

How Poland's Solidarity won freedom of association

Through 9 years of dramatic struggle, Solidarity and its supporters held firmly to no compromise on the basic right to form independent and self-governing unions

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In the summer of 1980, a trade union strike committee, initially representing workers in some 20 state-run enterprises in the Gdansk region on Poland's Baltic coast, debated for days the formulation of a series of demands—most of them beyond the province of local authorities—to make on the Communist Polish government. The final list, posted in the huge Lenin Shipyard in Gdansk, contained 21 demands. The first was the most important:

Recognition of the Free Trade Union, independent of the Party and employers, based on Convention 87 of the International Labor Organization, referring to the freedom to form trade unions, which has been ratified by the Polish People's Republic.¹

The regional Interenterprise Strike Committee, which soon was popularly called *Solidarity*, had other important demands, including increases in wages and benefits, recognition of the right to strike, union access to the media, and release of political prisoners—none of them as sensitive as the one for the right of unions to exist independent of the state-party apparatus. The cry for freedom of association for workers had been heard before in Communist Poland, but never as resonantly as from Gdansk and other industrial centers in August of 1980.

Faced with a series of sit-in strikes in Gdansk and elsewhere in the country, the government quickly bowed to Solidarity's request not only for the appointment of a high-level government negotiating team but also for Gdansk rather than a Warsaw ministry as the negotiating site. The two sides talked on the Lenin Shipyard equivalent of a stage: a large room with one wall forming a glass partition, on the other side of which hundreds of workers and dozens of Western reporters watched, while thousands of shipyard workers outside listened to the proceedings

broadcast over loudspeakers.

Throughout the negotiations and the long struggle that followed—first for legalization and then for survival underground—Solidarity and its allies were unyielding on the primary demand, freedom of association. At home and abroad, Solidarity heard doubts expressed about the wisdom of this tenacity. In August 1980, even some of its own advisors, hastily summoned from Warsaw to bolster its negotiating team, thought the demand for freedom of association was too far-reaching, one that a Communist government could never live with, and that, therefore, it was worth trading for less radical reforms. The committee rejected the idea.

The Gdansk Accord

The defiant mood of the workers in Gdansk and elsewhere, as well as a divisive crisis in the uppermost ranks of the ruling Communist Party (known as the Polish United Workers' Party) made the government representatives at Gdansk, headed by a Deputy Prime Minister, extremely anxious to settle. They quickly agreed to a very generous wage increase and other concessions in the hope that these would satisfy the strikers. The government negotiators also promised reforms of the party-dominated Central Council of Trade Unions (CRZZ), as it was then called, to make it more responsive to workers, but Solidarity held firm for its central demand.

Finally, on August 31, the two sides signed the historic Gdansk Accord. On the accord's first page, the government pledged to "guarantee and ensure complete respect for the independence and self-government of the new trade unions,"² and reinforced that pledge with other language, for example, basing the creation and operation of the new unions on guarantees

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found not only in International Labor Organization Convention 87 on the freedom of association, but also in ILO Convention 98 on the right to organize and to bargain collectively. (Both conventions had been ratified by Poland.)

The official name of the new organization (in English) became the Independent Self-Governing Trade Union Solidarity, or NSZZ Solidarnosc for short in Polish. Originally, it was to be called a "free trade union," after the term used in earlier Baltic coast organizing attempts and in the first item on the Gdansk strike committee's list of demands, but this wording was dropped after a government official said that the word "free," as part of the Western labor world's terminology, might irritate Soviet authorities.³ Craftily, Solidarity chose a name that is actually more explicit.

No matter what its name, the existence of Solidarity, even apart from the mass following it attracted, challenged the hegemony of Poland's state-party establishment, including its labor arm. As Jacek Kuron, a leading Solidarity advisor, has pointed out, a Communist state like Poland asserts the right to a monopoly on organization, information, and decisionmaking in a nation, and bases that right on the claim that, as a workers' state, it alone is the legitimate representative of workers.⁴ Thus, it would have been painful for the government to sign a document that unequivocally violated its basic tenet.

