

Why Now?

Poland's 2020 Law on Compensation for Victims of Deportations to the Soviet Union

On August 14, 2020, the Polish government passed the “Law on Compensation for Victims of Deportations to the Soviet Union,” also known as the Law on Deportees.¹ This law extends a pre-existing legal framework by compensating victims who were not previously compensated through the 1991 Law on Veterans and Victims of Repression.² The 2020 law targets *Sybiraks* (*Sybiracy*) — Polish citizens deported to the U.S.S.R.—including but not limited to Siberia (*Sybir*)—between 1939 and 1956 and held in Soviet NKVD (and later MVD) internment camps, prisons, correctional labor camps, and penal colonies (gulags) for political, religious, or national reasons. The law provides a new, one-time cash payment of about 200 PLN per month of imprisonment with a minimum payment of 2,400 PLN. The average person who served a 5-year sentence would receive 12,000 PLN.³

The scale of deportations is contested for several reasons. Although most deportation occurred between 1939 and 1956, some continued through the 1980s. NKWD records released after the fall of the Soviet Union account for 320,000 Polish citizens and 15,000–200,000 deaths, but these numbers are likely underestimations since they do not include the 100,000–200,000 Polish citizens sentenced to work in the Soviet interior nor casualties following release from prison due to starvation, exhaustion, and disease. Most historians estimate between 1–1.2 million people were deported from Poland to the Soviet Union, of whom 30 percent died in exile or en route.⁴

Sybiraks are often assumed to have been Polish Catholics—hence the reference to persecution for “religious and national reasons”—but the group is quite heterogenous. Pre-World

War II Poland was multinational and multi-confessional. About one-third were national minorities, such as Byelorussians, Czechs, Germans, Jews, Lemkos, Lithuanians, and Ukrainians. Additionally, Soviet ideology targeted people primarily based on class, such as the bourgeoisie, landed gentry, rich serfs, townspeople, and clergy. Although Poles constituted the majority and dominated the state administration, armed forces, judiciary, intelligentsia, professional class, and other groups deemed “enemies of the state,” other groups were also deported.⁵

The passage of the 2020 Law on Deportees provokes several questions: Why was it necessary to pass a second law recognizing victims of Soviet repression? Why was it passed in 2020—almost three decades after the 1991 law? Why was it delayed? On the other hand, what kept it on the political agenda for so long? Finally, what factors contributed to its eventual passage? To explore these questions, this study conducted research in two stages. First, this study included a descriptive legislative analysis drawing on primary and secondary sources. The evolution of the legislative framework exposed important junctures, turning points, controversies, and actors. Next, a thematic qualitative textual analysis was conducted.⁶ The analysis includes the 2020 law, the 2021 amendment, earlier drafts of bills proposed in 2009 and 2013, transcripts of the surrounding parliamentary debates, legal opinions and analyses, voting records, and other materials from the Archives of the Sejm.⁷ The goal is not theory testing but theory development. Qualitative textual analysis draws upon existing theory to explain an outcome, treating prior theoretical knowledge as “sensitizing notions” that help the researcher perceive the significance and relevance of observations, while remaining open to confirming, challenging, or extending existing theory or constructing new theories and hypotheses based on novel or anomalous observations. In this way, it employs abductive analysis.⁸

The timing of the 2020 Law on Deportees was shaped by “brakes” and “accelerators.” “Brakes” held back the passage of the bill and included obstacles such as financial constraints, uncooperative Russian foreign policy, and the bill’s low prioritization relative to other legislative projects—especially a more comprehensive law granting compensation for victims of political repression. “Accelerators” added momentum to the legislative project, whether in the form of supportive preconditions, incremental advances toward slow but steady progress, or changing circumstances that generated a sense of urgency. Accelerators include a pre-existing legal framework, German foreign policy, EU norms and laws, broad support across the political spectrum, social solidarity, incremental allocations given financial constraints, the persistence of civil society organizations, and generational turnover.

Theories on the Temporality of Transitional Justice

The scholarly literature on the determinants of transitional justice is vast, spanning many decades. A synthetic literature review published by Helga Welsh identified thirteen major factors determining whether and when transitional justice occurs, representing both ‘the weight of the past’ and ‘the politics of the present’: the degree of political repression, the role of the state security apparatus, the mode of transition, the political forces linked to the old regime, the polarization of the political landscape, the institutional setting, contagion effects across societal sectors, value orientations, external events, cross-national diffusion effects, and international law. Subsequent research analyzed these factors using diverse methods such as single case studies, comparative case methods, surveys, interviews, ethnographies, large-N quantitative analyses (spatial analyses, rare events logistic regression, and time series analysis), rational choice theory, and discourse analysis.⁹ Most attention is paid to the presence or absence of transitional justice, with less attention given to its temporality.

