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## ***KARTA POLAKA, POLAND AND ITS CO-ETHNICS ABROAD***

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One of the most contentious features of European politics in recent years, particularly in Central and Eastern Europe (CEE), has been the increased engagement of many states with their kin-minority groups<sup>1</sup>. In many cases, such engagement has found legal expression in domestic legislation as a trans-sovereign special duty of care vis-à-vis such groups. The tumultuous process of nation- and state-rebuilding that CEE experienced in the aftermath of the Cold War anchored kin-state politics strongly in the security paradigm, and the inherent potential for inter-state conflict arising from kin-state engagement is still routinely emphasized today (Vollebaek, 2009; OSCE High Commissioner on National Minorities (OSCE HCNM), 2020). Involvement by kin-states has indeed proved destabilising, as shown by Albania's intervention in Kosovo and Macedonia in the 1990s (Koinova, 2008) and the Russo-Georgian war in 2008 (Shevel, 2015), or disintegrative, as seen in the case of Russia's occupation of Crimea in 2014 (Shevel, 2015). A review of the broader European picture, however, shows that kin-state engagement can also have a positive societal impact. Where such engagement responds effectively to the claims formulated by co-ethnics abroad, it can help to improve their life chances (Csergő & Liebich, 2019) by ensuring the flourishing of their communities. Good examples are the case of the Danish minority in Germany (EURAC, 2007) or Germany's actions to support the cultural preservation of German minorities in CEE (Cordell & Wolff, 2007). Overall, it is acknowledged in the literature that involvement by a kin-state may help to maintain and promote the ethno-cultural, linguistic and/or religious identity of its co-ethnics abroad (Defeis, 2011).<sup>2</sup>

Kin-state politics has been conceptualised in the scholarly literature as sitting between irredentism and diaspora politics (Saideman & Ayres, 2015; Mylonas, 2012; Alonso & Mylonas, 2017; Waterbury, 2020) and remains embedded in an international regime that affirms a strong relationship between state, territory and citizenship rights.<sup>3</sup> From an international relations perspective, kin-state politics is currently considered to oscillate between two different functions: maintaining the location of borders and bridging the relations between states (Adamson & Demetriou, 2007; McGarry & O'Leary, 2013; Klatt, 2017). Such views, however, fail to acknowledge the elusiveness of the ideal-type congruence between nation and state on which modern conceptions of sovereignty are built. This assumed congruence is especially prevalent in the justifications for kin-state politics that address co-ethnic communities that have been forcibly deprived of belonging to the national state through deportation or border changes. Such historical circumstances have fuelled a sense of national historic injustice and the idea that states bear a moral responsibility and should assert a right to take remedial action.<sup>4</sup> This phenomenon was highly prominent in inter-war Central and Eastern Europe, and became a revived feature of the region during the 1990s following the end of communism and the demise of the Soviet Union and Yugoslavia. The sometimes violent conflicts that accompanied the latter process also meant that kin-state engagement with minorities was again cast in securitised terms, as something likely to encourage political mobilisation by co-ethnics living as marginalised minorities within neighbouring – similarly ethnoculturally-defined - 'nationalising states'.<sup>5</sup> For all of the theoretically sophisticated thinking contained in Rogers Brubaker's 1996 work *Nationalism*

*Reframed*, this was the central message it imparted: politics in the region would be shaped by a ‘triadic nexus’ comprising three competing inter-relational fields of ethnocultural nationalism. According to Brubaker, this dynamic was likely to become ‘a locus of refractive and potentially explosive ethnic conflict’ in the years to come (Brubaker, 1996). The involvement of international organisations, such as the Council of Europe (CoE) and the Organisation of Security and Co-operation in Europe (OSCE) in the early 2000s made kin-state politics the object of an expanded ‘Quadratic Nexus’ (Smith, 2002; Smith, 2020). Rather than devising new and innovative approaches in this area, however, the organisations in question have attempted to contain kin-states’ engagement through the prism of state sovereignty and international security, thereby reaffirming and strengthening the convergence between state, territory and citizenship rights.

Kin-states’ trans-sovereign involvement has challenged home-states’ exclusive obligations under international law to protect their minority ethno-cultural groups.<sup>6</sup> Many scholars have persuasively argued that kin-state politics is in fact identity politics and have highlighted its role in maintaining the ethnocultural identity of co-ethnics abroad (Csergő and Goldgeier, 2004; Horváth, 2008, pp. 137-211; Pogonyi, 2017). Yet, despite the acknowledgement that kin-state engagement may impact positively on the fate of co-ethnics abroad by affording better protection against cultural assimilation, examinations of kin-state politics within multiculturalism have been rather marginal (Hatvany, 2006; Udrea, 2014). A state’s responsibility towards its minority ethnocultural groups has been a prominent focus of liberal democratic political theory in the last 25 years, offering important insights into and solutions to the challenges of accommodating such groups in ways which are consistent with liberal justice (Crowder, 2013). Nonetheless, such accounts have focused exclusively on the responsibility of the home-state, and have therefore overlooked the nature, scope and impact of kin-state policies.