After trying unsuccessfully to keep Solidarity within a "reformed" labor organization and, thereby, within the party fold, government negotiators switched to a face-saving formula. Both sides agreed to a subordinate clause "recognizing that the Polish United Workers' Party play the leading role *in the state*" [emphasis added].⁵ Solidarity's interpretation of the compromise emphasized the last three words, "in the state," that is, the party did indeed have a leading role, but a restricted one that did not embrace "civil society," the network of autonomous bodies (including unions) outside the state's jurisdiction—a distinction heretical to the regime.

The ambiguous language removed the last roadblock to the emergence of the first officially recognized free trade union movement in the Communist world. Not everyone in Solidarity was happy with the compromise. In a Gdansk hall where workers learned of this and related language in the new agreement, a furious dispute broke out over whether Lech Walesa, the strike committee chairman, and their other representatives had betrayed the workers by approving a concession that could continue Communist control of worker organizations. The revolt ended only after Walesa got up on a table and spoke forcefully: "Listen, we're going to have our own building, with a large sign over

the door saying INDEPENDENT SELF-GOVERNING TRADE UNIONS."⁶

Fight for recognition

The agreement at Gdansk (and a less-publicized one at Szczecin on the East German border) became a pattern for settling strikes and near strikes throughout the country. Leaders of local founding committees of independent unions—35 at the start—moved swiftly to deal with organizational issues. Little more than 2 weeks after the signing at Gdansk, they agreed to apply jointly for official registration as NSZZ Solidarnosc. They established a new national coordinating commission, unanimously choosing Walesa as chairman. They formalized a structure along regional lines, lines that contrasted sharply with that of the official party-dominated central trade union council. Following the model of the U.S.S.R. labor organization, the Polish state-labor organization had its membership divided into branches by industrial sectors—the metal industry, railways, and so on—all subordinate to a Warsaw top echelon nominated and controlled by the party. By contrast, Solidarity's regional structure grouped members geographically from all kinds of occupations, blue collar and white collar. The local origins of its leaders in the regional structure gave visible proof for the "self-governing" claim of its name. Furthermore, in the thinking of its lead-

Solidarity chronology

Aug. 14, 1980	Workers at Lenin Shipyard in Gdansk launch sit-in strike, triggering strikes elsewhere
Aug. 31, 1980	Government signs Gdansk Accord providing for freedom of association
Sept. 24, 1980	Solidarity files registration application in Warsaw court
Oct. 24, 1980	Court imposes unacceptable condition on registration of Solidarity
Nov. 10, 1980	Supreme Court registers Solidarity
September-October 1981	Solidarity holds national congress in two sessions between September 5 and October 7
Dec. 13, 1981	"State of war" (martial law) declared forcing Solidarity underground
Oct. 8, 1982	Parliament formally delegalizes Solidarity
November 1984	Regime sets up national organization of officially sponsored unions (OPZZ)
April/May and August 1988	Two major strike waves cause government to agree to hold "round-table" talks with Solidarity
Apr. 5, 1989	Government and Solidarity sign agreement to restore union's legal status and to hold elections for a new parliament
Apr. 17, 1989	Warsaw court restores Solidarity's legal status
June 4 and 18, 1989	Solidarity-endorsed slate wins all but 1 of 261 parliamentary seats it was allowed to contest

ers, the regional structure would serve as a shield against the party's asserting its traditional "leading role."⁷ Meanwhile, the regime held on to its own ideas.

Compared to the speed with which Solidarity was adapting itself to the new situation, the large bureaucracy of the state-party-industrial complex dragged its heels in implementing many points in the Gdansk accord, thereby causing mounting doubts about the government's sincerity. Not surprisingly, the first major conflict flared over Solidarity's legal recognition as a trade union, which in Poland requires judicial approval.

A Warsaw judge took a month of reflection and consultation to announce his decision on Solidarity's application. He was willing to approve the registration, but only with a condition unacceptable to Solidarity: altering Solidarity's constitution by inserting words paying deference to the "leading role" of the Polish United Workers' Party. In his autobiography, Walesa writes that Solidarity saw this action "as an indication that the independent and self-governing trade unions were to be subject to the control of party officials: in other words, that we were back where we started."⁸

In reaction to the decision, Solidarity threatened a nationwide protest strike for November 12. There was no doubt that it could carry out the threat. Once again, in private talks with Solidarity, the government worked out a face-saving formula which allowed Solidarity to be registered by the Supreme Court on November 10, 1980: The objectionable words were removed from the body of the constitution, but seven paragraphs excerpted from the beginning of the Gdansk Accord—including the words about the party's leading role—were added as an appendix.