The timing of initial transitional justice measures has been attributed to political party competition, relative power, the pre-existence of other transitional justice mechanisms, and diffusion.¹⁰ Public opinion also plays a crucial role, waxing and waning over time and shaping the political context in which transitional justice occurs.¹¹ Some transitional justice measures seem to have built-in “expiration dates.” Trials become moot when perpetrators pass away, and reparations are usually awarded to direct victims, not descendants, who want justice within their lifetime.¹²

As for the duration of transitional justice measures, Helga Welsh posited that legal-administrative procedures, such as trials, vetting, and restitution, tend to be short-term and target specific groups, whereas truth-telling measures such as truth and reconciliation commissions, public forums, and public education efforts take priority over time and convey history lessons that shape historical and political identities as part of a national narrative with long-term implications.¹³ Even after transitional justice measures and laws are passed, scholars have observed memory contests resurface and new measures and laws pass.¹⁴ Aleks Szczerbiak’s single case study of Poland attributed the delay, initiation, revision, and gutting of lustration laws to the politics of the present (including political scandals, corruption, political party competition, and security concerns), increased institutionalization in the form of lustration courts and the Institute for National Remembrance, the broader political discourse, rulings of the Constitutional Court, and public support or indifference.¹⁵

Additionally, supranational actors can support or constrain state-sponsored programs. For example, legal rulings of the European Court of Human Rights and the Venice Commission were initially supportive of lustration but eventually criticized it, creating a limited window of opportunity. Restorative justice could go on indefinitely, but not retributive justice.¹⁶ This shows

that mechanisms matter. An investigation into the dynamics of specific mechanisms is necessary for a more nuanced understanding of their temporality.

Finally, Jan Kubik and Michael Bernhard argue that the timing, duration, resurgence, and transformation of memory contests in the political field ultimately depends on the presence or absence of mnemonic warriors, and that memory will continue to be politicized until the last mnemonic warrior has left the scene.¹⁷ Importantly, mnemonic actors include both individuals and institutions such as civil society organizations, national historical research institutes (especially those involved with transitional justice), historical museums, and more. Institutions may, for example, launch their own initiatives or lobby officials to condemn communism and honor its victims.¹⁸

Overall, the literature on the temporality of transitional justice is insightful but uneven on two counts. First, broad claims about “transitional justice” are based on one or a few mechanisms. Research on transitional justice in post-communist Europe focuses overwhelmingly on lustration, file access, historical justice and sometimes trials, but little is known about reparations. (The paucity of research on reparations in post-communist Europe may be due to the complexities of multi-level governance in the European Union and protracted reparations programs.) Meanwhile, the literature on reparations tends to focus on the Americas and Africa, resulting in case selection bias in large-N statistical analyses and other comparative research.

Research by Horne (2020) and Welsh (2006) suggests that the type of mechanism matters.¹⁹ For example, retributive justice and legal-administrative matters tend to be short term in comparison to truth-telling measures and reparative justice. Hence, more research is necessary to understand the specific dynamics of the various mechanisms, and in particular the dynamics of reparations in the context of European Union member states. This article partly fills the gap. It

provides a theory-informed, descriptively rich single-case study explaining how a wide range of factors contributed to the passage of the 2020 law at precisely that moment in time. It contributes to a body of case studies that can be used for future comparative analysis on the temporality of reparations.

The Legal Framework for Compensation for Polish Deportees to the Soviet Union

The 2020 Law on Deportees added to a pre-existing legal framework regulating repatriation, property restitution, and compensation. The first repatriation law passed on January 20, 1920²⁰ dealt with the first wave of Polish repatriates following the end of World War I. It is unclear exactly how many Polish repatriates existed in the 1920s since there was no single, clear definition of a repatriate and since the USSR tried to block Poles from leaving. Following the end of Stalinism, a second wave of Poles repatriated from the U.S.S.R., Western Europe, and America in the 1950s and 1960s. In 1962, another law was passed that passed defined repatriates and regulated their citizenship.²¹ Following the political transformations of 1989 and the ensuing third wave of repatriation, a law was passed in 1997 granting repatriation visas to ethnic Poles repatriating from the Soviet Union.²² Finally, a fourth law was passed in 2000 that offered social assistance.²³ This was followed by an amendment in 2003.²⁴

