts like 'union' or 'social movement'.

12 On the development of Polish farmers' political parties during the socialist era, see: Gorlach, Krzysztof: On repressive tolerance. State and peasant farm in Poland, in: *Sociologia Ruralis*, 1989, 1, pp. 23–33; Halamska, Maria: Peasant movements in Poland 1980–1981. State socialist economy and the mobilization of individual farmers, in: Kriesberg, Louis u.a. (Ed.): *Social movements as a factor of change in the contemporary world*, Greenwich / CT, 1988, pp. 147–160.

Farmers' Party from the anti-communist opposition in order to win legitimacy. Meanwhile, the PSL took over both the infrastructure and the membership of the ZSL, thereby taking the reins of a nationwide organisational foundation.

At the beginning of the 1990s, five farmer parties existed, each addressing a different rural constituency. On the one hand, they represented different political camps; on the other hand, they differentiated themselves in terms of their demands on the government's agricultural policy.¹³

The 1990s were shaped by the tension between the leftist camp that emerged from the communist parties (to which the PSL and KZKiOR belonged among the farmers' parties), and the conservative camp which evolved from the Solidarity opposition movement. The latter was represented first by the PSL-PL and later additionally by the Farmers' Christian Party (SLCh) after its split from the PSL-PL in May 1992. As a populist organisation, the Samoobrona or 'Self-Defence' movement does not fit neatly in this ideological spectrum.

In terms of their positions on agricultural policy, three groups can be differentiated. The anti-reformers were represented by KZKiOR and Samoobrona. The moderate reformers, who wanted to receive far-reaching subsidies and trade restraints on agricultural imports in the context of a free-market economy, were represented by the Polish Farmers' Party (PSL) and the Polish Farmers' Party-Farmer Alliance (PSL-PL). Meanwhile, the Farmers' Christian Party (SLCh) supported a massive liberalisation of agricultural policy.

While the farmers' parties in their entirety represented the interests of the majority of the agricultural enterprises in the political arena into the 1990s, a smaller group of farmers repeatedly resorted to public protests. Two waves of protest can be differentiated. The first lasted from 1989–1993; the second peaked in 1998–1999. Their participants were not limited to farmers, however; various societal groups took part as well.

The Farmers' Protests

The share of farmers partaking in the whole of the protests during 1989–1993 was only around 10%. Industrial workers and state officials both constituted a substantially larger proportion.¹⁴ The majority of the rural protests took place on the local level; less than a quarter of them were organised on a nationwide basis.

In all the protests of the early 1990s, the farmers demanded an increase in farm subsidies and opposed a liberal economic policy. The first protests erupted spontaneously in 1989. Starting in 1990, the pro-Solidarity NSZZ RI Solidarity farmers' movement participated in a number of them. Most actions took place without the support of a social organisation, however. Up until 1991, demonstrations and road blockades had been the dominant forms of protest; the occupation of the Ministry of Agriculture building as well as hunger strikes was to follow. The pro-Solidarity government reacted to the protests of the pro-Solidar-

13 The following categorisation is based on: Gorlach, Krzysztof: The peasant issue in contemporary Poland, in: *Polish Sociological Review*, 1995, 2, pp. 141–158.

14 Ekiert, Grzegorz / Kubik, Jan: Collective protest in post-communist Poland 1989–1993. A research report, in: *Communist and Post-Communist Studies*, 1998, 2, pp. 91–117, here: p. 100. A more detailed study is given in: Ekiert, Grzegorz / Kubik, Jan: *Rebellious civil society. Popular protest and democratic consolidation in Poland 1989–1993*, Ann Arbor 1999. A critical assessment of the data used by Ekiert / Kubik gives Kramer, Mark: Collective protests and democratization in Poland 1989–1993. Was civil society really 'rebellious'?, in: *Communist and Post-Communist Studies*, 2002, 2, pp. 213–221. See also the following debate *ibid.* pp. 223–236. The figures on the dimension of protests cited from publications by Krzysztof Gorlach et.al. are also based on the work by Ekiert / Kubik.

ity farmers' movement with sanctions. In order to avoid an open break, discussions were eventually held that led to the creation of the Agency for the Agricultural Commodities Market, which was intended to stabilise the prices for important agricultural products. The government rejected a systematic subsidisation of agriculture, however.

As a consequence, the character of the protests changed starting in 1992 with the appearance of Samoobrona. In 1992–1993, Samoobrona organised nearly half of all rural protests and clearly contributed to their radicalisation. Apart from demonstrations and road blockades, violent attacks on police officers and debt collectors for agricultural enterprises were now occurring. Samoobrona rejected both a coalition with the other farmers' parties and government talks.

1993 showed a distinct drop in the number of participants in rural protests, and in 1994 hardly any protests were organised.¹⁵ The end of the rural protests can be attributed to three main reasons. First of all, economic recovery began in Poland after the reform-induced transition crisis. Secondly, the left-wing coalition government that took office in 1993 implemented targeted support measures for the agricultural sector. Agricultural enterprises were now systematically subsidised. Thirdly, the rural camp was split both politically and economically. On the political level, the farmers' parties of the left and conservative camps opposed each other. On the economic level, a dividing line ran between commercial farms, for which the regulation of the agricultural commodities market was of central importance, and part-time farms, which were only interested in subsidies.

It was only after the conservative-liberal government coalition succeeded the neo-communist government that a wave of farmer protests resurfaced in 1998–1999. This was occasioned by the slump in agricultural exports to the CIS after the Russian financial crisis of 1998. The resulting plummet in agricultural income sufficed to unleash a new wave of protests. The farmers demanded compensation for their losses via higher state purchase prices and import restrictions on agricultural products. In contrast to the years 1989–1993, the protests were now nationwide, co-ordinated by NSZZ RI Solidarity in conjunction with the neo-communist KZKiOR and Samoobrona. The protests were backed by a radical minority among the farmers. All in all, only 12% of the farmers participated in protests at the end of the 1990s, and only 7% took part more than once.

The farmers were certainly not the only societal group to protest the economic policies of the conservative government at the end of the 1990s. But now the farmers became central players in the protest movement alongside workers in heavy industry. The protests began in July 1998 with a demonstration of 15,000 grain farmers in Warsaw. Winter witnessed the expansion and radicalisation of the farmers' tactics. Several traffic routes and the most important border crossing to the EU were blocked for two weeks. In February 1999, the government accepted the farmers' central demands and promised to implement a long-term development programme entitled the 'Social Contract for the Countryside'.¹⁶ Despite these concessions, the farmers' continued to protest. Samoobrona's leaders rejected the proposed development programme. In May 1999, three protest organisers went on to

15 All figures pertaining to the waves of protests in 1989–1993 according to: Foryś, Grzegorz / Gorlach, Krzysztof: The dynamics of Polish peasant protests under post-communism, in: *Eastern European Countryside*, 2002, 8, pp. 47–65. See also: Marks, Bartłomiej: Trzy wymiary Samoobrony czyli źródła sukcesu partii Andrzeja Leppera, in: *Studia Polityczne*, 2000, 14, pp. 7–33; Gorlach, Krzysztof: Freedom for credit. Polish peasant protests in the era of communism and post-communism, in: *Polish Sociological Review*, 2000, 1, pp. 59–83.

16 In July 1999 the government passed an 'integrated structural policy for agriculture and the rural area'. This seven-year programme included measures for economic promotion and infrastructural investments.

negotiate with the government, which agreed to set higher state-guaranteed minimum prices for grain. The government's concessions from February and May finally quieted the mass protests; the government's pledges resulted in a steep rise in state subsidies. However, they were rescinded by the year 2000, and farm subsidies fell to the lowest level since 1992.¹⁷

Although several farmers' organisations mounted protests and negotiated with the government towards the end of the 1990s, Samoobrona increasingly proved itself to be the driving force. Starting in March 1999, Samoobrona acted primarily alone, sometimes organising parallel protests. Samoobrona's assumption of this dominant role was facilitated when the PSL, similar to the largest conservative farmer party represented in the government coalition, the SKL, did not participate in the protests. As a consequence, the PSL could profit only in a limited way from the farmers' discontent with the conservative government. In a 1999 poll, only 9% of the farmers believed that the PSL would defend their interests. Samoobrona meanwhile weighed in at 27%.¹⁸ This signified a fundamental shift in the balance of power among agricultural parties.

