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100 years of women suffrage in Poland. From the fight for political rights to gender quotas

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Abstract

In the past, the exclusion of women from the election had the sociological and cultural background. Woman's status was derived from the status of her husband. The creation of mass parties at the end of the XIXth century had turned women into attractive potential voters. At the turn of the 19th and 20th century in Polish territories, under foreign partitions, the feminist movement was just beginning. That was because the essential issue for all Polish people: both men and women, was the regaining of the independence. Polish women undertook activity in all the countries, which annexed parts of Poland, but the character and intensity of this activity depended on the character of the regime of the occupant.

The Decree of the State on the electoral law, adopted on 26 November 1918, established universal suffrage, without distinction of the sexes. Granting women unconditionally full electoral rights: active and passive (different than in other countries, when women first obtained the right to vote and later – usually after years – the right to stand for election) under the mentioned Decree in 1918, was certainly a defining and monumental historical moment. Nowadays, other factors are taken into account in deciding about equality laws: underrepresentation of women in leadership positions in politics and gender gaps, which still exist.

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Streszczenie**Sto lat praw wyborczych kobiet w Polsce. Od walki o prawa polityczne do kwot wyborczych**

W przeszłości wykluczenie kobiet z wyborów miało podłoże socjologiczne i kulturowe. Status kobiety wywodził się ze statusu jej męża. Powstanie masowych partii politycznych pod koniec XIX w. spowodowało, że zaczęto postrzegać kobiety jako atrakcyjnych potencjalnych wyborców. Na przełomie XIX i XX w. na ziemiach polskich, pod zaborami, pojawił się ruch feministyczny. Tym niemniej zasadniczą sprawą dla wszystkich Polaków, zarówno mężczyzn, jak i kobiet, było odzyskanie niepodległości. Polki podjęły działalność we wszystkich państwach, które zaanektowały część Polski, ale charakter i intensywność tej działalności zależały od charakteru utroju państwa okupującego.

Dekret o prawie wyborczym przyjęty 26 listopada 1918 r. wprowadził powszechne prawo wyborcze, bez względu na płeć. Przyznanie kobietom pełni praw wyborczych: zarówno czynnego i biernego (odmiennie niż w innych krajach, gdzie kobiety często najpierw uzyskiwały prawo głosowania, a później – zwykle po latach – prawo do kandydowania w wyborach) na podstawie wspomnianego dekretu z 1918 r., było z pewnością istotnym i przełomowym wydarzeniem. W dzisiejszych czasach inne czynniki są brane pod uwagę przy ustanawianiu przepisów dotyczących równości wyborczej: m.in. niedostateczna reprezentacja kobiet na kierowniczych stanowiskach w polityce i nierówności płci, które wciąż istnieją.

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Today women's electoral rights are something obvious. Women constitute over 1/5 per cent of the members of national parliaments around the world². But one hundred years ago it was not like that. It is considered, that New Zealand was the first self-governing country in the world in which all women had the right to vote in parliamentary elections. On 19 September 1893 the Electoral Act was passed by both Houses and became law, giving all women

² *Electoral Gender Quota Systems and Their Implementation in Europe. Update 2013*, Brussels 2013, p. 6.

in New Zealand the right to vote³. While female suffrage did not exist anywhere in 1890, by 1994 women had obtained the right to vote in 96% of the countries in the world⁴.

In the past the exclusion of women from the election had the sociological and cultural background. The political rights (among them electoral rights) had only men of the family. Woman's status was derived from the status of her husband. Besides, granting women political rights was seen as liable to change the political scene⁵. It is obvious, that the creation of mass parties at the end of the XIXth century had turned women into attractive potential voters. Even then there were much resistance against women's suffrage in European countries. Many socialist parties and other left-wing or progressive forces held an ambivalent position towards female suffrage. For illustration, in Luxemburg liberals opposed female suffrage, because they thought it would threaten their aspirations to limit the sovereign power of the Crown and the influence of the Catholic Church. On other hand, in Italy, after World War II, there was still the fear of the "Vatican's influence on women's vote"⁶. That was why women in the fight for female suffrage were unable to rely on the political-party structure system.

Some political theorists claims that we still knew remarkably little about how women had won the vote in different parts of the world. This gap in knowledge regarding women's constitutional history includes Europe⁷. When it comes to Europe, countries such as Finland (1906), Norway (1913), and Denmark and Iceland (1915) granted women the right to vote early in the 20th century. Poland undoubtedly was among such countries. The women in Union of Soviet Socialist Republics and the Netherlands granted suffrage in 1917; Austria, Czechoslovakia, Poland, and Sweden in 1918; and Germany and Luxembourg in 1919⁸.