The prolonged controversy contributed to a growing polarization, although, as later became known, the government had already secretly been making plans for a military crackdown.⁹ Disputes, major and minor, local and national, were so numerous that Walesa was on the road almost constantly over a 13-month period. His travels stopped abruptly in December 1981.

Ominously, Poland's Communist neighbors, at a Warsaw Pact summit meeting in Moscow early that month, assured the Polish government of "fraternal solidarity and support" in overcoming its "present difficulties."¹⁰ A week later, on December 13, 1981, the Polish Prime Minister, General Wojciech Jaruzelski, imposed a "state of war" (equivalent to martial law). As part of a well-planned takeover that required months of secret preparations, the military arrested almost all of Solidarity's top leaders, including Walesa, and shut down all their offices. Subsequently, in

October 1982, the Polish Parliament rubber-stamped the dissolution of Solidarity, and opened the way to the confiscation of its property a short time later.¹¹

After forcibly reasserting the regime's monopoly, leaders of the state-party apparatus sought mightily to win popular support. Defensively, they justified the suppression by painting Solidarity as a hopelessly radical threat to the nation. At the same time, they took the offensive with conciliatory tactics that authoritarian regimes often employ to woo public opinion after brutal repression.

They made concession after concession, over the months and years that followed, often on demands they had previously rejected. They allowed the official and nonofficial press a degree of freedom unmatched in the Communist world. They sharply relaxed travel restrictions to the West. They permitted an expansion of private enterprise in a few selected areas of the service sector. They granted new privileges to the Catholic Church, Solidarity's ally. They set up consultative bodies, designed to appear as caring hands of a regime reaching out to the population. They increased the wages and benefits of the workers. They even dangled before Walesa the possibility of a top job, such as the presidency of the government-sponsored labor organization. Later, they allowed Walesa to travel within the country, while monitoring his every move.

The Communist leaders even tolerated the gradual proliferation of new private groups of all kinds outside the party's control, but drew the line when it came to self-organization of workers. The government steadfastly refused to recognize Solidarity or even to dignify it by having an official meeting with its representatives.

With Solidarity pushed underground, its activists persecuted, and a new state-party labor arm (now called the Polish Trade Union Alliance, OPZZ) established in Solidarity's old offices in November 1984, even some West European labor leaders thought it wise to "face reality." Their visits to Warsaw conferred respectability on the new labor organization and lent credibility to the government line that Solidarity, after providing an interesting phase in Polish history, was now dead, and that it made no sense for foreigners to try to give support to a movement that no longer existed. The government spokesman, Jerzy Urban, repeatedly scoffed at foreign press interest in Lech Walesa and Solidarity by calling him "the former leader of a former trade union."¹²

Support from Western countries

From its birth, and continuing in its days of adversity, Solidarity received vigorous support

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from the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). Lane Kirkland, AFL-CIO president, was scheduled to lead a fraternal delegation to Solidarity's first national congress in September 1981, but, shortly before his planned departure, he learned that the Polish government had refused to grant visas. In his speech, read to the congress in his absence, Kirkland lauded Solidarity for its pioneering, and declared:

Freedom of association, of assembly, and of expression are the indispensable means by which the people of each nation can decide for themselves which forms of social and economic organization are most appropriate to their needs, their traditions, and their aspirations. Respect for workers' rights does not automatically flow from any economic system. It humanizes all economic systems.¹³

Though barred from Poland then and again in 1987, the AFL-CIO was able to demonstrate its solidarity with Solidarity, most concretely by assuring a stream of financial contributions, from its own resources and from special appropriations that it helped obtain from the U.S. Congress.