Furthermore, there has been little engagement in legal and political theory with the normative significance (and normative *limitations*) conferred to Hungary’s Act LXII of 2001 on Hungarians Living in the Neighbouring Countries. Often referred to as the ‘Hungarian Status Law’, Act LXII remains the piece of legislation that first placed kin-state policies firmly on the agenda of international organisations and which continues to hold normative prominence in Europe, having been at the centre of the only evaluation to date of the legitimacy of kin-state involvement<sup>7</sup>. This was carried out by the Council of Europe’s Venice Commission, whose resultant 2001 Report on the Preferential Treatment of National Minorities by their Kin-state concludes that ‘the emerging of new and original forms of minority protection, particularly by the kin-States, constitutes a positive trend insofar as they can contribute to the realisation of this goal’ (Council of Europe, 2001). At the same time, it is clear that kin-states have increasingly instrumentalised their engagement with their co-ethnics abroad to achieve goals that are at odds with minority protection, such as superseding historical injustice through trans-sovereign nation-building (*e.g.*, Hungary, Romania), tackling domestic demographic crises by encouraging immigration to the kin-state (*e.g.*, Poland, Hungary, Bulgaria, or Czechia), and/or seeking to achieve influence by using kin minorities’ disenchantment with home-states’ minority accommodation as a pretext to engage in forms of hybrid intervention (*e.g.*, Russia, Romania). Overall, the evolution of kin-state policies has challenged their defence as forms of minority protection and made it increasingly difficult to frame them as such.

The current volume offers new insights into these recent developments in kin-state politics, taking as its central focus Poland’s fast-evolving relationship with Polish

communities living beyond its borders.<sup>8</sup> Poland is among the most recent European countries to introduce legislation on kin-minorities. First adopted in 2007, and most recently amended on 12 April 2019, the Act on the Polish Card (Ustawą z dnia 7 września 2007 r. o Karcie Polaka – also known as *Karta Polaka* and hereafter referred to as such in this volume) has received only limited attention within the growing academic literature on kin-state – kin minority relations. *Karta Polaka* has been mainstreamed as the dominant policy approach of the Polish state towards its co-ethnics abroad. In fact, it is but one component of a policy package that includes two more policies specifically targeting the *Poles in the East*<sup>9</sup>, and it is supplemented by a diaspora policy first adopted in 1989 and continuously modified since (Nowak & Nowosielski, 2018), addressing Polish emigrants and people of Polish descent worldwide. Preceded by the Repatriation Act of 9 November 2000 (amended several times, most recently in 2017), and then followed by the Act on Polish Citizenship of 2009 which came into force in 2012, the foundation of all these policies is Article 6.2 of Poland's 1997 constitution, which states that '[t]he Republic of Poland shall provide assistance to Poles living abroad to maintain their links with the national cultural heritage'.<sup>10</sup>

According to the text of *Karta Polaka*, the Card offers a confirmation of belonging to the Polish nation without affecting the nature of such belonging or recognising it in a legally binding manner (Pudzianowska & Jagielski, 2008, quoted in Ładykowski, 2018, p 115)<sup>11</sup>. *Karta Polaka* and the other policies described here above are about far more than simply reaffirming a cultural affinity between Poland and its co-ethnics abroad'. These policies are legitimised by a prevalent historical discourse centred upon highlighting the injustice of past border changes and population resettlement and stressing a need for redress (Ładykowski, 2018). As well as offering a form of partial reparation for past harm, such policies have also been justified as a way of preventing the mass emigration of Poles from neighbouring historically Polish territories while protecting and promoting the Polish identity of co-ethnics abroad' (Mikołajczyk, 2015; Hut, 2019). Barbara Mikołajczyk notes that *Karta Polaka* was initially also thought of as a measure aiming to encourage young people of Polish origin to study in Poland and, in this way, to contribute to strengthening the elites of the Polish minority groups living in the East (2015).

In a similar vein, *Karta Polaka* has also been seen as an instrument of soft power projection for the Polish state, understood as an 'ability to exert influence on other international players to further the state's own interest' (Marczuk, 2019, p. 25). According to Paweł Karolewski (2015), the Act aimed to neutralise the effects of the Schengen border control regime on the one hand, and to increase the salience of the Polish language and culture in the bordering states on the other. By solidifying the Polish identity of the designated kin-minority groups and strengthening their relations with Poland, the Act has impacted negatively on Poland's inter-state relations, in particular with Lithuania and Belarus. The relations between Poland and Lithuania had already become highly contentious following the accession to the EU of both countries and remained as such until 2019. In this period, Poland made any progress in the bilateral relations between the two countries strictly conditional upon improvements in the accommodation of the Polish national minority, at issue being the unwillingness of the Lithuanian government to adopt special provisions which would protect and promote the culture and identity of national minority groups (Kuzborska, 2013). Relations with Belarus also deteriorated following Poland's accession to the EU (Minority Rights Group International, n.d.). The rights of the Polish minority have since been eroded, in particular the right to education (Weselowsky, 2019). *Karta Polaka* allowed ethnic Poles in Belarus to travel to and study in Poland, to maintain and develop social connections with Polish citizens (Wallace & Patsiurko, 2017). However, despite the high number of the

Polish cards awarded to Belarusians citizens<sup>12</sup>, *Karta Polaka* appears not to have changed the Belarusian government's stance that there are no Poles in Belarus, but only polonised Belarusians (Weselowsky, 2019).