The Farmers' Parties in Parliament

In the parliamentary elections in 1991, the PSL, with 9% of the vote, clearly came in ahead of the PSL-PL, which won a good 5%. The remaining farmers' parties failed to receive enough votes to qualify for representation in parliament. In the 1993 parliamentary elections, the PSL succeeded in winning the overwhelming majority of the rural vote with a nationwide haul of 15%, and at the same time entered the Sejm as the second largest party. Meanwhile, the PSL-PL, with 2%, clearly fell short of advancing into the parliament and even trailed Samoobrona, which received nearly 3%. Thus, in the mid-1990s, the PSL assumed the role of the main representative of Polish farmers' interests while simultaneously taking over the responsibility of government.

The government coalition with the Democratic Left Alliance (SLD) from 1993 to 1997 forced the PSL to accept considerable compromises in agricultural policy. The obvious deviation from the far-reaching demands made during the election campaign disappointed many PSL voters. At the same time, it caused internal party conflicts between the advocates of a traditional policy of subsidisation and reform-oriented forces. In the 1997 parliamentary elections, the party received only 7% of the vote, which meant a loss of power for the coalition. The resulting crisis within the PSL led to diminished influence on the part of the reform-oriented members.

The Solidarity camp exploited the PSL's weakness with the freshly established Conservative Peasants' Party (SKL)¹⁹ in order to win back the rural vote. As a member of the Solidarity Electoral Action (AWS), the SKL, with 27 delegates, entered the parliament with exactly the same number of delegates as the PSL. Samoobrona, on the other hand, disappeared – with 0.1% – into oblivion.

17 Figures on agricultural subsidies appear in Table 3 ~~towards the end of the paper~~.

18 All figures on the waves of protest in 1998–99 taken from: Foryś, Grzegorz / Gorlach, Krzysztof: The dynamics of Polish peasant protests under post-communism, in: Eastern European Countryside, 2002, 8, pp. 47–65. See also: Plazynski, Jakub: Public protests. Legal regulation and legal responsibility in the Polish case, in: Arbeitspapiere und Materialien der Forschungsstelle Osteuropa, 2006, 75; Marks, Bartłomiej: Trzy wymiary Samoobrony czyli źródła sukcesu partii Andrzeja Leppera, in: Studia Polityczne, 2000, 14, pp. 7–33; Gorlach, Krzysztof: Freedom for credit. Polish peasant protests in the era of communism and post-communism, in: Polish Sociological Review, 2000, 1, pp. 59–83.

19 The merger of the PSL-PL with the SLCh and numerous smaller parties.

With the AWS's election victory, the SKL could now take over the responsibility of government. But both the strained budgetary situation and the resistance of the liberal coalition partner, the Freedom Union (UW), prevented the creation of an agricultural policy that corresponded to the SKL's demands. In spring 2001, the majority of the SKL delegates decided to separate from the AWS faction and join the newly created Citizens' Platform (PO). This decision, just half a year before the parliamentary elections, did nothing to mitigate the disappointment of the rural constituency.

Due to heavy losses in votes in the 2001 parliamentary elections, the SKL, as a member of the PO, lost its political significance. With a 9% share of the votes, the PSL meanwhile could profit only to a limited extent from the SKL's weakness. Instead, the populist Samoobrona succeeded in joining the parliament for the first time. With over 10% of the vote, it became the strongest representative of rural interests in the Sejm. Samoobrona thus possessed 53 parliamentary delegates, the PSL only 42 and the SKL, which ultimately left the PO in 2002 to create its own faction, a mere 9. The Samoobrona faction nevertheless shrank substantially over the course of the legislative term and had only 31 members left prior to the October elections in 2005. After a 12% showing in the elections, the party once again became the most powerful representative of rural interests, followed by the PSL, with only 6%.

In the end, neither party joined the government. However, both supported the minority government in critical elections, such as those on the declaration of the new prime minister on 10 November 2005, or the budget law on 23 January 2005. In February, Samoobrona even entered into a stability pact with the governing Law and Justice Party (PiS) and the oppositional League of Polish Families (LPR). This pact made personnel changes in the government and parliamentary organs subject to approval by all three partners and assured support for 150 major laws to be passed in 2006. On the government's part, this was an attempt to assure stable support within the populist rightwing camp. The three partners commanded 53% of the votes in the Sejm. For Samoobrona, this meant a first step towards shedding its protest image and a reorientation towards a non-rural constituency.

Table 1: Farmers' parties in the Polish parliament 1991–2005
(share of factions in total votes)

	I. Sejm (1991–93)	II. Sejm (1993–1997)	III. Sejm (1997–2001)	IV. Sejm (2001–2005)	V. Sejm (Oct. 2005)
PSL	11%	28%	6%	9%	5%
PSL-PL	5%	-	-	-	-
SKL	-	-	6%	2%	-
Samoobrona	-	-	-	10%	12%
total	<i>16%</i>	<i>28%</i>	<i>12%</i>	<i>21%</i>	<i>18%</i>

Note: For Sejm I to IV the average percentage of votes for the entire legislative term is given.

Sources: Sejm (www.sejm.gov.pl) and State Election Commission (www.pkw.gov.pl).

In summary, it can safely be stated that the Polish farmers' parties, with a combined vote share of 15% to 20% in the 1991–2005 parliamentary elections, represent an important political force in Poland.²⁰ Depending on how many parties failed to overcome the

20 The combined farmers' parties received more than 80% of farmers' votes in all parliamentary elections.

minimum percentage hurdle, their share of the vote in the Sejm fluctuated stronger and climbed as high as 28%, as shown in Table 1 on the previous page. The farmers' parties' power of assertion was compromised, however, by their affiliation with rival political camps, which made co-operation impossible. Accordingly, one cannot speak of a collective agrarian lobby in the Polish case. At the same time, the strong fluctuations in the balance of power among the farmers' parties indicate relatively weak voter loyalty across the board.²¹ A major tendency in parliamentary elections was thus dramatic losses in votes for whichever farmers' party happened to be involved in the government coalition.²²

The Farmers' Parties in the Government

The Ministry of Agriculture is directly accountable for agricultural policy in the Polish government. From the end of 1991 until spring 2003, the Polish Minister of Agriculture was always a representative of a farmers' party, as Table 2 shows. All seven agricultural ministers serving in this period studied agrarian economics. Four of them operated a private agricultural enterprise during their terms of office. The remaining ministers likewise possessed professional experience in agriculture. With one exception, all had already been active in the communist farmers' party or in the oppositional pro-Solidarity farmers' movement during the socialist era.²³

As representatives of a coalition party, the agricultural ministers were always in a position to influence government policy. The farmers' party thereby had a stronger position in the left-wing coalitions, since the PSL possessed greater voting power. This is also evidenced in the fact that agricultural ministers from the PSL were always simultaneously appointed to the position of Deputy Prime Minister. The same applies to the head of Samoobrona, Andrzej Lepper, who joined a government coalition with the conservative populists of the Law and Justice Party (PiS) and the League of Polish Families (LPR) in May 2006.

At the same time, however, there were other governmental actors possessing agrarian authority besides the Ministry of Agriculture. Agricultural departments existed in both the Ministry of Finance and the Treasury. In the negotiations over the EU accession, the Ministry of Agriculture had to co-ordinate its position with the entire government. Among the pro-Solidarity conservative-liberal coalitions in particular, there arose a regular conflict between the proponents of a free market liberalisation in the Ministry of Finance and the Treasury and the representatives of the farmers' parties in the Ministry of Agriculture. The Prime Minister could mediate between the two camps. Meanwhile, both camps could

21 Due to its takeover of the socialist party organisational infrastructure, the PSL is the strongest Polish party in terms of membership and is represented nationwide. It appears to be the only farmers' party with a base constituency greater than 5%.