To the regime's great discomfort, the "Polish Pope," John Paul II, added his moral prestige to Solidarity's cause. In an encyclical letter (titled "On Human Work") distributed worldwide in September 1981, John Paul restated the moral case for trade unions and specifically called for "new movements of solidarity of the workers and with the workers."¹⁴ (He spelled solidarity with a small "s" but used it 10 times just to get his point across.) That did not prevent the imposition of martial law, but, in heavily Catholic Poland, the Pope's words, as well as photographs of Walesa and the Pope in friendly conversation, lent a powerful legitimacy to the Solidarity movement.

Blunter guidance came from a world leader not known as a union crusader, Britain's Prime Minister Margaret Thatcher, who visited Poland in early November 1988. At a state banquet in Warsaw, she turned to General Jaruzelski and, after referring to his plans for reforming Poland's badly ailing economy, said:

You will only achieve higher growth, only release greater enterprise, only spur people to greater effort, only obtain their full-hearted commitment to reform, when people have the dignity and enjoyment of personal and political liberty, when they have the freedom of expression, freedom of association, and the right to form free and independent trade unions.¹⁵

Although Solidarity was still officially outlawed, Thatcher visited Solidarity leaders in Gdansk, placed flowers at a Solidarity monument just outside the Lenin Shipyard, and, with

Walesa at her side, told a throng of 5,000 Poles: "Nothing can stop you."¹⁶

The most important element in turning events around in Poland was the firm, continuing loyalty of Poland's workers toward Solidarity. In April and May and in August 1988, two waves of strikes and demonstrations, the second larger than the first, all demanded that the government restore freedom of association by allowing Solidarity to operate openly. Once again, in the Lenin Shipyard in Gdansk, a thousand workers surrounded by riot police chanted: "There is no freedom without Solidarity."

Another strong pressure on the Polish regime was the refusal of the United States, other Western nations, and international agencies to grant debt-ridden Poland much-needed economic assistance unless it first called off its war on Solidarity. As a result, General Jaruzelski, putting his own job on the line to overcome opposition within the party, finally agreed to "round-table" talks with Solidarity. After 2 months of dialog, the two sides, on April 5, 1989, signed a series of accords, almost 400 pages long, covering sweeping political and economic reforms.¹⁷ In the key reform, the regime recognized Solidarity—and without any provisos about the party's "leading role." Solidarity supporters sang the national anthem, "Poland Is Not Yet Lost," in a Warsaw courtroom April 17 after a three-judge panel officially restored the movement's status as a legal entity.¹⁸

Political role

In the earlier Gdansk Accord, Solidarity had willingly stipulated that it would not "play the role of a political party." Its leaders felt they had enough to do building up a trade union movement—a view that pleased and reassured the party at that time. But, facing the realities of 1989, the party reversed itself. Now the regime needed Solidarity. In the round-table talks, it was the regime that pressed a political role on Solidarity. As the price for reinstating its legal status, Solidarity agreed to a limited amount of powersharing, including participation in the quasi-free June 1989 parliamentary elections, where it captured all but 1 of the 261 seats it was allowed to contest.

Why, some asked, didn't Solidarity take advantage of the worsening crisis by edging the Communist Party completely out of power? For one thing, such a strategy probably would have tipped Poland into an abyss of chaos and violence. In its long struggle, Solidarity had deliberately hewed to a policy of nonviolence; it was only the military regime that had resorted to violence, including killings, and it still had the power to order tanks out on the streets.

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More fundamentally, as Jacek Kuron explained to a Washington conference of the National Endowment for Democracy in May, a totalitarian regime is "an artificially created system," and destroying it overnight simply "creates a new system that is artificial," since there is no institutional infrastructure sufficiently developed to replace it. "A democratic revolution must be done in a gradual process."¹⁹

As an example of this approach in the labor field, Solidarity, while waging vigorous organizing campaigns against its government-sponsored rival, has not demanded its suppression. In fact, in the April Accords, Solidarity had to swallow the government's insistence that the state labor organization keep buildings and other assets confiscated from Solidarity. However, the government pledged to help find scarce office space for Solidarity's local, regional, and national units. Further, the government agreed to reinstate some 50,000 Solidarity activists fired from their jobs during and after martial law and to reinstate Rural Solidarity, also previously outlawed.

