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More than Informal Institutions? A Typology-Based Analysis of Constitutional Conventions¹

Miloš Brunclík²

Abstract

This article focuses on a longstanding yet undertheorized concept in political science: constitutional conventions. Traditionally distinguished from laws by their lack of legal enforceability, recent scholarship has challenged this dichotomy, suggesting that conventions can acquire characteristics typical for formal legal rules. By integrating constitutional conventions into institutionalist theory, this article addresses two research questions: Are constitutional conventions only informal institutions? How are they related to constitutional texts? To answer these questions, the article proposes two original typologies. The first classifies conventions by their degree of formalization and sanctioning mechanisms, illustrating how they may evolve along a continuum from purely informal to increasingly formal institutions. The second typology reflects the relationship between constitutional conventions and constitutional texts, distinguishing between interpretative, gap-filling, modifying, and contradicting conventions. Using these typologies, the article argues that conventions are neither homogeneous nor purely informal institutions, but rather diverse and dynamic rules placed along the formal–informal continuum. In general, the article highlights political science's (through institutional theory) distinctive capacity to analyze conventions as evolving elements of constitutional governance.

Keywords: institutional theory; constitutional conventions; normative institutionalism

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² Miloš Brunclík, Institute of Political Studies, Faculty of Social Sciences, Charles University. U Kříže 8, 158 00 Praha 5. Czech Republic. E-mail: milos.brunclik@fsv.cuni.cz. ORCID: 0000-0003-2170-1650. I would like to express my sincere gratitude to the anonymous reviewers whose careful reading of my original manuscript and thoughtful comments fundamentally helped improve the quality of the text. I am also grateful to all the participants of the TICS (Transition, Identity and Civil Society) seminar, organised by Dalarna University, held on 8 December 2022 in Tällberg, Sweden — in particular to Jenny Åberg and Mats Öhlén — whose insightful remarks inspired me to connect the study of constitutional conventions with institutional theories.

1. Introduction

Despite their enduring presence in constitutional practice and legal discourse, constitutional conventions remain undertheorized within political science. This neglect can be traced to the concept's origins in legal scholarship, which traditionally conceptualized conventions negatively, as non-legal, 'mere conventions' unenforceable by courts (cf. Dicey, 1915, p. lxvi).¹ The longstanding dominance of this formalist legal perspective has marginalized constitutional conventions, treating them as supplementary practices relevant only insofar as they clarify or supplement codified provisions. This legalist bias results in a lack of conceptual frameworks for systematically analyzing conventions as operative rules in political life.²

The concept later migrated to political science, where institutionalist theories developed tools for analyzing both formal and informal institutions as factors shaping political life (Helmke & Levitsky, 2004; Peters, 2019). This analytical toolkit makes political science better equipped to theorize constitutional conventions not as marginal curiosities, but as integral components of constitutional governance with tangible effects on political behavior and institutional functioning.

This article builds on this premise, seeking to integrate constitutional conventions into the institutionalist theoretical framework, where they have so far received limited attention. To this end, the article addresses two interrelated research questions. First, are constitutional conventions solely informal institutions? The article challenges the prevailing assumption that conventions are inherently informal, arguing instead that many exhibit a level of institutional embeddedness exceeding their supposedly informal status. To do so, the article presents a typology of constitutional conventions based on their degree of informality. Second, how do constitutional conventions function in relation to constitutional texts? The article proposes a typology based on this functional relationship. This framework is then used to reassess their theoretical classification within institutional theory.

Rather than proposing new theories, the article argues that existing institutionalist tools (Peters, 2019) are sufficient for comprehending conventions, provided they are applied with greater nuance. The article proceeds as follows. The next section outlines the methodological approach and justifies the use of empirical examples. This is followed by a conceptual clarification of constitutional conventions. The subsequent section situates conventions within institutional theory, drawing on normative (March & Olsen, 1989) and informal institutionalist perspectives (Lauth, 2015; Helmke & Levitsky, 2004).

The core of the article presents two typologies addressing conventions' degree of formalization and their functional relationship to constitutional texts. The concluding section integrates these findings, reflects on their theoretical implications, and suggests directions for future research.

2. Methodological approach

The methodological approach of this article is based on conceptual analysis and theory development through a critical engagement with existing literature. The article employs a qualitative, interpretive methodology, systematically reviewing key works from both the constitutional theory tradition and various strands of institutionalism, benefiting mainly from normative institutionalism. The article is a theoretical one. At the same time, it is completed with several empirical examples. Rather than using these examples for systematic hypothesis testing, illustrative cases serve to clarify the conceptual distinctions within the typologies presented. In other words, in line with the article's conceptual-analytical approach, the empirical examples included in the analysis demonstrate the plausibility and practical relevance of the proposed typologies, and to concretize the diversity of constitutional conventions in different constitutional settings. These examples are not intended to generate generalizable empirical conclusions or to function as case studies in a strict comparative sense. Instead, they are selectively drawn from a range of constitutional systems to exemplify how conventions can occupy different positions along the spectrum of formality and informality, thereby supporting the argument that constitutional conventions should not be uniformly classified as informal institutions. In the same way, examples are used to illustrate a variety of ways constitutional conventions can be related to constitutional text. The inclusion of these examples reflects a common practice in theory-oriented literature, where illustrative instances help clarify abstract conceptual distinctions and their role in this article is thus integrative and explanatory, without claiming systematic empirical generalization.

3. Defining constitutional conventions

The concept of constitutional conventions has garnered significant scholarly interest since Albert Venn Dicey's seminal work, first published in 1885 (Dicey, 1915). While Dicey is often credited with conceptualizing constitutional conventions, the scholarly tradition of contemplating conventional rules predates his work (see Phillips, 1966). Given the distinctive nature of the English constitution, characterized by its non-codified and traditional attributes (e.g., Loughlin, 2016), it is unsurprising that constitutional conventions have played a central role in the English political system.

A long tradition of scholarly research on constitutional conventions can be observed in countries following the Westminster system (e.g., Wheare, 1966). Beyond the UK (e.g., Chand, 1938; Marshall, 2001), conventions have been addressed in Australia (e.g., Killey, 2014), Canada (e.g., Forsey, 1984; Heard, 1991; 2012), and the USA (Horwill, 1925; Vermeule, 2015). They have also been analyzed

in other Western countries: France (e.g., Avril & Gicquel, 1989; Bell, 1992), Germany (Taylor, 2014), and the Netherlands (e.g., Vetzo, 2018), as well as in recent years in post-communist democracies (Brunclík et al., 2023; Hájek, 2023; Káčer, 2022; Vincze, 2020; Antoš & Horák 2024).

The relevance of constitutional conventions varies across countries, depending on constitutional design and democratic experience. Still, this brief literature review shows that conventions play some role in many systems, underlining the need to frame them within a coherent theoretical framework.

Many scholars have made attempts to define constitutional conventions, often drawing inspiration from Dicey (1915) or Jennings (1959). While these definitions vary in detail and emphasis, there is a substantial degree of overlap in the core characteristics scholars attribute to constitutional conventions. This article adopts the following four characteristics as its analytical framework, as they represent the most commonly shared and analytically relevant features identified in the literature. At the same time, some occasionally suggested but contested characteristics (such as the requirement that conventions must always evolve over time or that they necessarily fill legal gaps) are deliberately excluded from the article, as they lack consistent endorsement across the comparative literature and are not essential to the institutional analysis pursued in this article.

Firstly, heavily influenced by Dicey's legalistic framing of the concept that laid the groundwork for the enduring assumption of conventions as informal, many scholars commonly treat explicitly or implicitly conventions as informal institutions (Lauth 2015, p. 62; cf. March & Olsen, 1984; Helmke & Levitsky 2004, p. 728). Indeed, conventions are usually treated as non-legal rules, i.e., typically not enforced by courts, nor do they emerge from the legislative process or judicial decisions (e.g., Dicey, 1915: cxi-cxli; Maley, 1985; Jaconelli, 2005). Instead, constitutional conventions have a political origin.

Secondly, they regulate powers and relations between constitutional institutions, excluding ceremonies within constitutional institutions and internal party procedures from the scope of constitutional conventions (e.g., Heard, 2005, 1989; Jaconelli, 1999).

Thirdly, they are based on normative justification (cf. Jennings, 1959, p. 136) and linked to constitutional principles and values (e.g. Heard 1989).³

Finally, they are accepted as generally binding rules (*opinio iuris*), with breaches leading to criticism and pressure to conform (e.g. Heard, 2005; Galligan & Brenton, 2015, p. 8).

Despite this substantial body of scholarly literature, political science has rarely attempted to integrate constitutional conventions into institutionalist theory in a systematic way. Typically, conventions have been treated as peripheral or idiosyncratic features of specific constitutional settings rather than as institutions with broader practical and theoretical significance. As said above, this article addresses that gap by examining constitutional conventions through

the conceptual lens of institutionalism, particularly by rethinking their assumed informality and theorizing their relationship with formal constitutional texts.

4. Constitutional conventions and institutionalism

Institutional theory, employed not only by political science, can effectively integrate the concept of constitutional conventions, commonly referred to as institutions (e.g., Sarigil, 2015; Pejovich, 1999; cf. Helmke & Levitsky, 2004). Institutionalism is a general approach to the study of political institutions as crucial (but not the only) elements of contemporary governance. Institutionalism offers a variety of perspectives encompassing alternative conceptualizations of what an institution is, how it functions, changes, and how it relates to individuals and the extent to which it shapes individual behavior (Peters 2016; 2019; Koelble, 1995). This article employs two strands of institutional theory that are particularly useful in grasping constitutional conventions. First, the article uses what Guy Peters labels as ‘normative institutionalism’ (Peters, 2019), also known as ‘sociological institutionalism’ (Peters, 2016), an approach largely formulated by the founders of ‘the new institutionalism’, James March and Johan Olsen (1984; 1989). Second, the concept of informal institutions (Peters, 2019; Helmke & Levitsky, 2004) is used, which provides useful lenses through which constitutional conventions can be examined.

Constitutional conventions are generally understood as institutions (e.g. North 1990; Lauth 2015). An institution can be defined as ‘a norm or set of norms that have a significant impact on the behavior of individuals’ (North, 1990, p.3). For contemporary scholars, an institution is not necessarily a formal structure. Instead, they understand institutions as ‘collections of interrelated rules and routines that define appropriate actions in terms of relations between roles and situations’ (March & Olsen, 1989, p. 160).⁴

For many authors, sanctions for not complying with the rules are important. For example, rational choice tends to explain following the rules because of the external sanctioning mechanisms (social discrimination or loss of status, arrest, etc.) (cf. Peters 2019, chapter 3). However, even if sanctions are a defining feature of institutions, they may not be the only reasons why individuals follow institutions. Normative institutionalism assigns a central role to norms and values within institutions. In contrast to rational-choice theories, normative institutionalism assumes that people are not atomistic individuals maximizing their personal utility within institutions that permit, prescribe, and proscribe specific types of actions but rather members of collectives complying with and responding to the values of the institutions to which they belong (cf. Peters, 2019, p. 31). They argue that political behavior is ‘constrained and dictated by cultural

dicta and social norms. Although self-interest undoubtedly permeates politics, action is often based more on discovering the normatively appropriate behavior than on calculating the return expected from alternative choices' (March & Olsen, 1984, p. 744). Institutions possess a significant degree of legitimacy that compels their members to behave in ways that may contradict their own self-interest.⁵

The idea of appropriate behavior is central to March and Olsen, who build their understanding of institutions on the 'logic of appropriateness' as opposed to the 'logic of consequentiality' (March & Olsen, 2011).⁶ In line with this perspective, political behavior is 'driven by rules of appropriate or exemplary behavior, organized into institutions' (March & Olsen, 2011, p. 478), and not by thinking about what consequences their behavior will bring to members of institutions (cf. Peters, 2019, p. 35; Sarigil, 2015). In other words, behaving appropriately means that individuals internalize specific norms of the institutions and proceed within institutionalized practices and routines that are – in their respective institutions – collectively seen as good, reasonable, legitimate, etc. (see also Lauth, 2015, p. 58).

The logic of appropriateness clearly bears overtones of morality, but appropriate behavior of an institution may not always be recognized as generally fair, just, and morally acceptable. Indeed, the logic of appropriateness may, in extreme cases, dictate corruption or violence, including ethnic cleansing and blood feuds (cf. Helmke & Levitsky, 2004; Rose & Peiffer, 2018; Lauth, 2015, pp. 62–63). Still, the morality aspect is relevant to constitutional conventions. After all, A. V. Dicey (1915) referred to constitutional conventions as 'constitutional morality' (Dicey, 1915, p. cxli and 270; see also Bell, 1992, p. 58). Indeed, societal norms are of key importance to constitutional conventions as they reflect important constitutional values and principles (Marshall, 2001, p. 9; for details, see also Heard, 1989). Again, the norms constrain the behavior of individual politicians and officeholders and compel them to act in a way that may not necessarily maximize their personal utility. As J. Jaconelli put it, '...the central idea behind constitutional conventions is the notion that they bind those who occupy for the time being the relevant offices of state, regardless of whether they have agreed to them or not' (Jaconelli, 1999, p. 41).

This institutionalist framing highlights constitutional conventions as institutions grounded in shared norms, social expectations, and the logic of appropriateness rather than in formal legal rules or external sanctions alone. Yet, while many scholars keep treating constitutional conventions as paradigmatic examples of informal institutions, this assumption warrants closer scrutiny. Therefore, the following section rethinks the informality of constitutional conventions by examining the mechanisms through which they are sanctioned, recognized, and, in certain circumstances, formalized.

5. Rethinking the informality of constitutional conventions

This section of the article discusses the formal-informal distinction in institutional theory, explains the importance and variety of informal institutions, and presents a typology based on the degree of formalization of constitutional conventions.

Politics and political behavior are fundamentally structured by the interplay of formal and informal institutions. Scholars have long debated how to distinguish between the former and the latter. While some remain skeptical about drawing a clear line between them (Hodgson, 2006, p. 18), others have attempted to clarify the distinction more precisely. For example, one may identify informal institutions with unwritten cultural traditions (Pejovich, 1999, p. 166), while another scholar differentiates the two based on their enforcement mechanisms: informal norms are self-enforcing, whereas formal rules rely on third-party enforcement, typically by the state (Knight, 1992).

This article subscribes to the state-centered approach. Here, formal institutions are rules codified in official documents such as constitutions, statutes, or regulations and are guaranteed and enforced by state institutions, notably courts, legislatures, and regulatory agencies (Lauth, 2015, p. 57; Helmke & Levitsky, 2004, p. 727).⁷ Informal institutions, by contrast, are mostly unwritten rules embedded in the beliefs, attitudes, and behaviors of individuals and groups. They are neither formally codified nor directly sanctioned by the state. Instead, they are maintained through societal mechanisms such as public criticism, peer pressure, or reputational consequences (Lauth, 2015, pp. 57–58).

As constitutional conventions are often regarded as informal rules, or informal institutions (cf. Lauth, 2015: 62; Kosař & Vince 2023), it is useful to further elaborate the broader concept of informal institutions in institutional theory before turning to conventions themselves. There is no doubt that informal institutions vary significantly across time and space. Notably, in terms of types, there is a wide range of informal institutions that stretch from clans (Murtazashvili, 2016) and clientelism (Stokes et al., 2013) across obstructions in the US Senate (Azari & Smith, 2012) to consociational democracy (Lijphart, 1969). Informal institutions are often ignored, as if political life is affected only by formal institutions. However, political actors tend to be exposed ‘to a mix of formal and informal incentives, and in some instances, informal incentives trump the formal ones’ (Helmke & Levitsky, 2004, p. 726; cf. Lauth, 2015, p. 66).

Several theorists argue that informal institutions complement formal institutions, and that the former cannot be studied without taking account of the latter (cf. Brie & Stölting, 2012). As North argued: ‘Formal rules are an important part of the institutional framework but only a part. To work effectively they must be complemented by informal constraints (conventions, norms or behavior) that supplement them and reduce enforcement costs’ (North, 1993, p. 20). Typically,

informal institutions fill in gaps by tackling contingencies not dealt with in the formal rules (cf. Azari & Smith, 2012).

Therefore, the relationship of informal institutions to formal ones is one of the central issues scholars deal with in theoretical and descriptive terms (cf. Peters, 2019, p. 206). This article adheres to Helmke and Levitsky's (widely recognized and cited) understanding of informal institutions. They define them as 'socially shared rules, usually unwritten, that are created, communicated, and enforced outside of officially sanctioned channels' (Helmke & Levitsky, 2004, p. 725; see also Azari & Smith, 2012). This emphasis on the extralegal origins and enforcement of informal rules, alongside the formal-informal coexistence that structures political reality, provides a crucial conceptual foundation for the subsequent analysis.

From this state-centered perspective, it might seem intuitive to classify constitutional conventions as informal institutions. Indeed, scholarly literature has traditionally approached them as unwritten, politically enforced norms distinct from legally binding constitutional provisions (Dicey, 1915). However, this conventional dichotomy has been increasingly questioned by contemporary scholars. Some have even argued that conventions might, and even should, be enforced by courts (e.g. Barber, 2009; Heard, 1991; Sirota, 2011; for another view, see Vermeule, 2015). The conventions, though generally unenforceable by courts, can nonetheless acquire characteristics typically associated with formal legal rules. As Barber (2009, p. 294) observes, 'the difference between law and convention is one of degree', suggesting that the boundaries between the two are neither fixed nor absolute.

This debate over the informality of conventions is not merely theoretical. Even though courts rarely enforce conventions directly, their breach is seldom without consequence. As indicated above, sanctions, whether political or legal, are central not only to understanding institutions, but also (and in particular) to constitutional conventions because actors comply not only to avoid penalties but also because conventions are perceived as legitimate and appropriate (Lauth, 2015, pp. 57–58; March & Olsen, 2011). Typically, their breach is sanctioned in political terms (public criticism, pressure to conform or to resign from office).⁸

This article is built on this insight by arguing that constitutional conventions are not static, purely informal institutions but rather dynamic rules that can move along a continuum from informality to formality. This process of formalization occurs as sanctioning mechanisms evolve from purely political and societal enforcement toward more institutionalized and legal forms, including state and judicial intervention.

