Parental Leave Reform in Poland: Moving toward the Nordic Model?

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In 2013, Poland enacted a reform in its parental leave system, which policymakers claimed was based on the Swedish model, making it the first post-communist country to claim to do so. Since Poland is known to be a country, in which the population has generally conservative-Catholic values and it is also a country, whose social policies in general and family policies in particular have been among the most market-oriented in the region (Saxonberg 2014, Saxonberg and Sirovatka 2006, Saxonberg and Szelewa 2007), these reforms might come as a surprise. However, as Campbell (2004) notes, policies do not merely diffuse – during the diffusion process they get translated differently depending on the domestic institutional arrangements and dominating policy paradigms. Consequently, despite claims of being inspired by the Swedish model, the new policy package can be considered “Swedish light,” as the reforms lack the basic paradigmic goal of the Swedish model: promoting gender equality.

The original Swedish model combined easy access to high quality daycare with an insurance-based parental leave, which parents could share as they please. When policymakers became disappointed and the low take-up of leaves by fathers, they introduced additional measures, including “daddy months” (so now two months are reserved for the father and the present government plans on introducing a third month). An additional reform allocates half the leave time to each parent, so that if parents do not share the leave-time equally, then one parent must sign a paper given his or her partner permission to use the leave. Presently in Sweden, parents received 80% of their previous income for 13 months. Each parent has 6.5 months of leave at this benefit level, although they can sign over up to 4.5 months to the other parent, while 2 months are non-transferable. This means that in addition to the strong economic incentive for fathers to go on leave for at least two months, so the family does not
lose the parental leave benefits for these months, fathers also face moral pressure to stay at home longer than these 2 months, since otherwise they must sign over their leave time that was designed for them and give this time to the mother.

It should be noted that the Swedish model does not differ all that much from the Norwegian or Icelandic models except for the fact that fathers officially have half the leave time and must give mothers permission to use their leave time if they use less than half of the leave time. Otherwise, both Norway and Iceland have parental leave benefits based on the income-replacement principle, both countries have father quotas (which are even longer than in Sweden) and both countries have easy access to high quality daycare. The point here, however, is not objectively if one should talk about a Swedish or a Nordic model, rather the point is that the Polish discourse usually referred to Sweden, when discussing these reforms.

In the Polish case, the recent reform has in common with the Swedish model that parents can get parental leave benefits paying 80% of their salary for one year (which is actually one month less than in Sweden). Similar to Sweden, fathers are able to use some of the leave time. Also similar to Sweden, the government has the stated goal of increasing access to daycare. Here is where the similarities end. First, even though parents can receive 80% of their previous salary, mothers can choose instead to receive 100% of their previous salary for the first six months, in which case, parents can only receive 60% during the next six months. This lower benefit level gives Polish fathers less incentive than Swedish fathers to go on leave.

Second, the first six months are still officially a maternity leave, so the state only expects mothers to go on leave during this period, although legally fathers are able to use up to two months of this leave time. To be sure if fathers use this possibility of taking 2-months of maternity leave, they receive 100% of their previous income, which they must use before the child reaches the age of one year. Yet, since he can take the leave at the same time that
the mother is on maternity leave, it is conceived more as a possibility for the father to assist
the mother with her newborn baby than as a measure to encourage fathers to share in the
parental leave time. Moreover, since it is classified as a maternity leave, it is clear that the
state does not expect or encourage men to use this opportunity.

Third, in stark contrast to Sweden, fathers in Poland do not have the right to receive
parental leave benefits. Instead, they need the permission of the mother. Moreover, the father
does not have any right at all to these benefits if the mother is not eligible for the maternity
leave. That is, if the mother was not gainfully employed for at least one year prior to her
giving birth, then as the result she is not eligible for the maternity leave benefit that is based
on the income replacement principle. Furthermore, then the father has no right to take its
parental leave period and benefit, even if he has been gainfully employed during the past
years. Consequently, the parental leave is still more of a maternity leave than a parental leave
in the sense that only mothers have the right to the leave, although mothers can give fathers
permission to use some of the leave under certain circumstances.

Fourth, despite the acknowledgement that access to daycare must radically increase
and despite measures taken to improve the situation, these measures have fallen far short of
the Swedish model, as there has only been a slight increase in children under three years old
attending daycare and the percentage is still under 5% (GUS 2014), compared to over 40% in
Sweden.

How can one explain the fact that the “Swedish model” in Poland lacks many of the
main characteristics of Sweden’s actual policies? This article takes a neo-institutional view
that combines sociological institutionalism with discursive institutionalism. From
sociological institutionalism it uses the notion of the gendered logic of appropriateness: given
certain historical-institutional developments, certain policies seem to be more appropriate
among policymakers. It also argues that historical-institutional developments influence the
norms and attitudes of both the population and policymakers. From discursive institutionalism, this paper supports the notion that ideas are important: ideas spread and influence policymakers, who in turn re-interpret them to fit their own institutional conditions and they develop policy proposals based on this. However, ideas do not develop a vacuum, nor do policymakers suddenly simply change ideas.

Following Hall (1993), this article argues that policy learning is important. Policymakers were not happy with the results of Poland’s family policy, because well over two decades since the fall of the communist regime, the country still had one of the lowest fertility rates in the world; consequently, they could no longer claim the country merely faced a temporary downturn caused by the transition to a market economy.

Rather than shifting their goals (and paradigm) to make supporting gender equality their main goal, they continued the main goal of the communist era parental leave reforms, which were to promote increased fertility (Saxonberg 2014). This represents what Hall called “second order” reform, in which the goals remain the same, but the methods of achieving the goals change. Since they did not change their goals from supporting fertility to supporting gender equality, when translating the Swedish model to Polish conditions they did not take seriously the aspects of the Swedish model that aim to increase gender equality.

