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국제학석사학위논문

Institutionalizing Reconciliation Between States

The Case of Germany and Poland

국가 간 화해의 제도화: 독일-폴란드 사례를 중심으로

2018년 8월

서울대학교 국제대학원

국제학과 국제지역학전공

설재인

Master's Thesis of International Studies

Institutionalizing Reconciliation Between States

The Case of Germany and Poland

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Graduate Program in International Area Studies

In Fulfilment of the Requirements for the
Degree of Master of International Studies

August, 2018

Graduate School of International Studies
Seoul National University

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독일-폴란드 사례를 중심으로

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설재인의 석사학위논문을 인준함

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Abstract

Institutionalizing Reconciliation Between States

The Case of Germany and Poland

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Conflicts between states based on past tensions are often observed, such as the issues between South Korea and Japan. However, at the same time, we also find former adversaries that have overcome their painful memories and are able to establish positive relations. Why are some countries able to reconcile while others are unable to?

The work presented here started from this simple question, and has tried to determine how reconciliations really work. To do so, a review on previous work on interstate conflicts and reconciliations was conducted and a case study was performed. Unlike how it is usually perceived, reconciliation between states is not an outcome from a specific bilateral agreement, such as a peace treaty, but more likely stems from a process that consists of several active cooperation and

efforts upon a mutual understanding from both sides. Moreover, bilateral relations must first be structurally reestablished in order to facilitate the reconciliation. When the states successfully manage to institutionalize the reconciliation within the newly established structure, the former adversaries are able to become equal partners in the future towards an everlasting peace.

In this thesis, a case study on the German-Polish relations is carried out, and an analysis of the reconciliation process of the two states is performed. Firstly, both parties satisfied the preconditions for reconciliation, with numerous ritualized apologies over decades and the multilateral and bilateral treaty of 1990. Following this, the states made a legal foundation for the reconciliation signing of the treaty in 1991. Upon this treaty, various institutions were established, including the Foundation for Polish-German Cooperation, to implement the reconciliation between civil societies. The institutions have actively supported many programs and projects to enhance the mutual understanding between the governments and communities of the states. To determine whether the reconciliation has proceeded consistently with stability, one of the institutions has been selected and analyzed to determine its level of autonomy from the central governments. The chosen institution, The Foundation for Polish-German Cooperation, showed an elevated level of autonomy.

However, for case of the Korean-Japanese relations, both states only

partially satisfied two preconditions for reconciliation, as the controversy regarding the official apology from Japan and the territorial dispute over Dokdo still exist. In contrast to Germany and Poland, the unsatisfied preconditions of South Korea and Japan have left both states unable to establish a solid legal foundation with related institutions in order to truly reconcile the two civil societies. Consequently, due to the lack of a proper structural foundation and mutual trust, the reconciliation between South Korea and Japan cannot be successfully facilitated, even to this day.

Keywords: reconciliation, institutionalization, interstate conflict, institution, conflict resolution, German-Polish relations

Student Number: 2016-25031

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I. Introduction

Conflicts in international societies are never easily resolved, and we observe many cases that are still suffering from war, such as the Palestinian-Israeli conflict. For the case of past interstate conflicts, most cases are derived from different understandings or perceptions of history. Although conflicts over the past do not necessarily provoke an armed conflict, they still affect current relations and with potential military clashes threatening peace between states. For example, China, South Korea and Japan have a strong disagreement over past events, and this often triggers a diplomatic dispute and sometimes a physical confrontation. On the other hand, even though only a few cases exist, some states have successfully resolved past conflicts and have reconciled their relations, such as Germany and France, or Germany and Poland.

In particularly, the case of Germany and Poland shows a dramatic change of relations, from a hostile rivalry to a cooperative partnership. Long-term psychological changes have been made based upon a solid structural foundation for reconciliation. By establishing numerous institutions to implement various reconciliatory projects based on the legal mechanism, including the milestone treaty in 1991, the two states have successfully been able to improve their relations over the past few decades. The German-Polish case has been evaluated as one of most successful cases of reconciliation between former adversaries

across the world. Surprisingly, the relationship between Germany and Poland has been covered with difficult historical conflicts, tracing back for centuries. In 1795, the Kingdom of Prussia, the forerunner to Germany, partitioned Poland with Habsburg Austria and the Russian Empire, resulting in the elimination of Poland for 123 years. In September 1939, Germany broke with World War II by attacking Poland and annexed the western part of Poland (the eastern part was occupied by Russia). Furthermore, the Polish are the second largest victims of the Holocaust, which is often considered as the most terrible genocide in human history.

However, Germany and Poland have consistently interacted with specific methods for reconciliation, and their relations have thus successfully improved. For example, after 44 years of cooperation, Germany and Poland successfully published joint history textbooks in 2016. Thus, the case of Germany-Poland is highly praised as a successful example of reconciliation (Feldman 1999; Han 2002; Bar-Tal 2004; Kim 2007; Song 2015; Dasse 2016).