³ See more: official webside of New Zealand's Ministry of Culture and Heritage, <https://mch.govt.nz/suffrage-125>, 10.11.2018 r.

⁴ R. Pande and D. Ford, *Gender Quotas and Female Leadership: A Review*, p. 2, https://scholar.harvard.edu/files/rpande/files/gender_quotas_-_april_2011.pdf (22.11.2018).

⁵ A. Żukowski, *Partycypacja wyborcza kobiet – wyzwania i dylematy*, Toruń 2011, p. 5.

⁶ R. Rubio-Martín, *The achievement of female suffrage in Europe: on women's citizenship*, I•CON 12 (2014), 4–34, pp. 9–10.

⁷ R. Rubio-Martín, *The achievement of female...*, p. 4.

⁸ See more: http://womensuffrage.org/?page_id=97 (10.11.2018).

It may be also noted, as an example for the staggered introduction of the electoral rights of women, that in Great Britain the problem began to attract attention when the philosopher John Stuart Mill presented a petition in Parliament calling for inclusion of women's suffrage in the Reform Act of 1867, but without success. In the same year Lydia Becker founded the first women's suffrage committee, in Manchester. In 1897 the National Union of Women's Suffrage Societies was founded. The Representation of the People Act 1918 granted women over 30, who met minimum property qualifications, the right to vote⁹. British Women were granted suffrage equal to men in 1928 under the Representation of the People (Equal Franchise Act) 1928. The age for women to vote was lowered to 21, and property qualifications reduced to the same as men¹⁰.

At the turn of the 19th and 20th century, when in most European countries organizations actively fought for women's rights, in Polish territories, under foreign partitions, the feminist movement was just beginning. That was because the essential issue for all Polish people: both men and women, was the regaining of the independence. Other issues were not so important. But it doesn't mean that the Polish politicians forgot about the women suffrage. The reality of life under foreign regimes made the active role of women obvious and necessary. One of the symbolic moments was when Polish lawyer and philosopher, Leon Petrażycki, said in Russian Parliament (Duma) in 1906: "Equality of people and a sense of justice requires equality of men and women. Those who do not understand this need good manners, not evidence". In his speech, he also stated that the interest of the state, of the society and civilization requires taking this last step – the granting of electoral rights to women¹¹. At the beginning of his speech he mentioned about the petition, signed by 4.000 persons, in which they demanded "removing the unlawfulness"¹².

⁹ Although 8.5 million women met this criteria, it was only about two-thirds of the total population of women in the UK, see: <https://www.parliament.uk/about/living-heritage/transformingsociety/electionsvoting/womenvote/overview/thevote/> (24.11.2018).

¹⁰ Ibidem.

¹¹ M. Niewiadomska-Cudak, *Walka o prawa wyborcze kobiet w Polsce*, "Pedagogika Rodziny. Family Pedagogy" 2013, No. 3(1), p. 55.

¹² L. Petrażycki, *O prawa dla kobiet*, Lviv 1919, p. 5, from: http://rcin.org.pl/Content/20810/WA004_19088_U58773_Petrazycki-O-prawa_o.pdf (24.11.2018).

The Polish suffrage movement on the beginning of the 20th century encouraged Polish women to engage in a professional or intellectual and cultural activity. In the late thirties, Adam Próchnik, described the participation of women in the Polish socialist movement and stressed that women had to become active participants in social, economic and political life¹³. Nevertheless, the issue of electoral rights was not ignored. Polish women observed the feminist struggle in the other European countries, which was the source of inspiration for them. In 1909, in the pamphlet ‘Whether woman should have the same rights as men’¹⁴ Kazimiera Bujwidowa presented two arguments for women’s suffrage. Firstly Bujwidowa noted, that in countries where, women’s suffrage had been introduced, occurred a development of such branches as family law and labour law – both beneficial for women. Secondly, she stressed that the political involvement of women caused “cultural and humanitarian” changes because of their focus on the “neglected issues” such as militarism, alcoholism and prostitution¹⁵.

Polish women undertook activity in all the countries, which annexed parts of Poland, but the character and intensity of this activity depended on the character of the regime of the occupant. In Galicia the very important day for the suffrage movement was the 19th of March 1911, when in many European cities demonstrations took place, organized by socialist circles. The participants fought for the political rights of women. Polish women took part in a great march organized in Vienna. One of them – Dorota Kłuszyńska – even delivered there a speech in Polish. During the meetings, a resolutions was adopted, calling for women’s suffrage¹⁶. The political circumstances in Galicia were rather ambivalent for the movement for women’s political rights.