This article proceeds by first providing a brief overview of Polish family policy before then discussing this article’s theoretical and methodological approach. Then it discusses the reforms in daycare before discussing the reforms in parental leave.

Method

This article describes and analyzes the recent Polish reforms in parental leave and daycare. As it has a discursive-institutionalist perspective, it focuses on the arguments that the parties used
in pushing for the reforms – especially in parental leave – during the parliamentary debates. Furthermore, it also analyzes the discourse in the left-liberal newspaper *Gazeta Wyborcza*, which is the country’s most influential daily newspaper. We compare the discourse in this newspaper for the years 1997, 2007 and 2013 to show how the discourse has changed over time. This is one of the most popular newspapers in the country and the most influential one; and as it is clearly the most influential of the left-of-center and secularly-oriented newspapers, it is the one that would be most likely to influence policymakers to pursue “degenderizing” policies, which would aim at increasing gender equality. We have also conducted interviews in March 2014 with policymakers about these reforms. This includes employees working at the Ministry of Labor and Social Affairs and at the presidential office. (Note: so far the total is 4 interviews, but we plan to conduct more before sending in the article to a journal). During the years 2007-2010 we conducted a further 19 interviews about the situation in Polish family policy. These interviews included policymakers as well as activists and directors of nurseries. Although these interviews are not the central focus of this article, we do refer to them sometimes when they have relevant points to make.

*A Brief Overview of Polish Family Policy*

Even before the communist regime came to power, Poland had more market-oriented policies than other Central-East European (CEE) countries. Having less state capacity as a newly formed state which had previously been divided into three different countries (Austria, Germany/Prussia and Russia) and having less state resources (as a poorer, less industrialized and more agriculturally-oriented country), it was not able to give the same levels of support to daycare as Hungary or Czechoslovakia (Haskova and Saxonberg, forthcoming, Saxonberg
Daycare for children under three in Poland is prohibitively expensive for many parents and the opening hours are limited, which makes it difficult for parents – especially mothers – to work when they have young children (OECD, 2011).

When the communist regimes came to power in CEE, the governments greatly increased support for daycare and introduced paid maternity leaves (which paid respectively 100% of the mother’s previous salary in Poland). However, as still being a poorer country with weaker state capacity, the percentage of children attending daycare remained lower than in the other CEE countries (see Table 1).

**TABLE 1 ABOUT HERE**

During the 1960s family policies shifted in the region, as the communist regimes changed their main goals from supporting female employment to supporting increased fertility (Saxonberg 2014, Haskova and Saxonberg 2015). The nurseries for children under three were not as popular as the communists had hoped, partially because they were run like mini-hospitals with nurses rather than teachers taking care of the children. Consequently, healthcare and hygiene issues were the focus of the nurseries, rather than the children’s social and intellectual development. In addition, parents and doctors complained that the overcrowded nurseries led to high levels of illness (which is ironic given the fact that the stated goal of the nurseries was to keep the children healthy so that mothers could work). Consequently, policymakers concluded that it was more economical to pay mothers benefits to stay at home with their children until the age of three, rather than subsidize nurseries and still have to pay mothers their salaries when they are at home with their sick children. They also believed that longer maternity leaves would induce mothers to have more children.
Despite these similarities, Poland stuck out as the country with the most “liberal” or residualist (i.e. implicitly genderizing policies; Saxonberg 2013, 2014). Its maternity leave remained shorter than in Czechoslovakia or Hungary at four months compared to six months for the other two countries. And while the other two countries introduced universal flat-rate benefits in the 1960s for the extended maternity leave (which eventually could be taken until the child reached the age of three), in Poland the government merely introduced an unpaid extended leave. In 1981 the Polish regime caved into pressure from Solidarnosc and introduced benefits for the extended maternity leave, but it once again followed the liberal, residualist, implicitly genderizing path of making the benefits means-tested. In contrast, during the same decade the Hungarian communist regime introduced an additional 2-year maternity leave based on the income-replacement principle that paid 75% of the mother’s previous income.

The Polish model of 4-months maternity leave at 100% of previous income plus a low-paid means-tested extended leave continued after the fall of the communist regime, although the extended leave eventually became open for fathers and thus, it turned into a parental leave.

In the area of daycare, the government cut support for nurseries and gave responsibility for running them to the local governments, which led to a sharp decrease in children under three attending daycare (see Table 1). Meanwhile, the number of children aged three-to-six attending kindergartens only decreased slightly, but given the fact that birthrates sharply declined (see Saxonberg and Sirovatka 2006), the percentage of children attending kindergartens actually increased somewhat (see Table 1). Nevertheless, Poland remained a laggard in this area compared to the other CEE countries.
It was under this condition of having low fertility rates for a long period and the region’s least generous parental leaves, in which policymakers contemplated reforms that would remedy the situation.

*Why Swedish Enlightenment?*

Given the fact that policymakers had concluded that family policies were not working and given the fact that they at least partially looked to Sweden for inspiration, the question arises as to why they did not go for a “strong” version of the Swedish model, which would put the focus on gender equality? The answer lies in a combination of the kind of policy learning and goals the policymakers had as well as the pre-existing institutional arrangements and the country’s discursive atmosphere.