Interestingly, a closer look makes us realize that the case of the German-Polish relations is quite similar to that of Korea and Japan, in a historical context. First of all, the conflicts for both cases are intractable since they are derived from historical disputes tracing back for centuries. Secondly, there is a clear distinction between victims and aggressors, with an imbalance of power in the relations. Japan and Germany were ‘aggressors’ during WWII and South Korea and Poland

were the biggest ‘victims’ from the aggression. After the end of the war, each of the states respectively made agreements for conflict resolution, yet we currently see a different outcome and situation: Korea and Japan still have serious disputes based on past tensions which affect the current political and social relationship, whereas Germany and Poland have vastly improved their relationship.

The question of why the states involved in intractable conflicts have different current relations has led to this research, investigating the differences between the two cases. For this, a few more detailed questions we asked. Why are some former adversaries unable to reconcile while others can? To be more specific, what does it mean to reconcile and why do we need to achieve it? In the process, what are the essential elements needed to proceed with reconciliation? What would be the prerequisites and necessary conditions for the reconciliation? As a good example of reconciled relations, how have Germany and Poland facilitated their reconciliation?

To determine the definition, characteristics, and working mechanisms of the reconciliation between states, previous literature on interstate conflicts were checked thoroughly. Following this, in order to investigate the characteristics of the process with a real case, the German-Polish relations was set as a comparable case of this thesis. In particular, the institutionalization of the reconciliation between the states, with numerous institutions based on a solid legal foundation

was set as the focus, so that the process can be structurally followed rather than with a psychological point of view, which requires more long-term, intensive, and complicated work.

In the following chapter, the key concepts and theoretical approaches regarding reconciliation will be outlined. Most of scholars in reconciliation studies agree that the structural foundation is crucial for reconciliation with long-term interactions between parties to achieve the final goal: an everlasting peace between former adversaries (Feldman 1999; Bar-Tal 2004; Bercovitch 2009; Wallensteen 2012; Jennifer 2014). Chapter 3 attempts to chronologically show how the conditions for the reconciliation have been fulfilled and how bilateral relations have been developed between two states. To go more into depth, which preconditions for reconciliation were fulfilled and what kind of structural changes have been made to build the current relations for reconciliation were elaborated. In Chapter 4, the institutionalizing reconciliation between the states was described, focusing on the role of institutions in the field. This thesis assumes that the role of institutions as major actors in the process determines whether the reconciliation between former adversaries has been institutionalized. In particular, if the institutions can perform their role with consistency and stability in practice, regardless of any influence from the government, the reconciliation can be considered as institutionalized. In Section 4-2, one of the

institutions will be analyzed to determine its autonomy level regarding its performance using the autonomy model by Verhoest et al. (2004). This has been carried out in order to evaluate the stability of the institutions. The materials used for the analysis are the Statute of the Foundation, the yearbooks and the annual budget reports of the institution. The conclusion compares the Korean-Japanese relations with those of the German-Polish case, based on the institutionalization of the reconciliation.

Through this thesis, it is expected that states involved in intractable conflicts are able to compare the German-Polish case with their own from a macro-structural viewpoint, i.e. the specific steps and what kind of structural methods Germany and Poland have used to develop their newly established relations. In this sense, this research has a significance as a comparable case to South Korea and Japan in terms of reconciliation. Since the Germany and Poland case has similarities with the South Korea and Japan case, I hope that this thesis can help the states in gaining a new perspective on their reconciliation and in developing a new strategy to genuinely reconcile their relations.

II. Literature Review

2.1. Concept of Interstate Reconciliation

2.1.1. Nature of Conflict and Conflict Resolution

In terms of international conflict, the nature of conflict needs to first be classified to determine whether ‘reconciliation’ is needed, as this determines what kind of additional process should be followed after a conflict resolution between former foes. Thus, what is ‘conflict’ and what kind of characteristics does it have? The Oxford Dictionary defines conflict as “a serious disagreement or argument, typically a protracted one”. As we can see here, period is one of the aspects which regulates conflicts, with additional characteristics including status of the rival groups and international judgement on the conflict (Bar-Tal and Bennink 2004, p.13).

Firstly, with respect to the period of the conflicts, if a serious conflict occurred between leaders as a one-time event with no consistency, both sides with neutral emotions do not consider this as a significant harm on their relations. Thus, it can be resolved through an official apology and forgiveness. However, if a conflict is protracted for several decades and negative emotions, such as mistrust towards another side persist in the mind of individuals, this conflict cannot be solved with a formal agreement between the leaderships. These societal beliefs, emotions and attitudes are hard to change in a short time period, and need

more active efforts to improve the relations from both sides (Bar-Tal and Bennink 2004, p.13).