22 On the development of the farmers' parties, see: Marks, Bartłomiej: *Trzy wymiary Samoobrony czyli źródła sukcesu partii Andrzeja Leppera*, in: *Studia Polityczne*, 2000, 14, pp. 7–33; Krok-Paszkowska, Ania: *Samoobrona. The Polish self-defence movement*, in: Kopecky, Petr / Mudde, Cas (Ed.): *Uncivil society? Contentious politics in post-communist Europe*, London, 2003, pp. 114–133; Szczerbiak, Aleks: *The Polish Peasant Party. A mass party in post-communist Eastern Europe?*, in: *East European Politics and Societies*, 2002, 3, pp. 554–588; Economist Intelligence Unit: *Country Report Poland. June 2001*, London, 2001, pp. 13–14; Gorlach, Krzysztof / Mooney, Patrick: *Defending class interests. Polish peasants in the first years of transformation*, in: Pickles, John / Smith, Adrian (Ed.): *Theorising transition. The political economy of post-communist transformations*, London, 1998, pp. 262–283; Gorlach, Krzysztof: *The peasant issue in contemporary Poland*, in: *Polish Sociological Review*, 1995, 2, pp. 141–158.

23 All biographical data taken from: *Polska Agencja Informacyjna: Kto jest kim w polityce polskiej*, Warsaw 1993; *Polska Agencja Informacyjna: Kto jest kim w Polsce*, Warsaw 2001 and www.ludzie.pl; www.kprm.gov.pl.

try to advance their position by exerting influence on the parliament during the legislative process. The resulting conflict led to numerous coalition crises.

Table 2: Polish agricultural ministers 1992–2005

Agricultural ministers	Party	Term	Government coalition
Gabriel Jankowski	PSL-PL	12/1991 – 10/1993	pro-Solidarity parties
Andrzej Smietanko	PSL	10/1993 – 3/1995	SLD, PSL
Roman Jagielinski	PSL	3/1995 – 4/1997	SLD, PSL
Jarosław Kalinowski	PSL	4/1997 – 10/1997	SLD, PSL
Jacek Janiszewski	SKL	10/1997 – 3/1999	AWS, UW
Artur Balazs	SKL	3/1999 – 10/2001	AWS (UW)
Jarosław Kalinowski	PSL	10/2001 – 3/2003	SLD, UP, PSL
Adam Tąnski	unaffiliated	3/2003 – 6/2003	SLD, UP
Wojciech Olejniczak	SLD	7/2003 – 5/2005	SLD, UP
Józef Jerzy Pilarczyk	SLD	5/2005 – 10/2005	SLD, UP
Krzysztof Jurgiel	PiS	10/2005 – 5/2006	PiS
Andrzej Lepper	Samoobrona	5/2006 –	PiS, LPR, Samoobrona

Sources: Office of the Prime Minister (www.kprm.gov.pl); EIU Country Reports Poland, London 1996–2004.

The increasing load on the agrarian lobby from the EU accession negotiations, distinctly sinking farm subsidies due to a high budget deficit, and populist pressure from Samoobrona led, in spring 2003, to the resignation of a farmers' party from the government for the first time. Thus, for the first time since 1991, the Polish Minister of Agriculture was not a representative of the agrarian lobby. Instead, the post went to Adam Tąnski, a politically unaffiliated expert, whose objectives nonetheless quickly failed due to political resistance. Up to the parliamentary elections in October 2005, the Ministry was led by representatives of the SLD, who had forged their careers as party politicians in the parliament and as bureaucrats in the Ministry of Agriculture. In the PiS minority government, a professional politician with a technical education became minister for agriculture.

However, when Samoobrona became part of the governing coalition in spring 2006, the head of Samoobrona, Andrzej Lepper, became minister of agriculture and deputy prime minister. With that a representative of the agrarian lobby again gained responsibility for the government's agricultural policy. For the first time a representative of the more radical protest wing of the agricultural lobby assumed political responsibility. This was generally interpreted as an attempt by Samoobrona to react to the rising satisfaction of farmers with EU policies and to broaden the party's electoral base.²⁴

Summary

Following the free market reforms of 1989, Polish agriculture fell into an acute crisis. With the end of planned-economy support and the advent of price liberalisation, agriculture de facto subsidised private households in 1990. Resistance in the agricultural sector was sparked early on by the corresponding loss of income. However, due to disparate interests, the agricultural enterprises did not succeed in forging a common agrarian lobby. On the

²⁴ Office of the Prime Minister (www.kprm.gov.pl); EIU Country Reports Poland, London, 1996–2005.

one hand, there was a line of conflict between left, conservative and populist forces. On the other hand, politico-economic priorities divided the different enterprise types (large-scale enterprises, privately-run commercial farms and subsistence farms).

The interests of the agricultural sector were thus represented by a multiplicity of rival farmers' parties and protest movements all espousing different strategies of exerting influence on politics. The PSL from the left camp, as well as the PSL-PL, SLCh and SKL from the conservative camp, aimed to advance the farmers' interests via government participation following success in the parliamentary elections. Within KZKiOR and NSZZ RI Solidarity, meanwhile, there was a grouping in both the left and right camps which pursued a confrontational strategy and organised protest actions. During the large waves of protest in both 1992–1993 and 1998–1999, however, both parties were eclipsed by the populist Samoobrona. True to form, Samoobrona exploited its representation in the Sejm elected in 2001 for the continuation of its confrontational strategy. However, after the parliamentary elections of 2005 Samoobrona agreed to join the government.

The channels of influence of the representatives of the agricultural sector are correspondingly different. The protest parties, most prominently represented by Samoobrona, were by and large politically isolated in the 1990s. Their only hope of forcing their way into political decision-making processes was via the successful initiation or orchestration of mass protests. Samoobrona established itself as a permanent political force only upon its entry into parliament following the 2001 elections.

The PSL, along with the conservative Farmers' Party, could only hope to implement its strategy of government involvement successfully if its political camp won the elections. The elections of 1991 and 1997 were granted to the conservative Farmers' Party, while the 1993 and 2001 elections went to the PSL. In all cases, an intra-governmental conflict developed due to the Farmers' Party's involvement in the government. While the representatives of the agricultural sector dominated the Ministry of Agriculture, other government parties occupied the Ministry of Finance and Treasury and demanded a reduction in state support for agriculture. This conflict provoked mass protests at the beginning and end of the 1990s and led to the breakup of the government coalition in 2003. As a result agricultural lobbyists remained outside the government for about three years until Samoobrona joined the government coalition in spring 2006. With that it may change from a protest strategy to meaningful government participation and thus replace the Farmers' parties of the conservative camp, which lost political representation in the 2005 parliamentary elections.

The representation of Polish agriculture's interests is thus characterised by changing constellations. Therefore, the degree of success in exerting political influence was also subject to substantial fluctuation. In the agrarian lobby's case, the main indicator for success is the extent of state subsidies, since government support has always been the overarching demand of all representatives of Polish agriculture.

In order to facilitate the quantification of state support for the agricultural sector, the OECD has developed a system which determines the monetary effect of all measures taken by the state and then sets it in relation to the market price of the entire agricultural production. This producer support estimate (PSE) indicates which part of the gross proceeds of agricultural enterprises was financed directly (e.g. via subsidies) or indirectly (e.g. via price regulation) by state measures.

The 1989–1990 price liberalisation led to a clear breakdown of the PSE in Poland, as indicated in Table 3. Since the prices for basic food were kept artificially low, agriculture in fact subsidised other sectors of the national economy, in particular private households. In

1990, the PSE in Poland hovered at around -18%. The government arranged a subsidisation system relatively quickly, which led to a positive PSE. However, the extent of the subsidies varied substantially according to the power constellation in agricultural politics.

Table 3: Farm subsidies 1986–2003 (PSE in %)

	1986–1988	1990	1991	1992	1993	1994	1995	1996
Poland	10	- 18	7	9	16	21	16	19
OECD	37	37	37	35	35	34	31	29

	1997	1998	1999	2000	2001	2002	2003	2004
Poland	18	28	24	15	15	19	8	N/A.
OECD	28	33	35	32	31	31	30	30

Source: OECD: Agricultural Policies in OECD countries, Paris 2005, 39; OECD: Agricultural Policies in OECD countries, Paris 2004, 64.