This argument about the gradual shift in the institutional status of constitutional conventions draws conceptually on H.L.A. Hart's (1994) theory of legal systems. Hart argues that legal systems do not emerge through a single transformative event, but rather through a gradual process in which certain

social rules progressively acquire the characteristics of law. This incremental formalization, which Hart (1994, pp. 95–97) describes as a ‘path to law’, offers a useful theoretical framework for understanding how constitutional conventions might evolve over time. According to Hart, there is no clear-cut moment when a rule definitively becomes law. Instead, rules may be formalized in stages, gaining attributes such as general acceptance, official recognition, and enforceability by state institutions. Barber (2009, pp. 302–307) extends this logic to constitutional conventions, suggesting that as their enforcement mechanisms shift from purely political to more institutional and legal forms, conventions can progressively ‘crystallize’ into formal constitutional norms. This perspective reinforces the claim that the distinction between law and convention is not absolute but rather one of degree, depending on the extent to which conventions are formalized through codification, judicial recognition, or other official mechanisms.

Hence, to address the first research question (whether constitutional conventions are only informal institutions), this section proposes a typology based on the degree of formalization of constitutional conventions. As argued above, conventions have been traditionally understood as informal rules enforced by political actors through political means, distinct from legally binding norms. However, this dichotomy risks oversimplifying the character of conventions and neglects the fact that conventions may acquire varying degrees of formalization over time. Crucially, the path of conventions from purely informal to increasingly formal rules can be traced through changes in their sanctioning mechanisms. As informal, politically enforced understandings become subject to explicit formulation, codification, and even recognition or application by state institutions, notably courts, they move along a scale from informal to formal rules.

Having this in mind and building on a large variety of constitutional conventions in several countries, this article proposes a typology (see table 1) based on the degree of formalization of constitutional conventions, specifically linked to the nature of their formulation and the character of their sanctioning mechanisms.

First, there are conventions based on a ‘general tacit consent’ (Horwill, 1925, p. 22), which I call *conventions of tacit consent*. These are unspoken, uncoded understandings among constitutional actors, grounded in customary political practice. Such conventions are entirely informal and their enforcement is exclusively political, relying on the willingness and capacity of political actors, parties, the media, or public opinion to sanction breaches.⁹

Second, many conventions that emerged beyond an explicit agreement, are later explicitly formulated by political actors, although the conventions are not put in writing. These *spoken, but unwritten conventions* are still essentially informal rules. However, when political actors explicitly formulate the rules, it lends them a touch of formality.¹⁰

Third, there are *document-supported conventions* which are not only explicitly formulated but are also accompanied by authoritative public documents

(such as governmental statements or parliamentary records) that formally acknowledge their existence and scope. Although enforcement remains political, this documentary backing enhances their institutional visibility and confers a more formalized status than purely unwritten conventions.¹¹ Also, constitutional conventions may emerge quite quickly, i.e., based on a political agreement (Wheare, 1966; Taylor, 2014). Hence, in addition to precedent-based conventions resting on a long-term period, there are ‘instant’ agreement-based conventions¹² that arise immediately if there is a shared belief that the rule is right and legitimate, reflecting an important constitutional principle.

Table 1:
Typology of conventions I

Type of conventions	Core Features	Degree of Formality	Example
Conventions of tacit consensus	Entirely unwritten; grounded in customary political practice; enforced solely by political actors, media, and public opinion	Completely informal	Early stages of constitutional conventions
Spoken but unwritten conventions	Still unwritten but explicitly formulated in political discourse; their articulation lends them some visibility, yet enforcement remains political	Informal with slight formalization through articulation	Czech cabinets obliged to submit their policy declaration prior to confidence vote in the cabinets
Document-supported conventions	Explicitly formulated and supported by authoritative public documents (e.g., official statements, parliamentary records), still enforced politically	Informal with enhanced formal visibility	Slovak presidents formally authorize the leader of the largest party to form a new cabinet
Officialized non-justiciable conventions	Stated in authoritative documents; sanctioned through formal political institutions	Blurring the line between informal and formal norms	Cabinet manuals in UK, New Zealand
Judicially relevant conventions	Employed by courts which rarely enforce the conventions, but recognize them in judicial reasoning	Partially formalized with legal relevance (at the edge of legal enforceability)	1981 Canadian Supreme Court decision (Patriation Reference)

Source: The author.

Fourth, at a higher level of formalization are *officialized non-justiciable conventions* that are supported by formal written documents produced by official institutions. These documents, including cabinet manuals such as the UK’s Ministerial Code, Canada’s Manual of Official Procedure, and New Zealand’s Cabinet

Manual (e.g., Barber, 2009; Russell, 2015; Galligan & Brenton, 2015, pp. 20–22; Bowden & McDonald, 2012), systematically set out constitutional conventions in writing. Up to this point, they resemble the previous type of conventions. However, while still generally enforced through political rather than judicial means, officialization of conventions blurs the line between their informal and formal character by embedding conventions in authoritative sources that resemble formal legal norms.

For example, the Ministerial Code in the UK formalizes key aspects of ministerial responsibility. Ministers are obligated to adhere to the rules outlined in the Code. The Code has been consistently acknowledged as the source of a constitutional obligation, resembling Hart's rule of recognition, and once in many controversies related to the breach of the Code, 'the Code was accepted as the source of the relevant constitutional obligation' (Barber, 2009, p. 305). The code and other conventions in several commonwealth countries are sanctioned by the prime minister, parliaments (and/or its privileges committee) through dismissals or no confidence motions. Thus, such conventions are non-justiciable but can be sanctioned even within formal institutions unlike the previous types of conventions mentioned above (Bowden & McDonald, 2012, p. 372).

Finally, there are *judicially relevant conventions*. The judicial involvement in the recognition or enforcement of constitutional conventions marks a significant step toward their formalization. While it is rare for courts to enforce conventions directly, the claim that courts categorically ignore them is equally untenable.

It is extremely difficult to generalize about the ways courts deal with constitutional conventions, as their approach varies from country to country depending on their jurisdiction and the way they handle constitutional conventions. Instead, building on Ahmed et al. (2019), a classification of how courts in general terms deal with constitutional conventions can be suggested. In some countries, courts simply ignore the conventions, which means no step towards formalization of conventions.¹³ However, in some other countries, courts take the conventions into account. First, courts recognize conventions, which means that courts simply recognize a convention's existence or its scope (e.g., Vermeule, 2015). Second, courts employ conventions, i.e., they use conventions in the act of legal reasoning (e.g., conventions as grounds for interpretation of legal provisions, or for application of laws). For example, in 1981 the Supreme Court of Canada issued a well-known decision regarding the dispute between the federal government and provinces over the amendment to the Canadian Constitution (Banfield 2015; Patriation Reference 1981 1 S.C.R. 753).

Finally, courts seek formal judicial enforcement of conventions (for more on this point, see also Ahmed et al. 2019; Barber, 2009; Heard, 2012).¹⁴ In other words, once conventions become enforced by courts, they lose their informal character and become almost fully formalized in line with the above distinction between formal and informal institutions (even though the constitutional con-

ventions did not originate in the same way as formal institutions but arise from a political practice).

This typology demonstrates that constitutional conventions do not exist exclusively as informal institutions but may occupy positions across a spectrum of formalization. Their institutional status depends both on how they are articulated and on the nature of the mechanisms through which compliance is sanctioned: whether by political actors, more formalized institutions, or courts. This approach moves beyond the binary distinction between formal and informal institutions and offers a more dynamic account of how conventions interact with formal constitutional frameworks.

Finally, it is important to note that the path of formalization can, in some cases, culminate in the complete transformation of a constitutional convention into a formal legal rule through legislative action. Thus, another mechanism of formalization occurs when a parliament endorses a convention through the ordinary legislative process, granting it statutory authority. Dicey (1915, p. 69) refers to such instances as ‘enacted conventions’, describing them as political understandings that, by Act of Parliament, have acquired the force of law. However, as Dicey emphasizes, this process essentially abolishes the original convention in its customary form, replacing it with a formal legal provision.¹⁵

Unlike the officialized conventions described above, codification implies ‘a rigorous, legal systemization that would remove conventions from the political realm and render their codified forms justiciable in courts of law. A “codified convention” thus becomes law, at which point it ceases to be a convention altogether’ (Bowden & McDonald, 2012, p. 372).

In terms of the typology proposed in this chapter, this represents the logical terminus of the formalization continuum: a point at which a convention ceases to be an informal or even semi-formal rule and instead becomes part of the codified constitutional or statutory framework. While this ultimate step lies formally outside the scope of conventions as typically conceived, it makes the central claim of this section even stronger: that conventions exist along a spectrum of formality, with varying degrees of political and legal sanctioning, and that their status may evolve incrementally over time.

6. Constitutional conventions and constitutional texts: a typology of functional relationships

Since A.V. Dicey’s influential account, constitutional conventions have been understood as rules that coexist with formal legal provisions, regulating the conduct of constitutional officeholders who feel bound by them (Dicey, 1915). As Ivor Jennings famously articulated, constitutional conventions ‘provide the flesh that

clothes the dry bones of the law' (Jennings, 1959, p. 117). Eugene Forsey offered a similar metaphor, describing conventions as 'the sinews and nerves of our body politic' (Forsey, 1984, p. 12). K. C. Wheare likewise emphasized that 'the law of a Constitution... is supplemented by a whole collection of rules which, though not part of the law, are accepted as binding, and which regulate political institutions in a country and clearly form a part of the system of government' (Wheare, 1966, p. 121). These characterizations underline a crucial feature of conventions: they are informal but authoritative rules that regulate constitutional practice, contributing to the overall functioning of constitutional systems and interacting closely with formal constitutional texts.

The relationship between formal and informal institutions, including constitutional conventions, has attracted increasing scholarly attention. One of the most influential conceptual frameworks is Helmke and Levitsky's typology of informal-formal institutional interactions (Helmke & Levitsky, 2004). Their typology is based on two dimensions. The first is concerned with 'the degree to which formal and informal institutional outcomes converge' (Helmke & Levitsky, 2004). They study whether informal rules yield significantly different results than adherence to formal rules. The second dimension is based on the effectiveness of formal institutions, that is the extent to which formal rules are enforced and complied with in practice. As a result, there are four types of informal institutions. Firstly, complementary informal institutions coexist with effective formal institutions by filling in gaps in the mosaic of formal rules. Secondly, accommodating informal institutions contradicts the spirit (not the letter) of effective formal institutions to generate broadly beneficial outcomes. Thirdly, competing informal institutions diverge from ineffective formal institutions as following one of these results in violating another.¹⁶ Finally, substitutive informal institutions achieve the goals of ineffective formal institutions that failed to do it. Having criticized the above typology, Lauth offered three major modes of interactions between formal and informal institutions: they 1) compete with each other, which means that formal institutions are weakened, 2) reinforce each other, and 3) maintain a neutral relationship (Lauth, 2015, p. 60).¹⁷

Although Helmke and Levitsky's typology remains highly valuable for analyzing the interaction between formal and informal institutions in general political systems, it is too general to address the distinctive challenges of constitutional analysis. Their framework focuses on the outcomes produced by informal institutions relative to formal rules, whereas constitutional conventions occupy a unique position at the intersection of law and politics, i.e. not merely generating outcomes but also shaping the interpretation, application, and contestation of constitutional texts themselves.

Therefore, they require a typology that captures the constitutional function these conventions perform vis-à-vis constitutional provisions. Existing typologies have not been systematically applied to this problem. Building on the conceptual

groundwork laid by Helmke and Levitsky, this article proposes a typology designed to classify constitutional conventions not by their outcomes, but by the specific nature of their relationship to constitutional texts (see table 2).

First, there are interpretative conventions whose role is simply to forestall conflicts over constitutional provisions in cases where the constitution does not provide an unambiguous way of interpreting constitutional texts. The purpose of these rules is to provide constitutional actors with clear rules and make their decision-making much more predictable, decreasing the risk of constitutional conflicts and frictions.¹⁸

Second, gap-filling conventions fill in blank spaces in the constitutional texts, especially where constitutional provisions are too general or vague. They help constitutional actors handle issues not directly addressed by the constitution. Typically, they formulate additional rules of behavior.¹⁹

Third, modifying conventions make constitutional actors perform their competences in a different way than the constitution dictates, but they are not necessarily contradicting the constitutional text. Typically, the conventions make actors refrain from using their specific powers.²⁰ Finally, contradicting conventions clash with constitutional provisions, which leads to a practice that contradicts the letter of the constitution.²¹

Table 2:
Typology of constitutional conventions II

Type of Convention	Core Features	Example
Interpretative conventions	Provide agreed interpretations in cases where constitutional provisions are ambiguous	In Poland, presidents appoint the leader of the largest party as Prime Minister
Gap-filling conventions	Supplement constitutional texts by providing rules or procedures where the constitution is silent, vague, or too general	Formateur (designated prime minister) in Slovakia
Modifying conventions	Change how constitutional powers are exercised without necessarily contradicting the text; often involve actors voluntarily refraining from using certain powers	Hungarian presidents do not make use of their power to initiate bills
Contradicting conventions	Establish practices that directly conflict with the constitutional text; practice prevails over the letter of the constitution	Hungarian presidents use two types of legislative veto at the same time

Source: The author.

The above typology enables a more precise, context-sensitive, and analytically useful tool for both constitutional and institutional theory, as it captures crucial nuances in how conventions operate in the shadow of formal constitutional norms and within constitutional practice. To be more specific, the significance of this typology lies in its capacity to capture constitutional-specific interactions between formal and informal rules, a dimension largely overlooked in broader institutional typologies. Whereas Helmke and Levitsky's (as well as Lauth's) framework classifies informal institutions based on policy outcomes and institutional effectiveness, it does not attend to how informal institutions like conventions interact with constitutional meaning, interpretation, and legitimacy, issues at the core of constitutional systems. This typology offers a more constitutionally sensitive framework for assessing how unwritten norms shape, complement, or contest formal constitutional orders.

Furthermore, it responds to calls within constitutional theory for more nuanced accounts to study ways constitutions are amended, especially in systems where formal amendment rules are inflexible or rarely used (Albert, 2019). In particular, this typology contributes to the growing literature on informal constitutional change (e.g., Lim 2017; Dixon & Landau, 2021). In addition, the typology enriches the literature on constitutional adaptation in systems threatened by democratic decay (Huq & Ginsburg, 2018) by providing a tool to systematically identify and classify informal practices that operate alongside (and sometimes against) codified constitutional provisions.

7. Conclusion

The aim of this article was to integrate the study of conventions more systematically into political science and institutional theory, addressing two interconnected research questions: first, whether the conventions should be theorized solely as informal institutions, and second, how they function in relation to constitutional texts. This article argues constitutional conventions cannot be considered exclusively as informal institutions and that they are located on the intersection of formal and informal institutions. Furthermore, this article has shown that political science, with its well-developed interest in informal institutions, is especially well equipped to address the above complexity, which is often overlooked in legal scholarship. By refining our conceptual tools, we can better capture the institutional realities of constitutional politics and advance the theoretical integration of conventions within the study of political institutions.

To address the research questions, the article proposed two typologies. The first typology is based on the degree of formalization and sanctioning mechanisms of constitutional conventions showing a variety of conventions that can be placed on the continuum from informal to formal institutions.

The theoretical significance of the first typology lies in its capacity to conceptualize constitutional conventions not as a homogeneous category of informal institutions, but as a spectrum of practices with varying degrees of formalization, and enforceability. While much of the literature on informal institutions treats them as structurally similar in terms of their informality, this typology offers a finer-grained tool for differentiating between loosely observed, informal understandings and conventions that have acquired a near-formal status through consistent observance and institutional embedding. This has important implications for institutional and constitutional theory, particularly in demonstrating that the boundary between formal and informal rules is often more fluid than conventionally assumed. Future research could apply this typology to trace how certain conventions evolve over time - becoming more formalized or, conversely, falling into disuse - and how this dynamic affects constitutional stability and adaptability.

The second typology is based on the functional relationship between conventions and formal constitutional provisions. This typology enables a more precise, context-sensitive, and analytically useful tool for both constitutional and institutional theory, as it captures crucial nuances in how conventions operate in the shadow of formal constitutional norms and within constitutional practice. While frameworks such as those by Helmke and Levitsky or Lauth classify informal institutions based on policy outcomes and institutional effectiveness, they do not attend to how informal institutions like conventions interact with constitutional meaning, interpretation, and legitimacy, i.e. issues at the core of constitutional systems. By foregrounding these dynamics, the typology offers a constitutionally sensitive framework for assessing how unwritten norms shape, complement, or contest formal constitutional orders.

Furthermore, this typology responds to calls within constitutional theory for more nuanced tools to study informal constitutional adaptation, particularly in systems with rigid or underused amendment procedures (Albert, 2019). It contributes to the literature on informal constitutional change (Lim, 2017; Dixon & Landau, 2021) by offering a framework to systematically identify and classify informal practices shaping constitutional development. It also provides a useful resource for examining how such practices affect constitutional resilience in democracies under pressure (Huq & Ginsburg, 2018).

Future research could usefully apply these typologies to comparative studies of constitutional systems, particularly in contexts with weak or contested formal amendment procedures or undergoing democratic backsliding. Systematic comparative inquiry might test their explanatory utility, examining whether certain types of conventions or functional relationships between conventions and constitutional texts are more prevalent in specific constitutional cultures or institutional settings. It would also be valuable to explore how different types of conventions interact with each other and how their position shifts over time in

response to constitutional amendments, judicial rulings, or political crises. In particular, future studies could investigate the conditions under which conventions evolve from informal understandings into formalized institutions, enhancing their practical relevance for constitutional design and reform in both established and emerging democracies.

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Endnotes:

- 1 In contrast, Galligan and Brenton (in the context of the Commonwealth countries) assert that 'conventions are more fundamental than laws; they govern the formation and basic functioning of government overall...' (Galligan & Brenton, 2015, p. 8).
- 2 Another reason for the lack of theoretical account of conventions may be simple that the relevance of constitutional conventions varies across countries' constitutional systems, from some polities where constitutional conventions play a crucial role, across countries where they are of lower importance (e.g. France and Germany) to other countries where constitutional conventions are of low interest due to their limited impact. However, even in relatively young democracies, constitutional conventions play a not negligible role in regulating the conduct of key institutional figures and shaping relationships within executive and legislative bodies (e.g. Brunclík et al., 2023).
- 3 For example, the Westminster Parliament is obliged not to use its legislative power in a tyrannical and/or oppressive way (Marshall, 2001, p. 9; for details, see also Heard, 1989).
- 4 Similarly, Douglass North (1990, p. 3), defines an institution 'as a norm or set of norms that have a significant impact on the behavior of individuals' (North, 1990, p. 3; see also Lauth, 2015, p. 57).
- 5 For example, in Slovakia there is a constitutional convention regulating the steps of the president in the government formation process since the provisions of the Slovak constitution do not provide clear guidelines on how the president should proceed. The convention obliges the president to authorize the representative of the largest parliamentary party to form a cabinet prior

to the president appointing a prime minister. Only if persons authorized to form the cabinet succeed are they appointed as prime ministers (Brunclík et al., 2023, pp. 183–190). In the 2023 election campaign, former prime minister and SMER party leader Robert Fico unscrupulously verbally attacked the Slovak President, Zuzana Čaputová, who was frequently denigrated by SMER representatives who used rude words to criticize her. Čaputová sued Fico for spreading lies about her (Dowling, 2023). Fico's SMER won the election. Had she been offended by the wave of vulgarism and stuck to the constitutional provisions only (that do not oblige the president to appoint as prime minister the leader of the largest party), she might have ignored Fico in the government formation process. Still, she felt obliged to stick to the constitutional convention she explicitly mentioned in her speech in which she authorized Fico to form a new cabinet that she did not wish to see.