For case of the status of the rival groups, we can classify all the cases into two sets; rival groups existing in a single political entity or two in political entities. All the groups involved in the conflict should undergo a huge psychological change in the perception of the adversary for a peaceful coexistence. If the rival groups are in a single political entity, both sides need to initially concentrate to integrate under the same system. On the other hand, if the rival groups are in two different political entities, such as states, both parties have to then proceed their reconciliation process under two different systems, which requires more delicate approaches based on mutual understanding (Bar-Tal and Bennink 2004, p.14).

Following this, what place the international judgement on the responsibility for the outbreak of the conflict have? Since the responsibility defines who is the victim and who is the perpetrator, according to the international standards of justice, it critically affects the conflict resolution and the reconciliation process. When one side is perceived more responsible for the conflict as an aggressor, this side is required to take some additional steps in the process, such as a reparation payment or an official apology for reconciliation (Kriesberg, 1998). In summary, a conflict which is intractable, occurred in two separate political entities with a clear distinction between victim and aggressor,

should be resolved with an additional process for conflict resolution, as well as reconciliation.

Table 1. Classification of Conflict

Period	Short period (tractable)	Long period (intractable)
Status of the rival groups	Unitary political entity (intrastate conflict)	Two separate political entities (interstate conflict)
International judgement	Both sides are responsible for the conflict	One side is more responsible for the outbreak of the conflict
	<i>Conflict resolution is enough</i>	<i>Reconciliation is needed</i>

Source: Bar-Tal and Bennink (2004).

The first step for reconciliation is the termination of conflict. In the case of international disputes, particularly wars, states at some point start to seek an official end of the conflict via negotiations or agreements. This means that both sides are willing to stop the current dispute and will respect each other as a partner rather than an adversary. However, scholars of reconciliation claim that conflict resolution does not necessarily consolidate the newly-made peaceful relations and prevent possible disputes in the future, since it only symbolizes the formal termination of the existing conflict as ‘a limited definition of peace’ (Wallensteen 2012, p.10; Bar-Siman-Tov 2004, p.61). The reason for this is that conflict

resolution is mostly made by leaders signing a peace agreement, thus it does not include other social groups, such as civil societies. To overcome the limits, informal dialogues or workshops with those outside the government are often suggested to embrace the real needs from all related groups before the negotiation for the official agreement (Albin 2009, p.583). However, although the interests of all related groups should be covered during the negotiation and reflected in the final agreement, their voices are often neglected in the process as well as outcome. Therefore, the conflict resolution through a formal agreement by leaderships is just a starting point of a long reconciliation process.

Actually, most studies on reconciliation have shown that a conflict resolution through formal peace agreements often fails to genuinely build stable and peaceful relations between states (Burton 1990, p.47; d'Estre'e 2009, p.157; Bar-Tal and Bennink 2004, p.12; Bar-Siman-Tov 2004, p.61). Since the official peace agreement cannot fully reflect the needs or interests of related groups, the negative domestic sentiment towards former rivalry states can hardly change by this single event. It simply acts as an official tool for the next phase of the relation and it cannot guarantee a peaceful future between states. After all, in terms of a protracted conflict, conflict resolution is not a sufficient condition to sustain a newly reconciled relationship without proper follow-ups, which should be entailed after the official end of conflict.

2.1.2. Concept of Reconciliation

The major limitation of conflict resolution is that it hardly reflects the related groups' opinion and cannot prevent potential disputes making social-psychological changes in society. If this is the case, why are psychological changes in society so important? This is because it is a sufficient condition for building lasting peace in the protracted conflicts between the states to restore relations. Regarding interstate conflicts, Lipschutz mentioned that the fundamental basis of the state is relationships between individuals and people, so rapprochement between governments means very little without restoring those relationships at the individual level (Lipschutz 1998, p.16). In addition, Bar-Tal and Bennink proposed that if the societies involved in the conflict shared a deep-rooted psychological commonality, such as beliefs, emotions or attitudes that maintain the conflict preventing the development of peaceful relations, a reconciliation is needed (Bar-Tal and Bennink 2004, p.13). Therefore, after the conflict resolution, both states need to proceed strategic cooperation to change the negative domestic sentiment in societies as the next phase of the reconciliation.

In its simplest form, reconciliation can be defined as a restoration of friendship between the former adversaries after conflict resolution, transforming national sentiment from hostility to friendly goodwill, with mutual respect and

trust (Kriesberg 1998; Feldman 1999; Bar-Siman-Tov 2004, p.4). The key point of reconciliation is the construction of everlasting peace based on genuine support from the majority of the society, with social-psychological changes (Bar-Tal and Bennink 2004, p36-37). Therefore, reconciliation is often considered as the highest level of development in international relationships, going beyond simple conflict resolution for the stabilization of peace relations (Bar-Siman-Tov 2004, p.79). In fact, conflict resolution is relatively easy to achieve compared to reconciliation as we can see the result of it as an outcome of negotiation by leaderships. However, reconciliation must always be proceeded with a social-psychological change and requires consistent interactions between all social groups based on a mutual understanding and sufficient time.