Between 2001 and 2012, 4,778 repatriates entered Poland, comprising 16 percent of all immigrants (30,299). The state initially budgeted 39,480,000 PLN in 2001 to assist repatriates and gradually scaled back to 9,066,000 PLN by 2012.²⁵ Repatriates could receive reimbursement of travel expenses, a settlement allowance equal to twice one's salary, a school allowance for minor children equal to one's monthly salary, free courses in Polish language and social adaptation, and subsidies to employers to incentivize hiring repatriates.²⁶

Despite generous funding, obstacles remained. First, the laws targeted repatriates from

Asia while ignoring those from other former Soviet states, such as Ukraine.²⁷ Additionally, applicants were required to supply documentation proving Polish roots, but this was often lost, confiscated, destroyed, or otherwise unavailable due to the historical context surrounding deportations.²⁸

Property restitution and compensation for property lost due to changes to Poland's eastern border is regulated by the Kodeks (the Polish legal code) and has been ongoing since at least 1980. To be eligible for compensation, applicants must show: 1) the property was located on the former territory of Poland; 2) the owner was a Polish citizen on September 1, 1939; 3) the property was one's place of residence on September 1, 1939; 4) proof of citizenship; and 5) a description of the circumstances surrounding eviction from the property.²⁹ The historical circumstances surrounding property loss can make the process daunting.

Jan Wittlin describes a wide range of circumstances which complicate claims.³⁰ Before World War I, eastern Poland was governed by two empires with two different legal regimes and systems of property tenure and documentation. Between 1914–1939, eastern Poland was devastated by war and fell under the control of the Russian empire followed by the Red Army, complicating citizenship and records. Poles who lost citizenship also lost the right to compensation. Once the Polish state was formed, those who lived outside its borders had a short window of opportunity to re-settle within its border, show proof of Polish roots, or apply for citizenship before a 1938 law definitively deprived them of citizenship. During the Second World War, Poland was tossed between the U.S.S.R. and Germany. Between 1939–1941, eastern Poland was absorbed into the Belarusian Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic, and all residents became de facto citizens of the USSR. Between June 1941–July 1944, eastern Poland fell under the control of the Third Reich; Nazis seized the property of

Jews and deported them as well as others. Ethnic conflict between Poles and Ukrainians in Wołyn resulted in the massacre of many Poles while others fled for their lives. Between July 1944–August 1945, a second Soviet occupation was accompanied by repressions and mass deportations. By 1944, the USSR took over much of Eastern Poland, this time dividing it among the Belorussian Soviet Socialist Republic, the Ukrainian Soviet Socialist Republic, and the Lithuanian Soviet Socialist Republic. This resulted in population transfers. Taken together, these circumstances created a complex labyrinth for those seeking documentation of citizenship, proof of residency, property titles, and the like.

As Grażyna Skąpska explains, property restitution had its “winners” and “losers.”³¹ Powerful groups could advocate for their interests while others were left empty-handed. The “winners” included people whose property in the eastern territories was confiscated by the USSR and *who could show documentation proving ownership*; the Catholic church; peasants who bought property after a 1944 land reform law but before collectivization and who could take back their property after 1989 when collectivization was declared illegal; Polish citizens living in Poland who could access the Polish court system to advocate for themselves; and individuals with the time and money to pursue their claims through administrative and legal procedures.³²

Other groups fell through the cracks. People who owned property considered ‘abandoned’ at the time of collectivization were not compensated, including those who were displaced or exiled during the war and afraid to return to Poland for fear of being persecuted or killed as ‘traitors,’ ‘spies’ or ‘enemies of the state’ such as Lemkos, Ukrainians, and members of the Polish Army and the Polish Underground Army.³³ Also excluded were those who emigrated to Germany during the Communist period and who were forced to sell property at low prices set by

the state, such as Silesians, Mazurians, Ermlanders, and Kaszubians.³⁴ Finally, Jewish religious communities faced stiff local resistance to property restitution.³⁵

Despite these hurdles, about 100,000 persons applied for property compensation between December 31, 2008 and 2019, of whom 75,066 received compensation totaling 4,565,813,907.57 PLN.³⁶ The average amount of compensation slowly increased over time from 42,000 in 2011 to 56,000 in 2014 and 61,000 PLN in 2019.³⁷