- 6 Galligan and Brenton were probably the first to explicitly link the constitutional conventions and the 'logic of appropriateness' (Galligan & Brenton, 2015, p. 10).
- 7 This line of reasoning can be extended to international organizations (institutions) whose origins, legitimacy and legality are derived from states.
- 8 One of the most severe consequences applied to John Kerr, the Australian Governor-General, whose move was central to the 1975 Australian constitutional crisis. Contrary to existing conventions, Kerr dismissed the prime minister. Following this, Kerr faced a wave of criticism. He eventually left Australia. He became so unpopular that his portrait in the Australian parliament was hidden away to prevent it being defaced (Los Angeles Times 1991).
- 9 For example, in the 18th century, one can identify the origins of the convention according to which the British monarch does not attend cabinet meetings (Anson, 1914, p. 67–68).
- 10 For example, a newly appointed cabinet in Czechia is obliged to submit its policy declaration to the Chamber of Deputies (cf. Brunclík et al. 2023, p. 33).
- 11 For example, Slovak presidents officially announce the name of the person to whom they hand in a document in which the person is officially authorized to set up a new cabinet (Brunclík et al., 2023, pp. 183–190).
- 12 Such agreements can be found in the UK, such as the Sewel convention (Bowers, 2005, p. 2) or Germany where an agreement-based convention regulates the regular turnover of the Bundesrat presidency (Taylor, 2014) and some other areas of constitutional politics.
- 13 In Poland and Hungary, for example, constitutional courts have never used constitutional conventions in their case law. The constitutions of the two countries narrow down the pool of the source of law. Both their constitutions contain closed enumerations of these sources that do not include conventions in their enumerations, which subsequently prevents the courts from taking them into account when deciding individual cases (Brunclík et al., 2023, p. 268).
- 14 For example, the Indian Supreme Court enforced conventions in several cases (Ahmed et al., 2019, pp. 21–23).
- 15 A good example can be taken from the USA. The US president may be elected only twice. Although this rule was in place from the very beginning of the US political system following the 1787 constitution, the status of the rule was changed. Whereas in the beginning, it was dedicated by a constitutional convention, following four terms of office by F.D. Roosevelt, the rule was enshrined in the US constitution by the XXII amendment in 1951 (Buckley and Metzger, n.d.).
- 16 For example, the British monarch possesses a traditional royal prerogative, royal assent, but by convention the monarch is not allowed to veto bills passed by the parliament, and indeed the last time when the monarch refused to provide royal assent occurred in 1708.
- 17 Also, Avril and Gicquel distinguished three types of constitutional conventions: 1) interpretative (interpreting the constitutional text), 2) creative (adding new rules) and 3) *contra legem* (i.e., *contra constitutionem*) conventions that contradict the constitutional text (cited in Bell, 1992, p. 58).
- 18 In many countries, the head of state is supposed to appoint a new prime minister following elections. However, constitutional text often does not provide clear guidance as to whom should be appointed. Hence, constitutional conventions usually urge the head of state to first address the representative of the largest party to set up a new cabinet, which is the case both in Poland and Slovakia (Brunclík et al., 2023, pp. 210–211, 244).
- 19 Many countries (e.g., Luxembourg, Slovakia, Czechia) use what is generally called as 'informateur' and/or 'formateur'. The terms are taken from Belgium and the Netherlands, where these informal figures have had tradition since the 1950s. These persons are appointed to tackle ex-

tremely complicated post-election situations (or after the fall of the previous cabinet) with the aim of setting up a new ruling coalition. The formateur is appointed to lead the formation of a new cabinet. Sometimes, appointing the formateur is preceded by appointing one or more informateurs, who are not expected to set up a ruling coalition but to identify a likely coalition, from which a formateur is then selected (see Andeweg et al., 1980, p. 224; Fassone, 2023).

- 20 For example, since 1949, Hungarian presidents possess the power to initiate bills. This power survived the 1989 transition into democracy as well as the adoption of the new Basic Law of 2012. Only between 1990 and 1995 did the president exercise this power and submit a couple of bills. However, since then it has become the usual practice that the president does not use this power, which might be labeled as constitutional *desuetude* or atrophy (cf. Brunclík et al., 2023, pp. 220–221).
- 21 For example, the Hungarian president may exercise his veto power over bills passed by the parliament. He may veto bills for two reasons: because of alleged unconstitutionality of the bill or because of policy disagreement. However, the president is obliged to choose only one veto type, which was also endorsed by the Constitutional Court. Still, the president sometimes opted for both types of veto, which contradicts the constitution and the decision of the Constitutional Court. On the other hand, this practice has been tolerated (see Brunclík et al., 2023, pp. 221–222).

Really Independent? Biographies and Typology of Non-Partisan Presidential Candidates in Europe¹

Michael Drašar²

Abstract

This research article examines the relatively unresearched area in political science – the non-partisanship in the presidential election in Europe after 1989. Although the apparent clarity of the concept was shown, the phenomenon of non-partisan candidacy is not so clear, and it largely relates to party politics. The analysis introduces the composition of this group of candidates for the office of the head of state in terms of age, education, previous political skills and gender. At the same time, I identified five main types of non-partisan candidates based on their partisan background and their real status at the time of the election. Combining these two factors, it was proved that the phenomenon cannot be examined as a separate question. The analysis shows the complexity of the phenomenon. At the same time, the heterogeneity of the phenomenon is connected with a different level of the party system institutionalisation (PSI), but not so much as would be expected.

Keywords: non-partisanship; candidate; presidential election; typology; party system

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1. Introduction

The crisis of political parties is a general problem that has been appearing in politics for the last several decades (Ignazi, 1996). The permanent decline of the interest of citizens in political socialisation and political party membership brings a phenomenon which is famous at the local level of the political system. It is a non-partisan candidacy that increasingly seeps even on the national level. We can still find independent candidates in presidential elections more often, which is connected to the higher personalisation and type of the electoral system, which gives an advantage to the personal characteristics of the candidates. In presidential elections, any non-partisan candidates were elected. For example, former Slovakian head of state Andrej Kiska. The research on non-partisan candidacy is very popular only in the research of the local politics due to its prevalence. If we look at the national level, except for a few case studies, the research is almost completely missing. Authors do not provide a general description of this problem or comparative studies. This is a complicated topic that deserves detailed research, if only to distinguish between different forms of non-partisan candidacy. Moreover, as it turns out, candidates approach the non-partisan form of candidacy in different ways.

Independent candidacy, not only in the presidential election, is a more complicated problem than can be seen at first glance. First, the definition of a non-partisan candidate is unclear, inconsistent, or completely missing. At the same time, the history of partisanship is not always easily identifiable. Many independent candidates were engaged in political parties or held high partisan or constitutional positions. At the same time, although political parties are increasingly faced with citizen disinterest and a waning willingness to party engagement, they are still an important element of representative democracy (van Biezen, Mair, & Poguntke, 2012, p. 42). In such a case, the presidency is understood as a prestigious position. In the eyes of not only members of political parties, the head of state should be of a certain age and have a certain level of political experience. The composition of elected heads of state in Europe also corresponds to this (Drašar, 2024). However, in the case of candidates who do not rely on the background of a political party, these assumptions are removed. Candidates do not go through any nomination processes and do not have to follow party hierarchy and merits. They are bound only by the constitutional settings for candidacy. Candidates at the threshold of their political career, without previous political involvement or even significantly younger, can enter the race for the presidential position. At the same time, it is necessary to realise that although some are running as non-partisans, their status may not be 'pure', and they may already have party engagements in history. This fact can then distort our idea of biographical characteristics.

In this text, two seemingly different phenomena will be combined. First, I will map the biographical characteristics of non-partisan presidential can-

didates, focusing on age, education, previous political experience, and gender. At this point, I follow the tradition of the previous research about European presidents (Drašar, 2024). Second, I will try to create a simple typology of these candidates based on their partisan history and position in the concrete presidential election. Combining these two aspects will help clarify the true nature of the candidacy of those who present themselves as non-partisan. I will introduce the basic approaches to defining a non-partisan candidate and options for their classification. The next chapter will discuss the methodological approach and data sources for analysis. After that, the next chapter will analyse the composition of non-partisan presidential candidates in terms of biographical characteristics and compare it with the structure of directly elected presidents in Europe. The next part of the article will introduce the attempt at the typology of these candidates regarding the established criteria. The phenomenon will also be described in the context of the level of the party system institutionalisation (PSI) in two European regions – traditional Western democracies and post-communist Central and Eastern Europe.

2. Non-partisan: conceptualisation and the current state of knowledge

The crisis of political partisanship might have a large scale of forms, e.g. electoral volatility, a decrease in partisan identification, a decrease in partisan membership or a performative crisis (Webb, 2005). In addition, below-average trust not only in political parties but also in politicians and institutions is also consistently visible in European surveys (Fitzgerald, 2024). The increasing distrust of political parties is also reflected in the nature of electoral competition. Opposite the proportional electoral system, which is usually based on candidate lists of political parties, the majoritarian system used in most presidential elections allows non-partisan candidacy. This frees up a huge space for those who are not party members or have a negative attitude towards them (on purpose or out of prejudice). This ‘electoral loophole’ provides a unique opportunity to put aside partisanship in general. Politicians and candidates react to the rejection of political parties. In the European presidential elections, there are evidenced cases of purposeful non-partisanship of members of political parties (see Jastramskis, 2021) or former members of political parties. As can be seen, the nature of independent presidential candidates is not so clear, and it is necessary to describe the complexity of this phenomenon.

As mentioned above, the range of occurrence of electoral non-partisanship is different according to the level of politics. This fact is projected into the range of research available on this topic in political science. Regarding the relatively limited number of texts focused on this topic, I will summarise many possible ways in this area to create a complex overview of the research. Independent

candidates are visible mainly on the local level as a classical phenomenon. For example, in the Czech Republic, their participation in the lowest level of the political system is directly expected regarding the highly fragmented municipal structure (Balík, 2009, pp. 18–19). This fact also applies to the political parties themselves, which, given the size of local units, must nominate non-candidates on their candidate lists (Maškarinec & Klimovský, 2016, p. 961; Holtmann, 2008, p. 11). Regarding this fact, non-partisan candidates play a significant role at the local level of the political system generally (Aars & Ringkjøb, 2005). Other research is focused on the problems of electoral support for these candidates rather than non-partisanship globally. Their occurrence is usually associated with the question of institutionalisation of political parties or the socioeconomic structure of voters (Gendźwiłł, 2012; Gendźwiłł & Żółtak, 2014; Kukovič & Haček, 2011). If we look at the higher level of the political system, the non-partisan candidacy relates to the type of electoral system, as was mentioned (Brancati, 2008). Regarding the different levels of personalisation in majoritarian and personalised proportional electoral systems, in the European context, it is the case of the Single Transferable Vote system used in Ireland. Their presence positively influences the electoral process and the legislative assembly (Weeks, 2014, p. 606). In the area of presidential elections, which is the centre of this research, the question of independent candidacy is not researched much (Jastramskis, 2021, p. 194). There are a few case studies focused on the question of electoral support. At the same time, it is important to mention the significance of independent candidates in hybrid or non-democratic regimes. There are persons who have significant financial resources or candidates with a certain bond to the governing regime, which they covertly represent (Tkacheva & Turchenko, 2022).

The area of presidential studies is very popular in political science research in general. The topic is research from many points of view, including the relationship to political parties. Although ‘above-partisans’ are generally required and usually accepted in the presidential office, many Central European heads of state are former constitutional representatives or party leaders (Brunclík & Kubát, 2018, p. 119). There are many cases in which presidents with a partisan history tended to stretch their presidential powers or side with a certain part of the political spectrum. Some even became involved in parties after leaving office (Hloušek et al., 2013, pp. 287–288). Ties on party politics and their admissibility are different throughout the European countries with direct elections (Raunio & Sedelius, 2020, p. 154). At the same time, partisanship in direct presidential elections is not necessarily more partisan. It can be a good position for people who do not have political ambitions (Tavits, 2009, p. 205). Other scholars are researching the topic in the context of presidential activism (Köker, 2017). On the other hand, the question of non-partisan candidacy stays out of the focus of the research interest.

The key question for this article remains how to define a non-partisan presidential candidate. The current knowledge is relatively ununited in this thing and

could be improved on the problem of a generally accepted definition of political party. In layperson's terms, it could be said that a non-partisan is a candidate who is not a member of any political party. This problem is more complicated in the scientific community. It is the same as many authors from the area of the theory of political parties have resigned to give up trying to create a comprehensive and universally valid definition of political party (Fiala & Strmiska, 1998, p. 39); it is similar to the case of a non-partisan candidate. Several authors do not mention the issue of conceptualising a non-partisan candidate at all in their works (e.g. Aars & Ringkjøb, 2005; Gendźwiłł, 2012). One of the approaches used most often is the layperson's definition mentioned above. In this context, a non-partisan candidate is an applicant to a political office who is not a member of a political party in the election. A somewhat 'stricter' definition can then be that only a candidate who has never in history applied for a political position in the colours of a political party can be considered a non-partisan candidate (Jastramskis, 2021, p. 195). If I chose this approach, the number of analysed cases would significantly reduce. At the same time, it would make the typology almost impossible. Regarding these situations, I prefer the first option. I will consider a candidate running for election in a specific election as a non-partisan. This approach better reflects the range of possibilities for the concept of non-partisanship. This approach is more appropriate for the analytical framework of this text.

In the case of the classification options question, I came across the warnings of some authors. They hold the opinion that the creation of general categorisation is very difficult or completely impossible (Busteed, 1990; Coakley, 2003). To a certain extent, one can agree with the above-mentioned argument, consisting of a reserved attitude towards the universality of the typology. This analysis will focus exclusively on the area of Europe on a fixed time horizon. Nevertheless, there can be found authors and isolated cases that have tried to solve this problem. One of them is Liam Weeks (2009), who created a unique typology of non-partisans (he uses the term 'independent') related to the area of Irish politics. Although this classification is based on a single case study, for the purposes of this research, it can be useful. The author distinguishes six categories – Vestigial Independents, Corporatist Independents, Ideological Independents, Community Independents, Apostate Independents and Quasi-parties (Weeks, 2009, p. 9). The last type could be very suitable for any general analyses regarding the fact that there are political formations founded with the aim of supporting the candidate in the election (Weeks, 2009, pp. 26–27). This phenomenon is also known as a presidential party (see Passarelli, 2020). These parties could be met in any of the semi-presidential regimes where the executive power is held by the prime minister and ministers (Duverger, 1980, p. 166). The linkage to the executive is very important in the case of the head of state. The president cannot govern independently in this regime but through the government (Sartori, 1994). The candidate who is not a party member might be motivated to create their own political party. In a parliamen-

tary election, usually following the presidential election in a semi-presidential regime, the president can dominate parliament and enforce their own policies. Here, Emmanuel Macron, Éric Zemmour, and partly Volodymyr Zelensky can be named as representatives or candidates in countries considered semi-presidential regimes (Duverger, 1980; Protsyk, 2003).

The last question, which is necessary to introduce briefly regarding the topic of the article, is the tradition of research on the biographical characteristics of political representation. The suitability of candidates for legislative and executive offices is frequently evaluated in terms of age, education, and previous political experience. We can meet mainly descriptions of elected political representatives rather than candidates in the research. Analyses are focused on the legislative power in single case studies (e.g. Esaiasson & Holmberg, 2017; Linek & Šalamounová, 2001; Linek, 2009; Shepard, McGarvey, & Cavanagh, 2003) or in the comparative perspective (Eliassen & Pedersen, 1978). A large scale of the articles in this area is focused on the executive power, especially the cabinet composition (e.g. Brunclík, 2020; Dowding & Dumont, 2009; Fleischer & Seyfried, 2015; Grimaldi & Verseci, 2018). Most studies focus on the question of political experiences and the allocation of minister portfolios based on these facts (Blondel & Thiébault, 1991; Semenova, 2018). In the area of presidential elections, the current state of knowledge is very poor. Here is the article focused on the composition of presidential offices in terms of biographical characteristics published recently (Drašar, 2024). This article will be used to compare elected presidents. In this research, I will try to enrich the existing knowledge not only in presidential elections but also by focusing on candidates, not only elected politicians.

The article is theoretically framed by the concept of party system institutionalisation (PSI), which captures the nature of relations and competition among political parties (Stauber, 2017, p. 47). The authors disagree on the definition of the basic indicators of the PSI. Any of them emphasises the nature of government cooperation and access to the cabinet (e.g. Enyedi & Casal Bértoa, 2018; Mair, 1998), which is not so suitable in the context of presidential elections. More important are factors related to the nature of electoral competition. There are data about electoral volatility, party system fractionalisation (Bielasiak, 2002), the Index of party stabilisation (Lewis, 2006) or the age of political parties or party membership (Enyedi & Casal Bértoa, 2018) used. Many authors identified significant differences between Western democracies and post-communist Central and Eastern Europe, which will help me explain the heterogeneity of non-partisans in both regions. Political parties in post-communist area, due to the relatively recent transition to democracy, lean to the support not yet fully anchored and profiled electorate (Mair, 1998, p. 188). They tend to change their political preferences more often, which is reflected in higher electoral volatility. Although this approach may be disadvantageous in certain aspects (Kim, 2023, p. 4), for the purposes of this article, it is not so important. At the same time, the lower

level of PSI in post-communist Europe was demonstrated in many quantitative indicators (Enyedi & Casal Bértoa, 2018)

3. Data and methods

The analytical part of this text will include two methodological techniques. A descriptive approach will be used to analyse the composition of candidates in terms of basic biographical characteristics. It is very important to research the issue of non-partisan candidacy, given the relatively limited current state of research on this phenomenon. At the same time, I will focus on a brief comparison with the structure of elected heads of state in Europe after 1989 (Drašar, 2024). However, considering the greater diversity of candidates in many characteristics, the range of categories will be wider. The second approach will be the typological method, which divides phenomena into separate categories (Collier, Laporte, & Seawright, 2008, p. 153; Drulák, 2008, p. 19). Synthesising these two parts, the complex view of non-partisan candidacy will be gained. Results will also be evaluated in the context of PSI. Regarding the lower level of PSI, it can be expected that candidates in post-communist countries would tend to cover their real partisan status, and they would not be really independent. On the other hand, candidates in Western Europe would not have a need to cover their partisanship, and independent candidates would be without a partisan history. It is also necessary to set the criteria for classification into categories. Considering the need for the actuality of information, I will focus on the party engagement in the past (former member of the political party) and the real status in the concrete presidential election (strict non-partisanship versus more or less hidden party support). Regarding the potential breadth of the research, in terms of conceptualisation, I will approach non-partisan presidential candidates as people who do not run for any political party in the concrete election. This approach will allow for more detailed classification.