Table 2. Conflict Resolution vs. Reconciliation

	Conflict Resolution	Reconciliation
Main goal	Termination of the conflict	Sustainment of a lasting peace, preventing potential disputes
Period	Short-term (relatively)	Long-term
Type	<i>Outcome</i>	<i>Process</i>
Requirements	Formal agreement at the end of the dispute by leadership	<ul style="list-style-type: none"> • Structural-institutional conditions • Social-psychological changes : <i>cognitive and emotional</i>
Social-psychological changes	<i>Not required</i>	<i>Crucial</i>

To reach a reconciliation, the whole process needs to simultaneously be proceeded top-down and bottom-up, meaning that strong support from political groups and the civil society is crucial (Rosoux 2009, p.552). The problem is that the psychological changes occur gradually and slowly in this process since needs sufficient time and consistent support is needed to overcome emotional barriers. In this sense, the strategic development of mechanisms for social-psychological changes are needed right after the conflict resolution. To determine the facilitating factors for reconciliation, scholars studied numerous variables and conditions creating interchangeable terms, like positive peace, stable peace, peacemaking, peacebuilding and restorative justice. Although such approaches provide new terms by emphasizing different variables, they share similarities in terms of the conditions for a reconciliation, since they share the unitary goal of everlasting peace between former adversaries.

2.2. Process of Reconciliation

In the 1990s, with the end of the cold war, some scholars started to recognize the need to see international relations in a macrosocietal perspective, which emphasizes the reconciliation between societies for the prevention of disputes and peacemaking (Lederach 1997; Kriesberg 1998; Lipschutz 1998; Feldman 1999; Bar-Tal and Bennink 2004; Zartman 2007). They argue that after

severe military conflicts, the involved states should undergo a certain process to reconcile their relations. Thus, reconciliation is not an outcome but a process which consists of numerous interactions between countries using every possible method to improve the relations. There are numerous methods for reconciliation, including apologies, truth and reconciliation commissions, public trials, reparation payments, writing a common history, education, mass media, publicized meetings between representatives of the groups, NGOs, joint projects, and tourism and cultural exchanges (Bar-Tal and Bennink 2004, p.28). With the exception of public trials and reparation payments, other methods for reconciliation are more likely a phase of the whole process which need enough time and active efforts.

Since each case has its uniqueness, it is hard to set a linear order of conditions for the process. Some conditions can even be omitted depending on the characteristics and circumstances of the cases. Although scholars have different points of views in terms of order, the conditions for reconciliation mostly overlapped and the common requirements that most scholars agree with are psychological and structural conditions

2.2.1. Psychological Conditions

The need for reconciliation is derived from the lack of psychological

changes in society which affect national sentiment. According to Rosoux, in the case of protracted conflicts, people usually have negative dominant perceptions or stereotypes on the former adversary, with these fixed images produced during the conflict being deep-rooted in individuals' minds (Rosoux 2009, p.550). The institutionalized images and perceptions will affect the newly restored relations and cannot easily change with the formal conflict resolutions. This kind of situation often happened in victim states since the society members are the direct victims of the violent aggression and injustices. Without any proper methods and efforts, they recall the painful memories whenever the former aggressor is mentioned and the 'victimhood' lasts in everyone's mind. Thus, the eternal termination of fear and mistrust in society has to be realized after the conflict resolution. Actually, scholars who highlight the importance of psychological methods state that the process of reconciliation reflects a shift from 'victimhood' to 'self-recognition as active actor' in the relations (Montville 2001, p.132).

Since a real reconciliation can be achieved when the majority of people feel secure and comfortable in with the relations, the satisfaction of psychological conditions is often considered as a major and difficult element for reconciliation. Consequently, without psychological changes on the individual level, reconciliation cannot be completed. Moreover, some scholars argue that the psychological changes in society will be naturally reflected on the structure and

create structural changes to proceed the reconciliation (Bar-Tal and Bennink 2004, p.23). Since the fulfillment of the psychological conditions is essential to measure the success of reconciliation between former foes, it is easy to assume that psychological conditions should be satisfied before structural conditions. However, in practice, reconciliation usually begins with satisfying the structural conditions (Bar-Siman-Tov 2004, p.79-80).

2.2.2. Structural Conditions

The basic structural condition of the reconciliation is the creation of economic and political linkages between the states (Feldman 1999). As we all observe in our daily life, the economy has a great impact on society members, as it determines the individuals' standard of living, facilitating economic growth and employment. Thus, after conflict resolution, the states often first reconstruct their economic relations so that the benefits from the ties act as powerful tools to encourage the support of peace as a member of an interest group (Bar-Tal and Bennink 2004, p26). In terms of politics, the structural changes for the reconciliation mostly happens at the governmental levels: the normalization of diplomatic relations, the arrangement of regular visits of leaders or exchanges of delegations and the establishment of joint institutions or projects in various fields (Bar-Tal and Bennink 2004).