As Hall (1993) observes, when policymakers become dissatisfied with the outcomes of certain policies they go through a period of learning in which they develop alternative measures. He observes three levels of change that can take place, depending on the degree of crisis which policymakers think they face. First-order change takes when policymakers do not think the crisis is great enough for them to need to change their goals or even their policy structures; instead they merely change the policy instruments (for example, changing benefit levels or benefits periods). If they perceive the problems to be greater, but not great enough to change their goals, they introduce second-order change, in which the structure and the instruments change (for example, changing the types of policy instruments used), but the goals remain the same. Finally, when the crisis is great enough for them to rethink their goals, then third-order change takes place. From the perspective of Hall’s model, it is easy to show that even though policymakers were willing to change their policy instruments somewhat (second order change), they were not quite willing to change their policy goals (third order
change) and make gender equality a priority. It should be noted that theoretically, it would be possible to make gender equality a top priority without giving up the demographic goals, as many demographers (e.g. McDonald 2006) argue that family policy that increase gender equality will also increase fertility rates under the modern economic conditions in which most mothers work. Nevertheless, Polish policymakers did not share this conclusion.

Discursive institutionalists have pointed out that when policymakers implement institutional reforms, their decisions are influenced by the ideas that they hold, as well as the ideas of groups pushing for these changes (Jensen 1989, Schmidt 2002, 2010). Policymakers are involved in a continuous discussion over how to conceive of the problems and solutions and these discourses can come from outside of their institutional settings (Padamsee 2009). As Béland (2009: 564) notes, ideational processes shape the manner in which policy makers perceive the world. Bacchi’s (2005) points out that the emergence of hegemonic discourses strongly influence policymaking.

It would be overly simplistic, however, to say that there is only one dominating or hegemonic discourse in Poland. Instead, a more nuanced view can help explain the seemingly contradictory trends in Polish family policy. On the one hand, Poland has had a market-oriented, residualist “policy legacy” (Saxonberg 2014, Haskova and Saxonberg, 2015) and policymakers have tended to accept the neo-liberal doctrine in which markets and a lack of state interference increase one’s “freedom of choice.” From this perspective, father quotas would be an infringement on freedom of choice.

At the same time policymakers get involved into the Catholic Church’s discourse on support for the family and traditional roles, which probably influences their assumption that only mothers would want to be carers (see Saxonberg and Szelewa 2007 for references). Nevertheless, it should be noted that even if the Church has supported a general discourse about conservative values, it has not taken a stand against paternity leaves, father quotas or
other measures to induce fathers to share in the leave time. In fact, the conservative-Catholic Peace and Justice Party tried to once introduce a shared leave proposal to the parliamentary hearings. Neither has the Church opposed increase support for daycare. Thus, it is more likely that the Church’s influence on these reforms was only indirect in the sense that it has generally reinforced the assumption that mothers should be the main carers (Saxonberg 2014).

While policymakers at most felt indirect pressure from the Church, they faced more direct pressure from feminist groups, who supported father quotas and making parental leave a father’s right. Although many scholars have observed that the post-communist feminist movements have been very weak (see Saxonberg and Szelewa 2007 for references), the feminist movement has become much stronger in Poland than in other CEE countries. There are a variety of reasons for this: Polish women have faced graver cutbacks and policy reversals than in other CEE countries (such as the criminalization of abortion, the decision to remove child-support benefits for the cases when fathers do not pay, etc.). Poland also enjoys greater political openings, such as the ability to get money from taxpayers, who can donate 1% of their tax payments to its declared non-governmental organization (NGO). Women activists gained greater experience in political organizing during the Solidarnosc era in the 1980s. Finally, since Polish academic life was much more open than in countries such as Czechoslovakia, feminist scholarship emerged already during the 1980s, which gave the Polish feminist movement a greater foundation to stand on than in neighboring countries (Korolczuk and Saxonberg forthcoming, Saxonberg 2014). Even though feminist organizations did not succeed in their goals of having father quotas or giving fathers the right to parental leave, they were strong enough to influence the discourse so politicians became consistently political correct in referring to “parents” rather than “mothers,” when talking about the parental leave reform.
Thus, policymakers, who were mainly motivated by the goal of increasing fertility rates, developed their ideas in a situation in which they adhered to the dominating neo-liberal discourse among the elite, but were also influenced by the feminist counter-discourse that emphasized the fact that fathers are also parents and at the same time they were also influenced by the Catholic discourse on the importance of the “traditional” family values.

Discursive institutionalism goes a long way in explaining the reforms, but insights from sociological institutionalism are also important. Sociological institutionalists have emphasized how institutional arrangement help create a “logic of appropriateness” (Gal and Bar, 2000: 585) and feminist scholars have added that decisions on what measures are logically appropriate also have a gender bias (Chappel 2006). In the case of parental leaves, the gendered logic of appropriateness can explain the decision to introduce a complicated model, in which mothers can choose between two levels of benefits. Either the can receive 100% of their previous income for 6 months and then have the next 6 months of benefits reduced to 60% of their (or the father’s) previous income or they can choose to receive 80% of them for the entire 12-month period.

If one were introducing a completely new system, it would be much easier to follow the Swedish example of having the benefit level constant at 80% for the entire period. However, in the Polish institutional setting, the government had first recently increased the maternity leave to 6 months at 100% of former pay. Thus, introducing a unitary 12-month benefit would require the government to eliminate the pre-existing maternity leave that had recently been extended. Not only would it be more complicated legally to eliminate the already existing maternity leave, some mothers might protest and see this as a worsening of their conditions if they received a lower benefit level – especially if they only planned going on leave for 6 months instead of 12. This logic of appropriateness is gendered, because it is still based on the notion that mothers are the “natural” parent for going on leave and that...
maternity leaves are worth keeping; and it assumes that fathers do not have the same rights as mothers for going on leave, so their ability to go on leave should be contingent on the mother. Thus, the model of two alternative benefit levels seemed more logically appropriate than eliminating the maternity leave and giving both parents equal rights as in Sweden.