In terms of the local and temporal delimitation, I will focus on European countries that adopted direct elections for the selection of the head of state. This delineation is especially useful regarding the capture of public opinion in elections and the assumption that, in the case of indirect elections, nominations of non-partisans occur very rarely. In terms of time, the research is limited to the period 1990 to 2023. This periodisation is chosen regarding the process of democratic transition in Central and Eastern Europe at the end of the 1980s, and thus the possibility of including these countries in the analysis. It is here that I find the above-mentioned problem emphasised by some authors: the difficulty of creating a universal typology. It is important to say that this is not the goal of the article. The author is aware of the limitations of the research in terms of time and the area in which the analysis is carried out.

Sources of information for both parts of the research are the official curricula vitae of presidential candidates, available from public sources. For example, websites of the applicants for the head of state position, newspaper articles in online media, and encyclopedias. Based on these sources, information about 363 presidential candidates who ran for the presidency as non-partisan was collected according to the literature (Nohlen & Stöver, 2010), official statistics and other public sources about elections. Nevertheless, there is a problem with finding information about candidates who are not so famous and do not have significant electoral results. In these cases, the candidate will be excluded from the analysis of the concrete factor. I will work with him only if information about the characteristics is available. There was also a problem with confusing information about the political involvement of some candidates, where it is not clear whether they left the party a long time ago or shortly before the election. In such cases, they are automatically classified as Former partisan. Given the chosen research design, this procedure is the only option if we want to maintain the breadth of the dataset and not reduce the number of cases to only those where we have all the information available. This procedure is the best way to capture the complexity of the phenomenon. For each graph describing the quantitative indicators about presidential candidates, the note will mention the number of analysed cases and cases with missing information. Table 1 summarises the number of candidates included in the analysis, divided according to part of Europe, regarding the political history and presence of non-democratic regimes before 1989.

Table 1:
Number of non-partisan candidates in analysed countries

Western European democracies		Post-communist Europe	
Austria	12	Bulgaria	32
Cyprus	33	Croatia	21
Finland	6	Czech Republic	13
France	2	Lithuania	24
Iceland	3	Moldova	17
Ireland	11	Montenegro	4
Portugal	11	North Macedonia	2
Turkey	2	Poland	20
		Romania	18
		Slovakia	28
		Slovenia	18
		Serbia	29
		Ukraine	57
TOTAL	80	TOTAL	283

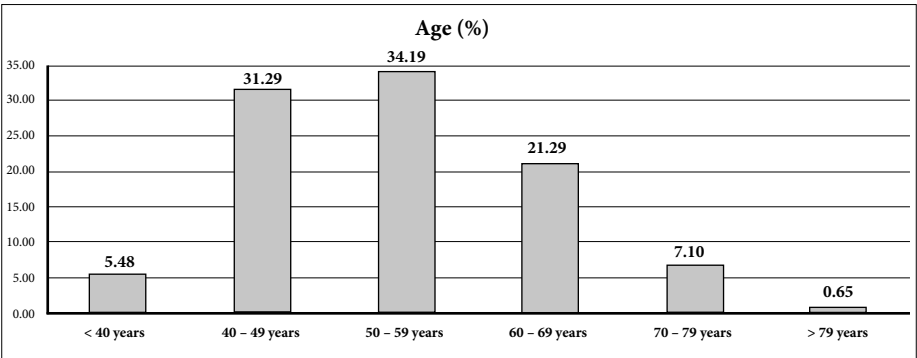
Source: The author.

As can be seen, the phenomenon of non-partisan candidacy has expanded mainly in post-communist Europe. It is not only about the number of countries that use the direct election of the head of state, but also about the number of candidates without the support of a political party participating in the elections. This phenomenon is undoubtedly closely related to the position of political parties and the PSI. The average age and party membership are lower than in Western Europe, the number of new parties and electoral volatility are higher on the other hand (Enyedi & Casal Bértoa, 2018). This somewhat negative view of political partisanship and the changing nature of the party system obviously leads to a preference for non-partisan candidacy. Many of these candidates then appear across countries. They are often people less known to the public with marginal electoral results, for whom it is impossible to find more detailed information. In these countries, information is missing the most.

4. Who are non-partisan candidates?

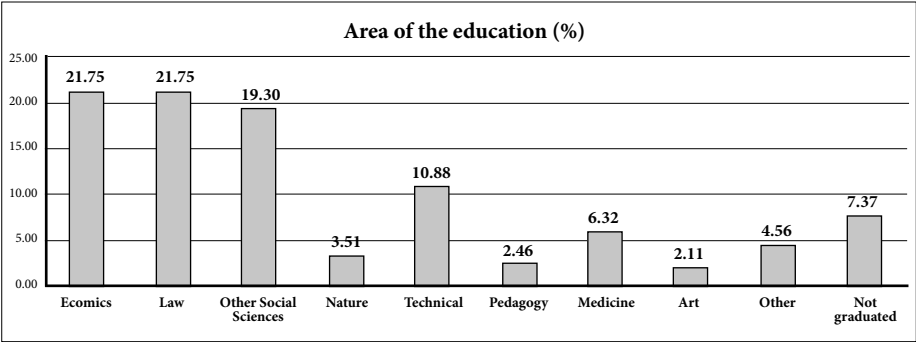
In this chapter, I will focus on the introduction of the results and the composition of the data in the area of biographical characteristics of non-partisan presidential candidates. The basic composition of results will be introduced, and any interesting aspects will be highlighted. At the same time, the results will be placed in a comparative perspective, with the results of the analysis focused on directly elected presidents after 1989 (Drašar, 2024). In the note, under each of the graphs, the number of analysed cases and the number of them where the information about the characteristic was not identified will be mentioned

Figure 1:
Age structure of non-partisan presidential candidates



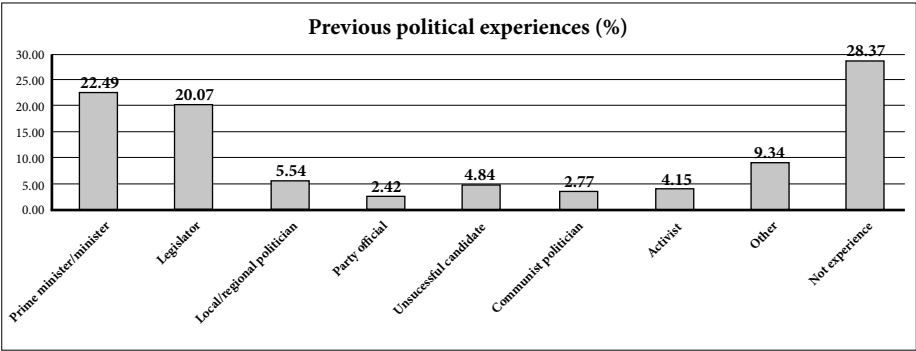
Source: own processing; N = 310 (53 not identified)

Figure 2:
Educational structure of non-partisan presidential candidates



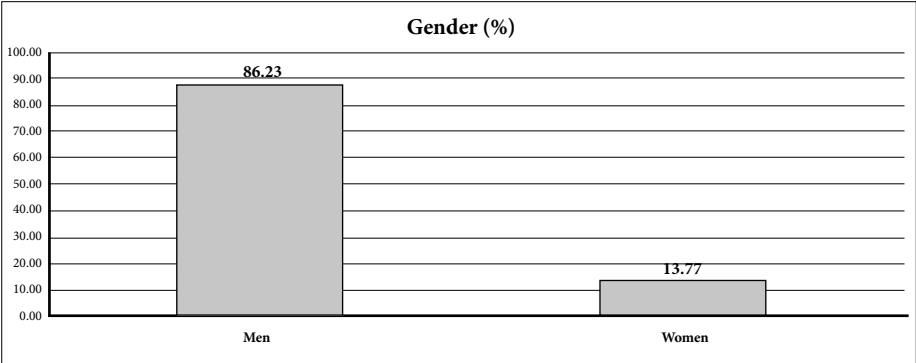
Source: own processing; N = 285 (78 not identified)

Figure 3:
Political experiences of non-partisan presidential candidates



Source: own processing; N = 289 (74 not identified)

Figure 4:
Gender structure of non-partisan presidential candidates



Source: own processing; N = 363

The question of the age of presidential candidates resonates in public discussions, especially in the context of the political experiences of the candidate very often. There are opinions that the presidency should be the peak of a political career. As can be seen in Figure 1, non-partisan presidential candidates span the entire age spectrum, with the most represented categories in the forties and fifties. This phenomenon corresponds with the results of the research focused on directly elected presidents (Drašar, 2024, p. 133), who represent approximately the same share of the total number of analysed cases. From a percentage perspective, the structure of European heads of state corresponds to the category of the sixties, the same as candidates younger than 40 years. As is postulated in this analysis, a significantly lower percentage of this category is influenced by the constitutional limit for holding the presidential office in the form of the setting of the age census (Drašar, 2024, pp. 122–123). It is 40 years old, most often, possibly also 35 years old, or this condition is not mentioned or specified in the constitutional text. If I look at the structure of the dataset, the youngest candidates usually come from countries belonging to the category of 40–49 years and 50–59 years old. For example, Bulgaria, Serbia, Ukraine, Poland or Romania. If I look at the second end of the scale, these candidates are represented by a lower proportion of the total number of cases compared to the analysis of elected European presidents. Generally, it can be said that compared to the structure of elected presidents in Europe, the age composition is very similar (Drašar, 2024, p. 133).

Areas of education are divided into a few categories, including specialisation. In the case of social sciences, there is a high proportion of candidates. Considering this fact, this area was divided into three different categories – economics, law, and social sciences. The last of these categories includes a larger scale of areas (e.g. political science, history, philology, sociology, area studies, etc.). Figure 2 shows that the majority of presidential candidates graduated in social sciences. From a global point of view, this finding corresponds to the structure of education for European heads of state (Drašar, 2024, p. 134). From the comparative perspective, a significant increase can be seen in candidates without a university graduation. Despite this fact, they become the fifth most represented group. This fact may point to a certain specificity in the selection of partisan candidates when even the level of education can play a role, not only for the presidential office. The category ‘Other’ includes all fields of education that do not represent any other. For example, agriculture or military. The second-mentioned field appears very often in the dataset.

Considering the nature of the phenomenon of non-partisan presidential candidates, I should expect a high dominance of people who do not have any experience in politics. This thesis corresponds with the conceptualisation of non-partisan created by Jastramskis (2021) as a person who has never applied for office as a political party representative. In the logic of representative democracy, the political experience in the case of partisan candidates is expected, although

not exclusively. Political parties can also nominate an ‘external’ candidate for the presidential office. The categorisation will show to what extent the concept of a non-partisan candidate is appropriate for the purposes of this article, or if it would be more appropriate to move to a narrower definition. Looking at the results summarised in Figure 3, it can be said that the assumption presented above is only partially valid. Somewhat surprisingly, in the cumulative total, more politicians have experience at the national level. Specifically, these are prime ministers or members of executive cabinets. Therefore, it can be concluded that the chosen approach in the form of conceptualising a non-partisan candidate as a person who is not the nominee of any political party in the concrete election was suitable for the purposes of this analysis and is also suitable for the following typology of non-party candidates. The issue of non-partisanship is evidently more complex than it seems at first glance. Two moments can be highlighted from a comparative perspective with elected presidents (Drašar, 2024). First, a relatively high number of candidates are former municipal politicians, which can be to some extent related to the above-mentioned non-partisan nature of the local level of the political system (see Aars & Ringkjøb, 2005). Furthermore, there is a relatively low representation of former communist regime politicians compared to elected presidents (Drašar, 2024, p. 135). This fact can be justified by their loyalty to party politics, as candidates ran for office as partisans of new or reformed formations shortly after the fall of communism. As shown in Figure 3, a significant share of candidates in the dataset are former high constitutional politicians, members of parliament, party officials or members of the government. Although the category of executives must be taken with a grain of salt regarding the possibility of the existence of technocratic governments and their non-partisan nature (McDonnell & Valbruzzi, 2014, p. 656), the share is certainly not negligible.

It is generally known that politics suffers from a highly inadequate representation of the very low increase of women at all levels of the political system (see Allen & Cutts, 2019; Lovenduski & Norris, 2003). In this part of the chapter, I will look at the gender structure of non-partisan presidential candidates by comparing the share of representation of men and women in the collected dataset. In terms of elected European presidents, men highly prevail (Drašar, 2024, p. 136). Therefore, whether it will also be confirmed in the research of non-partisan candidates is a question. As can be seen in the figure above, the inadequate representation of women is not only a problem of elected offices but also the structure of candidates and the whole of politics generally. Therefore, the lack of sufficient female candidates is not only an exclusive problem of political parties. The dataset shows an overwhelming majority of men’s non-partisan presidential candidates. Additionally, the structure corresponds to the ratio of representation of both genders in the dataset of directly elected presidents.

5. All the same? Typology of non-partisan presidential candidates

In the following chapter, I get to the heart of the problem that this article deals with. An attempt at typology creation will be introduced in this section. As was mentioned above, the criterion for the classification in this case will be the nature of the party history of the non-partisan presidential candidate and the real status in the election in which the candidate entered. However, adding a few procedural and additional methodological notes is still necessary in this section. From the point of view of typology, the chronological order will be followed, and the more recent status will be considered. Therefore, if the presidential candidate was a member of a political party in the past (for example, a member of the party in a non-democratic regime) and subsequently ran as a non-partisan candidate supported by a certain political party, the support of the party will be considered as a criterion for the classification.

Based on the available data on the party history of the candidates, I have identified five categories of non-partisan presidential candidates presented in more detail in the following subsections. The second category is subsequently divided into two separate subcategories. Although these candidates have the same characteristics, their nature is different depending on the nature of the political regime. The rule of at least partial communication with other typological and conceptual approaches was observed when naming them.

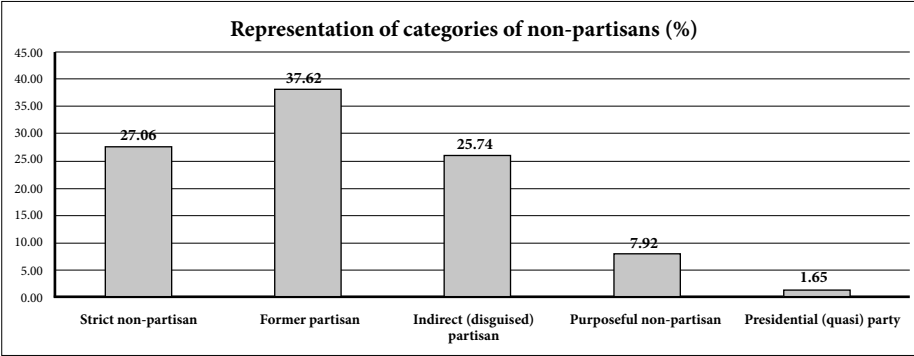
Table 2:
Types of non-partisan presidential candidates

No.	Category/subcategory
1)	Strict non-partisan
2)	Former partisan
	a) Democratic former partisan
	b) Communist former partisan
3)	Indirect (disguised) partisan
4)	Purposeful non-partisan
5)	Presidential (quasi) party

Source: The author

Before the individual categories are introduced in more detail, it is advisable to focus on the quantitative comparison of these constructed types at least briefly. The following graph presents the proportion among categories using the same logic as in the previous chapter. The 'Former partisan' category is represented by a share of candidates in total only. The proportion of both subcategories is described below.

Figure 5:
Percentage representation of categories of non-partisans in the dataset



Source: own processing; N = 303 (60 not identified)

It can be read from the quantitative evaluation that a narrower definition of the non-partisan candidate would not be appropriate in this case. The ‘Former partisan’ category emerged as the most numerous in the European area. Strict non-partisans and Indirect partisans have comparable representation. On the contrary, presidential (quasi) parties are an exceptional situation in the European context. Moreover, upon closer inspection, these are found only in two semi-presidential regimes – in France and Ukraine, and only on the horizon of the last few years. In the following paragraphs, the categories are described.

5.1 Strict non-partisan

The first type of non-partisan candidate corresponds to a narrow conceptualisation of this phenomenon when the candidate for the presidential office has never been a political party member or run for any office with party affiliation or support. This approach is in accordance with the conceptual approach of the non-partisan candidate mentioned by Jastramskis (2021, p. 195). Here can be named Szymon Hołownia, the current chairman of the Seim in Poland (ran for the presidency in 2020); former head of state in Slovakia Andrej Kiska (elected in 2014); Czech senators Pavel Fischer and Marek Hilšer (in their first election in 2018) or Karel Diviš (in 2023) as representatives of this category. Nevertheless, it is important to say that their strict non-partisanship applies only to the presidential election. Therefore, the category does not evaluate and exclude their later membership in political parties or even founding their own political formations, which happened to several people mentioned above.

5.2 Former partisan

The second category corresponds with the broader definition of a non-partisan candidate. It defines it only in relation to the presidential election, as it is conceptualised in most research focused on this topic. Its essence is former membership in a political party holding a high state or party office. Nevertheless, the candidate is not a member of this political party at the time of the election. At the same time, I do not include candidates supported by their former home parties in this category. Due to the time sequence, I include such cases in the following category. On the contrary, I can include non-partisans who applied for some political post in party colours here. The category is divided into two subcategories regarding different historical and political developments of European countries in relation to the presence of a democratic regime:

- a) **Democratic former partisan:** Candidates with a party affiliation in a democratic regime are included here only. It consists of ‘traditional’ Western democracies, the same as countries in Central and Eastern Europe after the fall of communism. Representatives of these categories can be named, for example, Czech former prime minister Mirek Topolánek (ran for the presidency in 2018); former Slovakian presidents Michal Kováč (in 1999) and Rudolf Schuster (in 2004). All of them were members of political parties but later ran for office as independents, especially for the second term.
- b) **Communist former partisan:** Compared to the previous subcategory, former representatives of pro-regime parties within a non-democratic regime who did not join any party after the democratic transition are included here. Examples might be named the first Ukrainian president after gaining independence, Leonid Kravchuk (elected in 1990), former Lithuanian head of state Dalia Grybauskaitė (in 2009 – although she was minister of finance, she was not a party member) or Tomáš Zima, former rector of Charles University (ran for the presidency in 2023). It is necessary to say that this situation is very rare in the European context. However, this subcategory could be described as a minority.