As Pudzianowska observes in this volume, the idea that Polish governments have a responsibility towards Poles resident outside of Poland has been shared by virtually all political actors that emerged from the ruins of communism. This perceived responsibility has been heightened by the renewed wave of large-scale migration from Poland that began during the 1990s and accelerated with its accession to the EU in 2005 following the gradual opening to Polish citizens of the national labour markets in Europe. In this context, *Karta Polaka* became a particular flagship for Law and Justice (*Prawo i Sprawiedliwość* – PiS), which introduced the initial legislation while in government during 2005-07 and later attached growing importance to the policy after it returned to power as Poland's major party in 2015. For the conservative-nationalist right, strategies linking Poles abroad to the motherland have been especially important, forming part of a set of values and commitments that elevate 'nation' above all other forms of identity. In this regard, *Karta Polaka* has been couched as means of addressing historical injustices while at the same time protecting Poles abroad from the threat of cultural assimilation. More broadly, in the course of 2015-19 the policy became strongly embedded in a strategy aimed at strengthening the rule of PiS, characterised by patronal politics, party state capture and exclusionary identity politics directed at minorities, refugees, international organisations and political opponents and other critics (Szczerbiak, 2016; Sata & Karolewski, 2020).

There remain, however, many questions regarding the nature, scope and impact of Poland's kin-state policies, especially given the extent and pace of recent developments. Drawn from the joint academic-practitioner conference on 'Poland's Kin-state Policies: Opportunities and Challenges', held at the University of Warsaw in May 2019,<sup>13</sup> this volume engages comprehensively with the 'what?', the 'why?' and the 'for whom?' of Poland's kin-state engagement. Thus, the collected papers variously trace the policymaking process in this area and analyse the underlying political agendas that have shaped it (contributions by Pudzianowska, Cordell and Łodziński); situate *Karta Polaka* in relation to broader conceptual and normative debates around kin-state and diaspora politics (contributions by Sendhardt, Waterbury, Udrea & Smith and Lesińska & Héjj); and explore how kin-state engagement has been received in the neighbouring states and what implications it has had for the Polish communities in these countries (contributions by Keryk, Janušauskienė and Nowosielski).

Polish communities in the East obviously figured prominently in the discussions at the May 2019 conference, given that they provided the initial focus for *Karta Polaka*. This is reflected in the contributions by Keryk, who explores the perspectives and experiences of Polish Card holders with particular attention to those from Ukraine, and Janušauskienė, who factors kin-state engagement into a discussion of Polish national minority identity in Lithuania. Among other issues, these papers raise important questions about the 'belonging to the Polish nation' imputed to bearers of the Polish Card, and how this belonging is actually understood and practised in a contemporary setting. Not least, the authors highlight the complex and multi-layered identities that exist within minority communities and which do not fit readily with the imagined 'canon of Polishness' at the heart of *Karta Polaka*. This disjuncture carries multiple implications for Polish Card holders, both within their societies and origin and – as Keryk shows – within Poland itself.

The May 2019 discussions in Warsaw also underlined the important place that Germany continues to occupy within Poland's politics of external engagement, all the more so in a contemporary context where the previous line between 'kin-minority' and wider 'diaspora' policy is becoming increasingly blurred.<sup>14</sup> This is reflected in the contributions to the volume by Cordell, Łodziński and Nowosielski, all of whom discuss the place of kin-minorities within Polish-German relations. In so far as Germany's contemporary Polish community consists primarily of people with a migration background, it differs in important respects from the more historically-rooted Polish minorities found in the countries to Poland's east. As Łodziński describes in his paper, however, successive Polish governments have sought to blur this line of distinction, insisting that both the German and the Polish state bear historical and moral obligations towards Germany's Poles in a manner analogous to those which Poland carries towards ethnic Poles detached from Poland and subjected to Soviet rule after World War Two.<sup>15</sup> In part, at least, this stance can be seen to reflect the complex and often difficult historical relationship between Poland and Germany, which has kept minority issues on the agenda of inter-state relations even after the 1991 Treaty on Friendship and Good Neighbourliness and Poland's subsequent accession to the European Union. By providing the longer-term background to the entangled kin-state and minority politics of the two countries, Cordell's paper sets the scene for Łodziński's analysis of the 2010-2019 Round Table meetings and the question of whether Polish minority representatives in Germany and their German counterparts in Poland have actually been able to influence the policies of their respective kin-states. This feeds logically into Nowosielski's analysis of how Germany's multi-layered and highly heterogeneous Polish community has negotiated its relationship with both home and kin-state. In different ways, all of these papers raise interesting questions concerning the identity and capacity for agency of those categorised as belonging to kin-minorities.