New challenges

Solidarity's triumph creates new challenges for it. It must cope with an entrenched Communist bureaucracy of 900,000 privileged members. Like unions in similar circumstances elsewhere, it must strive to mesh its union program with that of its "Labor Party," the members of parliament who won election on the Solidarity-endorsed ticket. It faces increased competition from a newly aggressive state labor organiza-

tion, which in the round-table talks opportunistically pressed hard for wage indexation at 100 percent of the inflation rate, whereas Solidarity accepted 80 percent. At the same time, Solidarity will have to temper the exaggerated expectations of its constituents while resisting the excessive zeal of economic reformers advocating belt-tightening measures for labor. Organizationally, in order to deal effectively with economic issues that cross geographic borders, Solidarity will have to adapt a structure that is essentially regional to one that is also sectoral. A move in that direction has already begun with the creation of a nonregional union for hospital workers.

Solidarity expects its ranks to grow from the May level of 1 million to around 8 million, but not at the rapid pace of the heady 1980-81 era. The mood today is less euphoric, partly because of worries that the Communist regime could once again break a solemn agreement. Still, Solidarity quickly made strides not believed possible a few months earlier, the most publicized of which was its overwhelming success in the June parliamentary election.

Timothy Garton Ash, author of the *Polish Revolution: Solidarity* and one of the most perceptive writers on Poland in the English language, revisited the country this spring, and after observing how Solidarity was thriving in the new air of freedom, wrote: "I have to pinch myself to make sure I'm not dreaming."²⁰ Tempering his awe, he added that the "great adventure" on which Poland has embarked is "perilous,"²¹ among other reasons because the country's new-found freedom remains dependent on the restraint of those in Moscow (and Warsaw) who still control the guns and tanks. □

Footnotes

¹ Lech Walesa, *Lech Walesa: A Way of Hope* (Henry Holt, 1988), p. 131.

² Harold D. Nelson, ed., *Poland: A Country Study* (Washington, American University, 1983), p. 419.

³ Denis MacShane, *Solidarity: Poland's Independent Trade Union* (Spokesman, 1981). Though limited to Solidarity's premartial law life, this book is the best source in English on Solidarity as a trade union.

⁴ Jacek Kuron in a talk at the National Endowment for Democracy conference in Washington, May 1, 1989.

⁵ Nelson, *A Country Study*, p. 419.

⁶ Timothy Garton Ash, *Polish Revolution: Solidarity* (New York, Charles Scribner's Sons, 1983), p. 65.

⁷ Walesa, *Lech Walesa*, p. 142; and the author's interview with a Solidarity official in May 1989.

⁸ Walesa, *Lech Walesa*, p. 162.

⁹ Leszek Kolakowski, Western representative of the Polish Independent Committee for Culture, Science, and Education, in a talk May 18, 1988, at conference sponsored by the National Endowment for Democracy. (See *The Challenge of Democracy*, National Endowment for Democracy report, p. 18.)

¹⁰ Warsaw Pact communique quoted in Timothy Garton Ash, *Polish Revolution*, p. 99.

¹¹ Walesa, *Lech Walesa*, p. 12.

¹² Lawrence Weschler, *The Passion of Poland* (New York, Pantheon, 1984), p. 185.

¹³ AFL-CIO press release, Sept. 25, 1981.

¹⁴ John Paul II, *On Human Work* (Washington, U.S. Catholic Conference, 1981), p. 19.

¹⁵ Jackson Diehl, "Thatcher Tells Polish Leader: More Liberty," *The Washington Post*, Nov. 4, 1988, p. A1.

¹⁶ Jackson Diehl, "Poles Cheer Thatcher During Visit to Gdansk," *The Washington Post*, Nov. 5, 1988, p. A14.

¹⁷ News Release, 131, Solidarity coordinating office, Brussels, dated April 1-15, 1989.

¹⁸ *The Washington Post*, Apr. 18, 1988.

¹⁹ Jacek Kuron in a talk at the National Endowment for Democracy conference in Washington, May 1, 1989.

²⁰ Timothy Garton Ash, "Revolution: The Springtime of Two Nations," *The New York Review*, June 15, 1989, p. 3.

²¹ *Ibid.*, p. 8.