5.3 Indirect (disguised) partisan

This type of candidate corresponds with the conceptualisation of the ‘non-partisan in disguise’ used in the previous research (Jastramskis, 2021, p. 201). Candidates for the presidential office in this category ran as non-party candidates, but they were supported by the political parties directly or indirectly. These are often former party officials or are supported by parties that did not nominate any candidate in the presidential election. There are also presidential candidates relying on

a certain form of support from a part of a political party, a political party in the past, another constitutional official, or some connection to party candidates. It is also common that candidates in this category later, after the election, become members of this political party (Enyedi & Linek, 2008, p. 467). As representatives of this category can be named Petr Pavel, the current Czech president (elected in 2023), Slovakian representative in the European Commission, Maroš Šefčovič (ran for the presidency in 2019) and Aleksander Kwaśniewski (only in 2000).

5.4 Purposeful non-partisan

In some European countries, the head of state is constitutionally or informally expected not to be a political party member. Likewise, candidates may avoid partisanship due to high distrust of political parties. The second option is the necessity of independence in the presidential office. For example, in Romania, the head of state must leave the party membership after the election (Javůrek, 2008, p. 102). In this category, there are candidates for the presidential office who, although they are party members, leave the party for the purpose of the presidential election or suspend their party membership. Therefore, their move is purely purposeful for selecting the head of state. As a representative of this type, the current Austrian head of state, Alexander van der Bellen (in 2016), who left the party precisely because of the presidential election, can be named. At the same time, the later prime minister of Ukraine, Arseny Yatsenyuk (who ran for the presidency in 2010), was a member of the party but did not run for it in the election. Very similar case is former Ukrainian president Viktor Yushchenko (in 2004 and 2010).

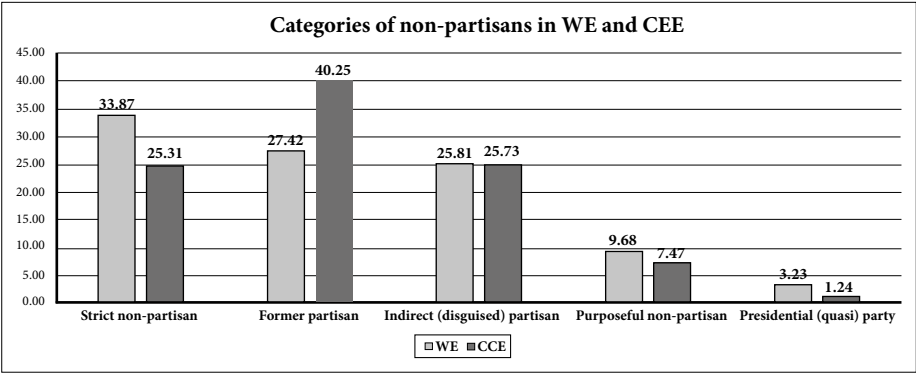
5.5 Presidential (quasi) Party

The last category corresponds to the quasi-party category defined by Weeks (2009). It is a political party founded to support the candidacy of a given candidate for the presidency. This party is usually founded shortly before the election and is closely associated with a given candidate. It is also important to note that this type of candidate is usually connected with the semi-presidential political regime regarding the existence of a dual executive (Duverger, 1980; Elgie, 1999). Examples include former Ukrainian president Petro Poroshenko (in 2019), former Polish head of state Lech Wałęsa (only in 1995), current French head of state Emmanuel Macron (elected in 2017) or French journalist Éric Zemmour (ran in the election in 2022). On the contrary, I do not include the presidential candidacy of Marek Hilšer in 2023 here because his party, *Marek Hilšer to the Senate*, was not founded for the purpose of candidacy for the post of head of state but for the upper chamber of the Czech parliament. At the same time, he was indirectly supported by political parties in the election.

6. Non-partisanship heterogeneity in two European regions

In the last analytical part, the results will be evaluated in the context of the different levels of PSI in traditional Western democracies and post-communist Central and Eastern Europe. The following figure demonstrates the difference between these two regions regarding the composition of non-partisans in the dataset.

Figure 6:
Percentage of representation of categories in WE and CEE



Source: own processing; N = 303 (60 not identified)
Note: WE = Western Europe; CEE = Central and Eastern Europe

The results presented in Figure 6 show an unsurprising composition of non-partisan candidates globally. In comparison to Western and post-communist Europe, the results correspond to expectations presented in the theoretical part of the article. However, it is also necessary to mention the existence of a methodological problem in the form of an unclear temporal sequence of political partisanship, when such candidates are classified in the Former partisan category. The first category of strict non-partisans has the significant share in the context of Western Europe. In post-communist countries, partisans predominate. It reveals the fact that candidates with party membership in post-communist Europe want to cover their real status more often. But the proportion of Strict non-partisan is also non-negligible. This fact may be connected to the greater resistance to political parties in new Central and Eastern European democracies represented by lower PSI.

On the other hand, the differences between these two regions are not as significant as can be expected. Although the ranking in terms of percentages is different, the shares of individual categories significantly approach each other. It can be explained by a relatively long period from the democratic transition in the post-communist area. It is followed by a gradual convergence of party sys-

tems in Western and Eastern European countries (Enyedi & Casal Bértoa, 2018, pp. 445–446). It is also necessary to distinguish the level of heterogeneity in post-communist countries. While in Lithuania or Serbia the proportion of strict non-partisans is significant, in Ukraine or Slovakia the proportion of candidates with ties to political parties is significantly higher.

7. Conclusions

The article examined the heterogeneity of the nature of non-partisan presidential candidates in Europe. Although we perceive non-partisans in ordinary communication as people without ties to a political party, the problem is more complex. They often have a party background or are directly or indirectly supported by a political party. Combining the analysis of the biographical characteristics of non-partisan presidential candidates and creating a typology, I tried to clarify the complexity of the topic.

The analysis showed that the question of non-partisan candidacy is more complex than is expected at first glance. The majoritarian electoral system supports non-partisanship in presidential elections, as can be seen in the size of the dataset. In addition, the results showed a possible connection with the crisis of political parties. There are a number of runners for the presidency who want to cover a connection with a party. The significant share in the dataset is Former partisans. This fact is also illustrated in the structure of presidential candidates in the context of biographical characteristics, with a significant share of candidates having political experience and holding high constitutional positions. At the same time, it has been shown that candidates in post-communist Europe showing lower levels of PSI are often people who have ties to a political party, while in Western Europe, Strict non-partisans are more common. However, even within these regions, the situation is not homogeneous. Individual countries in the region differ from each other.

Through a descriptive approach to research and comparisons with the analysis of directly elected presidents (Drašar, 2024), I concluded that the patterns in both groups are close to each other in certain matters. People between forty and fifty-nine years of age predominate among the non-partisan candidates. The most frequently represented candidates are university graduates in social science disciplines, especially economics and law. Compared to elected presidents, there is a more significant increase in candidates who do not have a university degree. The research also showed a significant underrepresentation of women among non-partisan candidates, not only in the sphere of political parties. Somewhat unsurprisingly, in the field of political experience, those who have never held any political office are most often represented. Their cumulative total share is lower than former national politicians (Former partisans).

The purpose of the research was to contribute to the relatively unexplored area of non-partisan candidates at the level of presidential elections, where basic biographical characteristics were presented, and a simple typology was created, despite the claims of some authors about the impossibility of constructing such a classification. The similarity of biographical characteristics and the complexity of the typology show that the usual idea of a non-partisan as a person without ties to a political party is insufficient. Regarding the candidate's party history and political relations, looking at this issue more broadly is necessary. Thus, the research can serve as a 'springboard' for further, more detailed analyses in this area, for example, in a different world region with respect to the absence of universal typology. At the same time, the article brought possible starting points for the research into other aspects. For example, analysing electoral support for these types of candidates not only in the context of social or economic characteristics of the population, but also in comparison to the support for political parties that are connected to them. These studies can be provided not only as case studies, but also in a comparative perspective. The topic is also very important in relation to the crisis of political parties or the personalisation of politics.

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Women's Protests in Poland in 2015-2021 in the Context of Charles Tilly's Approach to Social Movements¹

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Abstract

The paper explores the women's movement in Poland in the second and third decade of the 21st century. It applies the theoretical framework developed by Charles Tilly to present how the protests of Poles in 2016 and 2020 corresponded to the constituting features of social movements. Based on desk research of documentation of the protests by the protesters themselves, media and researchers, the paper highlights how protesters used the social movement repertoire and WUNC manifestations (worthiness, unity, numbers, commitment) to address the recurring problem of women's reproductive rights in two latest manifestations of the struggle that has been a major component of Polish feminism since its origins.

Keywords: social movements; Charles Tilly; feminism; women's protests; All-Poland Women's Strike; reproductive rights; Poland

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1. Introduction

Social movements have been a subject of scientific exploration for decades. The original approaches developed in the late 19th and early 20th century treated them as evidence of the polity's instability and insufficiency (Langman & Benski, 2019, p. 303), to evolve to perception of social movements as 'one of the principal social forms through which collectivities give voice to their grievances and concerns about rights, welfare and well-being of themselves and others by engaging in various types of collective actions [...]' (Buechler, 2006, p. 48). Nowadays, they make a significant part of the political science research, as well as political developments.

Poland has a long history of social movements of its own, including the highlight of the 'Solidarity' in the 1980s (Touraine, Dubet, Wieviorka, & Strzelecki, 1983) and the post-communist breakthrough after 1989. The 1990s and 2000s marked an important time of development of various movements in Poland (Gliński, 2011, pp. 273–274). Another major shift occurred after 2015, when the conservative coalition of the United Right, led by the populist party Law and Justice (*Prawo i Sprawiedliwość*, PiS) took power and initiated reforms that amounted to democratic backsliding (Bernhard, 2021). The steps taken against independence of the judiciary, media pluralism and autonomy, rule of law, human rights guarantees and women's rights triggered various forms of top-down as well as bottom-up organisations and public protests.

The objective of the present study was to analyse the Polish women's initiative after 2015 and the protest campaign in 2020 as social movements. For this goal, Charles Tilly's perspective (Tilly, Castaneda, & Wood, 2020) was applied, providing a set of characteristics which define and constitute the concept of a social movement. The paper refers to the recent protests in 2016 and 2020 as two distinct waves of the same process. The study was based on a qualitative analysis of a database of publications referring to the women's movement in the Polish information portals and social media, as well as on desk research of reports of activities taken and demonstrations held in the form of media coverage, women's organisations own declarations and reports, as well as scientific publications.

2. Charles Tilly's perspective in the context of the theory of social movements

Social movements theory has been evolving. Initially perceived as a threat to social order, a symptom of unpredictability and lack of respect to organisation of the society (Oberschall, 1973, pp. 1–24), contentious politics was analysed within the framework of crowd psychology (Le Bon, 2013). Only later association of social

movement research with analysis of social change led to redefinition of these approaches and more nuanced study of contentious politics. The main aspects of contention that are the subject of analysis concern different stages of social movements and their evolution, starting with their origins and background, to message shaping and formulation of postulates, to mobilisation of supporters, repertoires of action and modes of operation, to outcomes analysed on micro level (biographical impact), mezzo level (situation of social groups involved or concerned in social movements) and macro level (results achieved within societies and political systems). Observation of individual movements in their actions and effects allowed development of paradigms of analysis and theories, as well as instrumentarium of social movement exploration (della Porta, 2014).

The historic evolution of social movement research saw a series of theories that sometimes competed and sometimes complemented each other in interpreting the studied processes (Goodwin, & Jasper, 2004). The most influential theories included the relative deprivation theory, resource mobilisation theory, political opportunities structure, new social movements theory and cultural theories.

The relative deprivation theory is especially important with respect to origins of social movements. According to this approach, social movements arise in situations of comparable disadvantage experienced by a group (Langman & Benski, 2019; Merton, 1968). Therefore, the juxtaposition of a privilege vs. marginalisation is key to understanding how movements shape, but it may be also important in the process of organising the movement's efforts and assessment of its outcomes. In the 20th and 21st century, this theory takes into account the processes of globalisation and their impact on social movements (Mayo, 2005).

The resource mobilisation theory refers to circumstances that support development of a movement and effectiveness of its actions, indicating that those elements are determined by various types of assets and resources available to the movement (Langman & Benski, 2019). Those resources may concern not only the tangible assets (including but not limited to funding, materials, equipment etc.), but also intangible assets, especially those related to human capital, which may be reflected in the capacities of the movement's leaders, as well as characteristics of movement participants and supporters. The sphere of communication, with its evolving technologies and patterns is also an important area studied within this approach (Carty, 2018).

Political opportunities structure relates social movements to their environment. Social movements operate within political systems and the specifics of the system in question affect their potential on different stages. The concept was developed around the question of how political opportunities structures, i.e. the level of openness and strength of the state apparatus impacted political outcomes (Kriesi, 1995), however it has come to be applied also to the questions of triggering social movements and attracting support (McAdam, McCarthy, & Zald, 1996).

This political opportunities structure is often paired or opposed with cultural approaches (Polletta, 2004) which strive to present social movements in even broader perspective. Scholars applying this theory highlight the need to explore the impact of not only political and social, but also cultural factors which impact attitudes, as well as perceptions of both movement activists and potential supporters. Importantly, this approach attempts to combine objective and subjective components of the environment that affect both occurrence and development of social movements (Jasper, 2007).

Another important factor that has to be taken into account involves the questions of communication. The way social movements communicate with their supporters, addressees of their postulates, as well as bystanders is key for their effectiveness and impact. In this context, framing (Caiani, 2023) has become one of the most important categories, referring to the process of building interpretative frames around specific themes or terms.

The 1960s saw a surge of movements that inspired scholars to look more closely at the character and functioning of the movements themselves, leading to what has come to be called the new social movements theory (Kriesi, Koopmans, Duyvendak, & Giugni, 1995). Despite the doubts and discussions concerning the extent of continuity and change between different kinds of movements, such unique features as prioritising identity over interests, formulating of intangible postulates rather than mainly material ones and addressing them more broadly to the society than decision-makers warranted this distinction (Chesters, & Welsh, 2011; Larana, Johnston, & Gusfield, 2004).

Considering the variability and versatility of social movement theories, each movement or campaign of contention requires multiple analyses reflecting on various aspects and combining them. To enable a closer insight into the process of contention in Poland, the present article focuses on the repertoires of protest, considering the process of shaping the analysed social movement's image, addressed both at the social movement's participants and its environment. To achieve this objective, I focus on the framework of analysing social movement repertoires developed by Charles Tilly.

With his multiple publications concerning the definition, characteristics and evolution of social movements (Tilly, 2003; Tilly, et al., 2020; Tilly, & Tarrow, 2015), Charles Tilly has become the mainstay in research of this phenomenon. In his research of social movements' essence, nature, history, evolution, tools and potential for future development, he constructed a definite approach to their overall exploration. Tilly defined social movements as:

endeavours by categorical groups who share an identity and thus go beyond isolated individual decision to engage in activism. Social movements are a type of contentious politics, which in turn are politics by non-electoral means; and thus, related to social change and to the public affairs understood as the issues affecting many members of a polity. (Tilly, et al., 2020, p. 167)

He further identified a range of specific features that turn a series of contentious events into a social movement:

1. Social movement campaign: a sustained, organised public effort making collective claims on specific authorities, e.g. national governments;
2. Social movement repertoire: combinations of culturally recognisable forms of popular protests, e.g. marches, rallies, demonstrations; and,
3. WUNC displays: the coordinated public performance of Worthiness, Unity, Numbers, and Commitment by members and supporters of the movement. (Tilly, et al., 2020, pp. 168–169)

Individual elements of the definition have been a subject of exploration by various scholars. Collective action lies at the baseline of perception and analysis of social movements (Almeida, 2019, p. 8). The diverse repertoires range from peaceful attempts to reshape the public discourse to violent public actions, but collective involvement is social movements' constituting element: 'The irreducible act that lies at the base of all social movements, protests, rebellions, riots, strike waves, and revolutions is contentious collective action. Collective action can take many forms – brief or sustained, institutionalized or disruptive, humdrum or dramatic' (Tarrow, 2011, p. 7) to transforming a need or conflict into a social movement, both in terms of building movements and mobilising their membership and in terms of affecting the movement's environment. The importance of the latter impact is especially important as social movements represent non-electoral politics, as their leaders and participants seek not chances to take formal positions of power, but rather to use their resources (Meyer, & Luppó, 2007, pp. 118–122) and opportunities (Kriesi, 2006) in order to promote their fundamental cause and encourage its desirable solution. These causes lie in the area of public affairs, as evidenced by both theoretical approaches to social movement (Khagram et al., 2002) and multiple case studies concerning movements in various parts of the world, quoting such examples as social justice movements (Langman & Benski, 2019, pp. 303–324), labour movements (Khagram et al., 2002, pp. 245–300) or equal rights movements (Leitz, 2021). Identity as a factor mobilising and uniting members and participants has become a mainstay of defining social movements (Diani, 2003, p. 6; Meyer, Whittier, & Robnett, 2002), especially since the research concerning new social movements (Kriesi et al., 1995). While identity is a precondition of shaping a sense of commitment, social movements also stimulate further redefinition and development of identities (della Porta, & Diani, 2020, pp. 94–95).

Application of Tilly's framework is especially important in analysing the modern movements for several reasons. Firstly, this framework is concentrated on the repertoires of contention and provides a detailed scheme for exploring them. Therefore, it is especially useful in discussion of how different actions are planned, developed, implemented or – as in the present study – communicated.

Secondly, Tilly's framework ensures the needed flexibility. It was constructed to allow analysis of various movements, and its versatility and universality is important in analysing movements outside the United States and Western Europe. Thirdly, especially with technological developments and evolving cultural patterns, repertoires of contention are significantly changing, with appearance of new tools and new forms of well-known solution. This is why it is important to apply Tilly's framework and explore its adaptation potential in this new context.

The following part of the paper is divided in thematic sections. After presentation of the material and methods is the next section, the paper will introduce the background of Polish feminism. Further, I will verify occurrence of elements of Tilly's definition within the wave of pro-choice and pro-women's rights protests recorded in Poland in autumn 2020, striving to explore the nature of these processes. The analysis of WUNC displays that follows is based on media materials published during the women's strike at the turn of 2020 and 2021. The analysis focuses on the process of documenting effectiveness of WUNC displays in the public sphere, and thence it presents those publications that show the movement in a positive manner. There are also multiple materials of negative character which require further research.