When it comes to daycare, two important issues arise: 1) should access to daycare increase? And b) if yes, how should it be increased. When it comes to the first issue, sociological institutionalism provides a helpful answer in understanding why there was not much opposition to the notion of increasing access to daycare, given the “norm of Threeness” that has developed among the CEE countries. As already noted, to increase fertility rates, all the CEE countries (Poland, Hungary and Czechoslovakia) introduced extended maternity leaves in the 1960s to induce mothers to stay at home for three years. In Hungary and Czechoslovakia the leaves were universal and paid a flat-rate (although Hungary added an additional two-year leave that mothers took based on the income-replacement principle; in which case they could still receive the flat-rate leave during the third year). As a result, most mothers in Czechoslovakia and Hungary began staying at home for three years. After the collapse of communism, this trend has become more strengthened, as the number of nurseries in these countries has radically declined, making it more difficult for mothers to return to work before their children reach the age of three. In Poland, however, it was never as common for mothers to stay at home for such long periods, given the fact that the leave benefits have been means-tested. Consequently, the norm of Threeness has been comparatively weaker. Given the fact that many mothers return to work before the child reaches the age of three, there is greater support for infant childcare than in the other CEE countries.

If institutional arrangements influence the population to be more in favor of daycare, the question still arises as to what type of daycare should be provided. The Swedish model is
based mostly on public provision of daycare. However, in the Polish case, policymakers emphasized support for private alternatives, as they felt that given the weaker state finances and lack of state capacity, it would be easier, cheaper and therefore, logically more appropriate to support private alternatives. In addition, the Swedish model is based on a unitary preschool system, which does not have the division of children below three in nurseries and children three-to-six in kindergartens. Given the long existence of a dual structure system in Poland, it would be difficult to expand the already existing kindergartens to force them to take in younger children, as most kindergarten buildings are already filled to capacity and they are not set-up for younger children, while private caring institutes can take the initiative to set-up new centers.

_Daycare Reforms_

Since parental leave benefits are means-tested and pay a very low benefit level that depends on mother’s incomes calculation that are low or mostly average, Polish mothers are more likely than Czech, Slovak or Hungarian mothers to return to work as fast as it is possible, around 42% of Polish mothers get back to labor market before their children reach the age of three (OECD, 2014). Another reason why mothers return more quickly to the labor market is that the average cost of childcare for a child under 6 years old for a minimum income earner ranges from 23% to 82% of a mother’s earnings (Michoń and Kotowska, 2012:5)

As sociological institutionalists note, institutions influence attitudes, so this lack of institutional support for the norm of Threeness has resulted in much greater support for sending children below three to daycare than in the other CEE countries. Thus, while only 24% of Czechs, 22% of Hungarians and 29% of Slovaks think that children under three
should attend daycare, 46% of Poles favor daycare (multiple options existed; see Table 2 below).

TABLE 2 ABOUT HERE

The public discourse has also been increasingly positive toward the need for daycare. For example, in the first decade of this millennium, newspapers started writing about the long lines of people waiting early in the morning in front of nurseries to get a place for their children (e.g. Gazeta Wyborcza, April 1, 2009). Other articles also discussed the lack of access to daycare, which they considered to be a problem (e.g. Gazeta Krakowska Newspaper March 3, 2013).

Our review of newspaper articles from Gazeta Wyborcza shows that the newspaper has considered daycare to be an increasingly important issue and has especially begun to emphasize the lack of access to daycare as a problem for parents.

Thus, in 1997, Gazeta Wyborcza did not have any articles at all on daycare in its national addition and only two articles in its local editions, which indicates that the newspaper did not consider it to be an important issue. None of the articles was against the idea of daycare, but one criticized the alleged low quality and overcrowding of the kindergartens, while the other concentrated on the problems of the high costs of nurseries, which used to be free during communist rule.

In 2007, Gazeta Wyborcza had 4 articles dealing with nurseries and none of them were negative toward the idea of having them. One article discusses changes that are necessary to improve access to nurseries (including funding private alternatives and moving nurseries away from the Ministry of Health); another article points out that even the Christian Democrats in Germany want to increase access to daycare in order to fight against low fertility rates; while 2 other articles complained about the high costs and lack of access to nurseries.
In 2013 the number of articles in *Gazeta Wyborcza* dealing with daycare for children under three increased to six, thus indicating that the newspaper sees the lack of daycare as a greater problem than it did in 1997. Two of the articles described a new trend toward sending children to private full-time caring institutions. Another article was written by the Swedish ambassador, who encouraged Poland to follow the Swedish model of father quotas and easy access to daycare. A fourth article once again took up the German case and discussed the reasons why a conservative German leader would support increased public support for daycare. This indicates that the German case was also on the minds of the Polish elite, which makes sense, since Germany in many ways tried to incorporate parts of the Nordic social-democratic model into its otherwise conservative welfare state; thus, Poland stands to learn from the German experience. The final two articles discuss how the parental leave reform will influence daycare and they point out that if mothers are encouraged to stay at home for a longer period (one year) then demand for daycare might decrease. As one article pointed out, demand for daycare is especially likely to decrease given the high costs of nurseries.