Polish women also fought for their rights under the Russian regime. The women’s organizations fighting for their interests were quite active there. They enjoyed the support of some intellectuals and members of the Russian Duma,

¹³ A. Próchnik, *Kobieta w polskim ruchu socjalistycznym*, from: <http://lewicowo.pl/kobieta-w-polskim-ruchu-socjalistycznym> (24.11.2018).

¹⁴ K. Bujwidowa, *Czy kobieta powinna mieć te same prawa co mężczyzna*, Cracow 1909, <http://lewicowo.pl/czy-kobieta-powinna-miec-te-same-prawa-co-mezczyzna> (24.11.2018).

¹⁵ See: M. Krogel, *The Political and Legal Context of the Introduction of Women’s Suffrage in Poland*, “Wrocławskie Studia Erazmieńskie” 2015, t. IX, p. 511.

¹⁶ D. Kłuszyńska, *Walka o polityczne prawa kobiet (19 marca)*, cyt za: <http://lewicowo.pl/kobieta-w-polskim-ruchu-socjalistycznym> (24.11.2018).

but women living in Polish territories incorporated into Russia had a very limited right to vote. Because the censitary suffrage was in force, only several small groups of female citizens could vote, such as the owners of factories.

Women also fought and protested in Germany. On the 12th of May 1912, in Stuttgart, Rosa Luxemburg delivered a speech entitled 'The suffrage of women and the class conflict'. She claimed: 'The present mass fight of women for the affirmation of political rights is only an expression and a part of the general fight for liberation'¹⁷.

Among Polish women fighting for the electoral rights should also be mentioned: Zofia Daszyńska-Golińska (author of the pamphlet "Electoral Rights of women", issued in 1918), Paulina Kuczalska-Reinschmit (Author of pamphlet about women's suffrage, issued in 1911) and Walentyna Najdus¹⁸. The proponents of granting women broad civil rights were also men: Aleksander Świętochowski, Edward Prądzyński, Piotr Chmielowski¹⁹. Those activists strived for women to be able to vote on the same par with men, as opposed to full unconditional suffrage for women.

When it was clear that Poland would win its independence, the Provisional Government of the Republic of Poland (so-called Lublin Government, *Rząd Lubelski*), chaired by Ignacy Daszyński, issued a Proclamation of 7th of November 1918²⁰. According to this document, elections to *Sejm Ustawodawczy* had to be held, on the basis of universal suffrage: "without a gender difference" (point 4 of the Proclamation). The government also proclaimed "political and civic equality of all citizens without distinction of origin, faith and nationality, freedom of conscience, publication, speech, assembly, marches, unions, trade unions and strikes" (point 5). As we can see, the electoral rights for women and non-discrimination were one of the most important issue for the resurgent government.

The Decree of the State on the electoral law was adopted on 26 November 1918²¹. This act established universal suffrage, without distinction of the

¹⁷ About the movement for the women's suffrage on Polish territories at the turn of the XIX and XX century see more: M. Krogel, op.cit., pp. 510–513.

¹⁸ See more: A. Żukowski, op.cit., s. 6.

¹⁹ See more: M. Niewiadomska-Cudak, op.cit., s. 56.

²⁰ http://www.trybunal.gov.pl/wszechnica/akty/proklamacja_rzad_lub.htm (24.11.2018).

²¹ Dz.P.P.P. 1918, No. 18 item 46.

sexes, constituting in Art. 1, that “the voter to the Sejm is every citizen of the country without a gender difference, who until the day of announcement of the election, turned 21” and Art. 7 constituted that “elected to the Sejm may be all citizens, who are able to vote, irrespective of the place of residence, as well as the military.”

Granting women unconditionally full electoral rights: active and passive (different than in other countries, when women first obtained the right to vote and later – usually after years – the right to stand for election) under the mentioned Decree in 1918, was certainly a defining and monumental historical moment and at the same time the starting point of actions aimed at forming the legal position of women in the Second Republic of Poland. It was also one of the most important events not only in Poland, but also in the Europe of the inter-war period. It can be mentioned, that in other countries women obtained – if at all – only right to vote, which often depended on many factors: the property, marital status, education (e.g. Great Britain).