3. Material and methods

The exploration of WUNC displays within the women's protests in Poland in 2020/2021 applied a database of publications purchased within a scientific project funded by the Faculty of Social Sciences of the University of Wrocław (project title: *Resonance, Resilience, Reconfiguration. Strategies of Social Movements in Poland after 2015*). The database included materials concerning the selected social movements, published in information portals and social media between 2015 and 2023). The database was developed by IMM, a company specialising in analysis of the Polish media market and it covered all-Polish online press outlets as well as social media indiscriminately, identifying all published or posted items referring to the selected key words. Therefore, the database contained not only articles by professional journalists and activists, but also materials by other people observing and commenting on the evolving situation. Without further verification, they cannot be treated as a reliable source on the actual course of events and behaviours of the involved actors, but they provide a full reflection on the public discussion about the protest process and what was effectively communicated within the process. Thence their usefulness in the designed research context.

The present study covered publications identified by such keywords as 'All-Polish Women's Strike', 'protection of women's rights', 'protection of men's right'. For practical reasons, the sample was restricted to five randomly drawn dates in November 2020, December 2020 and January 2021. The number of gen-

erated items is shown in table 1. An item is defined as a single post or article, regardless of the number of the keywords referred to or the number of mentions within the material.

Table 1:
Number of items found on portals and social media for the drawn dates

Date	Number of items
24/11/2020	12,466
3/12/2020	3,991
15/12/2020	4,292
24/12/2020	1,925
14/1/2021	867

Source: developed by the author based on the IMM database purchased within the project.

It can be noted that while the number of published mentions of gender equality rights and All-Polish Women’s Strike in November was high, it fell significantly, reaching the level below 1,000 in mid-January 2021. This is consistent with wearing out of the protests, as they were ignored by the authorities.

From the above sample, only those items were considered which displayed positive attitudes towards the women’s movement, i.e. those by women’s organisations, activists, news outlets presenting the women’s movement’s stances (e.g. interviews with activists), as well as by supporters of the movement (especially those declaring participation in the protests) (coded by the author herself). There was no verification concerning authorship of the items (either by activists/leaders, by supporters or bystanders), in order to include the full picture of the bottom-up movement and not only the discourse specifically tailored by the leaders of the campaign. All those items were read and analysed to identify representations corresponding to displays of worthiness, unity, numbers and commitment. The results section further in the paper discusses patterns of content that were identified.

4. Polish feminism

The roots of the Polish feminist movement are traced by scholars to the late 19th century (Sikorska-Kowalska, 2019). As there was no Polish state by that time, the main areas of feminist activity involved social, educational and professional emancipation, bottom-up self-help and self-organisation, but also involvement in the Polish pro-independence struggle (Górnicka-Boratyńska, 2020). These foundations were key in the successful post-WWI effort by female activists to

persuade leaders of the newly re-established state to grant full voting rights to women. In 1918, Poland was among the first European states to approve such law and even the first Polish parliament elected in 1919 included female representatives (Suska, 2019). On the other hand, social equality and reproductive rights for women lagged behind for the entire inter-war period.

The change of regime after WWII, when Poland became a part of the communist bloc, brought significant evolutions. On one hand, gender equality was a part of the communist standard, frequently quoted and presented as a great success of the new authorities (Fidelis, 2020). On the other, the state failed to ensure protection for women, and consequently the emancipation was matched with double burden of employment and housework for many women, feminisation of poverty and underrepresentation of women in management and authority positions – in the state and party echelons (Jarska, & Perkowski, 2016). The women's organisations were present and active in social life, addressing and articulating actual problems and challenges women faced, even if they were hardly influential in politics and clearly subjected to the communist party (Bauchrowicz-Tocka, 2020). The balance of the communist period for gender equality in Poland is still a matter of debates and controversy among both scholars (Fidelis, Kluch-Kuczevska, Perkowski, & Stańczak-Wiślicz, 2020) and public commentators.

While the fall of communism led Poland to gradual development of liberal democracy in 1989–2015, the feminist movement gained momentum and became visible and audible in the public discourse. Already in the 1990s Poland had its first female prime minister (Hanna Suchocka, 1992–1993) and even female president of the central bank (Hanna Gronkiewicz-Waltz, 1992–2001), and in the 2000s, 2010s and 2020s top positions (prime ministers, deputy prime ministers, speakers of the Sejm, speaker of the Senate) were held by women multiple times, but the struggle for full rights and non-discrimination was far from finished. The share of female members of the Sejm steadily grew from 9.56% in 1989 elections to 27.17% in 2015 (Kotowska-Wójcik, & Luty-Michalak, 2019, p. 8) and reached the record level of 28.47% in 2019 and 29.34% in 2023, but this is still not a high share. At the same time, the traditional model of family life and traditional gender roles remained strong, enhanced also by the strong position of the Roman Catholic Church. This was evidenced by school curricula (Chmura-Rutkowska, Duda, Mazurek, & Sołtysiak-Łuczak, 2016), as well as the situation on the labour market (Sielska, 2015). Since the second decade of the 21st century this has been matched by a strong anti-gender and anti-feminist discourse, especially from the populist right (Graff, 2014).

While there are many areas of equality debate in Poland, the most prominent one involves family life and roles, home violence, model of parenthood and especially reproductive rights. The latter subject was in the focus of a broad discussion in early 1990s, soon after the fall of communism (Bień-Kacała, & Drinóczi, 2023), which was concluded with a resolution referred to as 'the abortion compromise',

prohibiting pregnancy termination in any circumstances other than life or health threat to the pregnant woman, serious and irreversible congenital defects of the foetus or cases of criminal offences such as rape or incest (Act of 7th January 1993, 1993). The restrictions were enhanced by the conscience clause allowing a medical doctor to refuse performance of a legally allowed procedure, if it breached their moral convictions. These strict provisions were a result of an arrangement between the Polish politicians and the Roman Catholic Church (Kościelniak, 2020). It has to be stressed that in Poland, the Church played traditionally an important role, and it was even enhanced during the period of communism. Not only was its role in toppling communism appreciated, but Catholicism was also an important element of the ethos of the Solidarity and a major value for many post-Solidarity politicians. Finally, in view of the high share of Roman Catholics within the society itself, democratic leaders believed that the Church's support was key for the success of economic and political reforms, as well as accession to the European Union, and therefore they were willing to make concessions including those associated with religious education at public schools and women's reproductive rights.

Those regulations resulted gradually in a paradoxical situation in which the provisions, although in force and widely accepted, were subject to loopholes that made them void in multiple situations. On the one hand, the conscience clause allowed doctors to refuse even those procedures that had to be performed to save the patients' life. Such refusals concerned entire hospitals sometimes, and in the 2010s and 2020s, pro-choice non-governmental organisations and the Ombudsman warned that there were entire regions where no hospital and no physician within the public healthcare system would provide this service (Rzecznik Praw Obywatelskich, 2019). The situation was not effectively amended by the requirement that a hospital unable to provide a service should refer the patient to another entity. In such cases some doctors would refuse to even issue the relevant documentation. On the other hand, there were other options to terminate pregnancy outside the official healthcare system. Initially forced to resort to underground providers, later, especially after Poland's accession to the EU, women gained fully legal opportunities to avoid the restriction either by ordering delivery of abortion medication by mail or by traveling abroad for the procedure. There was also a growing support from non-governmental organisations helping organise delivery of the medication etc. (Dzwonkowska-Godula, 2022) However, it has to be highlighted that the access to abortion procedures depended on the financial resources available to the woman and on her capacity to find a loophole in the healthcare system. Thus, restrictions in reproductive rights translated to further discrimination of some groups of women.

On the other hand, Polish women started to apply legal opportunities to fight for their rights to relevant healthcare by referring to the European Court of Human Rights. The most prominent case concerned Alicja Tysiąc, a woman

for whom pregnancy involved a risk of losing eyesight (ruling issued in 2007), another one concerned a person denied the right to prenatal exams that could reveal deformations of the foetus justifying legal termination (ruling in 2011), and the third – a minor rape victim (ruling in 2012) (Michalczuk-Wliziło, 2023). In its rulings the Court confirmed breaches of right to private and family life, right to life and prohibition of torture, but also their association with discrimination (Kapelańska-Pręgowska, 2021). The legal complaints continued after 2015, linked also to rule-of-law issues (Kubal, 2023). With multiple and frequently broadly commented cases of women losing their lives due to lack of abortion and comprehensive healthcare service for pregnant women, the strict anti-abortion law is sometimes seen as a threat to women's life and health.

Also in the local legal system's context, the 'compromise' was later repeatedly questioned, both from pro-life and pro-choice stances (Kozub-Karkut, 2017, p. 238). In 1996, the Parliament amended the respective legal act, introducing a possibility of abortion due to the woman's dire situation, but the amendment was declared unconstitutional by the Constitutional Tribunal. The parliamentary term of 2015–2019 processed particularly many initiatives related to reproductive rights (Zabrzewska & Dubrow, 2021). In 2016 and 2017, there were further draft acts to liberalise the abortion law submitted as citizens' initiatives (Druki sejmowe no. 830/2016; no. 2060/2017), and in the same years, there were two citizens' initiatives submitted to the Parliament concerning further limitation of access to pregnancy termination procedures (Druki sejmowe no. 784/2016; no. 36/2017) (Sejm Rzeczypospolitej Polskiej, n.d.). None of those was accepted, and the 'compromise' was eventually revoked only in 2020, when the Constitutional Tribunal, controlled by the rightist government, declared the foetal pathology exception unconstitutional (Constitutional Tribunal, 2020b).

Meanwhile, Poland witnessed the rise of the feminist movement and non-governmental organisations promoting sex education and reproductive rights, but the public opinion's stand on abortion remained remarkably stable. A polling agency CBOS performs regular surveys on this matter (Bożewicz, 2023). Since 1992 support for allowing termination in cases of a threat to the mother's life ranged from 86% and 92%, in the case of a threat to the mother's health from 71% to 82%, in the case of pregnancies resulting from crimes from 72% to 80%, and in the case of dramatic foetal defects from 53% to 71%. Support for decriminalisation of abortion because of a difficult financial situation never reached 50%, while for other reasons (difficult personal situation, unwillingness to give birth), it never exceeded 40%. Although since 2016, there was a steady increase of the difference between pro-choice and pro-life groups in the former three cases, it remained significantly negative (from around -70 and -60 in 2016 to approximately -50 and -40 in 2023). This shows, why it was difficult for women's movements to mobilise people with postulates of liberalisation of the abortion law, but attempts to make it even stricter and limit the already narrow possibilities triggered significant reactions and protests.

The specific feature of the protests which occurred after 2015 involved the strong association of the women's movement's postulates and pro-democratic initiatives (Korolczuk, Kowalska, Snochowska-Gonzalez, & Ramme, 2019). In 2015 power in Poland was taken over by the rightist populist party Law and Justice (*Prawo i Sprawiedliwość*) which questioned equality demands, e.g. by criticising the Istanbul Convention on preventing and combating violence against women and domestic violence (Witkowski, 2021, p. 217-218) and promoting traditional roles of women (Cieślik-Florczyk, 2013). Law and Justice also very firmly rejected the right of choice (Dziemidok-Olszewska, & Michalczyk-Wliziło, 2024, p. 202-204) and supported pro-life legislative initiatives. The ruling by the Constitutional Tribunal, too, was issued upon a motion of members of the Sejm representing Law and Justice (Constitutional Tribunal, 2020a). Consequently, women's demonstrations were directed against the government and although (as described below), the protesters refused to support anti-populist political parties, close cooperation was observed between the women's and pro-democratic movements (Korolczuk et al., 2019). The anti-government slogans were especially visible during the wave of protest in 2020.

This context unsurprisingly was intertwined with the issue of the role of the Roman Catholic Church, which built a strong alliance with Law and Justice (Kowalczyk, 2019). For many protesters – both leaders and supporters of the women's movement, the Church was the actual culprit of the ruling, as bishops and priests expressed multiple times their demands that abortion be banned even in circumstances allowed by the 'abortion compromise' (Suchomska, & Urzędowska, 2021, p. 13-14) and the ruling of the Constitutional Tribunal occurred at the time of yet another enhancement of the role of the Church in Polish politics. Many slogans referred to priests and especially bishops, and many mentioned charges against the church, especially those related to paedophilia and other sexual offences. Church buildings were frequently targeted by demonstrators and there were even occurrences of protests inside churches during mass (Frąckowiak-Sochańska, Zawodna-Stephan, Żurek, Brzozowska-Brywczyńska, & Nymś-Górna, 2022).

Another important external factor that affected the demonstrations and their perception was the COVID-19 pandemic. Although the pandemic started in spring 2020, the first wave was not very hard in Poland and in actuality, anti-spread restrictions were more perceptible to most citizens than the disease itself and its direct consequences. However, the situation changed with the second wave in autumn 2020, when morbidity and mortality rates soared (Płonka-Syroka, 2023). Anti-COVID provisions significantly restricted the right of public assemblies (Daśko, 2021), and some believed that these regulations were also intended to hamper anti-government protest (Czerwiński, Dropek, Kruszk, Maciejewski, & Mazur, 2024). This situation had a twofold effect on the protesters, in both instances making it harder to decide to participate in a public protest gathering. Firstly, the protesters were aware of the health risks they took,

especially in the case of big demonstrations where very many people met – even though the demonstrations were held in open air, their participants were crowded together for several hours at a time, day by day. Secondly, this signified a greater risk of legal consequences, since the participation in a gathering was an offence.

In this context, the overall form of policing these protests should be mentioned, too. The strong, even aggressive reactions of the members of the ruling Law and Justice against the protesters was also reflected in frequently inadequate reactions of police officers towards people participating in the demonstrations (Szczepaniak, 2022, pp. 119–121) up to the point that police was perceived as an ally of the rightist side against the protesters (Kosiewski, 2023, p. 14). On the other hand, there was a lot of lenience for counterdemonstrators or individuals who simply attacked protesters. This was also possible due to very vehement reaction in pro-government rightist media (Palczewski, 2023, pp. 312–314), but on the other hand it also enhanced mobilisation of the demonstrators' part to some extent (Firgolska 2022, p. 19).

5. Women's movements in Poland after 2015

5.1 Shared identity

The first, original women's protest undertaken after the United Right took power in Poland in 2015 was triggered by submission to the Sejm of a draft act aimed at further limitation of access to legal abortion in Poland (Makarewicz, 2019, p. 30). Women and feminist organisations all over Poland reacted with protests and demonstrations, which culminated in organisation of a coordinated Poland-wide protest action on Monday 3rd October 2016. Only in 2019 was the movement formalised to establish the All-Poland Women's Strike Foundation (Fundacja Ogólnopolski Strajk Kobiet), However it still identified itself as follows:

We are a bottom-up, independent social movement of angry women and reasonable men who support us. We protest and act for women's rights, democracy, Poland for everybody, we mobilise and act in over 150 towns in Poland – 90% of them are localities of fewer than 50,000 inhabitants, which is our greatest strength and source of our pride. We are an informal, non-partisan initiative of women, either non-associated, or members of various women's organisations. (Ogólnopolski Strajk Kobiet [OSK], 2020)

This self-description, as well as activities taken by the All-Polish Women's Strike, confirm several recurring elements of the unequivocal and clear identity of the movement. Its characteristic elements are womanhood and sisterhood, but

also openness to diversity and democratic ideals. At the same time, activists stress its egalitarian character, as a group and initiative of 'everywomen', regardless of their background and origin.

5.2 Collective actions

Collective contentious action was not only at the root of establishment of the All-Polish Women's Strike movement but remained the cornerstone of its activities. The collective action involved mainly the two large waves of demonstrations, first in 2016 and then in 2020. The former took a black umbrella as its symbol (Korolczuk et al., 2019, p. 51) – while this was undoubtedly due to the incidentally bad weather on the day of the demonstration, one cannot omit the reference to Polish feminists using umbrellas to hit the fence at the residence of the head of state in 1918 claiming the right to vote (Korolczuk et al., 2019). The latter wave – triggered by the quoted ruling of the Constitutional Tribunal was generally associated with the red lightning symbol and a wealth of creative, funny, catchy and provocative slogans written on cardboard (Kosiewski, 2021). This element was an echo of the movement's bottom-up identity rooted in spontaneity and participation. However, apart from those spectacular, momentous campaigns, the movement activists kept taking smaller measures, some focused on promoting key messages (of the feminist movement itself or other minority groups) or even self-help and development, supporting women in various situations (Korolczuk et al., 2019, p. 135). Thus, the movement strives to build a community so that its postulates are spread not only through all-Polish symbolic initiatives, but also by word-of-mouth of members of a developing feminist community.

5.3 Non-electoral politics

As shown above, the movement self-declares as non-partisan. Importantly, the initiative originated in mid-2010s from protest against draft act proposal from a conservative think tank *Ordo Iuris* Foundation, supported by the rightist Law and Justice Party. Thus, the movement had clearly defined political antagonists on the political arena and even party scene, but it was characteristically cautious in highlighting cooperation with its allies. Some politicians not only expressed support for the struggle for women's rights, but even took part in the protests and tried to use their parliamentary immunity to protect protesters, e.g. Magdalena Biejat of the Left (Kiełczykowska, 2020) or Barbara Nowacka of the Civic Coalition (Kromer, Krawczyk, Kondzińska, & Wojtczuk, 2020). However, the party management remained equivocal and unclear in its declarations, supporting return to the 1990s' 'compromise' (Chrzczonowicz, 2016), while the women's movement

already postulated deep liberalisation of the abortion law. In local/regional elections in 2018 and in parliamentary elections in 2019, the All-Polish Women's Strike offered support to individual candidates (especially female candidates) and some of its activists took part in the contest, but the organisation itself did not register any lists and the support concerned individuals and not party lists. Thus, the movement remained non-partisan and was never associated with any party despite its leaders' clear political views.

While the protests did not side with any of the parties to the Polish political conflict, the adversaries were very clearly defined. The protests were directed against the inspirators of the Constitutional Tribunal's ruling: the Law and Justice Government and the Roman Catholic Church. Thus, they resonated with the pro-democratic movement in support of court independence and rule of law. Human rights were the clear common ground of those two movements, and this connection was reflected in some initiatives by the All-Polish Women's Strike, including appeals to stop democratic backsliding and restore the rule of law.