A central conclusion to emerge from the volume is that, increasingly, *Karta Polaka* instrumentalises the issue of co-ethnics abroad for the purposes of attracting labour migrants to resolve the demographic crisis in Poland, with significant and rather negative implications upon the fate of Polish minorities in their home-states. In saying this, we recognise that all kin-state policies are instrumental to some extent. Following the theoretical approach of Brubaker (1996) and other authors (Waterbury, 2010; Schulze, 2019), state policies towards co-ethnics abroad can be conceived as the product of contested and contingent domestic politics shaped by different understandings and 'strategic framings' (Schulze, 2019) of those groups, of their identities and of the nature of the relationship between them and the kin-state. This approach helps to explain the significant ambiguity and differing interpretations that continue to surround *Karta Polaka* and Poland's kin-state politics more broadly.

By exploring the different rationales of this instrumentalisation, the volume situates *Karta Polaka* more firmly within broader European political developments. In particular, the contributions suggest that Poland's kin-state engagement sits at the confluence of two major and interrelated political trajectories shaping European politics – national conservatism and neoliberalism. As Cordell highlights in his essay and Zielonka reiterates in his concluding remarks, longer-term effects of neoliberal globalisation and the fallout from the 2008 economic crisis have prompted a generalised Europe-wide backlash from what have been described as ethnopopulist movements (Jenne, 2018)<sup>16</sup>. Lesińska and Héjj show how the current 'extraordinary pan-European ... populist conjuncture' (Brubaker 2017, p. 1191) has been a common denominator in the evolution of Hungarian and Polish policies following the arrival in power of Fidesz and PiS. While the two governments have had different agendas in the sphere of engagement with their co-ethnics abroad, Lesińska and Héjj note that both have

pursued a ‘pragmatic transborder nationalism’ that views kin-minorities primarily as a resource. This can be seen in a further instance of diffusion between the two cases – namely, the growing importance conferred to citizenship acquisition as kin-state policy. In fact, facilitated access to a kin-state’s citizenship has become the dominant policy approach of many European states vis-à-vis their co-ethnics abroad (Dumbravă, 2014; Pogonyi, 2017). In a similar way to Poland, other states including Hungary and Bulgaria have recently engaged in an active process of encouraging the immigration and permanent settlement of their co-ethnics abroad through facilitated citizenship acquisition in order to respond to labour shortages on their domestic markets. All of these cases exemplify what Mavelli calls a neoliberal political economy of belonging and is defined as a process of economisation, in which ‘[s]tates ... approach prospective or existing citizens as capital that may enhance not just their economy but their cultural, emotional and reputational value’ (2018, p. 485).

As noted above, the volume also discusses the instrumentality of *Karta Polaka* in relation to existing European normative standards on minority protection, and to this end, Poland’s engagement with its co-ethnics abroad is widely compared to that of Hungary. In essence, *Karta Polaka* has been – and remains - very different, in that it has territorialised its duties within the boundaries of the Polish state. Lesińska and Héjj thus question the extent to which *Karta Polaka* aligns with Hungary’s Act LXII of 2001 and its subsequent kin-state policies, discussing the similarities and differences. Waterbury stresses that the situation of kin-minority groups is most accurately captured by the concept of divided nationhood and defined as a condition of multiple membership. Again reflecting on the cases of Hungary and Poland, she further examines the impact of kin-state policies on their ethnic kin, discussing the advantages as well as the disadvantages. Udrea and Smith in their contribution inquire whether the European norms and standards of minority protection adequately capture the relationship between Poland and its co-ethnics abroad as it is articulated in *Karta Polaka* and defend the necessity of sharing sovereignty as a safeguard against the instrumentalisation of kin-state engagement. As shown here, *Karta Polaka* has evolved into an immigration policy which does not cohere with the European norms and standards of minority protection. Distinctively, minority protection is pursued through bilateral treaties on the bases of reciprocity and cultural cooperation (Marczuk, 2019, pp. 25-40), and its delivery is complemented by the action of local and Polish transnational non-governmental organisations.