Asides from the creation of political and economic ties, the new relations need to be transformed in order to satisfy the structural conditions for reconciliation, establishing an environment for psychological changes after the conflict resolution. To start the transformation of the relations in the post-conflict period, the states usually sign formal agreements or treaties on the future cooperation. The agreements often construct a legal foundation which bind both sides with more detailed plans and terms (Bar-Tal and Bennink 2004). Upon the structural foundation, both sides can address each other as partners and cooperate to create the platforms to communicate in all levels (Burton 1990, p.47; Feldman 1999: p336). In addition, multilevel cooperation and interaction is strongly supported by bilateral institutions, as well as cross-border networks between societies. The role of these institutions is significant in the process, since they provide various channels for direct interactions between the societies in a practical manner, which can lead to social-psychological changes. While fulfilling the structural conditions for reconciliation, both parties can accelerate psychological changes on an individual level. Moreover, both sides can avoid or jointly solve potential conflicts which would inevitably arise within the structural framework (Kelman 2004; p124).

Although the structural conditions alone are not enough to resolve protracted conflict, most scholars agree that the satisfaction of the structural

conditions is crucial for reconciliation as the psychological conditions can be satisfied more efficiently along with the construction of the structural framework for reconciliation (Wilmer 1998; Feldman 1999; Bar-Siman-Tov 2004 Bercovitch 2009). Therefore, the satisfaction of the structural conditions is the key element of the process as it transforms the bilateral relations for reconciliation.

2.2.3. The Role of Institutions

In reconciliation studies, the role of institutions is often emphasized, because of its unique characteristic in that it can cover a broader scope compared governments with its status as an independent organization pursuing public goals (Feldman 1999; Lund 2009; Bar-Tal 2000; Wallensteen 2012). Thanks to the obscure status of being somewhere in between the government and civil society, it can flexibly implement various programs or projects. From a conflict prevention perspective, the establishment of independent and unbiased institutions is crucial, as they can maintain their original goals with a longer duration than any other domestic political powers (Wallensteen 2012, p.299). These institutions help to institutionalize the process for reconciliation, maintaining the interactions between the groups in society. Furthermore, the institutions reflect the preference and opinion of the civil society with new ideas

and values of reconciliation, and know how to avoid any unnecessary domestic and international pressure (Wallensteen 2012; Feldman 1999, p.356). Therefore, the reconciliation process with these institutions can be more powerful, efficient and consistent, regardless of administration characteristics. In reality, numerous institutions exist in many different forms to improve international relations. However, institutions with full financial support from governments cannot be recognized as real independent organizations since there exists the possibility that the governments regulate the institutions depending on their current interests. Thus, institutions established by governments are exposed to the danger of being controlled by the governments or administration, losing their original public goals.

To carry out their original objectives without the strong influence of governments, institutions need autonomy from the government, yet autonomy is hard to obtain and evaluate (Verhoest et al. 2004; Christensen 2006; Lee 2016). Although there are many studies on the autonomy of institutions, the concept and nature of testified autonomy are slightly different, as the specific variables used in each study are different. Thus, scholars do not share a unified definition of the autonomy of institutions in public management research (Verhoest et al. 2004: p.102-103). There are three general approaches used the literature: the principal-agent approach, the historical case study approach and the multidimensional

approach.

Among these theoretical perspectives, the third, which focuses on the ‘multidimensionality of bureaucratic autonomy’ developed by Verhoest et al. (2004), is mostly used to analyze institutions in the public sector because of its strong explanatory power (Bach 2014, p.344; Lee 2016, p4). To determine the most efficient analysis framework, they developed a multidimensional approach which embraces multiple variables to evaluate the autonomy level of institutions and created six criteria: managerial, policy, structural, financial, legal and interventional. Verhoest et al. (2004) determined that these six criteria can be grouped into two: managerial and policy autonomy as ‘decision-making competencies,’ and the rest autonomy as ‘an exemption of constraints on the actual use of the decision-making competencies’ (Verhoest et al. 2004; p.107-109). To evaluate the levels of autonomy of institutions in German-Polish relations, this thesis refers to the analytical framework of Verhoest et al. (2004).

III. Conditions for Reconciliation between Germany and Poland

3.1. Structure of Reconciliation Process

3.1.1. Germany-Poland Relations After World War II

For the German-Polish case, long-term psychological changes have been made upon a solid structural foundation for reconciliation. By establishing

numerous institutions to implement various reconciliatory projects based on the legal mechanism, including the milestone treaty in 1991, the two states have successfully improved their relations over the past few decades and the relations have been evaluated as one of the most successful cases of reconciliation between former adversaries. However, in order to improve bilateral relations, both states needed to solve several obstacles.