The PSL's strong government involvement from 1993–1997 resulted in the stable subsidisation of agriculture. On average, support for the agricultural sector, measured as PSE, was more than twice as high during the PSL's term in office than during those of the preceding conservative governments. At the same time, the extent of the subsidisation tended to vary only by a maximum of 5 percentage points, while the fluctuation was around 34 percentage points from 1990–1993 and 13 percentage points from 1998–2001.

Following the PSL's loss of power at the end of 1997, the potential success of a conflict strategy suggested itself. The highest PSE by far in post-socialist Poland was reached when mass protests were organised against the agricultural policy of the conservative government. Only in the protest years of 1998–1999 did the Polish farm subsidies (in their relative extent) come close to the average level of the OECD countries.

Once the protests died down, however, the liberal-conservative government immediately abandoned its subsidisation policies. In the framework of an agreement with the European Union from September 2000, trade in agricultural products was liberalised. All in all, the PSE sank to its lowest level since 1992. In 2002, the coalition with the PSL, which came to power in autumn 2001, increased the farm subsidies to the level attained during its previous term of office during the mid-1990s. As a consequence of the Polish budgetary crisis and the EU accession negotiations, the new government's room for manoeuvre was limited. At the Copenhagen Summit in December 2002, guidelines for the subsidisation of Polish agriculture were agreed upon with the European Union. Together with a clear decrease of the PSE to a mere 8%, this sparked the PSL's resignation from the government in the spring of 2003. It remains to be seen whether Samoobrona's participation in the government will have an impact on state support to agriculture. When joining the government, Samoobrona declared that it wanted to renegotiate Poland's EU agricultural subsidies and demanded a cut in excise taxes on fuel used by farmers.

Part II: The Polish Agricultural Lobby and the EU's Common Agricultural Policy

The EU's Common Agricultural Policy (CAP)

The Common Agricultural Policy (CAP) of the EU consists mainly of market regulation and income support, which accounts for more than 40% of the total EU budget. It also includes accompanying measures and, since 1998, rural development regulations mainly in the form of agro-environmental aid. In 2003, the EU agreed on a major reform of the policy that introduced the Single Payment Scheme and shifted funds from price and income support (Pillar 1) to rural development (Pillar 2).

The EU enlargement of 2004 entailed an eastward expansion of EU bureaucratic procedures. The CAP was non-negotiable for the accession countries at the time. Their role was to merely implement the decisions made in Brussels.²⁵ However, Poland forced through a compromise in last-minute negotiations, which allows for an expansion of Polish farm subsidies. While they were supposed to initially amount to no more than 25% of the average of the old EU countries, upper limits of 55% for 2004, 60% for 2005 and 65% for 2006 were ultimately agreed upon. The additional subsidies, which surpass the EU's original recommendation, must, however, come solely from the Polish national budget.²⁶

In the decision-making pertaining to the CAP, the Council of Ministers and the European Commission are still the most important institutions. In terms of agricultural policies, the European Parliament remains a marginal actor. The Council of Agricultural Ministers decides on the main policy line.²⁷ Therefore, it is the focal point of intergovernmental bargaining on decision-making. Three groups of actors are involved in the decision-making process: the EU member states, the Directorate-General (DG) for Agriculture and Rural Development of the European Commission and agricultural interest groups.²⁸

During the 1970s, the DG and the association of European farmers' organisations (COPA – Comité des Organisations Professionnelles Agricoles de l'Union) enjoyed unmatched power in finessing proposals through the system. COPA, which merged with the General Committee of Agricultural Co-operatives (COCEGA – Comité Général de la Coopération Agricole de l'Union Européenne) in 1962, was most frequently cited as the most powerful of all European-level interest groups.²⁹

25 Rieger, Elmar: Wohlfahrt für Bauern. Die Osterweiterung der Agrarpolitik, in: Osteuropa, 2004, 54, 5–6, pp. 296–315.

26 In this instance the state may also utilise EU structural funds. In terms of the agrarian lobby's role, the decisive factor is not the origins of the aid, but the fact that the government decides autonomously on the level of additional subsidies and that all additional monies allotted to farm subsidies must come out of the national budget.

27 Meester, Gerrit: EU Institutions and the Decision-making Process for Agricultural Policy, in: Burrell, A. / Oskam, A. (Ed.): Agricultural Policy and Enlargement of the European Union. Wageningen (Wageningen Pers), 2000, pp. 37–52, here p. 37.

28 Grant, Wyn: The Common Agricultural Policy, Basingstoke (Macmillan), 1997, p. 147; Meester, Gerrit: EU Institutions and the Decision-making Process for Agricultural Policy, in: Burrell, A. / Oskam, A. (Ed.): Agricultural Policy and Enlargement of the European Union. Wageningen (Wageningen Pers), 2000, pp. 37–52, here p. 48.

29 Dissent from Sidjanski, D.: Pressure Groups and the European Community, Government and Opposition, 1967, 2(3), pp. 397–416. Less influential is the agro-business lobby due to its heterogeneity. Grant, Wyn: The Common Agricultural Policy. Basingstoke (Macmillan), 1997, pp. 170–171.

However, this position has started to erode since the 1980s for three reasons. The first is the increased strain placed on the CAP as its budgetary costs became unsustainable. Second, the circle of actors involved in agricultural policy formation has since widened. Budgetary pressure and international trade negotiations brought in what is now the Directorate-General for Economic and Financial Affairs.³⁰ Additional agricultural interest groups active at the EU level are the European Council of Young Farmers (CEJA), the Confederation of the Food and Drink Industries of the EU (CIAA) and the European Trade Union for Agricultural Workers (EFFAT). External oppositional interest groups (such as consumer and environmental groups) have also been established. Third, the divergence of interests within COPA has increased after several EU enlargements. The competitive nature of its relationship with a number of national members has resulted in the establishment of its own offices in Brussels.³¹

The Polish Farmers' Parties in the European Parliament

The representatives of Polish farmers' parties in the European parliament have no relevant influence on the EU's agricultural policy for a number of reasons. First, they are split among three factions and therefore unable to present a common position.³² Second, there is no organised agricultural pressure group within the European parliament. Third, the European parliament is only marginally involved in the CAP. As a result, contrary to the situation in Poland, political parties cannot help to promote agricultural interests at the EU level.

Polish Agricultural Interest Groups and the European Commission

Agricultural interest groups, which have been sidelined by political parties in Polish politics, are rather active at the EU level. Eight different Polish agricultural interest groups are members of four different European-level agricultural lobby associations, as Table 1 indicates. However, again the distinction between political party and lobbying group is blurred in the Polish case. Samoobrona has members in the Polish and European parliaments and also acts as lobby group through COPA.

However, main agreements concerning the integration of Polish agriculture into the CAP were made before Poland joined the EU and could therefore not be influenced by Polish agricultural lobbies in Brussels.³³ Moreover, the agricultural lobbies of the old EU member states mainly see Poland as a rival, as Polish demands for agricultural subsidies reduce their share in EU payments. 'The prospect of accommodating the poorer agricultural economies of the former communist countries within the CAP has always appeared nigh-on-impossible, and the alternative of cutting benefits to those who currently receive them has long been deemed politically unacceptable.'³⁴ As a result, the Polish agricultural

30 See e.g. Swinbank, Alan / Daugbjerg, Carsten: The 2003 CAP reform. Accommodating WTO pressure, in: *Comparative European Politics*, 2006, 4(1), pp. 47–64.

31 Grant, Wyn: *The Common Agricultural Policy*. Basingstoke (Macmillan), 1997, pp. 147–148, 157, 169; Greenwood, Justin: *Representing Interests in the European Union*. Basingstoke (Macmillan), 1997, pp. 124–125.

32 Samoobrona became a member of the socialist faction. The PSL has joined the conservative Christian Democratic faction EPP-ED. However, in early 2006 a group within the PSL lobbied for a move to the Union for Europe faction. As a result, three PSL deputies of the European parliament were excluded from their party and became members of the Union for Europe faction.

33 Rieger, Elmar: *Wohlfahrt für Bauern. Die Osterweiterung der Agrarpolitik*, in: *Osteuropa*, 2004, 54 (5–6), pp. 296–315.