One of hinder for creating more popular nurseries had been the communist legacy of seeing nurseries as authoritarian, mini-hospitals. As the discourse in *Gazeta Wyborcza* indicates, this could be a reason for the popularity of private alternatives to the extent they are affordable. Joanna Kluzik-Rostkowska (interviewed in 2007), former vice-minister in charge of family affairs under the conservative Peace and Justice-led coalition government claims:

The nursery ... is a very important point for a lot of young parents because they work, etc., etc. And this [lack of daycare] completely destroys their future in Poland. Why? Because nurseries started to be built in the ... communist era. ... [They had] bad points, you know. One nursery has more than 100 kids. You know it’s difficult to imagine 100 kids between 6 months and 3 years old. It’s horrible yes, and 3 years ago when I was
vice-minister, I was interested in why in Poland there was only 43 non-public nurseries.... In Warsaw there were [only] 2 private nurseries. Why? Because of bureaucracy. In the past, I don’t know who, but one person decided that nurseries are the part of Ministry of Health, not the Ministry of Social Affairs but the Ministry of Health, and nurseries are similarly hospitals. If you want to build a nursery you need a similar accommodation, similar condition like a hospital. It’s stupid; it’s completely stupid, yes.

To some extent this situation has been rectified, as a Nursery Bill Reform from 2011 moved responsibility for nurseries from the Ministry of Health to the Ministry of Labor and Social Affairs. In addition, it is no longer necessary for the childminders to be nurses. The reform now allows the childminders to be teachers as well as nurses. Nonetheless, the healthcare legacy remains, as at least one nurse must work at every nursery.

The reform also allows for other types of childcaring, including contracted nanny institution. Ministerial officials (interviewed March, 2014) claim that they were inspired by the French model for the daycare reforms, because even if the goals of the Swedish model of providing high quality access to daycare are good, the Polish state does not have the capacity to expand public care quickly enough. In other words, given their goal of expanding daycare, and given the lack of state capacity, given the problems kindergartens would face in taking in younger children in a situation when they are already overfilled, rather than using state money to start new nurseries, policymakers concluded it was logically more appropriate to support private initiatives. Moreover, given the legacy of running nurseries as healthcare institutions (which create the expectation that nurses should be present) and given the tradition of mothers returning often returning to work directly after the maternity leaves (making the babies only four to six months old), then it seemed logically appropriate to still
keep some element of the healthcare model as children well below one year old are more likely to get sick. It should be noted that the healthcare norm is so strong that even the directors of private nurseries interviewed 2008-2010 wanted to employ nurses rather than teachers or childminders, even though they were not required to do so. One director of a private nursery said she intended to get a nursing degree herself to increase the legitimacy of her nursery.

Despite these measures, access to daycare has only increased slightly, as state financial incentives have not been great enough to support a rapid expansion. As already noted, still only around 5% of children under 3 in Poland attend daycare.

The Parental Leave Reform

The first step in parental leave reform was the increase in the maternity leave period. During the communist era, Poland had a shorter maternity leave than the other CEE countries, only paying benefits for four months compared to six in Czechoslovakia and Hungary. Nevertheless, the payment was quite high at 100% of one’s previous salary. In the 1960s the government also introduced an extended maternity leave, which allowed mothers to stay at home until the age of three. The other CEE countries also introduced extended maternity leaves, but most or all of the periods were paid (Saxonberg 2014). In the Polish case, in 1981 the government introduced the possibility of getting benefits for the leave period, but they were means-tested.

When a post-Solidarity conservative government came to power in 1997, it decided to increase the leave time from 16 to 20 weeks and it was to increase again to 26 weeks in 2001.
However, when the social democratic government came to power in 2001 it decided that the

government could not afford this reform and it restored the leave period to the previous level

of 16 weeks. After this, starting in 2007 successive governments increased the leave period

from 18 weeks (2007-2008), 20 weeks (2009) and 22 weeks (for 2011), to 24 weeks (in

2012). Finally the maternity leave reached 26 weeks in 2013.

Once the maternity leave reach the CEE standard of six months, debates began about

how to improve the parental leave. The means-tested leave has not been popular, because the

benefit level is so low. According to the National Statistics Office, the average means-tested

childcare benefit is less than 100 EUR monthly. In 2010, the average benefit was 385.03 PLN

(around 95 EUR) (GUS, 2011:272). Another reason for its lack of popularity is that many

mothers are not eligible for it, as their incomes are above the maximum for obtaining this

means-tested benefit. One study shows that only about half of all mothers received the

parental leave benefit (and slightly more than 2% of fathers). Moreover, low-educated

women are almost twice as likely to take the means-tested parental leave as women with a

university degree (Matysiak, 2007:375). Consequently, professional parents (mostly mothers)

have difficulty benefiting from this very modest leave scheme.

In discussing the reform, the issue of promoting gender equality and introducing father

quotas came up. The left-liberal newspaper, Gazeta Wyborcza, began publishing articles

about parental leaves under banner “father go on leave!” The newspaper often pointed out

that in Sweden, two months are reserved only for fathers and advocated reserving at least one

month of leave only for fathers. In fact, the discourse had changed radically since 1998.

In 1998, Gazeta Wyborcza did not have a single article on fathers going on parental

leave, but by 2007 this had radically changed. By 2007 the number had risen to 6 and then in

2013 to 22. Of the 6 articles in 2007, five were positive toward fathers going on parental leave

(of which 3 supported father quotas that reserve some months of leave time for fathers), while
one wrote sarcastically about how men cannot breastfeed etc. 2 of the 5 articles supporting parental leaves took up the case of Sweden, while one mentioned France as well as Sweden and one mentioned the UK (where a two-week paternity leave at the birth of a child had been introduced). The then vice-minister in charge of family policy, Joanna Kluzik-Rostkowska, openly mentioned Sweden as a model for parental leaves, including the two months that are reserved for fathers (10 March 2007).