Finally, the pre-existing legal framework made provisions for war veterans and victims of Soviet oppression. As early as 1982, veterans and prisoners of German concentration camps were entitled to supplements to pensions and first priority for social services and health care.³⁸ Building upon this basic principle, the January 24, 1991 Law on Veterans and Victims of Oppression During the War and Post-War Period (Law on Veterans)³⁹ offers supplements to pensions, early retirement, privileges in social services and healthcare, and discounts on energy and transportation costs to veterans of the Polish anti-Nazi resistance, victims of Nazi and Soviet occupation, those who resisted the post-war installation of communism or Stalinist persecution, and victims of pacifications of demonstrations in Poznań in June 1956 and the Baltic coast in December 1970. It specifically covers those held in Soviet labor camps, penal colonies, prisons, and other sites under the supervision of the Supreme Board of NKVD (and later MVD) Corrective Camps and Colonies (GULAG) as well as persons forcibly deported to the Soviet interior. It covers the period of 1944–1956 despite the continuation of deportations through the 1980s. Although there was pressure to extend the timeframe to 1989, this was ultimately handled by amending the Law on Rehabilitation and Compensation.

The February 23, 1991 Law on the Annulment of Sentences of People Repressed for Activism for an Independent Polish State (Law on Rehabilitation and Compensation)⁴⁰ annulled

sentences of political prisoners who acted on behalf of Polish independence and farmers who resisted collectivism between 1944-1956. It included those who were convicted without a sentence and survivors of the deceased. It also made provisions for property restitution and symbolic commemorations for victims. In 1991, costs were contained by limiting the period to 1944–1956 and excluding human rights activists. However, the law was amended in 2007 to cover the entire period from 1944 to 1989. It initially capped compensation at 25,000 PLN⁴¹ for post-1956 victims of oppression but allowed unlimited compensation for pre-1956 victims and families of the deceased. On March 1, 2011, the Constitutional Court ruled the cap was unconstitutional and amounts should be calculated on a case-by-case basis according to harm done. Finally, the May 31, 1996 Law on People Deported to Perform Forced Labor and Inmates of Forced Labor Camps in the Third Reich and the Union of Soviet Socialist Republics⁴² offers a modest supplement to pensions prorated according to the number of months of forced labor.

Hence, the legal framework for deportees was an eclectic patchwork of various laws offering some form of reparative justice to many but not all. On July 8, 2020, the Sejm's Bureau of Analysis issued an assessment stating as much. It clarified that the 2020 Law on Deportees, unlike the 1991 Law on Veterans and Victims of Oppression, was not a social policy designed to address various social ills stemming from past oppression (e.g. poverty, disability, illness, unemployment, etc.) nor would it be limited to those met income eligibility requirements. Rather, it was meant as an expression of gratitude to all deportees, regardless of their current socioeconomic or health status. For their part, legislators insisted the compensation was not meant to pay damages—for no amount of money could repair the harm done—but rather, it was a symbolic gesture from the state offering recognition and respect.

Sources and Methods

Digital documents were available from the Archives of the Sejm of the Republic of Poland.⁴³ The central text is the Act of 14 August 2020 on financial benefits for persons deported by the authorities of the Union of Soviet Socialist Republics.⁴⁴ Other key texts include the “Report of the Social Policy and Family Committee on the Government's bill amending the Act on Providing for War and Military Invalids and Their Families and the Act on Cash Benefits for Persons Deported to Forced Labour and Imprisoned in Labour Camps by the Third Reich and the Union of Soviet Socialist Republics”⁴⁵ and transcripts of the surrounding parliamentary deliberations held on October 21, October 23, and December 2, 2009; transcripts of parliament’s first reading held on October 11 and October 23, 2013, second reading held on July 16 and July 22, 2020, and third reading held on July 14, 2020, as well as deliberations over suggested edits (documents 548 and 560) held on August 24, 2020. Finally, statements from the Supreme Court and the National Bank of Poland (NBP), an impact assessment from the Sejm’s Office of Analysis (document 452) and voting records were consulted.

This study analyzed these documents using thematic qualitative textual analysis.⁴⁶ The procedures were as follows:

1. Conduct a close reading of the texts, highlighting key passages, making annotations and writing notes and memos to record observations and reflections.
2. Develop the main thematic categories by employing abductive analysis,⁴⁷ drawing on knowledge of the theoretical literature while remaining open to observations that did not fit existing theoretical frameworks.
3. Code the data using the main categories.