All in all, this set of papers show that *Karta Polaka* has the capacity to illuminate wider contemporary debates on the phenomenon of kin-state - kin minority relations and – by extension – on issues of state, territory, citizenship, minority rights and European integration. By July 2020, when this introduction was completed, some evidence had emerged regarding the effects of the Covid-19 pandemic on a kin-state engagement. The crisis, which unfolded in Europe during the first six months of 2020, limited kin-state engagement and carried consequences likely to last for many years ahead. In an analysis of the impact of the Covid pandemic on the German-Danish border region, Martin Klatt notes that border closure profoundly damaged the relations between Germany’s Danish minority and its kin-state and anticipates that the ‘Danish-German cross-border region might have to start from anew’ (Klatt, 2020, p. 47). Similar conclusions are very likely to be reached for CEE where the relations between kin-states and kin minorities are more precariously institutionalised and strongly politicised. At the same time, scholars and practitioners raised serious concerns over a political trajectory shaped by the pandemic and quickly diffused worldwide, namely a renationalisation of the state characterised by reduced or suspended democratic freedoms and a weakened commitment to minority rights (EURAC, 2020; Bieber, 2020; Chandra, 2020).

As noted by Joseph Marko, these developments suggest that segregation and assimilation will become normalised (EURAC, 2020), but according to the UN Assistant Secretary-General for Human Rights Ilze Brands-Kehris and the OSCE High Commissioner on National Minorities Lamberto Zannier they also highlight that the need for multilateralism has become very acute and the only way forward (EURAC, 2020).

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## References

- Adamson, F.B and Demetriou, M. (2007). Remapping the Boundaries of ‘State’ and ‘National Identity’: Incorporating Diasporas into IR Theorizing. *European Journal of International Relations*, 13 (4), 489 – 526. Doi: 10.1177/1354066107083145
- Alonso, A.D. and Mylonas, H. (2017). The Microfoundations of Diaspora Politics: Unpacking the State and Disaggregating the Diaspora. *Journal of Ethnic and Migration Studies* 45 (4), 473-491. Doi: 10.1080/1369183X.2017.1409160
- Bieber, F. (2020). Global Nationalism in Times of the COVID-19 Pandemic. *Nationalities Papers*, 1-13. doi:10.1017/nps.2020.35
- Brubaker, R. (1996). *Nationalism Reframed. Nationhood and the National Question in the New Europe*. Cambridge; New York: Cambridge University Press.
- Brubaker, R. (2017). Between Nationalism and Civilizationism: The European Populist Moment in Comparative Perspective. *Ethnic and Racial Studies* 40 (8), 1191-1226. DOI: 10.1080/01419870.2017.1294700
- Chandra, K. (2020, May 7). [talk]. In Association for the Study of Nationalities [host], *Nationalism and the Pandemic* [Webinar]. Facebook.  
<https://www.facebook.com/Nationalities/videos/328120788161054/>
- Cordell, K. and Wolff, S. (2007). Germany as a Kin-State: The Development and Implementation of a Norm-Consistent External Minority Policy towards Central and Eastern Europe. *Nationalities Papers*, 35(2), 289-315. Doi: 10.1080/00905990701254367

- Council of Europe. (2001, October 22). *Report on the Preferential Treatment of National Minorities by their Kin-states*. Retrieved from [https://www.venice.coe.int/webforms/documents/?pdf=CDL-INF\(2001\)019-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-INF(2001)019-e)
- Crowder, G. (2013). *Theories of Multiculturalism. An Introduction*. Cambridge, UK; Malden, USA: Polity.
- Csergő, Z. & Liebich, A. (2019). *Kin-state engagement and minority political agency in the sphere of education*. Paper presented at the conference 'Poland's Kin-state: Opportunities and Challenges' (Warsaw, 23-24 May).
- Csergő, Z. and Goldgeier, J. (2004). Nationalist Strategies and European Integration. *Perspectives on Politics* 2(1), 21-37. Doi: 10.1017/S153759270400060X
- Defeis, E.F. (2011). Minority Protection, Bilateral Mechanisms and the Responsibility to Protect. In Kemp, W., Popovski, V. & Thakur, R. (Eds.), *Blood and Borders. The Responsibility to Protect and the Problem of the Kin-State* (63-89). Tokyo; NY; Paris: United Nations UP.
- Dumbravă, C. (2014). *Nationality, Citizenship and Ethno-cultural Belonging: Preferential Membership Policies in Europe*. Houndmills, Basingstoke, Hampshire; New York: Palgrave Macmillan
- EFHR. (2016, November 2016). *Parliament of RP amended Polish Charter*. Retrieved from: <http://media.efhr.eu/2016/11/16/parliament-rp-amended-polish-charter/>
- EURAC (host). (2020). *Episode 1: Covid-19 and Its Effects on Minorities* [Webinar]. <http://www.eurac.edu/en/research/autonomies/minrig/services/Pages/Webinars.aspx>
- EURAC. (2007). *Competence Analysis: National Minorities as a Standortfaktor in the German-Danish Border Region*. Bozen/Bolzano: EURAC.
- Harris, E. (2009). *Nationalism: Theories and Cases*. Edinburgh: Edinburgh University Press.
- Hatvany, C. (2006). Legitimacy of Kin-State Politics: A Theoretical Approach. *REGIO. A Review of Studies on Minorities, Politics, and Society*, 47-64. Retrieved from [http://epa.oszk.hu/00400/00476/00006/pdf/Regio\\_2006\\_eng.pdf](http://epa.oszk.hu/00400/00476/00006/pdf/Regio_2006_eng.pdf)
- Horváth, E. (2008). *Mandating Identity. Citizenship, Kinship Laws and Plural Nationality in the European Union*. Alphen aan den Rijn, NL: Kluwer Law International.
- Hut, P. (2019). Relations of Polish Authorities with the Polish Diaspora in the (Post-) Soviet Space. In Marczuk, K.P. (Ed.) *Good Neighbourhood Treaties of Poland. Political, Security and Social Relations* (163-77). Palgrave Macmillan.
- Jenne, E. (2018). Is Nationalism or Ethnopolitics on the Rise Today?. *Ethnopolitics* 17(5), 546-552. doi: 10.1080/17449057.2018.1532635
- Karolewski, P. (2015). The Polish Charter. Extraterritorial Semi-Citizenship and Soft Power. In Agarín, T. and Karolewski, P. (Eds.) *Extraterritorial Citizenship in Postcommunist Europe* (65-87). London; NY: Rowman & Littlefield.
- Klatt, M. (2017). Minorities as secondary foreign policy agents in peacebuilding and reconciliation? The case of Denmark and Germany. *Regional & Federal Studies* 27 (3), 239-259. Doi: 10.1080/13597566.2017.1350651
- Klatt, M. (2020). What has happened to our cross-border regions? Corona, Unfamiliarity and trans-national borderland activism in the Danish-German border region. In Wille, C. & Kanesu, R. (Eds.) *Bordering in Pandemic Times. Insights Into the Covid-19 Lockdown* (43-8). *Borders in Perspective*, 4, 43-8. Doi: 10.25353/ubtr-xxxx-b825-a20b
- Koinova, M. (2008). Kinstate Intervention in Ethnic Conflicts: Albania and Turkey Compared. *Ethnopolitics* 7 (4), 373-390. Doi: 10.1080/17449050802243384
- Kuzborska, E. (2013) The Protection of Lithuania's Polish Minority: Bone of Contention in Bilateral Polish-Lithuanian Relations. *European Yearbook of Minority Issues*, 12, 122-157.
-