By 2013 there was a sharp increase in the number of articles on paternity leaves from 6 to 22, which in part was due to the discussions of the new law proposal that increased maternity leave from 16 weeks to 26 weeks and then added a 26 week parental leave based on the income replacement principle, which was to be open for fathers as well as mothers. None of the articles dealing with fathers going on parental leave were negative toward the idea. The largest number, 9, openly supported a father quota that would reserve several months of parental leave for fathers. Here one can see a connection between the mass media’s greater openness women’s organizations (caused in part by gender mainstreaming) and changes in news reporting, as 3 of the articles supporting father quotas mentioned the Polish Congress of Women. The influence of Sweden is clear as 6 of these 9 articles mentioned Sweden, where two months are reserved for men. Norway and Belgium were also mentioned in one article each, but they were both mentioned together with Sweden. 8 articles supported the idea of fathers going on leave, without supporting the idea of quotas. Sweden once again is clearly influential for their views as half of the articles mentioned this country. Another 5 articles discuss the new law proposals that include a 6-month parental leave. Of these, 4 are rather factual, but a fifth indicates that it would be good to have father quotas, as it claims that ‘experts’ argue that it would be better to have a two-month father quota (which incidentally is the same period as in Sweden) (12 March 2013).
Women’s organizations also began demanding father quotas. The umbrella organization the Women’s Party was especially active in promoting father quotas. The Party and umbrella of feminist organizations focused around, supported not only mandatory quota for fathers, but also without success insisted on the second part of the leave to be paid minimum 80% of income replacement instead of final result of 60% (Women’s Party official website, 2012).

Even though the discourse on fathers sharing in parental leaves became much more prominent, policymakers decided against father quotas. In addition, they also decided against introducing a system that gives fathers a right to get parental leave benefits at all. Instead, their ability to get these benefits is dependent on the mother in two ways. First, the mother must agree to let him use part of the benefit time. This is the opposite of the Swedish model, in which the father must give the mother permission to use some of “his” leave time if he does not share the leave equally (and even then two months are non-transferable and therefore, lost if the father does not use it).

This decision to introduce “Swedish light” in a manner that eliminates the gender equality aspect is the outcome of several factors. First, in Hall’s (1993) scheme, policymakers had not changed their main goal in family policy from fertility to gender equality; consequently they eliminated the key goal of Swedish family policy. Since they did not change the main policy goal, the reform easily went in the direction of second order change (in which the goals remain unchanged, but the instruments of achieving them changes) rather than third order change (in which the goals themselves change, leading to what Campbell 2004 would label a change of paradigm). Thus, to some extent policies continue to follow the same path as in the communist era.

Second, as discursive institutionalists point out, changes in ideas can influence policy makers. In the policy case, even though the population favors interventionist social policies, the policymaking elite has been heavily influenced by neo-liberal ideas of “freedom of
choice.” In this case, discursive institutionalism goes together well with historical-institutional traditions of policy legacies, because as even during the communist era a relatively residualist policy legacy developed, which even included making the extended maternity leave benefit means-tested.

Rather than emphasize gender equality and balancing work and family life, the government and most opposition parties emphasized the demographic issue. For example, the keynote speaker for the government when it introduced the proposal to parliament stated:

In Poland we have a really fatal demographic trend, which we would like to reverse. Everyone in this room knows the number which is our nightmare and fatal memory for all. This number is 1.39; this is the indicator of the Polish fertility rates (http://orka2.sejm.gov.pl/StenoInter7.nsf/0/82D63CEA9EF0B5CAC1257B7F002882A5/%24File/42_ksiazka.pdf).

Similarly, the speaker for the conservative opposition party Law and Justice agreed,

It has been said, but I have to remind you, that we are placed on 212th position (out of 220 countries worldwide) accordingly to the indicator of fertility rates, thus it is a huge problem. The demographic problem is a key issue to solve in our country (ibid.).

Nevertheless, it would be overly simplistic to conclude that the national and international discourse on gender equality had no impact on this reform because of the emphasis on fertility. As Graff and Korolczuk (2012) point out, the proposal does not only have a pronatalist background, because during the time when the proposal was developed, policymakers looked to Sweden as the gender equality model, which is why they introduced
an 80 per cent leave benefit that was similar to Sweden’s. (But they go on to argue that the proposal would be better if there were some part reserved for fathers). They also note, that similar to the Nordic countries, the proposal entails increasing support for daycare.

The Swedish influence goes back in time. Already in the mid-2000s, when Jaruga-Nowacka was the head of the Plenipotentiary for Equal Government Plenipotentiary for Equal Status of Men and Women, she introduced the ‘Swedish Gender Equality Eye Glasses’ award for Poles, who did the most to support gender equality. Meanwhile, a few years later while in the opposition in 2008, Jaruga-Nowacka criticized the conservative-nationalist government’s proposal for reforming the parental leave system, because it did not include father quotas. Basing her argument on the experiences of the Nordic countries, in the parliamentary debate she comments:

You all know well that those countries that have been successful as far as the birth rate increase is concerned, headed in a different direction—\textit{that of obligatory parental leave for fathers}.\footnote{Even the vice-minister, who was in charge of family policy for the conservative-nationalist government in the years 2005-2007, Kluzik-Rostkowska, admitted to being inspired by the Swedish model and wanting to introduce father quotas once the parental leave time was increased. She went so far as to say: ‘I like the Swedish system very much, especially the special part of maternity leave for fathers. It is a very good idea, very good’ (interviewed May 25, 2007). As noted in the analysis of newspaper articles, Sweden was mentioned quite often in the discussions on fathers going on parental leave. Thus, the Swedish model of promoting gender equality was well-known to the political establishment even if policymakers emphasized demographic issues more than gender equality in their}
public statements. In addition, the Palikot’s Movement Party actually proposed an amendment to the proposal that would follow the Swedish model and give fathers two months of paternity leave that could not be taken the same time as the mother’s maternity leave (http://praca.wp.pl/title,Komisja-przeciwna-wydluzeniu-urlopow-ojcowskich,wid,15844833,wiadomosc.html?ticaid=11163f&_tie=3).