5.4 Context of social change

The other two elements of Tilly's definition relate to the environment social movements function in. In line with Tilly's findings, the women's movement in Poland in the 2010s and 2020s operates in the context of clashing tendencies of social change. Since the post-communist transformation Poland has been a place of gradual redefinition of gender roles, both with developing research (Slany, Struzik, & Wojnicka, 2011) and activism (Krzyżanowska, 2012, p. 223–225), as well as changing attitudes of the public opinion. Gradual implementation of pro-equality, anti-discrimination and anti-violence laws marked the state's changing policies (Waszkiewicz, 2009): despite the strong position of the Roman Catholic church and widespread traditionalism, equality between men and women and anti-discrimination policies have become increasingly important and salient issues. On the other hand, there has been evidence of cultural backlash (Margolis, 2019) in Poland, too, especially after the right came to power in 2015. The conservative postulates concerned both the conceptual background (e.g. questioning of the need to expand the use of feminine forms of nouns) and postulates in law, some of them very radical (e.g. requests for Poland to withdraw from Istanbul Convention on preventing domestic violence). The subject of the right to terminate pregnancy has become a hallmark of women's rights, as an overwhelming share of Poles accepted the right to abortion both in the case of specific conditions (e.g. threat to the mother's life and health) and at the woman's free will (Chrzczonowicz, 2020). This is also the reason why abortion-related decisions and situations tend to trigger broad waves of protest: the draft act limiting the right in 2016, the Constitutional Tribunal's ruling in 2020, or – to a lesser extent – the death of a pregnant woman due to doctors' inaction in 2021 (Flis, 2021).

5.5 Public affairs affecting many members of the polity

The subjects addressed by women's movement are defined to concern all women, half of the society. Although support for feminist postulates is persistently associated with a specific profile (the highest among young to middle-aged women in bigger cities) (Korolczuk et al., 2019, p. 92), protests in 2015, and especially in 2020 stimulated activity of other members of the Polish society, too. In its declarations and slogans, the movement strived to convey another message: that women's rights affect every person, if not directly, then by touching women in their families or environment. In many places in Poland, demonstrators in 2020 entered churches, stressing that Roman Catholic women, too, are victim to the ruling by the Constitutional Tribunal (Nowicka, Lewandowska, Uziak, & Grymula, 2020). These measures were designed to build the awareness not only among those who already supported the movement, but also in other milieus, originally rejecting the protests.

The scope of the mobilisation in 2020, especially among women and young people was a very important contribution to the Polish politics achieved by the women's protests. Those groups played a role in the historic voter turnout in the parliamentary elections in 2023 and therefore in the victory of the democratic parties and change of the government.

6. Pro-choice protests in 2020

6.1 Social movement campaign

Social movement campaign is defined as '*a sustained, organised public effort making collective claims on target authorities*' (Tilly, et al., 2020, p. 6). In the case of women's movement in Poland in the second and early third decade of the 21st century, the most spectacular case of a social movement campaign is the series of protests triggered by the ruling of the Constitutional Tribunal. They lasted in October–December 2020 and were shortly renewed in January 2021, but among their active participants and organisers there were activists of the All-Polish Women's Strike and other feminist organisations that remained active even outside these specific moments. Although the protesters declared that many actions were spontaneous, as evidenced by demonstrations in towns and localities with no prior feminist activities, use of recurring symbols (especially the lightning, but also the black umbrella) testifies that all diverse activities made a part of a single broader collective process. As far as the movement-defined antagonists are concerned, the focus on authorities was visible in selection of points of beginning or conclusion of demonstrations (governmental buildings, offices of the ruling rightist political parties, but also the private house of the main ruling party's leader), slogans and

banners or placards. Importantly, protesters frequently and expressly referred to the Roman Catholic Church as the driving force of the anti-feminist changes.

6.2 Social movement repertoires

The Polish women's protests in 2020 referred to the classic repertoire of social movements to build their own distinct and consistent public image. Bottom-up and spontaneous campaign of producing home-made cardboard placards with variable ironic slogans and illustrations, frequently referring to modern pop culture or Polish heritage resulted in immense diversity of the protest's symbols, which in itself became the new hallmark of the Polish women's movement. On the other hand, the repertoire included a wide range of classic tools typical for social movements. There were rallies and demonstrations (Suchomska & Urzędowska, 2021), dispersed communication (especially through social media) (Łozowska, 2020), as well as statements by leaders in traditional media (Suchomska & Urzędowska, 2021, pp. 18–19). The protests were supported by petitions – especially online petitions, but signatures were also collected to submit a draft act on liberalisation of abortion regulations to the Parliament (Fundacja Centrum Praw Kobiet, 2020). The movement also received support from public figures, both politicians and celebrities, either by direct participation in demonstrations or through public display of the symbolic red lightning. The lightnings or umbrellas were also displayed on houses, balconies or in windows of private houses or offices of organisations or companies. Another corporate component of the repertoire involved companies' inclusion of the symbol on the products (e.g. cookies with lightnings) or financial donations (e.g. sale of a special set of products with the revenues or part thereof assigned to the All-Polish Women's Strike).

6.3 Manifesting worthiness

It is interesting to mark that the women's protests in 2021 did not attempt to build a dignified image of demonstrations, as evidenced most visibly by widespread use of bad language in slogans, on placards, as well as in chants during the demonstrations. However, the worthiness of the cause was constantly stressed. It was highlighted that the change resulting from the Constitutional Tribunal's ruling hit basically the most disadvantaged. Protesters, and especially their representatives referred to the situation of families with disabled children, highlighting the suffering and tragedies that could have been prevented by abortion (Pamuła, 2020). This was later echoed in another wave of protests in 2022, after a woman died of sepsis as a complication of doctors' refusal to remove a dying foetus from her uterus. Another source of worthiness referred to women's human dignity and their rights to life and human integrity, as well as protection from torture. Policies of the government and the church were presented as a brutal invasion

of women's privacy so that the protesters were acting as outraged defenders. All those elements contributed to an image of just anger of the oppressed.

The patterns identified on the analysed days are listed in table 2.

Table 2:
Displays of worthiness

date	displays	Examples
24/11/2020	agency	slogans used in demonstrations: 'I think, I feel, I decide'
	intelligence	original, catchy, smart slogans, carton boards, memes etc. establishment and operations of the advisory board, a meticulously prepared agenda
	tolerance/solidarity	cooperation with other groups, including environmentalists and organisations supporting people with disabilities
	motherhood	mothers participating in demonstrations together with their children
	perseverance	slogans used in demonstrations: 'No giving up after one month'
3/12/2020	support from respected figures	a meeting with a distinguished female fighter, veteran of WWII, participant of Warsaw uprising Wanda Traczyk-Stawska
	righteous and just postulates	fighting for enlightenment 'rage and hope' (quotes from a foreign publication)
	defending those in need	data concerning feminicide and violence against women establishment of a self-help group in Rawa Mazowiecka
	intelligence	original, catchy, smart slogans, carton boards, memes etc.
15/12/2020	intelligence	original, catchy, smart slogans, carton boards, memes etc. innovative attires, performances, mocking opponents
	bravery	comments on bravery and perseverance of participants of the demonstrations
	normalness	'abortion is ok' and similar slogans, normalising the experience of abortion strike demands seen as a return to normal, right conditions
24/12/2020	consistence	the Women's Strike consistently reiterating its postulates
	equality	referring to overall equality of men and women as a beautiful vision
	long-term endeavour	despite the short-term defeat, the women's movement shall prevail
	patriotism	women's movement as a way to change Poland
14/1/2021	intelligence	the language of the women's strikes as irony, humour, not hate speech
	consistence	interview presenting consistent demands concerning reproductive rights
	flexibility	declaration of moving on to a more reflective phase with gradual exhaustion of the demonstrations without immediate effect
	everyday works	article about a women's movement organisation offering support to women

Source: The author.

It can be noted that displays of worthiness in the women's strikes were multiple and very diverse. They presented the protesters as smart, modern and intelligent. Secondly, even though the slogans used bad words, they were shown

to contain puns and refer to pop culture. It was also highlighted that protests demand what's normal, not privileges, but equality that is ensured in other countries. Demands were shown as just, rational and consistent. Thirdly, there was a strand of worthiness displays referring to Polishness, patriotism and important memories and figures of the Polish history. Finally, a strand that was gaining as the protests wore out, concerned flexibility, readiness for a long-term struggle and openness to applying new tools (e.g. development of extended programmes).

6.4 Manifesting unity

Unity was among the major values highlighted by the protesters and 'you will not walk alone' was a popular slogan chanted at demonstrations and rallies. The concepts invoked by the All-Polish Women's Strike, as well as organisers of individual demonstrations included solidarity and sisterhood, both concepts historically important in Poland, referring to the 'Solidarity' movement of the communist times and in the feminist movement, too (Wickström et al., 2021). Another aspect of displaying unity concerned outright exclusion of political parties, even though their representatives were welcome as participants and supporters. In Poland, party politics is strongly associated with conflict and disagreement, and the movement endeavoured to become separated from those negative connotations. Paradoxically, unity was also rooted in diversity of the movement's participants (Ramme & Snochowska-Gonzalez, 2017), that's why it was stressed that protests were organised in different places, small and big towns and in all parts of Poland, as evidence by the map of events at the website of the All-Polish Women's Strike. Thus, the movement highlighted its position as a gathering of Poles despite various differences among them. It is especially important to mention two groups of apparent outsiders who made an important part of the movement, enhancing the image of unity. Firstly, demonstrations and rallies were attended by men, declaring that their mothers, sisters, partners and friends' human rights were vital for them, too (Słowiński, 2020). Secondly, there were a few statements of participants who publicly declared devotion to the Roman Catholic faith, but rejected the brutal intervention in women's human rights in the name of the religion: a survey showed that 67% of Roman Catholics in Poland opposed stricter anti-abortion law and 45% supported street protests (Szwed & Jędrzejek, 2021).

Table 3:
Displays of unity

date	displays	examples
24/11/2020	solidarity	solidarity events (in support of people repressed or bigger demonstrations in Warsaw and Krakow)
	involvement of different groups	posts by people self-identifying as doctors, inhabitants of small towns etc. in support of the Women's Strike
	various forms of protests	demonstrations, silent demonstration with candles, posts, discussions online
3/12/2020	solidarity	declarations of solidarity with repressed protesters posted online and presented at demonstrations
	support from local councils	various localities that consider naming streets or squares after 'women's rights'
	support from artists and celebrities	declarations of artists and celebrities supporting the protests criticism of those who pretended nothing was happening
15/12/2020	support from artists and celebrities	support from an award-winning actress
	political support	MPs demanding explanation on police reactions to demonstrations
24/12/2020	support from artists and celebrities	former foreign minister admitting participation in demonstrations
	participation in Polish/religious traditions	singing Christmas carols
14/1/2021	appeals for unity	appeal for solidarity of all those repressed by the rightist government (women, judges, independent journalists)
	diversity	inclusion of transwomen
	solidarity	solidarity events (in support of people repressed by police, 'You are not alone' slogan)

Source: The author.

The materials on the studied dates showed especially solidarity (not only declarations but also dedicated solidarity events). While there was no involvement with political parties, support from individual politicians (either on the national or local level) was frequently highlighted. The materials also presented protesters as a diversified group united around the shared values and postulates.

6.5 Manifesting numbers

Manifestation of numbers in the women's protests in Poland in 2020 was twofold in nature. Firstly, and most naturally, there was strong stress on the number of participants of rallies and demonstrations. According to some reports, the larg-

est demonstration gathered 100,000 people (Sala & Orłowski, 2020). The New York Times described the women’s protests as ‘the largest demonstrations in the country since the fall of communism in 1989’ (Magdziarz & Santora, 2021). The same message was conveyed by photos and films published online, at the social media profiles of the All-Polish Women’s Strike, as well as individual participants. Many of those photos showed crowds or documented the length of the marching columns. The other aspect involved promoting the number of places where meetings and rallies were held, as evidenced by maps and lists of localities published by the organisers or by media. This showed that the process was truly all-Polish, spilling all over the country, not limited to the biggest and most modernised cities, but present also in small towns or even villages.

Table 4:
Displays of numbers

date	displays	examples
24/11/2020	large demonstrations	several hundred people in Krakow the largest demonstration in Warsaw photos and videos of demonstrations, posted mostly by individual participants
	multiple demonstrations	shorter or longer notes on multiple demonstrations in many different places in Poland
	huge media coverage	report stating there had been over 900 thousand materials published about the Women's Strike in the media and social media
3/12/2020	multiple demonstrations	shorter or longer notes quoting multiple names of localities where events were held
	large demonstrations	photos and videos of demonstrations, posted mostly by individual participants
15/12/2020	social support	quoting public opinion polls showing high support for women's strikes
	large demonstrations	photos and videos of demonstrations, posted mostly by individual participants descriptive wording, e.g. 'mass demonstrations'
24/12/2020	large demonstrations	large demonstrations presented in media resumes of the year
	part of a bigger picture	slogans and comments: 'it's a war', 'it's a revolution'
14/1/2021	multiple demonstrations	shorter or longer notes quoting multiple names of localities where events were held

Source: The author.

The same characteristics appeared in the sample. Numbers were mostly reflected in organisation of multiple demonstrations in various places of Poland and in showing the biggest, most numerous of them in the biggest cities. Displays of numbers were also confirmed with external sources (quoting reports or notices of broad support for the protests or at least broad interests in them).

6.6 Manifesting commitment

At times, protests at small localities were documented with photos of small groups or even individuals, who had the courage to speak up for their values in a frequently reluctant or hostile environment. This was strong evidence of the final element of Tilly's definition: commitment. Protesters' acceptance of the risk of being rejected, criticised or even badmouthed by their neighbours was a proof of how important the pursued values and interests really were.

Another important element related to commitment was the reaction of the authorities and especially law enforcement. Participants of women's protests frequently met with police brutality (Director of the National Mechanism for the Prevention of Torture, 2021), they were charged with breaking anti-pandemic provisions or with hooliganism. Determination and consistence in the struggle despite these obstacles were important elements of the movement's identity.

Interestingly, the commitment context rarely referred to the pandemic threat. Participation in rallies during the spread of a dangerous infectious disease might also be seen as evidence of protesters' courage and determination, however, it was hardly mentioned, possibly because in late 2020, there was still a lot of fear of COVID-19 in Poland, so using this argument might actually discourage the public.

Table 5:
Displays of commitment

date	displays	examples
24/11/2020	suffering repression from the authorities and/or police	a photojournalist arrested for working at a demonstration police intervention at the house of a 14-year-old boy who shared a pro-strike post online police interventions and brutality during demonstrations in Warsaw
	solidarity with those under repression	demonstrations and declarations of solidarity with the arrested journalist
3/12/2020	suffering repression from authorities and/or police	request by leftist MPs that the Supreme Audit Chamber verifies police operations during demonstrations information on a police intervention at the houses of three teenagers in Oleśnica, a post by one of the girls: 'you won't arrest all of us' police using tear gas against protesters #stoprepressions hashtag mayor of a town in central Poland hated by rightist activist for supporting demonstrations leftist MP hurt with tear gas by police disciplinary measures against teachers displaying support for the protests and/or allowing their students to do so
15/12/2020	suffering repression from authorities and/or police	police brutality at demonstrations criticism of police brutality by the deputy ombudswoman disciplinary proceedings against a teacher involved in demonstrations police hearing of a 19-year-old organiser of a demonstration
24/12/2020	suffering repression from authorities and/or police	instances of police brutality
14/1/2021	suffering repression from authorities and/or police	teachers punished by education boards for supporting women's protests police persecuting people participating in women's demonstrations (including teenagers)

Source: The author.

References to various forms of repressions (especially police brutality at the demonstrations themselves; but also policemen coming to someone's workplace or home; police investigating someone exclusively for their participation in the protests; court summons or rulings; professional sanctions, frequently affecting teachers or officials) were the major form of display of commitment. On the analysed days there were no references to COVID threats. It should be stressed that displays of commitment were very frequent, similarly as displays of worthiness.

7. Conclusion

Tilly's definition, based on broad and in-depth analysis of variable social movements over history provides a clear and viable framework of analysing various aspects and components of both historic and modern movements, especially with respect to repertoires of contention. Its value lies also in its versatility and adaptability to various conditions, which make it an efficient tool even after development of new technologies and forms used in the repertoires as well as new values and objectives of movements.

The Polish women's movement of 2010s and 2020s is a continuation of prior postulates of feminist and women's movements all over the world. It also reiterates demands known from previous periods. The problem of reproductive rights is still a dramatic challenge in Poland that stimulates self-organisation and activity of women and men. The most recent wave of protest, triggered by further restrictions imposed in this area, was characterised by very strong emotions, especially anger, expressed in public, but also in dynamic and very creative development of the slogans and forms of the known repertoires. As shown in the study, it draws from the long traditions of social movements, creatively applying the social movement campaigns and repertoires, as well as strengthening its message with WUNC representations. The study of publications referring to the women's strike and women's rights showed a wealth of approaches to worthiness, and their evolution in time, probably in reaction to lack of immediate success of the protests. Displays of unity and numbers were more consistent throughout the sample, while the quantity of publications gradually fell. Finally, commitment displays arose from the reaction of the authorities. All those elements contributed to image-shaping of the movement. Further analysis is planned to describe how opponents of the movement strived to counter and question those positive displays.

Another future field of research involves activities of the women's movement in view of the evolving society and political opportunities. Change of the ruling coalition in Poland in 2023 and its policies vs. women's rights will require new measures by feminist activists to attract support and impact decision-making. Inspired by prior campaigns, the Polish women's movement can also inspire evolution of the society, however its long-term efficiency in changing the position of women in Poland remains to be seen.

Thus, it can be concluded that the Polish women's movement still brings the well-known and well-rooted postulates developed within the history of the movement. At the same time, it remains flexible active in terms of redefining the machinery of protest.

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Annex 1. Sample quotes.