34 Rumford, Chris: *The European Union. A Political Sociology*, Oxford (Blackwell), 2002, p. 78.

lobby has not been able to promote its interests through European agricultural associations either.

Table 1: Membership of Polish agricultural interest groups in associations at the EU level

Polish interest group	website	Member of
FBZPR – Federation of Agricultural Producers' Unions (Poland)	N/A.	COPA
KRIR – National Council of Agricultural Chambers	www.krir.w.pl	COPA
KZKiOR – National Union of Farmer Cooperatives and Organisations	www.kolkarolnicze.pl	COPA
NSZZ RI Solidarity	www.solidarnosc.org.pl	COPA, EFFAT
PFPZ – Polish Federation of Drink Producers	www.pfpz.pl	CIAA
ZMWZK – Polish Rural Youth Organisation	N/A.	CEJA
ZZ CNMR – Trade Union – National Centre of Young Farmers	N/A.	CEJA
ZZR Samoobrona	www.samoobrona.org.pl	COPA
ZZPR – Union of Professional Agricultural Workers	http://zzpr.org.pl	EFFAT

Sources: CEJA (www.ceja.org), CIAA (www.ciaa.be), COPA (www.cogeca.be), EFFAT (www.effat.org), IFAP (www.ifap.org).

Conclusion

In Polish national politics, the agricultural lobby has been and still is a highly visible and rather influential actor. Its influence is based on a strong position in parliament and on the high protest potential of farmers and the rural population in general.

Neither factor is relevant at the EU level. The share of Polish agricultural parties in the European parliament is negligible, and the parliament itself only marginally involved in agricultural policy. The Polish agricultural lobby has no real incentive to stage protests in Brussels, especially as Polish farmers' fears about heavy losses after EU accession have not materialised.

In the multinational agricultural interest associations at the EU level, the Polish agricultural lobby is not only marginal but also rather isolated, as most interest groups from the old member states see Poland as a main rival for EU subsidies. Accordingly, the Polish agricultural lobby has no way of direct meaningful participation in EU decision-making processes.

Nonetheless, the Polish agricultural lobby can use its influence on the national government to promote its interests. First, as a result of the pre-accession compromise with the EU, a large portion of Polish agricultural policy, including decisions on substantial subsidies, will be made in Warsaw. The Sejm will therefore remain the stage for the representation of rural interests for the time being. Second, the final decision on the CAP rests with the Council of Ministers. As representative of a member state, the Polish government

now has the power to block decisions. As a result, influence on the national government is sufficient for the agricultural lobby as long as EU decision-making procedures remain unreformed.

This situation also has important implications for an assessment of questions of accountability. First, the Polish agricultural interest groups are not vested with the power to hold organs of the EU accountable. Second, as they have no direct influence on decision-making at the EU level, issues of accountability cannot be said to come into play. At the EU level, questions concerning the accountability of interest groups in agricultural policy refer to the multinational associations and namely to COPA. Though Polish interest groups are members, their impact is too small to render them directly accountable. This means that even though Polish agricultural interest groups are active at the EU level, questions of accountability arise at the national level.

Polish Non-Governmental Women's Organisations and the EU

Introduction

The European Union (EU) currently suffers from a democracy deficit, which in turn creates a legitimacy problem. The European Commission wants to diminish this deficit and enhance efficiency by integrating civil society actors into European governance. Since the late 1990s, a greater role has been assigned to 'organised civil society' within political decision-making processes (see Finke/Knodt 2005). This integration presents

... a real chance to involve citizens in the implementations of the aims of the Union more actively and to offer them structured channels for feedback, criticism and protest. (*European Commission 2001: 28*).

Since 2003, minimum standards specifying which parties should be consulted on which issues (and when) have applied to the Commission (European Commission 2002). On the one hand, the purpose is to absorb expertise; on the other, consulting NGOs are supposed to popularise European policies in the member countries. Another expectation of the structured dialogue is that a kind of European umbrella organisational structure will develop in the long run. This kind of horizontal networking by organised civil society would offer a counterweight to disproportionately strong individual actors and pure lobbyism (Zimmer 2003, Section 5.3.1).

Certain overarching questions present themselves at this juncture. Can integration truly be accomplished, and will it offer real avenues of influence to newcomers? Which issues deserve attention? Are civil society actors seizing the opportunities available to them? I will explore these critical topics by focusing on Polish women's organisations, relative newcomers whose interests have traditionally been marginalised. The various steps and instruments the Polish women's movement has taken to influence political decision-making in the EU will be analysed.

This particular case is interesting on several different levels. To begin with, Polish NGOs in general are newcomers on the EU political scene as well as at home; they are not as firmly institutionalised on the domestic front as their counterparts in the EU-15. Women's interests in turn are fairly marginalised in the region. To compound matters, the general public does not yet see the EU as a standard channel of influence. On the other hand, the EU's gender policy is one of its most advanced, with relatively strong civil society participation. What women's organisations stand to gain from EU integration remains to be seen. National and regional actors in the new member states have been increasingly directing their activities on the EU level, and, as I will argue, have experienced political learning processes that are very useful for democratic consolidation.

After presenting EU gender policies and then moving on to describe and analyse the Polish women's movement and its role in the political decision-making on the EU level, I shall formulate some very tentative conclusions.

The Significance of EU Gender Policies

Gender policy as it pertains to the employment sphere is one of the most elaborated policy areas of the EU (see Lemke 2003, Pollack/Hafner-Burton 2000, Wobbe 2001), but the

results have thus far been mixed: Women are seldom found in European decision-making bodies like the Commission or Council of Ministers, and no binding directives mandate the fair participation and representation of women in these entities.

EU gender equality policy rests on three pillars:

Graph 1: The three pillars of gender equality policies in the EU

EU law	Programmes for the Promotion of Women	Gender Mainstreaming
Agreements EU directives on <ul style="list-style-type: none"> • Equal pay • gainful employment • Access to social security • Maternity protection • Parental leave • Part-time employment Concept of direct and indirect discrimination	Action programme on equal opportunities Action programme Daphne for combating violence against women and children Mainstreaming of equality objectives into other programmes and strategies, such as European employment strategy	Integration of gender equality efforts in all policy areas 1996 resolution of the European Commission Treaty of Amsterdam

- Equal treatment since the 1970s: A set of directives to ensure equal treatment in the labour force (equal pay, access to training and admission to professions) was enacted in the 1970s.
- Positive actions: ‘Positive actions’ further contributed to the elimination of unequal starting positions and living conditions in a patriarchal society, via e.g. women-specific legislation and support programmes or quotas.
- Gender mainstreaming (GM): Thirdly, in 1996 the European Commission declared ‘Gender Mainstreaming’ as the official policy frame (see Bretherton 2001). Gender mainstreaming is the systematic integration of gender issues (priorities, needs, effects) in all policy fields and governmental institutions with the goal of promoting the equality of women and men. This objective is to be pursued during planning, implementation and evaluation phases.

The cross-sectional concept of gender mainstreaming is very demanding; it requires specialised knowledge in all areas and the political will to implement it. Initially, some progress was made. (Pollack/Hafner-Burton 2000: 451). Recent experiences with gender mainstreaming, however, indicate that gender equality objectives are omitted or sustaining severe setbacks despite gender mainstreaming’s supposed status as a political priority. Furthermore, explicit positive actions promoting women are in effect becoming cut back (see Thiel 2006 on the European Employment Strategy).

In the primary and secondary law of the EU, gender equality plays a central role. In the Treaty of Amsterdam, gender equality was likewise laid down as a fundamental principle

of Community law and as a Community goal, including the obligation to implement an active gender equality policy in all spheres, and not just in the economy (see Art. 3 and 141 ECT). Ten gender equality directives have been issued in the secondary law so far. Due to the implementation obligation in national law and the binding jurisdiction of the European Court of Justice, these directives have proven influential, particularly in the concretisation of equal pay and indirect discrimination (see Wobbe 2001). However, the quality and speed of implementation are very disparate in EU countries (see the contributions in Liebert 2003).