It is worth noting, that as a result of the elections to the *Sejm Ustawodawczy* in 1919 (and by-election in 1920), among 442 members of the Sejm were 8 women-members: Gabriela Balicka (*Związek Sejmowy Ludowo-Narodowy*), Jadwiga Dziubińska (*Polskie Stronnictwo Ludowe „Wyzwolenie”*), Irena Kosmowska (*Polskie Stronnictwo Ludowe „Wyzwolenie”*), Maria Moczydłowska (*Narodowe Zjednoczenie Ludowe*), Zofia Moraczewska (*Związek Polskich Posłów Socjalistów*), Zofia Sokolnicka (*Narodowa Demokracja*), Franciszka Wilczkowiakowa (*Narodowy Związek Robotniczy*). As a result of the by-election in 1920, Anna Anastazja Piasecka was elected (*Narodowe Stronnictwo Robotnicze, Polskie Stronnictwo Ludowe „Piast”*)²². Those women before being elected had been extraordinary citizens. They were very well-educated, very active in the social field, devoted to the struggle for independent Poland. In the period of the Second Polish Republic, women covered no more than 17 (Sejm of the 3rd term) seats in the Sejm, which constituted only 3.83 per cent of all members of this chamber. In the Senate, women’s participation remained at the same level – four seats, with the exception of the fourth term (six seats)²³.

²² <http://www.aan.gov.pl/art,211,prawa-wyborcze-kobiet-w-polsce> (24.11.2018).

²³ See more about the participation of women in the history of Polish Parliament: D. Lis-Staranowicz, *Kobiece oblicze wyborów parlamentarnych w Polsce. Pomiędzy przeszłością a teraźniejszością*, “*Studia Wyborcze*” 2018, No. XXV, pp. 34–37.

In the Polish People's Republic (PRL) the slogan of equality between men and women was highly promoted. Equality in the field of electoral law was guaranteed by Art. 97 of the Constitution of 1952²⁴. The statistical data for this period indicate that women included mandates with variable success. For example, in the Sejm of the 1st term (1952–1956) there were 75 women-deputies (16.89 per cent of the composition of the chamber), but in the second term (1957–1961) only 19 out of 459 deputies (4 per cent composition of the chamber). The largest number of women won the seats in the elections held in 1980 – in the Sejm of the 8th term (1980–1985) there were 115 women-deputies (25 per cent of the deputies).

The legal and actual situation of women in the sphere of electoral law did not change during the period of transition. Political and social changes initiated by the Round Table discussions did not bring any new institutional solutions strengthening the principle of equality between men and women in the sphere of electoral law. In the years 1989–1997, women embraced only from 10 per cent to 13 per cent of seats of the Sejm and from 7 per cent to 13 per cent of seats in the Senate²⁵.

The Constitution of the Republic of Poland of 2nd April, 1997, states in Art. 33 sec. 1 that men and women shall have equal rights in family, political, social and economic life in the Republic of Poland. Further, in Art. 33 sec. 2 provides, that men and women shall have equal rights, in particular, regarding education, employment and promotion, and shall have the right to equal compensation for work of similar value, to social security, to hold offices, and to receive public honours and decorations. All Polish citizens enjoying full public rights shall have a right of access to the public service based on the principle of equality (Art. 60 of the Constitution). Finally, Art. 62 sec. 1 provides, that all Polish citizens, who have attained 18 years of age, shall have the right to participate in a referendum and the right to vote for the President of the Republic of Poland as well as representatives to the Sejm and Senate and organs of local government. Other articles relate to the right to run for the Sejm, Senate, the office of the President of the Republic and the organs of local government units. It means that Polish Constitution doesn't provide for any gender quotas or parities.

²⁴ Ibidem, pp. 34–36.

²⁵ Ibidem, pp. 36–37.

Nowadays an increasing number of countries are currently introducing various types of gender quotas in public elections to reach a gender balance in political institutions. Electoral gender quotas represent one such mechanism, introduced in more than 100 countries across the world. Electoral gender quotas take two main forms: legislated quotas and party quotas. Legislated quotas (also called legal quotas) are implemented through reforms to electoral laws (sometimes constitutions), requiring that all parties nominate a certain proportion of women candidates. Party quotas (also called voluntary party quotas) are commitments made by individual political parties to include a certain percentage of their own women party members among its candidates for election²⁶. Finally, reserved seats are positions for which only female candidates can compete and are used as a more direct way of regulating the number of women in elected positions. Of the countries about 20 per cent have reserved seats²⁷.