4. Group together all the text passages belonging to the same main categories. Code sub-categories within the main categories or, on the other hand, merge smaller categories into a larger category. Determine whether any categories are extraneous.
5. Re-code documents using the new coding system to (re-)organize categories of thought.
6. Synthesize and summarize the results.

In keeping with qualitative textual analysis methodology, reading was for comprehension, not quantification. Software was not used for processing the text; all coding, annotations, memos, notes, etc. were done by hand.

Explaining the Timing of Poland's 2020 Law on Deportees

This section identifies the major factors, processes, and arguments shaping the timing of the law based on archival material documenting the chronology of the legislative project and the debates surrounding it. These factors include legislative politics, value orientations, international relations with the European Union, Russia, and Germany, financial constraints, non-governmental organizations and civil society, and demographic shifts.

Table 1: Factors Shaping the Timing of the 2020 Law on Deportees		
	Brakes	Accelerators
Institutional		Pre-existing legal framework
Legislative Politics	Low priority relative to other legislative projects	Broad support across the political spectrum
Values and Ideas		Social solidarity
International Relations	Uncooperative Russian foreign policy	EU norms and laws, German foreign policy
Financial Constraints	Financial limitations	Incremental allocations
Civil Society Organizations		Association of Sybiraks
Demographic Shifts		Aging and declining population of beneficiaries

Legislative politics partially explain both the passage of the law and its timing. First, the legislative project enjoyed near-unanimous support across the political spectrum. The only point of contention was how, not whether, to arrange for compensation and in what amount; over the course of the project, the amount dropped from an initial estimate of 500 PLN per month of exile to 200 PLN. Still, no one opposed the basic premise of the law, and it was ultimately approved by a vote of 440 in favor and only 3 opposed. A value orientation toward social solidarity undergirded this consensus. All political parties across the spectrum expressed sympathy, solidarity, and respect for the victims. They framed compensation as a symbolic gesture of social solidarity and honor for the dignity and memory of the victims. This overwhelming consensus across the political spectrum is significant because it challenges the assumption that transitional justice is driven by political party competition linked to the post-communist cleavage.⁴⁸ No division was apparent in this case, perhaps because the perpetrator was a foreign country, the Soviet Union.

Despite this consensus, the 2020 law was stalled for over a decade. It was originally proposed in 2009 but it was put on the backburner to prioritize other legislative projects. Some legislators wanted to overhaul the 1991 law to cover more victim groups instead of passing a new law that only incrementally supplemented the 1991 law. This debate came up in 2009 and 2013, but they decided to go forward with an interim stop-gap measure and sent the bill to the Committee on Social Policy and Family. The bill got stuck in committee as legislators turned their attention to the more comprehensive 2015 Law on Victims of Repression. After the 2015 Law was passed, attention returned to the bill thanks to the advocacy of local associations. In 2018, President Duda promised to fast-track it, and the bill finally entered into force in 2020.

International relations also played an important role. EU laws and norms, Russian foreign policy, and German foreign policy influenced Polish lawmakers. For example, two rulings by the European Court of Justice in 2008 required the Polish government to extend benefits to Polish citizens living in other EU member states as well as the spouses of deportees. Polish legislators were eager to comply and initiated the legislative project in 2009. In fact, the Polish government had already begun diplomacy with Russia as early as 1993, arguing that Russia, not Poland, was morally responsible for paying compensation. However, after years of unsuccessful negotiations, they were forced to acknowledge that Russia was unlikely to pay. On January 7, 2013, Undersecretary of State in the Ministry of Foreign Affairs Katarzyna Pełczyńska-Nałęcz sent a letter to Stanisław Sikorski, Secretary General of the Main Board of the Association of Sybiraks (*Związek Sybiraków*) updating him on the disappointing results of diplomatic negotiations up to that point. The Undersecretary explained that her Russian counterparts insisted all decisions be made on a case-by-case basis according to a Russian law that only made provisions for those imprisoned or detained in psychiatric hospitals who had been rehabilitated in Russia by judicial authorities. This represented only a small fraction of victims since the overwhelming majority had no court verdicts, which prevented them from pursuing rehabilitation. Additionally, any compensation would be very small and require a lot of bureaucratic effort. The Ministry of Labor also pursued the issue but did not receive a positive response. Ultimately, the Polish government decided that if compensation were to be paid, the Polish government would have to pay it.⁴⁹