The adoption of the gender *acquis* by the new EU members took place in record time. It went ahead much faster than in the old member states and with a more homogeneous result (for the entire *acquis communautaire*, see Schimmelfennig/Sedelmeier 2005, 225), albeit at differing speeds depending upon national gender policies. The pressure exerted by the Commission in the negotiations was never particularly forceful; it increased only toward the end of the process, as inferred from the progress reports. A comparative analysis similar to the one conducted for the EU-15 is still pending, however. Presumably, strong incentives (membership promises) and/or a reliable threat of exclusion may have tipped the scales (external incentives model, Schimmelfennig 2004 and Schimmelfennig/Sedelmeier 2005). A 'Potemkin harmonisation' (Jacoby 1999) may now be impending: Since the removal of membership conditionality, the gap between adoption and implementation of gender equality directives is widening, and domestic political factors, such as national gender regimes, adjustment costs and resistance from the bureaucracy or societal groups are gathering steam.

In recent years, the European Union has proven itself as a political opportunity structure, in which women's groups can affect national policy and place otherwise ignored demands on the agenda. The Polish women's movement is aspiring to do just that – without much enthusiasm, however. The experience of 'Real Socialism' proved that equality solely in gainful employment has a minimal impact at best on gender relations overall. Other important aspects of a comprehensive gender equality, such as political power in decision-making processes, comprehensive civil rights (including control over one's own body) and the gender-specific division of labour between gainful employment and family work are substantially more difficult to launch onto the EU agenda.

Political Influence of Civil Society in the EU and Polish Women's NGOs

The European Women's Lobby

The European Women's Lobby, or EWL (www.womenlobby.org), was founded in 1990 on the initiative of the European Commission, and, according to its own data, represents over 2700 umbrella organisations. It is thus the largest women's NGO on the European level (see also in the following Schmidt 2000, here 211). The EWL is a member of the European Advisory Committee on Equal Opportunities for Women and Men and is represented on the Social Platform. About 80% of its budget comes from Commission funds; a small part comes from membership dues.¹ The EWL takes a stand only on 'non-controversial' topics in order to represent as many member organisations as possible. These include the struggle against violence against women (including all forms of prostitution), increasing

1 A reason for the European Commission's support surely was the fact that it saw women's politics as an important tool for the expansion of its own authority and was able to legitimise it via the establishment of the EWL (Schmidt 2000: 222).

women's role in decision-making processes, fighting discrimination on the job market and employment policy, combating multiple discrimination and enlargement issues. Preparing dossiers for the Councils of Ministers constitutes a substantial part of their work. In light of this agenda, the question arises whether the EWL is an alter ego of the Commission. The EWL worked for the new directive for the same access to services. It was also successful with the codification of gender equality and mainstreaming in the Treaty of Amsterdam (Schmidt 2000: 218–220).

On the European level, the EWL holds a quasi-monopolistic position, which weakens the legitimisation opportunities of other actors. For local women's organisations and those which are not members of the national EWL coalition, the hurdles for direct influence are thus very high (Schmidt 2000: 222). Women's NGOs active in at least four member states can join the EWL; smaller groups can affiliate with national co-ordinating groups. These in turn send members to the EWL General Assembly, which elects the executive committee. Organisations from candidate countries have only been able to join since January 2003.

Strong institutionalisation causes a 'middle class bias': Poorly organisable interests (e.g. migrants) are at a disadvantage, with professional associations overrepresented in comparison with trade unionists (Schmidt 2000: 213). In 2004, the women's lobby set itself the goal of finding a national partner organisation and/or a national co-ordinating group in all new member countries in order to recruit as many national women's organisations as possible (Greboval 2004). Such co-ordinating groups exist in all new member states except Slovenia, as well as in the candidate country Bulgaria. In Slovenia and Romania single organisations are associate members. In political practice, the *de facto* motto is 'Take it or leave it'. The option is to move into the institution of the EWL and change it from within rather than to ignore it. However, alternatives to this channel of influence require further discussion.

Conditions and Paths to Political Influence by Polish Newcomers

Polish women's NGOs have had to fulfil several conditions and overcome numerous obstacles in order to influence the European Union as civil society actors. This has included the colossal undertaking of creating a civil society with the associated movements and NGOs, acknowledging the relevance of the EU for their own agenda and development of their own country. At the time, 'Europe', was used as an argument, image and master frame. The organisations have since learned to move into the institutions and set the agenda. Last but not least, building capacities and alternative networks has been crucial for gathering momentum.

The 'Europeanisation' of Polish women's organisations analysed here clarifies the contradictions of this Commission programme for civil society and for the dismantling of the legitimisation deficit. It is implicitly assumed – erroneously – that interests within a single group are harmonised, and that despite barriers, all interests can be organised.

The Constitution of the Movement

The Polish women's movement has crystallised around different issues since 1989. These include the planned ban on abortion since 1989 and the transformation of living conditions, along with issues of education and work and other gender-political conflicts. Only democracy and freedom of association allowed these controversial topics to be discussed and debated at all. In a first phase of 'social self-defence', many informal women's groups that had already existed prior to 1989 registered themselves officially. The Federation for Women and Family Planning was founded in 1992 (www.federa.org.pl). On the abortion

question, which is still heavily taboo today, activists began to formulate political interests and to define themselves as political actors. The debate between women's groups and pro-life politicians triggered numerous political and theoretical considerations in the formation of a new post-socialist state: Which concept of state and citizen was going to be implemented? What would the citizen be allowed to decide individually? How would the relationship between state, individual and nation be constructed? Were Polish women to be viewed as mothers or autonomous persons first? (cf. Gal/Kligman 2000, Ch. 3). In November 1994, twelve important women's organisations united to form the Social Committee of Non-governmental Organizations (SKOP). They proceeded to compile their own shadow report for the 1995 World Women's Conference and to exert pressure upon the government to produce an official report. The organisations seized the political opportunity presented by the conference to legitimise their own demands in terms of international and domestic law. SKOP linked the slogan of the international women's movement 'Women's Rights are Human Rights' with the Polish conviction of being part of Europe. Until 1997 and between 2001–2005, a forum of the women's organisations co-operated with the government in the implementation of the Beijing Action Platform as well as on other questions of gender equality. Since the World Women's Conference, almost all of the women's organisations' demands have been legitimised with reference to the law. The law became the primary medium for calling attention to violence against women, forced prostitution, job discrimination and severely restricted reproductive rights.

The terms of Polish conservative governments – 1997–2001, and since 2005 – have been characterised by inferior co-operation with state institutions and actual steps backwards in terms of gender policies (as evidenced in the now partially privatised social security system, to name just one instance). The post-communist government of 2001–2005 had appointed an equal opportunity officer in the ministerial rank, whose office launched many domestic as well as international co-operation projects. Among other things, equal opportunity officers were appointed in the regions. Overall, the implementation of gender equality machineries is weak, sketchy and overly dependent on changes of government. The office was dissolved in 2005 and a subsection for family issues in the Ministry of Labour and Social Policy was established. While the chairwoman of the Women's League (the former socialist front organisation), as well as a high-profile feminist philosopher formerly occupied the post (Izabela Jaruga Nowacka and Magdalena Środa, respectively), Joanna Kluzik Rostkowska is now at the helm. She represents moderate Christian-Democratic views in terms of economic opportunities – namely, that the gainful employment of women will remain a component of modern societies, but she advocates discrimination against gays and lesbians and knew virtually nothing about the principle of gender mainstreaming when she took office (see *Gazeta Wyborcza* of 8 November 2005).

Today, around 300 women's organisations, groups and research centres are active across the entire country, engaged in particular in the areas of employment and qualification, social assistance, violence and health. In recent years the work of the Women's Information Centre Ośka (Ośrodek Informacji Środowisk Kobiety, www.oska.org.pl) was instrumental for networking and discussion in the women's political environment. Numerous drafts for an anti-discrimination law and action alliances for the election of female candidates have sprung from this environment. In the new millennium, feminist points of view are gradually gaining momentum in public awareness: women are discriminated against, they are entitled to more political power and legal protection should be granted to homosexual partnerships. The movement has tried time and again to obtain strong public support by issuing public statements. Overall, it can be characterised as a small movement consisting of numerous organisations and an increasing number of sympathisers. It

is carving out a niche in the general public by creating its own infrastructure and protest culture. The movement is thriving despite the current conservative-populist hegemony.