- Ładykowski, P. (2018). 'National Belonging' in Legal and Diplomatic Formulas: The Pole's Card as a Legacy of Poland's Colonial Past. *Baltic Journal for European Studies* 8(2), 92-120. Doi: 10.1515/bjes-2018-0017
- Marczuk, K.P. (2019). Good Neighbourhood Treaties and Public Diplomacy: Polish Activities in Neighbouring States (2007-2014). In Marczuk, K.P. (Ed.) *Good Neighbourhood Treaties of Poland. Political, Security and Social Relations* (25-40). Palgrave Macmillan.
- Mavelli, L. (2018) Citizenship for Sale and the Neoliberal Political Economy of Belonging. *International Studies Quarterly*. doi: 10.1093/isq/sqy004
- McGarry, J. and O'Leary, B. (2013). Introduction. In Mabry, T.J., McGarry, J., Moore, M. and O'Leary, B. (Eds.) *Divided Nations and European Integration* (1-32). Philadelphia: University of Pennsylvania Press.
- Mikołajczyk, B. (2015). Historical Heritage in Contemporary Polish Law Relating to Foreigners, Immigrants & Minorities, 33 (3), 279-300, Doi:10.1080/02619288.2015.1047677
- Minority Rights Group International. (n.d.). *World Directory of Minorities and Indigenous Peoples. Belarus – Poles*. <https://minorityrights.org/minorities/pires/>
- Nowosielski, M., and Nowak, W. (2017). Między Wschodem a Zachodem – geograficzne ukierunkowanie polityki polonijnej i jego przemiany w latach 1989-2017. *Rocznik Instytutu Europy Środkowo-Wschodnie*, 15, 139-158.
- Nowosielski, M., and Nowak, W. (2018). Polish Diaspora Policy – Directions of Changes and Fields of Constants. *Spotlight. Newsletter of Centre of Migration Research* 3(3).
- OSCE High Commissioner on National Minorities (OSCE HCNM). (2020, April 21). *Streamlining Diversity: Covid-19 Measures that Support Social Cohesion*. Retrieved from <https://www.osce.org/hcnm/450433>.
- Pogonyi, S. (2017). *Extra-territorial Ethnic Politics, Discourses and Identities in Hungary*. Palgrave Macmillan.
- Polish Sejm. (2000, November 9). *Ustawa z dnia 9 listopada 2000 r. o repatriacji*. Retrieved from <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20001061118>
- 
- Polish Sejm. (2007, September 7). *Ustawa z dnia 7 września 2007 r. o Karcie Polaka*. Retrieved from <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20180001272>
- Polish Sejm. (2016, May 13). *Ustawa z dnia 13 maja 2016 r. o zmianie ustawy o Karcie Polaka oraz niektórych innych ustaw*. Retrieved from: <http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20160000753>
- 
- Polish Sejm. (2016, November 15). *Ustawa z dnia 15 listopada 2016 r. o zmianie ustawy o Karcie Polaka oraz ustawy o cudzoziemcach*. Retrieved from: <http://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20160002066>
- Saideman, S.M. and Ayres, R.W. (2015). *For Kin or Country. Xenophobia, Nationalism, and War*. NY, USA: Columbia UP.
- Sata, R. & Karolewski, I.P. (2020) Caesarean politics in Hungary and Poland. *East European Politics*, 36(2), 206-225. Doi: 10.1080/21599165.2019.1703694
- Schulze, J.L. (2018). *Strategic Frames: Europe, Russia, and Minority Inclusion in Estonia and Latvia*. Pittsburgh: University of Pittsburgh Press.