Displays of worthiness	
24/11/2020	<p><i>'Women protest in multiple small and big towns, also men are on the streets to support them. They all create funny, smart, but also vulgar and critical slogans. Some people are outraged by them, but others compliment the expressiveness and irony'.</i></p> <p>polskatimes.pl</p>
3/12/2020	<p><i>'Demonstrators at protest express their postulates not only by crying or chanting. Many people choose to prepare DIY banners. Initially, those were mostly classical slogans, but in time, there were more and more creative ones. [...] They refer sometimes to hit cinema films, such as Avengers or Harry Potter. [...] What are the most frequent slogans at strikes?</i></p> <p><i>I think, I feel, I decide [...]; Government is no pregnancy, it can be terminated; My body, my choice; Women's freedom; Women's rights are human rights; Choice instead of prohibition; Sentence against women; Court to trial [...]; We've had enough; Women's hell; Separate the state from the Church; Revolution is female; This is a war; My uterus is my business; This is a tragedy [...]; I hope you step on a lego bloc barefoot'.</i></p> <p>kurierlubelski.pl</p>
15/12/2020	<p><i>'Such demonstrations cannot last forever. [...]' – said Agnieszka Holland about the Women's Strike. – "The authorities want to tire protesters out, but I don't know if they realise how big a change has occurred. There has been a giant shift in the social and political awareness of the young generation" - said Holland in Onet Opinie broadcast. – "Nothing's going to be as it used to be" – she added'.</i></p> <p>onet.pl</p>
24/12/2020	<p><i>'On Wednesday (23.12), a group of women came to the Main Market Square in Cracow to "sing till we're free". This is another element of the protests against the Constitutional Tribunal which made the abortion law even stricter. The Wednesday demonstration was a walk. [...] On Wednesday before the Christmas Eve let's have a walk on the Main Square and sing [...] [Christmas carols]'.</i></p> <p>tuteraż.pl</p>
14/1/2021	<p><i>'The movement is now shifting to its programmatic phase, leaders choose activity and self-organisation. They stress that they are an "informal, non-partisan initiative of women. No headquarters, no board, only a helpdesk – all-Polish committee of support (...)</i></p> <p><i>The Women's Strike applies autonomy of local groups. With common actions, we have a beneficial shared minimum – shared name, slogan and basic visual identification, as well as formal and material support of the helpdesk'.</i></p> <p>oko.press</p>
Displays of unity	
24/11/2020	<p><i>'Once again protesters associated with the Women's Strike appeared in front of the police station at ul. Szeroka in Kraków. The demonstration on Tuesday evening was a response to police's behaviour towards representatives of the media who report on protests against the Constitutional Tribunal's ruling on abortion, lasting over a month now.</i></p> <p><i>"We fight for legalisation of abortion and equal rights, but we also solidarise with the apprehended and repressed journalists, photoreporters and other media workers. Free media are the foundation of democracy! We support those brutally mistreated by the policy in the capital city during the city blockade and all victims of police brutality!" – was the organisers' announcement of the demonstration on social media'.</i></p> <p>polskatimes.pl</p>

3/12/2020	<p><i>'The recently completed roundabout in Częstochowa will be called the Roundabout of Women's Right – as was decided at the Thursday session of the local Municipal Council. This should be a certain symbol of Częstochowa as a city that supports women – said the authors of the idea'.</i></p> <p>portalsamorzadowy.pl</p>
15/12/2020	<p><i>“We feel like we've done our job well” – say Anita Lipnicka and Moriah Woods, who recorded together the song Our Voice/Nasz głos. It was their response to the Constitutional Tribunal's ruling making abortion law even stricter. There are a lot of differences between them, but they sing in one voice of disappointment, sadness, but also hope and better future'.</i></p> <p>hellozdrowie.pl</p>
24/12/2020	<p><i>“Warriors, those in politics, in the Sejm, Senate, European Parliament, those with the Women's Strike, protesters in the streets, those who act in non-governmental organisations and those at computers who describe our shared fight – together we make our dreams come true.” – Dorota Warakomska, feminist'.</i></p> <p>wysokieobcasy-ee.pl</p>
Displays of numbers	
24/11/2020	<p><i>'There were very large women's protests in our region, too. Not only in Zielona Góra and Gorzów, but also smaller localities, including: multi-thousand women's protest in Żary on 25 October 2020; multi-thousand women's protest in Żagań on 28 October 2020; women's protest in Żagań on 7 November 2020; women's protest in Szprotawa on 29 October 2020; protest in Lubsko on 29 October 2020; protest in Nowa Sól on 26 October 2020; protest in Koźuchów on 26 October 2020; protest in Ślubice on 26 October 2020; protest in Sulechów on 26 October 2020'.</i></p> <p>zielonagora.naszemiasto.pl</p>
3/12/2020	<p><i>'It's the second time that hundreds of people took to the streets of Suwałki to protest against the Constitutional Tribunal's decision to enhance restrictiveness of the abortion act'.</i></p> <p>suwalki.info</p>
15/12/2020	<p><i>'The Women's Strike started months ago. Then, at the very beginning, protest actions were held in almost 150 towns. However, strikes go on until now. The biggest ones are still held in the capital city. Some time ago we wrote that the Women's Strike is moving online, e.g. through social media. But not only that. There are also votes and petitions held online. The web acts also as a communication mechanism. Previously, this was mainly about organising events on Facebook, now, there is also Instagram as a notice board'.</i></p> <p>newsbook.pl</p>
14/1/2021	<p><i>'The All-Polish Women's Strike faces the challenge of the fading revolutionary flame. In late October and in November, there were tens and hundreds of thousands of 'angry women and supportive wise men' in the streets that turned empty now. [...] Fading flame of the revolution? No, the anger stays, the reflection accumulates'.</i></p> <p>oko.press</p>

Displays of commitment	
24/11/2020	<p><i>'Magdalena Biejat, a leftist MP, reported to the prosecutor's office the case of tear gas used against by a non-uniformed police officer. She noted in the report's grounds that the situation hampered her implementation of her MP responsibilities.</i></p> <p><i>Tear gas was allegedly used against Magdalena Biejat by policemen on 18 November when the All-Polish Women's Strike protested at Powstańców Warszawy square in Warsaw near the Polish Television headquarters. There was a tussle between protesters and policemen them. The report concerns behaviour of police officers who surrounded the strikers and used tear gas. Among the victims, there were All-Polish Women's Strike activist Marta Lempart, Klementyna Suchanow, as well as the leftist MP Magdalena Biejat. Individuals were dragged from the crowd for ID verification'.</i></p> <p style="text-align: right;">gazetawroclawska.pl</p>
3/12/2020	<p><i>'Activists from Oleśnica were summoned to the police station as witnesses. "This is a common practice. After we testify, charging us will be easier" – says one of the organiser who is a high school student.</i></p> <p><i>Last week, there was a lot of talk about the case of an eight-grade primary school pupil from Krapkowice. The 14-year-old learned that he would bear consequences for sharing on FB information about a local demonstration of the women's strike, but finally, the court rejected the motion by the police'.</i></p> <p style="text-align: right;">wroclaw.wyborcza.pl</p>
15/12/2020	<p><i>'A teacher from Tarnowskie Góry will face a disciplinary proceeding. Disciplinary counsel of the Schooling Inspectorate in Katowice charged a teacher from Tarnowskie Góry who had participated in the women's strike with using bad language and publishing 'offensive content' online. The proceeding was initiated upon a complaint filed with the Inspectorate by a rightist MP'.</i></p> <p style="text-align: right;">tarnowskiegory.naszemiasto.pl</p>
24/12/2020	<p><i>“Some people absolutely have a right to give up in terms of protests because of the scale of police brutality. Of intimidation. People know that if they come to Warsaw to protest, they will get hit. You cannot resent them” – said Marta Lempart'.</i></p> <p style="text-align: right;">tokfm.pl</p>
14/1/2021	<p><i>'A 16-year-old [...] took part in protests against stronger restrictions in abortion look. During the demonstrator her identity was verified by the police and on 12 January, the girl was visited by a curator'.</i></p> <p style="text-align: right;">kobieta.onet.pl</p>

Steven Simon

GRAND DELUSION: THE RISE AND FALL OF AMERICAN AMBITION IN THE MIDDLE EAST

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Steven Simon, a seasoned veteran of American foreign policy with a career spanning the State Department and the National Security Council, offers a profoundly insightful and often searing critique of four decades of U.S. engagement in the Middle East in his latest book, 'Grand Delusion: The Rise and Fall of American Ambition in the Middle East'. Building upon his extensive experience as both a participant and a scholar (as evidenced by his previous works such as 'The Age of Sacred Terror' and 'The Sixth Crisis'), Simon provides a nuanced and meticulously researched account of how American aspirations for shaping the region repeatedly clashed with complex realities, leading to a cycle

of costly interventions and eventual re-trenchment. The book's central thesis is that a persistent 'grand delusion', rooted in American exceptionalism, a frontier mentality, perceived invulnerability, and disproportionate mid-20th-century power, led policymakers to superimpose ambitious, often unrealistic, ideas onto the diverse and often antithetical political, social, and historical landscapes of the Middle East. This resulted in a consistent pattern of misjudgement, unintended consequences, and ultimately, the erosion of American influence and credibility in the region.

Simon structures his argument chronologically, dedicating individual chapters to presidential administrations

from Jimmy Carter to Joseph Biden, illustrating how each contributed to or grappled with the unfolding 'grand delusion'. The *Introduction: What Went Wrong?* (pp. 1–20) sets the stage by highlighting the dramatic shift in American posture towards the Middle East, from Ronald Reagan's declaration of global stakes in a Lebanese conflict to Donald Trump's transactional approach and perceived disengagement. Simon provides essential historical context, tracing earlier American interactions with the region, from the Barbary Wars to the post-World War II era, demonstrating how recurring themes of commercial interests, missionary zeal, and strategic competition with other powers shaped early engagements, albeit on a smaller scale than the post-1979 period.

Chapter 1, *Jimmy Carter: Opening Act* (pp. 21–42), positions the Carter administration as the unwitting architect of the 'great entanglement'. Simon argues that while Carter's focus on the Israeli-Egyptian peace process was a significant diplomatic achievement, it distracted from anticipating the impending revolution in Iran. Chapter 2, *Ronald Reagan: Empathy and Indecision* (pp. 43–105), delves into the Reagan administration's oscillating approach. Simon details the ill-fated intervention in the Lebanese Civil War, stemming from a desire to restore Lebanese sovereignty and further the peace process, which ultimately led to tragic losses and a realisation of the region's complex and intractable conflicts. The analysis of the Iran-Contra affair is particularly detailed, portraying it as a desperate and misguided attempt to engage with Iran,

driven by a fear of Soviet influence and a desire to free hostages, ultimately undermining U.S. credibility and inadvertently benefiting Iraq. Subsequent chapters continue this historical trajectory. Chapter 3, *George H. W. Bush: The Old New World Order* (pp. 106–139), focuses on the first Gulf War, which Simon argues was a success in repelling Iraqi aggression but sowed the seeds for future entanglement by leaving Saddam Hussein in power and establishing a significant U.S. military presence in the Gulf. Chapter 4, *William J. Clinton: Enlargement and Containment* (pp. 140–184), explores the post-Cold War era, characterised by efforts to contain Iraq and Iran while pursuing the Israeli-Palestinian peace process, which ultimately faltered. Chapter 5, *George W. Bush: Wrong Man, Wrong Time* (pp. 185–247), offers a scathing critique of the decision to invade Iraq after 9/11, portraying it as the apex of the 'grand delusion', based on flawed assumptions and leading to immense human and financial costs. Chapter 6, *Barack H. Obama: Live and Learn* (pp. 248–307), examines Obama's attempts to pivot away from costly interventions, his engagement with the Arab Spring, and the complexities of the Syrian conflict and the Iran nuclear deal, highlighting the persistent challenges of disentanglement. Chapter 7, *Donald J. Trump: The Deal of the Century* (pp. 308–335), analyses Trump's transactional and disruptive approach, which further eroded traditional alliances while achieving some diplomatic breakthroughs, such as the Abraham Accords. Finally, Chapter 8, *Joseph Biden: Back to the Future?* (pp. 336–350), offers a speculative look

at the Biden administration's early attempts to recalibrate U.S. policy, suggesting a potential return to earlier patterns of engagement despite competing global priorities.

Simon's methodology is a significant strength of the book, effectively integrating an interdisciplinary approach that enhances its depth and breadth. Drawing on his background in political science and history, he weaves together diplomatic history, military strategy, and a keen understanding of bureaucratic politics. Furthermore, his personal reflections as an insider, particularly in the Preface (pp. 7–10) and woven throughout chapters like *Ronald Reagan: Empathy and Indecision* (pp. 43–105), offer a unique and valuable perspective, providing a glimpse into the mood, aspirations, and limitations of policymakers during critical moments. This memoiristic element, though subtle, distinguishes the book from purely academic accounts. Simon's engagement with the psychological biases of policymakers, such as confirmation bias, and his analysis of the tension between intentionalists and consequentialists (Preface, pp. 9–10), demonstrate an integration of psychological and sociological insights into his historical narrative.

One of the book's key strengths lies in its critical evaluation of American decision-making. Simon is unflinching in his assessment of the 'appalling errors' (Introduction, p. 4) that characterised U.S. policy. He meticulously details instances where intelligence analysis was disregarded or misinterpreted, such as the intelligence community's warnings about the stability of the Shah's regime

(Chapter 1, p. 38) or the analysts' pessimism regarding Syrian withdrawal from Lebanon (Chapter 2, p. 63). His analysis of the policymaking process during the Lebanese intervention (Chapter 2, pp. 55–66) and the Iran-Contra affair (Chapter 2, pp. 77–92) highlights the dysfunction within the Reagan administration, the infighting among cabinet members, and the reliance on unscrupulous middlemen, demonstrating how internal dynamics contributed to flawed policies. Simon's critique of the George W. Bush administration's decision to invade Iraq (Chapter 5, pp. 185–247) is particularly compelling, arguing that it was based on a fundamental misunderstanding of the region and fuelled by an overestimation of American capacity to reshape it. He effectively uses casualty and cost statistics from sources like Brown University's 'Cost of Conflict' report (Introduction, p. 4) to underscore the tangible consequences of these policy failures.

While the entire book offers a compelling and critical narrative, certain chapters stand out for their novelty and originality compared to other studies in the field. Chapter 2, *Ronald Reagan: Empathy and Indecision* (pp. 43–105), offers a particularly detailed and insightful account of the Iran-Contra affair, drawing on both public records and potentially his own insider knowledge to paint a vivid picture of the misguided initiative. His exploration of the confluence of factors, from the fear of Soviet influence to the desire to free hostages and the involvement of colourful characters like Manucher Ghorbanifar and Richard Secord, provides a more comprehensive

understanding of this complex scandal than often found in broader historical surveys. The chapter's analysis of the Israeli role in the arms sales (pp. 77–92) and the subsequent damage control efforts is also particularly strong, highlighting the complexities of the U.S.-Israeli strategic relationship.

Another chapter that stands out is Chapter 5, *George W. Bush: Wrong Man, Wrong Time* (pp. 185–247). While the Iraq War has been extensively studied, Simon's analysis benefits from his position as a former insider. His detailed examination of the flawed intelligence, the ideological motivations of key policymakers, and the disconnect between aspirations and realities on the ground offers a powerful indictment of the decision-making process that led to the invasion and its disastrous aftermath. He effectively demonstrates how the 'grand delusion' reached its zenith during this period, with the belief that American power could easily transform the Middle East into a democratic and stable region.

Despite its many strengths, the book does have some potential weaknesses. While Simon is critical of American policy, at times, the narrative could benefit from a more explicit engagement with the perspectives and agency of Middle Eastern actors beyond their reactions to U.S. actions. For instance, while he discusses the motivations of figures like Ayatollah Khomeini (Chapter 1, pp. 39–40) and Saddam Hussein (Chapter 2, p. 79), a deeper exploration of the internal dynamics and historical trajectories of these countries, independent of American influence, could further enrich the analysis. While the book acknowledges the

human cost of American interventions (Introduction, p. 4), a more sustained focus on the lived experiences of Middle Eastern populations affected by U.S. policies would add another layer of critical evaluation. For example, while the Sabra and Shatila massacre is discussed (Chapter 2, pp. 56–57), the long-term impact on the Palestinian community is not fully explored.

Furthermore, while the chronological structure is effective in tracing the arc of American engagement, at times, the connections between different administrations and the evolution of the 'grand delusion' could be more explicitly highlighted. While the Introduction sets up the overarching theme, a more consistent return to the central thesis throughout the individual chapters could reinforce the book's core argument.

Engaging with Simon's arguments, one original insight that emerges is the cyclical nature of American foreign policy in the Middle East, driven by a persistent inability to learn from past mistakes. Each administration, despite different approaches and stated goals, seems to fall prey to variations of the same 'grand delusion' – whether it is the belief in the transformative power of diplomacy (Carter), military intervention (Reagan, G.W. Bush), or strategic partnerships (Reagan, G.H.W. Bush, Trump). The book implicitly suggests that the allure of reshaping the region, whether for strategic, economic, or ideological reasons, has consistently outweighed a sober assessment of the inherent limitations of American power and the complexities of the Middle East. My

perspective adds value by framing this pattern not just as a series of individual policy failures but as a deeper structural issue rooted in American self-perception and a reluctance to accept the limits of its influence in a region with its own deeply entrenched historical forces.

'Grand Delusion' fits within a broader literature on U.S. foreign policy in the Middle East, engaging with and building upon the work of scholars and policymakers who have analysed various aspects of this complex relationship. It aligns with critical accounts of the Iraq War, such as those by Rajiv Chandrasekaran ('Imperial Life in the Emerald City') and Thomas E. Ricks ('Fiasco'), by highlighting the flawed assumptions and poor execution of the invasion and occupation (Chapter 5, pp. 185–247). The book also resonates with studies on the Israeli-Palestinian conflict and U.S. mediation efforts, such as those by Dennis Ross ('The Missing Peace'), offering a critical perspective on the limitations of American diplomacy in achieving a lasting settlement (Chapters 4, p. 6). Simon's analysis of the Iran-Contra affair (Chapter 2, pp. 77–92) contributes to the extensive literature on this scandal, offering new insights from his insider perspective. Furthermore, the book implicitly engages with broader debates about American exceptionalism and its impact on foreign policy, a theme explored by scholars like Stephen Walt ('The Hell of Good Intentions') and Andrew Bacevich ('The Limits of Power').

The target audience for 'Grand Delusion' is broad. It would appeal to students of international relations, history, and Middle East studies, providing

a comprehensive and critical overview of U.S. policy in the region. Policymakers and foreign policy analysts would also find the book highly relevant, offering valuable lessons from past mistakes and prompting reflection on future approaches. Given Simon's accessible writing style and the compelling nature of the narrative, the book would also be of great interest to general readers seeking to understand the complexities of America's involvement in the Middle East and its enduring consequences.

In conclusion, Steven Simon's 'Grand Delusion' is a groundbreaking and essential book for understanding the trajectory of American foreign policy in the Middle East over the past four decades. Through meticulous research, insider insights, and an interdisciplinary approach, Simon effectively argues that a persistent 'grand delusion' about American capacity and the region's malleability led to a cycle of costly interventions and, ultimately, diminished influence. The book's strengths lie in its detailed historical narrative, critical analysis of decision-making, and the author's unique perspective as a participant. While a more in-depth exploration of Middle Eastern agency and a more consistent emphasis on the central thesis throughout could enhance the work, 'Grand Delusion' is a significant contribution to the literature on U.S. foreign policy and a powerful reminder of the dangers of unchecked ambition in a complex world. Simon's work serves as a crucial, albeit sobering, guide for navigating the challenges of future engagement in the Middle East.

Martial Fanga Agbor