After World War II, particularly for Poland, a victim of numerous invasions and military conflicts by Germany over history, insecurity and mistrust were the main causes of Poland's inability to view Germany as a faithful partner. Therefore, the construction of a legal mechanism which guarantees security and the restoration of faith needs to first be created. However, after the end of the World War II, Germany was divided into East and West Germany under the influence of the Soviet Union and United States, respectively. Poland became one of the eastern-communism blocks, directly controlled by the Soviet Union and thus losing its authority as a sovereign state. The division of Germany and the Soviet occupation in Poland worsened the situation in terms of reconciliation. For instance, in terms of the reparation payments, through the Potsdam Agreement in 1945, the allied U.S, the United Kingdom and the Soviet Union decided that Poland would receive war reparations not from Germany, but from the Soviet Union's share of those reparations (15% of the Soviet Union share) to

reduce the burden of East Germany (German Democratic Republic), which was controlled by Soviet Union at that time. In 1953, Poland waived all the war reparations from Germany under the pressure of Moscow. With this single matter ‘war reparation’, both sides could not even negotiate to resolve the issue because of the third actor, in this case the Soviet Union, and the reparation payments thus remained as an unresolved problem until 1991 (Judith Renner 2016, p.54; Phillips 2000, p.74).

As the cold war started, Poland and Germany, failed to normalize their relationship in a timely manner, under the influence of the two big powers, the U.S. and Soviet Union,. In particular, an anti-German sentiment was nourished by the Polish communists under the influence of the Soviet Union (Lebioda 2000, p.166). With these limitations, because of the international political setting, the whole reconciliation process was postponed. The potential hazard of military conflicts existed, and hostility towards each other prevailed in both societies at the time. If there is a threat of military conflict on existing and deeply-rooted mistrust, any steps for reconciliation are meaningless and the outcome amounts to nothing (Bar-Tal and Bennink 2004, p.23; Bar-Siman-Tov 2004, p.4; Vasquez 2009, p.196). In this sense, the bilateral relationship of Germany and Poland was quite unstable due to territory issues and hostility from the lack of communication in the past relating to an official recognition of wrongdoings. Therefore, to

normalize a relationship in the context of reconciliation, internal hostile sentiment against each other, and territorial disputes, needed to first be resolved, before making any noticeable progress in the reconciliation process. In the German-Polish case, official apologies were offered by both civil societies in the mid-1960s, and border disputes were resolved with several confirmations by bilateral/international agreements.

3.1.2. Psychological Precondition: Official Apology and Forgiveness

When the German-Polish relationship was in a complete deadlock in an international context, the civil societies in both states took a significant role to initiate bilateral communication. In 1965, the first apology was offered at the level of the civil society, when Polish and German bishops exchanged conciliatory letters in which they asked the other side for forgiveness for the injustices regarding the war. The surprising fact is that this movement started from the Polish side, the victim state, with Cardinal Wyszynski's letter "we forgive and beg forgiveness". In this letter, the Polish religious group first offered an apology and asked for forgiveness to German civil society regarding the German expellees from the southern part of Poland. At the end of the WWII, the Germans who lived in the southern part of Poland (upper part of Oder-Neisse line) were persecuted by Poles and forcefully expelled. As usual, a war destroyed the

lives of millions of people, both victims and aggressors. Through the letter, Polish the religious community recognized the German's suffering caused by the expulsion, even though they also suffered from the persecution by Germany for decades. In their response to this unexpected letter, German bishops wrote a letter where they also asked Poland to forgive the crimes committed by Germans during WWII. According to Rosoux (2009), even if a gesture is limited as an informal apology without legal impact, it can still form "turning points" in the interaction between former adversaries (Rosoux 2009, p.551). Thus, although this event did not have any formal impact, it marked the beginning of the reconciliation process between Germany and Poland.

Just five years later, this friendly civil society gesture was followed by an official representative of Germany. In 1970, the German Chancellor Willy Brandt issued the first political apology to Poland, when he fell to his knees at the Monument of the Ghetto Heroes in Warsaw to silently mourn for the victims of the Nazi persecution. According to his memoirs, that 'kniefall von Warschau' was not a prearranged act and it was an apology from the bottom of his heart (Brandt 1989, p.222). The daily newspaper 'Der Spiegel' conducted a survey on the 'kniefall' right after the event, and the result showed that German society was divided: 41 % of respondents answered that it was an appropriate action, while 48 % evaluated it as excessive (Der Spiegel, 14 December 1970: 27). Although

this action was not delivered with a national consensus in Germany, it is often considered as the first conciliatory act towards Poland by a German political figure (Renner 2016, p.57).

In August 1994, 25 years later, another formal apology was delivered by the German President Roman Herzog at the 50th anniversary of the Warsaw Uprising in Warsaw. Herzog and his staff carefully prepared the speech, word by word, and chose the word ‘regret’ to deliver a sincere apology for the crimes committed by the Germans during World War II and publicly asked Poland for forgiveness. After this symbolic reconciliatory event, the anti-German sentiment prevailing in Polish society partially diminished. Polish media highly evaluated this statement, mentioning it as a milestone in the German-Polish relations. The Polish Foreign Minister, Andrzej Olechowski, said Herzog’s visit and statement had a historical significance as an important step for the German-Polish reconciliation. Like the gesture of being welcomed to Poland, reactions toward Herzog’s speech in Germany were also overly positive and German politicians across parties praised Herzog’s speech (Renner 2016, p.62-63). As various scholars have pointed out, these kinds of “reconciliatory events” actually have a positive impact on the relationship between states, despite being former foes with feelings of hatred and mistrust between them (Bargal and Sivan 2004, p.125).