In addition, even if the reforms do not give fathers a right to go on leave unless the mothers give them permission and the mothers are eligible for the income-based maternity leave, politicians were still careful to use gender neutral language in the debates. According to one government official (interviewed in March 2014), their careful use of language was due to their fear of being criticized by feminist organizations. So even if the reform was based on the belief that the mother will be the main carer, the feminist discourse does appear to have had some influence. Just to compare, when the Czechoslovak government first opened parental leave benefits to fathers, the document that did so, went on to only discuss mothers (Castle-Kanerova 1992).

Even if fertility rather than gender equality was the main goal of the reform, policymakers could have still concluded that improving gender equality would be the best method to increase fertility. Not only have demographers, such as McDonald reached such conclusions, even policymakers in other countries have reached such conclusions in such diverse places as Germany (where two months of bonus leave time were introduced for the case when fathers go on leave for at least two months) and South Korea (that subsidized the paid leave for both parents for as much as one year).

Instead of following this path, Polish policymakers relied on their liberal, implicitly genderizing policy legacy and used the argument that quotas would infringe upon “freedom of choice.” Even though there is little support for market-liberal policies among the population, a neo-liberal discourse has held a dominating position among policymakers in
Poland (e.g. Shields 2003), which has been supported by the liberal policy legacy. Several ministry officials used this argument in interviews with me (interviewed in March 2014). Even though there is little evidence that the Polish population shares market-liberal views, and even though the most important and influential newspaper *Gazeta Wyborcza* has generally criticized such types of neo-liberal views from its social-liberal perspective, the neo-liberal discourse has had great impact on policymakers (especially on those responsible for economic issues, but at times also on officials at the Ministry of Labor and Social Affairs).

In the words of an economist working at the Ministry of Labor and Social Affairs:

As I remember there was a discussion about father quotas, but then we decided that we just to give freedom of choice to the families as to who should take care of the children. It wasn’t that nobody looked at it [father quotas]. We looked at it but then there was the decision that maybe it would be better just to give free choice.

Of course, this neo-liberal emphasis on freedom of choice is implicitly gendered, given the unequal starting points, where employers expect mothers to go on leave, but not fathers. Thus, fathers, who ask to go on leave are likely to face criticism for not being “ambitious.” Studies on the influence of workplace culture on the ability for fathers to go on parental leave (e.g. Haas 2008) convinced some Nordic policymakers that fathers can only enjoy the freedom to choose to go on parental leave if there are father quotas. In this case, fathers become strengthened vis-à-vis their employers, as they can argue that they cannot “afford” to lose the father month benefits. In the Polish case, the “freedom-of-choice” argument is even more gendered, since the recent reform only gives fathers the right to refuse to go on leave, but it does not give them the right to go on leave. Lacking any individual right to get parental leave benefits, they must a) gain the permission of the mother to use “her”
leave time; and b) they must have had a child with a mother, who is qualified to get the income-replacement maternity leave.

The neo-liberal discourse among the policymaking elite cannot by itself fully account for the details of the reform. The decision to introduce a complicated system in which the mother can choose between the 100%+60% formula or the 80% + 80% formula has historical-institutional causes. Since the government had recently increased the maternity leave to six months, a decision to replace it with an 80% leave benefit might seem like a worsening of conditions. This is especially the case for those mothers, who only want to stay at home for six months. As the previous benefit system had inhibited the norm of Threeness and encouraged many mothers to return to work directly after their maternity leave, many mothers would not expect to stay at home for the entire leave time; therefore, they might prefer to only stay at home for six months and received 100% of their previous salary. Given this situation, in which the system was based on the idea that mothers do not have to stay at home after the end of their maternity leave, it seemed logically most appropriate to allow mothers to keep the 100% benefit during the first six months even when introducing a relatively generous parental leave benefit. Yet, given the pressure from the mass media and feminist groups to introduce father leaves, politicians found it wise to use gender-neutral language and offer the 80%+80% alternative that would obviously increase the incentives for fathers to share in the leave.

As an advisor in the prime minister’s office reflects on the extremes that policymakers went to make the laws gender neutral:

Even if you analyze the bill that gives flat rates benefits to mothers, the law state that the benefit goes to the parent that gave birth! .... Just because if they do not use the [gender neutral] language they are criticized for it. ... There is an advisor to the prime minister on gender equality and the person pays attention to such cases... there is a women there who is quite paying attention to that.
Another reason for the gendered view among policymakers was the fact that few fathers have chosen to use the two-week paternity leave that is now available to them and allows them to use it while the mother is on leave. In other words, this is designed more as a leave that allows the father to assist the mother, rather than a leave that encourages the father to replace the mother as the main carer for a certain period.