Unlike Russia, Germany took responsibility for the war crimes of the Third Reich and arranged compensation for Polish citizens. This created a precedent and instilled hopes that Russia would follow suit. When it did not, an untenable inequality between victim groups emerged: Whereas victims of the Third Reich received compensation, victims of Soviet

aggression did not. MP Joanna Frydrych, representing Platform Obywatelska, advocated for the law in part to resolve this unequal treatment.⁵⁰

Financial constraints are an inevitable factor shaping compensation laws. Without funding from Russia, all costs would have to be born by the Polish state treasury. Financial limitations favored a pragmatic approach of extending benefits to new groups gradually over time through a patchwork of laws rather than one comprehensive law. Undersecretary of State in the Ministry of Labor and Social Policy Marek Bucior described this approach explicitly when asked whether the government should simply pursue a more comprehensive law instead of a series of narrower laws such as this one. He explained that the state treasury could not afford a more comprehensive approach, so he allocated money for new categories of victims as funding permitted.⁵¹ Indeed, the 2020 Law on Deportees was passed partly because the estimated cost—300 million PLN—was considered reasonable.⁵² The deputy introducing the bill, Krzysztof Jurgiel (PiS), assured legislators that the law would not seriously impact the budget.⁵³

Finally, two other factors shaped the timing of the 202 Law: civil society mobilization and demographic shifts. The Association of Sybiraks played a crucial role in keeping this issue on the political agenda over many decades. Its members reached out to their representatives, provided information on the number of potential beneficiaries and their decline, and participated in consultations. Generational turnover added a sense of urgency but lowered the financial cost. The law would have to be passed ‘now or never’ if victims were to receive anything in their lifetimes. By the second reading of the bill in 2020, the estimated number of eligible beneficiaries had fallen to 22,000, and the Association of Sybiraks estimated that their numbers fell by about 10 percent each year. At the same time, a reduced number of beneficiaries also meant reduced costs, making the passage of the law increasingly feasible.

Table 2. Estimated Number of New Beneficiaries and Total Costs by Year		
Year	Beneficiaries	Total Cost⁵⁴
2009	35,000	966 million PLN
2013	24,500	716 million PLN
2020	22,000	300 million PLN

Conclusion

In conclusion, the passage of the 2020 Law on Deportees was shaped by many factors: a pre-existing legal framework upon which to build, legislative politics that supported but delayed the bill, a shared sense of social solidarity with the victims, international relations with the European Union, Russia, and Germany, financial constraints, grassroots activism by non-governmental organizations representing a community of memory, and an aging population of potential beneficiaries. These findings are broadly consistent with the theoretical literature, but the passage of time impacted the significance of these factors. For example, Russia's unwillingness to pay loomed larger over time in conjunction with generational turnover, pushing the Polish government to act before it was too late. On the other hand, political party competition, particularly the post-communist cleavage, did not seem to play a decisive role since all parties supported the law. Meanwhile, actors above and below the state such as the European Court of Justice and local associations played a pivotal role in galvanizing legislative action. Finally, this case study shows the importance of financial considerations: the state remembers those it can afford to remember, even if this means assuming the financial responsibility of a neighbor who would prefer to forget.

ENDNOTES

¹ Dz. U. 2020 poz. 1428.

² Dz. U. 1991 Nr 17 poz. 5.

³ This amounts to a monthly payment of approximately 44 USD in 2020 and an average total payout of 2,650.48 USD.

⁴ Andrzej Friszke, *Polska: Losy Państwa i Narodu 1939 – 1989* [Poland: The Fate of the State and the Nation] (Warsaw: Iskry, 2003): 30.

⁵ Friszke, 27.

⁶ Udo Kuckartz, *Qualitative Text Analysis: A Guide to Methods, Practice & Using Software*.

⁷ Archives of the Sejm of the Republic of Poland, available at:

www.sejm.gov.pl/sejm10.nsf/page.xsp/archiwum, accessed 1 June 2024.

⁸ Stefan Timmermans and Iddo Tavory, “Theory Construction in Qualitative Research: From Grounded Theory to Abductive Analysis,” *Sociological Theory*, 30, 3 (2012).

⁹ Helga A. Welsh, “Dealing with the Communist Past: Central and East European Experiences After 1990,” *Europe-Asia Studies*, 48, 3 (1996).