Table 3. Historical Apologies in the German-Polish Relations

Date	Actors	Occasion	Main Contents
1965	Polish Catholic Church	Invitation to the 1000 th anniversary celebrations of Poland's Christianization	Apology and forgiveness
	German Evangelical Church	Response to the Polish Bishops' letter	Ask for apology for crimes committed by Germany during WWII
1970	Chancellor of Germany <i>Willy Brandt</i>	During the visit to sign the Warsaw Treaty	Symbolic gesture of atonement at the Monument to the Ghetto Heroes in Warsaw to mourn victims of Nazi persecution
1989	Chancellor of Germany <i>Helmut Kohl</i> & Prime Minister of Poland <i>Tadeusz Mazowiecki</i>	The celebration of holy mass in Krzyżowa	Both governments declared the mutual goal is 'reconciliation' with the great gesture "Handshake for Peace"
1994	President of Germany <i>Roman Herzog</i>	The 50 th anniversary of the Warsaw Uprising	Emphasized mutual need of forgiveness for both countries and referred to the atrocities 'committed by Germany'
1995	Foreign Minister of Poland <i>Władysław Bartoszewski</i>	The 50 th anniversary of the end of World War II	Statement of regret for the German victims of the post-war expulsions
2004	Chancellor of Germany <i>Gerhard Schröder</i>	The 60 th anniversary of the Warsaw Uprising	Gave a speech asking a forgiveness 'please forgive us (Bitte um vergebung)" at the Warsaw ghetto

2009	Chancellor of Germany <i>Angel Merkel</i>	The 70 th anniversary of the start of World War II	Acknowledge Poland as the biggest victim of the Nazi persecution
2014	President of Germany <i>Joachim Gauck</i> & President of Poland <i>Bronislaw Komorowski</i>	The 70 th anniversary of the Warsaw Uprising	The speeches delivered by German and Polish representatives saying ‘Germany and Poland are now reconciled’

As mentioned above, Germany willingly took the burden and responsibility for the Nazi persecution, since Poland is the primary victim in Eastern Europe. Thus, official apologies were issued to the Poles by Germany with great consistency. In September 2009, at Westerplatte, where the 70th anniversary of the beginning of WWII was held, chancellor Angela Merkel mentioned Poland as the biggest victim of the Nazi persecution during WWII and commemorated all the Polish people who suffered from this, saying, “We Germans will never forget” (DW 2009). Besides direct apologies between Poland and Germany, German representative have consistently expressed deep regret and apology for the crimes committed in the name of Germany during WWII. In April 1985, Chancellor Helmut Kohl admitted that Germany has a historical responsibility for the war crimes of the Nazis and that would last an eternal shame

during the ceremony of the 40th anniversary of the liberation of the Bergen-Belsen concentration camp (NYTimes. 1985). Furthermore, the chancellor of Germany declared that Germany has an everlasting responsibility to remember all the Nazi crimes and needs to fight against racism at a memorial ceremony on the eve of the 70th anniversary of the liberation of the Auschwitz in 26 January 2015 (DW 2015).

We can thus see the consistency of the formal apologies issued by German representatives and that the declaration of their ‘responsibility to remember’ in official occasions has been ritualized and delivered without any exception until now. Actually, in every occasion of the remembrance of the crimes committed by the Nazis, German politicians expressed their apology in the forms of speeches or interviews. Hence, Germany has issued numerous official statements of mutual apologies that have been crucial for the official progress in the reconciliation process, particularly in the East-Central European relations (Philipps 2001; Valerie Rosoux 2009, p.551). Continuing the historical sequence of apologies, Germany has been trying to positively change the bilateral relations with victim countries including Poland with the ritualization of apologies. Since the exchanging letters between the German-Polish bishops in 1965, official apologies have been delivered for reconciliation by leaderships, and these gestures have been ritualized in the German-Polish relations (Renner 2016, p.52).

Thus, the ritualized moral-political gestures from the German leadership soothed the anti-German sentiment in Poland to some extent and arranged a psychological foundation for the partnership between the states.