Europe in the Movement's Discourse

Up until roughly 1998, women's organisations usually deployed the 'international law' master frame to mobilise followers and legitimise their goals in the public (on framing in general, see Snow/Benford 1988 and 1992; for the international women's movement, Joachim 2003). Framing is a very important strategy by which social movements assign new meanings to familiar events and conditions (realignments). Social facts once only seen as regrettable but tolerable, can now become a real scandal. If domestic violence is seen in the traditional frame of the domestic duties of housewives and mothers, it is usually perceived as an unfortunate by-product of male alcoholism; re-framing the phenomenon in the context of equal partnership, the fundamental right to physical integrity and adherence to international conventions reveals it to be an intolerable disgrace. Its unequivocal abolition is the responsibility of a state with a democratic rule of law.

In framing the issues, the Polish women's movement built upon the fact that the relevant political forces in Poland affirm the affiliation with the European value system as well as the adherence to international norms. Since the 1970s, the reference to Europe has been a vital argument of the Polish opposition vis-à-vis the socialist state. Since the nation's accession to the EU, these norms and values now apply directly. If Poland is part of Europe, then it must adopt and obey the obligations resulting from international and European treaties. This is particularly important in terms of the civil rights of inviolability and individual freedom of choice, especially regarding the abortion question.

This argument strengthens the very meaning of the democratic rule of law both in citizens and the state (demanding the state to adhere to the rule of law). It contributes therefore to democratic consolidation.

Acknowledging the Relevance of the EU and Using Europe as a Master Frame

A more systematic reference to 'European law' began in 1998 with the accession negotiations. Little by little, women's organisations began to decry the failure to adopt the 'gender acquis'. They proceeded to inform themselves about the gender equality policies of the European Union and launched their own projects with European Union support. In addition, they networked on the European level. They stressed the need for political action via comparison with other European Union states. This strategy can be seen as a consequence of the political learning process: Political changes do not come about via appeals to political decision-makers, but require self-initiative (especially if misleading information policies are to be improved).² The women's organisations' own information policy offensive ('Europe Supplement', 'European Travel Kit for Women', etc.) effected a psychological distance from the state-society antagonism in Polish political culture. The state is no longer the sole addressee for political demands; society as a whole is increasingly seen as an invaluable participant in social change.

While the concepts of direct and indirect discrimination were finally embodied in the labour code (just prior to the conservative-liberal coalition's exit from office in 2001) after

2 In April 1999, the Ośka Conference on 'Government Politics vs. Women' wrote an open letter to the Integration Committee; it may strike its brochure 'European Union – Women' (Unia Europejska – kobiety). Its incorrect, distorted contents exemplarily demonstrate that the importance of independent information, particularly in the climate of the reactionary gender politics of the conservative government at that time, can hardly be overrated.

numerous protests and appeals, women's rights nevertheless remained controversial in the Polish public. The fate of the 'Letter from 100 Women' ('list stu kobiet') of February 2002 illustrates the limitations of an appeal strategy and dependence upon external allies. The letter was addressed to the European Parliament and the Commissioner for Employment and Social Affairs, Anna Diamantopoulou. In it, prominent personalities (e.g. Wisława Szymborska) and the most important women's organisations expressed their concern about the course of the accession debate in Poland. Due to numerous public declarations, it could be inferred that a pact between the Catholic Church and government had been established: The Church would support the accession in exchange for the renouncement of a recent liberalisation debate on abortion. Furthermore, strong – and public – ideological intimidations had taken place. In a prime example, Bishop Pieronek criticised the equal opportunity minister by calling her 'feminist concrete that does not melt even under hydrochloric acid',³ because she had flatly demanded this particular liberalisation as well as matter-of-fact sex education in schools. An open discussion about it should have been able to take place without intimidation. In her reply two months later, Diamantopolou pointed out that the abortion question was a 'difficult topic' and fell under the exclusive legislative jurisdiction of the member states.⁴ The strategy of international criticism can only succeed if the persons and institutions being addressed are receptive and responsive to the demands.

A letter from January 2003 demanding that the European Parliament reject the Polish 'Declaration on Morality, Culture and Sanctity of Life' as part of the treaty of accession experienced a similar fate.

Over the course of the accession negotiations, the Polish public became increasingly critical and sceptical of the European Union. The information politics of the government improved only haltingly (see Grabowska 2001: 34). During the preparation for and the negotiations themselves, gender issues and gender mainstreaming did not factor in (see Bretherton 2001: 69–72). The ability to implement the *acquis communautaire* of the EU was indeed one of the three Copenhagen Criteria; however, in terms of the 'gender *acquis*', it was not central for either side.

Move Into the Institutions

However, the Committee on Women's Rights and Gender Equality of the European Parliament repeatedly underscored the importance of adopting a gender perspective in the enlargement (see Hadj-Abdou/Mayrhofer 2006). It co-operated with women and women's organisations in the accession countries by means of joint projects, hearings and delegations that initiated 'deliberative processes'. Co-operation especially flourished in common problematic areas like political participation. However, work in parliamentary commissions is rather actor-centred, and therefore depends on the activities of its individual members. Of the three Polish MEPs, only the Social Democrat Lidia Geringer is attuned to gender equality. She co-operates with several women's organisations in her constituency in Lower Silesia and highly appreciates the activities and accomplishments of the EWL as well as the Polish Women's Lobby (Geringer 2006)⁵.

3 In reaction, T-shirts which read 'More feminism, less hydrochloric acid' soon emerged.

4 Text via www.oska.org.pl/infopage.php?id=41, available on 8 March 2002; Reply by Diamantopolous in Chołuj 2003, 224.

5 See www.lgeringer.pl; she also points to the role of the Polish Lobby as experts for the Ukraine and Belarus.

An important step in terms of European networking was the establishment of a co-ordinating group in Poland in the summer of 2004⁶ that should discuss and prepare the conditions for the accession to the European Women's Lobby. Nearly all major organisations took part in it, but not without tension: The EWL had supposedly not been interested in co-operating with women's organisations from the accession states for quite some time. They apparently ceded only upon pressure from the European Commission. In terms of content, there were numerous reservations, e. g. regarding the EWL's conservative attitude towards the prohibition of prostitution. The idea of a platform of Eastern-Central European women's organisations for the European level was ultimately rejected in order not to accentuate or perpetuate the East-West divide. The question was not if, but *how* one could become involved in the EWL. It was soon obvious that a 'Polish Women's Lobby' ought to take the form of a co-operative protocol based on an open formula rather than an umbrella organisation. It was also felt that organisations should be able to join at any time. After further consultations with EWL representatives and a Latvian colleague, it was decided at a nationwide meeting to set up the national co-ordination as well as its spheres of activity, authority and statutes. As far as the representation of Polish organisations and interests on the European level is concerned, the emphasis lies on the women's lobby as well as on participation in the EU's control and advisory committees (e.g. for structural funds). Information access for Polish organisations and the preparation of common (Polish) standpoints vis-à-vis European Union policies are two more critical goals. In the national co-ordinating committee, experts will analyse six areas: the labour market and social politics, women in decision-making processes, violence against women, women's health (including reproductive health), women in rural areas and sexual and national minorities. In addition, the protocol states:

'The first three topics are fully compatible with the priorities of the EWL – the last three with the local priorities'.

About three dozen organisations have signed the co-operative protocol so far; however, some discord has surfaced. The Coalition for Gender Equality (Karat) did not participate in the preparations at all and the Family Planning Federation later withdrew.

If one compares the agendas of Polish women's organisations with the key activities of the European Women's Lobby, large discrepancies become apparent. In particular, questions concerning women's health and reproductive rights, namely access to legal and safe abortion, are non-issues for the EWL. For the Polish women's movement, however, the abortion question is *the* focal point, the *pièce de résistance*. Questions of economic and social rights beyond the labour market, such as future EU enlargements and the question of new dividing lines between EU and non-EU, are likewise ignored (evidenced in part by the institutional focus of the women's lobby). There is nonetheless agreement in the struggle against violence against women and demands for the sustained and balanced political representation of women.