¹⁰ Kieran Williams, Brigid Fowler, and Aleks Szczerbiak, “Explaining Lustration in Central Europe: A ‘Post-Communist Politics’ Approach,” *Democratization* 12, 1 (2005): 22-43; Helga A. Welsh, “Beyond the National: Pathways of Diffusion” in *Post-Communist Transitional Justice: Lessons from Twenty-Five Years of Experience*, ed. Lavinia Stan and Nadya Nedelsky (Cambridge: Cambridge University Press, 2015): 81; Kathy L. Powers and Kim Proctor, “Victim’s Justice in the Aftermath of Political Violence: Why Do Countries Award Reparations?” *Foreign Policy Analysis*, 13 (2017): 797.

¹¹ Welsh, “Dealing with the Communist Past”; Eva-Clarita Pettai, “Delayed Truth: Latvia’s Struggles with the Legacies of the KGB,” *Cultures of History Forum* (July 22, 2019), DOI: 10.25626/0101.

¹² John Elster, “Introduction” *Retribution and Reparation in the Transition to Democracy*, ed. John Elster (Cambridge, Cambridge University Press, 2006):11; Aviezer Tucker, “Rough Justice,” in *Retribution and Reparation in the Transition to Democracy*, ed. John Elster (Cambridge: Cambridge University Press, 2006): 282; Tyler Cowen, “How Far Back Should We Go? Why Restitution Should Be Small,” in *Retribution and Reparation in the Transition to Democracy*, ed. John Elster (Cambridge, Cambridge University Press, 2006): 17-32.

¹³ Helga A. Welsh, “When Discourse Trumps Policy: Transitional Justice in Unified Germany,” *German Politics*, 15, 2 (2006): 137 – 152.

¹⁴ Welsh, “Dealing with the Past”; Eva-Clarita Pettai and Vello Pettai, *Transitional Justice and Retrospective Justice in the Baltic States* (Cambridge, UK: Cambridge University Press, 2015).

¹⁵ Aleks Szczerbiak, “Explaining Late Lustration Programs: Lessons from the Polish Case,” in *Post-Communist Transitional Justice: Lessons from Twenty-Five Years of Experience*, ed. Lavinia Stan and Nadya Nedelsky (Cambridge: Cambridge University Press, 2015): 51-70.

¹⁶ Cynthia M. Horne, “Transitional Justice and Temporal Parameters: Built-In Expiration Dates?” *International Journal of Transitional Justice* 14 (2020): 544–565.

¹⁷ Jan Kubik and Michael Bernhard, “A Theory of the Politics of Memory,” in *Twenty Years After Communism: The Politics of Memory and Commemoration*, ed. Michael Bernhard and Jan Kubik (Oxford University Press, 2014), p. 11-14.

¹⁸ Pettai and Pettai, *Transitional Justice and Retrospective Justice in the Baltic States*.