- Sendhardt, B. (2017). Theorizing the *Karta Polaka*. Debordering and Rebordering the Limits of Citizenship, Territory and Nation in the EU's Eastern Neighbourhood. *The Journal of Power Institutions in Post-Soviet Societies* 18. Doi: 10.4000/pipss.4348
- Shevel, O. (2015). Russia and the Near Abroad. *Great Decisions 2015, Topic 1*, 5-16.
- Smith, D. (2002). Framing the National Question in Central and Eastern Europe: A Quadratic Nexus? *Global Review of Ethnopolitics*, 2(1), 3-16. Doi: 10.1080/14718800208405119
- Smith, D. (2020). The "Quadratic Nexus" Revisited: Nation-Building in Estonia Through the Prism of National Cultural Autonomy. *Nationalities Papers*, 48(2), 235-250. doi:10.1017/nps.2018.38
- Szczerbiak, A. (2017) An anti-establishment backlash that shook up the party system? The October 2015 Polish parliamentary election. *European Politics and Society* 18 (4), 404-427. Doi: 10.1080/23745118.2016.1256027
- Szoszyn, R. (2019, September 26). Karta Polaka: Droga do Polski. *Rzeczpospolita*. Retrieved from: <https://www.rp.pl/Bialorus/309269893-Karta-Polaka-Droga-do-Polski.html>
- Udrea, A. (2014). A kin-state's responsibility: Cultural identity, recognition, and the Hungarian status law. *Ethnicities* 14(2), 324-46. doi: 10.1177/1468796812472145
- Vollebaek, K. (2009, June 30). *Address by Knut Vollebaek OSCE High Commissioner on National Minorities to the General Committee on Political Affairs and Security at the 18<sup>th</sup> Annual Session of the OSCE Parliamentary Assembly*. Retrieved from <https://www2.osce.org/hcnm/38120>
- Wallace, C. & Patsiurko, N. (2017) Relational identities on EU borderlands: the case of Poles in Belarus and Belarusians in Poland, *Ethnic and Racial Studies*, 40 (1), 77-95, Doi: 0.1080/01419870.2016.1201582
- Mylonas, H. (2012). *The Politics of Nation-Building. Making Co-nationals, Refugees, and Minorities*. NY, USA: Cambridge UP.
- Waterbury, M.A. (2010). *Between State and Nation: Diaspora Politics and Kin-State Nationalism in Hungary*. London: Palgrave.
- Waterbury, M.A. (2020). National Minorities in an Era of Externalization. *Problems of Post-Communism* 64 (5), 228-241. Doi: 10.1080/10758216.2016.1251825
- Weselowsky, T. (2019, September 29). Stand Up and Be Counted: Ethnic Poles in Belarus Gear Up for Census. *RFE/RL's Belarus Service*. Retrieved from: <https://www.rferl.org/a/ethnic-poles-belarus-census-remember-who-i-am/30190010.html>

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<sup>1</sup> The term 'kin-minority' refers specifically to groups which identify culturally with titular groups in another state described as a 'kin-state'. Often because of arbitrary territorial border shifts or population transfers, members of such groups and/or their ancestors became citizens of their current state against their wishes, for example as a result of the disintegration of the European empires, the peace settlements after both World Wars, and more recently the breakdown of the Soviet Union and Yugoslavia. Increasingly, however, the evolution of policies across Europe has blurred the distinction between diaspora and kin-minority groups. Poland and Hungary, the two cases widely discussed in this volume, are no exception to this.

<sup>2</sup> These were highlighted as the most important benefits of Poland's engagement with its diaspora from Scotland at the workshop 'Integration in a Transnational World: Poland, Scotland and Polish Communities Abroad' (Glasgow, 14 November 2019) which brought together representatives of the Scottish Government, practitioners and academics. The workshop was organised by the University of Glasgow and funded by the Noble Foundation Programme on Modern Poland with additional support from the College of Social Sciences of the University of Glasgow (project code 200278-01). See: <https://www.gla.ac.uk/research/az/crcees/research/kinpol/projects/>

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<sup>3</sup> On the relationship between kin-state policies and broader ‘diaspora engagement policies’, see also Sendhardt’s contribution in the current volume.