**Conclusion**

Why did Poland implement a “Swedish”-inspired reform that became so watered down that it eliminated the gender-equality goal that was so central for the Swedish model? It is clear that the policymakers were aware of the Swedish model and they often referred to it as did the mass media. However, while the goal of the Swedish model from the beginning was to promote gender equality and make it easier for women to work, the goal of the Polish reform was mainly to increase fertility rates. Thus, the policymakers did go through a learning process, but it was more a “second order” reform, in which the goals remain the same, but the methods of achieving the goals change. That is, the system of long and extended maternity leaves were introduced in CEE countries in the 1960s mainly in order to increase fertility rates and deal with the problem that communist era nurseries were not very popular. The recent reforms in Poland borrowed from Sweden but basically kept the original goals of supporting fertility. Therefore, it is not surprising that the gender dimension got overshadowed.

The 100% plus 60% solution of dividing the year of leave into a higher paying maternity leave and a lower paying parental leave follows the logic of appropriateness: given the fact that mothers were used to having a maternity leave period first at a 100% replacement rate, replacing the maternity leave with a one-year parental leave paying 80% would seem like a decrease in entitlements to many mothers. Moreover, some mothers are
expected to opt out of the next 6 months, so if they only took the maternity – which was common under the previous system – they would receive less money per month for that period. Moreover, policymakers were highly influenced by the neo-liberal discourse that dominates among the policy elite, so they reasoned that letting mothers choose between the 100+60 and the 80+80 solution, increased their freedom of choice, while following the Swedish model of having the entire leave period pay 80% and reserving some months for fathers, would decrease freedom of choice. Of course, they still reasoned from a gendered viewpoint, since this type of reform does not support the father’s freedom of choice, since his ability to receive the leave benefit is dependent both on the mother’s eligibility and on her willingness to “let him” use “her” days. Moreover, the lack of a father quota makes it more difficult for fathers to stand up to their employers and demand to do on parental leave, as employers are likely to consider them to be lacking in ambition if they voluntarily want to go on leave.

It carrying out a reform in the daycare system in order to increase access, Poland followed the German path in taking inspiration from the Nordic countries by first introducing reforms in daycare and then in parental leave, but neither reforms were as radical as in Germany. Also, although policymakers supported the Nordic model for daycare, because of their historical-institutional development of having a weak stack and a tradition of lacking resources, policymakers thought that the private sector would have to play a much greater role in providing daycare than in Scandinavia, so they also looked to France for inspiration.

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**Table 1**

**Enrolment Rates of Children in Pre-school Facilities**
<table>
<thead>
<tr>
<th>Age of Children</th>
<th>1930s*</th>
<th>1989</th>
<th>2008**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Czech Republic</td>
<td>20.0</td>
<td>20.3</td>
<td>78.9</td>
</tr>
<tr>
<td>(in kindergartens)</td>
<td></td>
<td></td>
<td>6.4</td>
</tr>
<tr>
<td>Hungary</td>
<td>26.3</td>
<td>11.7</td>
<td>85.7</td>
</tr>
<tr>
<td>Poland</td>
<td>2.8</td>
<td>9.1</td>
<td>48.2</td>
</tr>
<tr>
<td>Sweden</td>
<td></td>
<td></td>
<td>46.7</td>
</tr>
<tr>
<td>France</td>
<td>42.0</td>
<td></td>
<td>99.9</td>
</tr>
<tr>
<td>EU-15</td>
<td>38.9</td>
<td></td>
<td>81.3</td>
</tr>
</tbody>
</table>


* Data on the Czech lands from Bulíř (1990, table 2); data on Hungary from Szikra (2011, 373); data on Poland from Wojcikowska (2004).


**Table 2: A Country Comparison of the Best Way of Organizing Childcare for Children under Three

<table>
<thead>
<tr>
<th>Public or private daycare center/ preschool</th>
<th>In-house child</th>
<th>Certified childminding in a private home</th>
<th>Childcare predominantly by the father</th>
<th>Childcare predominantly by the mother and father</th>
<th>Childcare predominantly by grandparents or other relatives</th>
<th>Childcare predominantly by the mother</th>
</tr>
</thead>
<tbody>
<tr>
<td>EU</td>
<td>44%</td>
<td>16%</td>
<td>33%</td>
<td>7%</td>
<td>39%</td>
<td>23%</td>
</tr>
<tr>
<td>CZ</td>
<td>24%</td>
<td>8%</td>
<td>68%</td>
<td>8%</td>
<td>37%</td>
<td>20%</td>
</tr>
<tr>
<td>FR</td>
<td>59%</td>
<td>15%</td>
<td>39%</td>
<td>21%</td>
<td>5%</td>
<td>22%</td>
</tr>
<tr>
<td>-----</td>
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<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>----</td>
<td>-----</td>
</tr>
<tr>
<td>GB</td>
<td>30%</td>
<td>7%</td>
<td>14%</td>
<td>27%</td>
<td>8%</td>
<td>40%</td>
</tr>
<tr>
<td>HU</td>
<td>22%</td>
<td>7%</td>
<td>4%</td>
<td>55%</td>
<td>3%</td>
<td>42%</td>
</tr>
<tr>
<td>PL</td>
<td>46%</td>
<td>14%</td>
<td>5%</td>
<td>37%</td>
<td>7%</td>
<td>37%</td>
</tr>
<tr>
<td>SE</td>
<td>67%</td>
<td>16%</td>
<td>16%</td>
<td>12%</td>
<td>4%</td>
<td>56%</td>
</tr>
<tr>
<td>SK</td>
<td>29%</td>
<td>13%</td>
<td>9%</td>
<td>59%</td>
<td>9%</td>
<td>40%</td>
</tr>
</tbody>
</table>


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1 I was there once for the award presentation. This is discussed briefly also in http://word.world-citizenship.org/wp-archive/721.