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- ¹⁹ Cynthia M. Horne, “Transitional Justice and Temporal Parameters: Built-In Expiration Dates?”; Helga A. Welsh, “When Discourse Trumps Policy: Transitional Justice in Unified Germany.”
- ²⁰ Dz.U. nr 7, poz. 45.
- ²¹ Dz.U. nr 10, poz. 49.
- ²² Dz.U. nr 114, poz. 739.
- ²³ Dz.U. nr 106 poz. 1118.
- ²⁴ Katarzyna Szymańska-Zybertowicz, “Organizacje społeczne i pozarządowe oraz lokalne społeczności wobec repatriantów” [“Non-governmental organizations and Polish repatriation policy”], in *Repatrianci i polityka repatriacyjna* [Repatriates and Repatriation Policy], eds. Paweł Huta and Łukasz Żołądka, Studia BAS Warsaw: Biuro Analiz Sejmowych Kancelaria Sejmu, 2, 34 (2013): 179-180; Dz. U. nr 175, poz. 1691.
- ²⁵ This amounts to roughly 5,964,954.86 USD in 2001 and 1,776,746.23 USD in 2012.
- ²⁶ Mateusz Sora, “Repatriacja do Polski po 1990 r. – uwarunkowania prawne, skala przyjazdów, obszar osiedlenia” [“Key statistics on repatriation to Poland”], in *Repatrianci i polityka repatriacyjna* [Repatriates and Repatriation Policy], eds. Paweł Huta and Łukasz Żołądka, Studia BAS Warsaw: Biuro Analiz Sejmowych Kancelaria Sejmu, 2, 34 (2013), 10.
- ²⁷ Szymańska-Zybertowicz, “Organizacje społeczne i pozarządowe oraz lokalne społeczności wobec repatriantów” [“Non-governmental organizations and Polish repatriation policy”], 181.
- ²⁸ Mateusz Sora, “Repatriacja do Polski po 1990 r. – uwarunkowania prawne, skala przyjazdów, obszar osiedlenia” [“Key statistics on repatriation to Poland”], 19.
- ²⁹ Jan Wittlin, *Mienie Zabuzzańskie: Realizacja prawa do rekompensaty* [Property Beyond the Bug River: Exercising the Right to Compensation] (Warsaw: Wolters Kluwer, 2019), 103.
- ³⁰ Jan Wittlin, *Mienie Zabuzzańskie: Realizacja prawa do rekompensaty* [Property Beyond the Bug River: Exercising the Right to Compensation], 31-65.
- ³¹ Grażyna Skąpska, “Paying for Past Injustices and Creating New Ones: On Property Rights Restitution in Poland as an Element of the Unfinished Transformation,” *Legal Institutions and Collective Memories*, ed. Susanne Karstedt (Portland, OR: Hart Publishing, 2009), 263-277.
- ³² Ibid. 273-279.
- ³³ Ibid. 264-265.
- ³⁴ Ibid. 265.
- ³⁵ Ibid. 277.
- ³⁶ Jan Wittlin, *Mienie Zabuzzańskie: Realizacja prawa do rekompensaty* [Property Beyond the Bug River: Exercising the Right to Compensation], 294. The total amount was approximately 994,805,680.38 USD in 2019.
- ³⁷ The average total amount of compensation per beneficiary increased from approximately 8,051.52 USD in 2011 to 11,297.65 USD in 2014 and 13,287.70 USD in 2019.
- ³⁸ Frances Millard, *Transitional Justice in Poland: Memory and the Politics of the Past* (London, UK: I.B. Tauris, 2021), 39.
- ³⁹ Dz. U. nr 17, poz. 75.
- ⁴⁰ Dz. U. nr 34, poz. 149.
- ⁴¹ This amounted to about 2,900 USD in 1991.
- ⁴² Dz. U. nr 87, poz. 395.
- ⁴³ Archives of the Sejm of the Republic of Poland, available at: www.sejm.gov.pl/sejm10.nsf/page.xsp/archiwum, accessed 1 June 2024.

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- ⁴⁴ Ustawa z dnia 14 sierpnia 2020 r. o świadczeniu pieniężnym przysługującym osobom zesłanym lub deportowanym przez władze Związku Socjalistycznych Republik Radzieckich.
- ⁴⁵ Sprawozdanie Komisji Polityki Społecznej i Rodziny o rządowym projekcie ustawy o zmianie ustawy o zaopatrzeniu inwalidów wojennych i wojskowych oraz ich rodzin oraz ustawy o świadczeniu pieniężnym przysługującym osobom deportowanym do pracy przymusowej oraz osadzonym w obozach pracy przez III Rzeszę i Związek Socjalistycznych Republik Radzieckich.
- ⁴⁶ Udo Kuckartz, *Qualitative Text Analysis: A Guide to Methods, Practice & Using Software*.
- ⁴⁷ Stefan Timmermans and Iddo Tavory, "Theory Construction in Qualitative Research: From Grounded Theory to Abductive Analysis."
- ⁴⁸ Mirosława Grabowska, *Podział Postkomunistyczny: Społeczne Podstawy Polityki w Polsce po 1989 Roku* [*Post-Communist Cleavage: The Social Foundations of Politics in Poland after 1989*] (Warsaw: Wydawnictwo Naukowe Scholar, 2004).
- ⁴⁹ Sprawozdanie, session 51, October 11, 2013, pt. 25, p. 390, 398.
- ⁵⁰ Sprawozdanie, 14 session, July 16, 2020, pt. 3, p. 36.
- ⁵¹ Session 52, October 21, 2009, pt. 10, p. 65.
- ⁵² This amounted to about 66,126,365.02 USD in 2020.
- ⁵³ Session 51, October 11, 2013, pt. 25, p. 391.
- ⁵⁴ Total costs were roughly 176,537,965.55 USD in 2009, 142,083,973.08 USD in 2013 and 66,126,365.02 USD in 2020.