<sup>4</sup> As Erika Harris observes, nationalism – “a strategy for the attainment and preservation of political legitimacy” - always couches its claims “in the name of justice (redressed or not yet addressed) and the **‘right of the people’**”. The general aim of nationalism is that **‘the people’** be in charge of their collective identity” (Harris, 2009, p. 4).

<sup>5</sup> This is the concept coined by Rogers Brubaker, to denote states that are themselves shaped by remedial projects of addressing historic injustice towards their ‘titular’ ethno-cultural majority populations.

<sup>6</sup> On the question of responsibility for minority protection, see Udrea and Smith’s contribution to the current volume.

<sup>7</sup> See the contributions by Waterbury, Udrea & Smith and Lesińska & Héjj in this volume for detailed discussions of the normative, political and theoretical importance of Hungary’s Act LXII of 2001 on Hungarians Living in the Neighbouring Countries.

<sup>8</sup> The volume arises out of the research project ‘Poland’s Kin-state Policies: Opportunities and Challenges’, led by David Smith and Andreea Udrea at the University of Glasgow from 2018-2020 and funded by the Noble Foundation Programme on Modern Poland. See:

<https://www.gla.ac.uk/research/az/crcees/research/kinpol/projects/>.

<sup>9</sup> The Polish legislation differentiates between two categories of co-ethnics abroad: the Polish diaspora, generally referred to as *Polonia*, and the Poles living on the territory of the former Soviet Union, designated *Poles in the East* (Polacy za granicą). According to the last census in the Soviet Union from 1989, 1,126,334 Soviet citizens of Polish nationality resided there (Sendhardt, 2017). Originally, the *Poles in the East* were those who were deported to, exiled or persecuted in the Soviet Union (Preamble) and/or their descendants, and are permanent residents of Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan and the Asian part of the Russian Federation (Polish Sejm, 2000, Art 9(1)). *Karta Polaka* expands the category to include citizens of or stateless people registered in Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Lithuania, Latvia, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan (Polish Sejm, 2007, Art. 2(2)). The latest amendment of *Karta Polaka* from 16 May 2019 has further enlarged the group of beneficiaries and now includes all people of Polish descent worldwide.

<sup>10</sup> The constitutionality of *Karta Polaka* was challenged in the Supreme Court. In its ruling from 5 December 2013, the Supreme Court defined the Poles living abroad as being those who have a document which certifies their Polish citizenship as well as all foreigners of Polish ethnicity, thus removing the necessity of holding Polish citizenship to justify the trans-sovereign reach of the such legislation (Ładykowski, 2018, p. 114).

<sup>11</sup> According to the text of the Act on Polish Card, it is also neither a proof of Polish descent or citizenship (Art 7.1), nor does it entitle its holder to cross borders to or settle in Poland (Art 7.2). The Act provides a number of benefits to the card holders, including access to the labour market on a par with Polish citizens, education and cultural benefits on the territory of Poland, and access to health care. However, recent amendments from May 2016 (Polish Sejm, 2016 May 13) and November 2016 (Polish Sejm, 2016, November 15) have changed the aim of this policy by including provisions which facilitate the holders’ settlement in Poland and their access to Polish citizenship (EFHR, 2016). These amendments exempt the Polish Card holders from any consular fees regarding their applications for a national visa or citizenship, entitle those who settle in Poland to receiving cash benefits that cover their costs of living, and most importantly, facilitate their access to Polish citizenship after one year of permanent residence on the territory of Poland and upon obtaining a language certificate. For further details see Pudzianowska’s contribution in this volume.

<sup>12</sup> According to the Ministry of Foreign Affairs, between 2008 and 24 September 2019 131,770 citizens of Belarus received Polish cards (Szozzyn, 2019).

<sup>13</sup> This conference was co-organised by the School of Social and Political Sciences (University of Glasgow) and the Institute of Sociology (University of Warsaw) and funded by the Noble Foundation Programme on Modern Poland and the Institute of Sociology (University of Warsaw). See:

<https://www.gla.ac.uk/research/az/crcees/research/kinpol/projects/activitiesconferenceuniversityofwarsaw23-24may2019/>

<sup>14</sup> This blurring of policy boundaries also inspired the theme of a follow-up event to the Warsaw conference (‘Integration in a Transnational World: Poland, Scotland and Polish Communities Abroad’). See note 2 above.

<sup>15</sup> In this respect, he cites previous work by Nowosielski & Nowak (2017).

<sup>16</sup> Following Jenne, ethnopolulist movements are defined as those which ‘[propagate] narratives whereby enemies from beyond (migrants, immigrants, ethnic minorities) couple or even conspire with enemies from above (the EU, UN, IMF, ‘global elites’ or foreign powers) to undermine or even de-nationalize the nation-people’ (2018, p. 549)