In Poland a breakthrough in strengthening women's electoral rights was the introduction of the legislated election quotas. The first step towards such regulation was the Citizens' Legislative initiative of 20 January 2010²⁸. Finally, Poland introduced gender quotas in 2011, in newly adopted Electoral Code²⁹, in order to increase the number of women deputies. According to these regulations, the number of candidates who are women cannot be less than 35 per cent of all candidates on the list. The number of candidates who are men neither can be less than 35 per cent of all candidates on the list. If a list falls short of meeting this requirement, the electoral commission notifies the authorized person of the necessity to amend the list within 3 days. Should this fail to result in a properly structured list, the electoral commission refuses to register the entire list. It may be observed that this change had only a limited impact on women's representation – like candidates quotas in other coun-

²⁶ *Electoral Gender Quota Systems...*, p. 6. Although non-compliance with legislative or constitutional quotas can result in penalties for those political entities that do not apply them, it is not at all evident that legal gender quotas are more efficient than political party quotas in increasing the number of women in parliament; see: Li-Ju Chen, *Do Gender Quotas Influence Women's Representation and Policies?*, "The European Journal of Comparative Economics" 2010, vol. 7, p. 15.

²⁷ R. Pande and D. Ford, *op.cit.*

²⁸ Doc. No. 2713/kad.VI.

²⁹ Dz.U. No. 02, item 21.

tries. The Polish election confirms that ‘favorable’ electoral laws provide opportunities for women, but they cannot guarantee that women will be elected.

In conclusion, returning to the beginning of women’s electoral rights in Poland, it is worth to point out four factors that made – in the opinion of Maciej Krogel expressed in his article – the introduction of women’s suffrage in Poland possible³⁰. Firstly, it was the involvement of Polish women in the fight for acknowledgment of their political rights under the regimes of occupiers. Secondly, the concentration of power in the first months of independence. The Author underlines, that it was much easier to acknowledge liberal suffrage by small, quite homogenous group of decision-makers than by large body, as parliament. Thirdly, the factor of the great importance was the socialist background of a large part of Polish political elites. The demand for women’s suffrage became also one of the requests of the pro-independence movement. Last but not least factor, which helped to enforce the women’s political rights, was the significance of parliamentarianism and political liberties in the building of independent Polish institutions. A reference to the tradition of parliament and tolerance in the was very important to the state’s identity of Poland. Such provisions were also necessary in the light of the ethnic diversity in society.

Nowadays, other factors are taken into account in deciding about equality laws: underrepresentation of women in leadership positions in politics and gender gaps, which still exist³¹. Quotas are deemed to be an effective way of quickly, above-average increasing women’s political representation.

Literature

Bujwidowi K., *Czy kobieta powinna mieć te same prawa co mężczyzna*, Kraków 1909, <http://lewicowo.pl/czy-kobieta-powinna-miec-te-same-prawa-co-mezczyzna>.

Chen L., Li-Ju Chen, *Do Gender Quotas Influence Women’s Representation and Policies?*, “The European Journal of Comparative Economics” 2010, vol. 7.

³⁰ M. Krogel, op.cit., pp. 519–510.

³¹ As of January 1st 2015 only five countries in the world had 50 percent or more women in ministerial positions (Finland, Cape Verde, Sweden, France, Liechtenstein), Female Resentation in politics and the Effect of Quotas, Database 68, CESifo DICE Report 4/2015 (December), p. 65.

- Kłuszyńska D., *Walka o polityczne prawa kobiet (19 marca)*, <http://lewicowo.pl/kobieta-w-polskim-ruchu-socjalistycznym>.
- Krogel M., *The Political and Legal Context of the Introduction of Women's Suffrage in Poland*, "Wrocławskie Studia Erazmiańskie" 2015, t. IX.
- Lis-Staranowicz D., *Kobiecte oblicze wyborów parlamentarnych w Polsce. Pomiedzy przeszłością a terażniejszością*, "Studia Wyborcze" 2018, No. XXV.
- Niewiadomska-Cudak M., *Walka o prawa wyborcze kobiet w Polsce*, "Pedagogika Rodziny. Family Pedagogy" 2013, No. 3(1).
- Pande R., Ford D., *Gender Quotas and Female Leadership: A Review*, https://scholar.harvard.edu/files/rpande/files/gender_quotas_-_april_2011.pdf.
- Petażycki L., *Oprawa dla kobiet*, Lviv 1919, http://rcin.org.pl/Content/20810/WA004_19088_U58773_Petrażycki-O-prawa_o.pdf.
- Próchnik A., *Kobieta w polskim ruchu socjalistycznym*, <http://lewicowo.pl/kobieta-w-polskim-ruchu-socjalistycznym>.
- Rubio-Martín R., *The achievement of female suffrage in Europe: on women's citizenship*, I•CON 12 (2014).
- Żukowski A., *Partycypacja wyborcza kobiet – wyzwania i dylematy*, Toruń 2011.