The representation of Polish women's organisations at the EU level will probably prove tricky. The Polish Women's Lobby is closely affiliated with Ośka, whose former director was elected delegate to the Executive Board of the EWL. Recent debates on the strategic positioning of Ośka, an exchange of staff and slashing of funds have weakened its political impact. However, the co-ordination of the political discussion in the women's move-

6 The following description is based on minutes and reports for the establishment of the Polskie Lobby Kobiet (Polish Women's Lobby), which was available under www.oska.org.pl in October 2004.

ment facing the new conservative-populist government has been taken over by another organisation.⁷

Building Capacities and Networks

Since the early 1990s, regional networks of women's organisations reaching from Central Eastern and South Eastern Europe to the CIS have been emerging. Karat, or 'Coalition for Gender Equality', was officially established in Warsaw in 1997 as a result of discussions among regional organisations during the Women's World Conference in Beijing (see Marksová-Tominová 2006). Karat consists of about 30 women's organisations and focuses on the UN level, but addresses the EU as well. It monitors the implementation of international agreements, lobbies for national gender equality mechanisms and supports the political participation of women leaders in the region. Since 2002 Karat has repeatedly warned against a new division in Europe due to the accession processes of certain Eastern European states. It has emphasised the importance of considering the viewpoints, achievements and problems of non-candidate countries. Enlargement must not lead to a widening of the economic gap in the region or to the breaking of ties between member and non-member countries.⁸

In a joint declaration with the German NGO Women's Forum at the end of 2003, the human rights-oriented approach was emphatically endorsed throughout the entire legal infrastructure of the EU. On the agenda were reproductive as well as social and ecological rights, which will have to be safeguarded and promoted against the purely economic objectives of the EU. Effective mechanisms for actual gender equality as well as for the balanced representation of women in elected and appointed committees are considered essential (Karat/NGO Frauenforum 2003). In a common position paper for the 49th session of the UN Commission on Women in 2005, Karat and the Stability Pact Gender Task Force for South Eastern Europe (SPGTF) stated:

KARAT and SPGTF proved in practice that political action towards gender equality could be strengthened through broad regional partnerships ... and exchange of best practice with the strong support of EU, Council of Europe, Stability Pact for South Eastern Europe, OSCE/ODIHR, UN agencies and donor governments. (...) Developing common agenda for the women in the whole Europe is crucial to prevent a new South/East-West divide (...) Hence the EU should accelerate their efforts to implement the new neighborhood strategy (*Karat 2006, 2*).

Karat builds strategic partnerships with other organisations (e.g. with the above-mentioned SPGTF) for campaigns on specific issues. Since 2001, Karat has concentrated on economic issues (including economic empowerment) and literacy in the context of EU enlargement. In 2005 an Economic Literacy Kit for CEE/CIS (Russian translation 2006) was published to enable women's organisations to lobby effectively for the improvement of the economic situation of women. Together with WIDE (Women in Development in Europe, see www.eurosur.org/wide/home.htm), the so-called Gender Assessments were compiled, which can be seen as the shadow reports to the Joint Assessment Papers for the new member countries to the European Employment Strategy. The 'Labour Market and Entrepreneurship: Overcoming Gender Stereotypes' project has been running since 2005. To this end, Karat is involved in twelve national reports on the position of women in the labour market. In 2004, Karat conducted a survey in co-operation with the Clean Clothes Campaign (CCC) about the

7 NEWW, the Network of East-West Women, organised a national strategic conference in December 2005; see www.neww.org.pl.

8 See www.karat.org/eu_and_economy/regional_contribution.html, available on 12 October 2004, as a letter to the Convent for the Future of Europe in 2002.

working conditions in four textile factories in Poland (Łódź) and reported the results to the 49th session of the UN Commission on Women.⁹ It is important here that Karat addresses the negative impacts of globalisation and neo-liberal reforms on women's social and economic status as well as the feminization of poverty. Karat integrates economic rights into the human rights discourse. These activities somewhat counter the frequently expressed criticism that feminist women's organisations in post-socialist Europe have ignored burning questions of economic transformation and social inequality, concentrating instead on a classical liberal agenda of individual freedoms (e.g. Miroiu 2006).

Another important regional network worthy of mention is Astra, which advocates sexual and reproductive health rights (SRHR) as fundamental human rights (www.astra.org.pl/articles.php?id=127, 26.06.06). Astra is engaged in awareness-raising and elevating SRHR to the top of the agenda, particularly in the EU and UN. Instruments for this mission include monitoring and reporting on the status of implementation of SRHR and gender-related policies. The network organises public events, conferences and workshops. In February 2006, Astra and the Polish Delegation of the Socialist Group held a hearing in the European Parliament. Its goal was to draw the European policymakers' attention to their obligations in this area. If, as Astra argues, SRHR are human rights, then EU institutions (which are fundamentally committed to the guarantee of human rights) are obliged to develop policies which secure them. (www.astra.org.pl/news.php?id=21, 26.06.06).

These examples show how the master frames of human rights and Europe are being employed to legitimise the movement's demands and that several channels for influencing the EU institutions are available. Co-operation is crucial to these activities, but not without pitfalls. Central to the deliberations for co-operative efforts is the anticipation of competition for funding (Holz 2006) and the dwindling access to European Union funds in particular. With the departure of important donors from the new member countries as well as the EU's increasingly restrictive funding policies, these fears have largely been borne out. The funding periods barely exceed two years and are insufficient for the long-term development of NGOs (which EU evaluations confirm time and again). The required consortia and networks, to which they have limited access and/or in which they would be impotent, are high barriers for smaller and informal. To put it bluntly, the patriarchal hierarchical organisational model of the EU is once again present here (Payer 2006, based on field research in Bulgaria). In recent years only a fraction of the EU funds have gone towards the support of the development of democracy and a free-market economy in the sphere of civil society, of which women's organisations represented only a small part (see Funk 2006, 76–77).

Conclusion

This analysis has pointed out how important involvement in European civil society is for newcomers and marginalised interests like Polish women's organisations. The process-oriented analysis showed that the Polish women's movement has learned by doing: Step by step, from appeals for information, to fundraising and networking, it has become clear just how important and effective political activism can be in multilevel governance. Civil society has succeeded in making a critical step towards the elimination of the gap between political actors and European policy. It has contributed, not least with spreading information of funding opportunities, to the popularisation of the EU. However, the

9 See www.womenslabour.org/_en/conditions/ccc_rep.html, accessed on 26 June 2006.

Europeanisation of civil society on the one hand and integration on the other also means that new members are becoming lost in the shuffle. Their experiences and points of view must be integrated.

The Polish women's movement's emphasis on Europe, the EU and European law was a useful political strategy, but one which nonetheless has clear limits. Joining the European Women's Lobby was therefore a logical next step towards Europeanisation, one which took place after a lengthy deliberative process and was linked to compromises. The Women's Lobby itself appears to be a prime example of a European umbrella organisation which is already well integrated into the negotiation system and can definitely boast successes. However, the exclusion of minority interests is also clearly illustrated by the principle of the 'smallest common denominator'. The solution to the dilemma lies in the establishment of alternative networks and coalitions, such as Karat or Astra, also wishing to exert influence on the EU. One can speak in this instance perhaps of a division of labour rather than competition: several issues, several channels.

It is difficult to assess if women's organizations gained from European integration, especially if one takes funding policies into account. Generally speaking, gender policies in the new member states now rely more on European regulations, but are still contested and without ongoing political pressure backlashes are probable. There are some areas for future research. Analyses should be done on how the described lobbying policies, initiatives and protests are in fact received on EU level. What is their impact and what outcomes can be measured? Comparative research with other policy areas would be especially useful in order to assess the special character of gender policies.

In principle, the legitimisation deficit in the EU can only be eradicated if the diverse and sometimes conflicting interests of a social group are represented effectively. This would entail a proliferation of advocating entities, which may be seen as counterproductive to the EU's desire for efficiency. Accordingly, the Commission's hopes to integrate European civil society by means of more or less uniform umbrella organisations will probably not be fulfilled.

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