3.1.3. Elimination of the Threat of War

After World War II, in the German-Polish relations, there was a controversial issue of confirming the final nature of the border on the Oder-Neisse Line, which is a current border between Germany and Poland. The final settlement of the territorial dispute became possible only after a new democratic government took office in Poland in 1989 and two German states became a unified state in 1990. Nonetheless, there were attempts to settle this conflict between Polish People's Republic (PPR) and the two German states—the German Democratic Republic (GDR, or East Germany) and the Federal Republic of Germany (FRG, or West Germany). Since East Germany and Poland were under the control of Soviet Union at the time, the settlement process was relatively easy and the Treaty of Zgorzelec, recognizing the Oder-Neisse line as the final border, was signed between the two states under the pressure of Moscow on July 1950. In 1969, a newly elected Chancellor of West Germany Willy Brandt concentrated on foreign affairs, especially a new eastern policy ‘Ostpolitik’, which included the establishment of a bilateral connection with Poland to

improve relations, lowering tension with the Soviet Union. Through the Treaty of Warsaw of 1970, West Germany accepted that the Oder-Neisse line was temporarily imposed on Germany at the Potsdam Conference (Chun 2012, p.278-280). However, both treaties had limitations in terms of international recognition because the Potsdam agreement reserved the decision on the final border settlement declaring that it would be negotiated in future. Therefore, until the decommunization in Poland and reunification of Germany, a fear of military conflict and hostility in the society towards each other still existed, suspending the reconciliation process between Germany and Poland.

Meanwhile, unexpected surprises occurred when the Cold War ended in 1989, and marking a beginning of a change in the German-Polish relations: the Berlin Wall, which divided Germany into West and East, was torn down, paving way to the unification of Germany, and the period of Soviet communism in Poland ended (Feldman 1999, p.346). A year later, the Treaty on the Final Settlement with Respect to Germany, the so called ‘2+4 Treaty’, was signed in Moscow on 12th September 1990. The two German states and four great powers—United States, Soviet Union, France and England—participated in the negotiations. All six participating nations agreed to eliminate the Potsdam reservation, which had postponed a final settlement of the German border to a future peace treaty, making Germany a reunified sovereign state. Thus, the 2+4

Treaty functioned as a de facto peace treaty with Germany and it made an ultimate determination of uniting Germany's territory and borders, including the Polish-German border. Consequently, the resolutions adopted in the 2+4 Treaty was final, so that any possibility of revising the course of the Polish-German border in the future was eliminated with international recognition (AIPS 2011, Feldman 1999, p.353).

On 14th November 1990, 45 years after WWII, the German-Polish Border Treaty ("The Treaty between the Federal Republic of Germany and the Republic of Poland on the confirmation of the frontier between them"), which is the first bilateral official agreement between unified Germany and democratized Poland, had been preceded on the 2+4 Agreement. In this border treaty, both sides reaffirmed the frontier between them mentioning 'Germany as a State with definite frontiers' based on the Treaty on the Final Settlement with regard to Germany. Additionally, Germany and Poland declared that they do not have any territorial claims against each other and shall not put such claims in future (UN 2002).

Table 4. The Bilateral and Multilateral Border Treaties on the ‘Oder-Neisse Line’

Date	Treaty	Actors	Main Contents
1950.7	The Treaty of Zgorzelec	- East Germany - Poland	
1970.12	The Treaty of Warsaw	- West Germany - Poland	The two German states acknowledged the existing border with Poland (Oder-Neisse Line), respectively
1990.9	The Treaty on the Final settlement with respect to Germany	- France - Germany (East / West) - Soviet Union - United Kingdom - United States	<ul style="list-style-type: none"> • International Agreement • Eliminated the Potsdam reservation and made a final settlement of the German border
1990.11	The Treaty between the Federal Republic of Germany and the Republic of Poland on the confirmation of the frontier between them	- Germany - Poland	<ul style="list-style-type: none"> • The first bilateral border treaty • No territorial claims against each other in future

With the multilateral and bilateral treaties, Poland as a victim state could have a sufficient sense of security and the necessary trust in a united Germany for the reconciliation process to begin. After the Oder-Neisse border issue, which is directly related to the security resolved in an international peaceful manner, Germany and Poland could pursue comprehensive cooperation on a wider level. Without any threat of war or military conflict in future, the end of the East-West division, resulting the unification of Germany and the fall of communism in

Poland, opened a multitude of opportunities for cooperation and dialogue. From the early 1990s, the institutionalization of reconciliation became more accelerated and numerous state-financed institutions, upon the treaties, were established to facilitate the reconciliation between Germany and Poland.

3.2. Institutionalization Process After 1990: Structural Changes

3.2.1. Legal Foundation

As the Cold War ended and the two German states reunified in 1990, Germany and Poland could successfully construct a basic foundation for the bilateral relations through symbolic gestures for reconciliation and treaties in an international context. However, although territorial disputes were resolved and hatred in both societies was weakened with ritualized apologies, there was no solid legal foundation to permanently bind both sides. Therefore, both governments agreed to normalize their relationship with the institutionalization of cooperation building on legal mechanisms. The legal foundation for the overall bilateral cooperation was established by the Treaty of Good Neighbourship (“The Treaty of Good Neighbourship and Friendly Cooperation between the Federal Republic of Germany and the Republic of Poland”) on 17th June 1991. In this treaty, both states agreed to recognize all the suffering in the past and discussed how to resolve disputes and improve the German-Polish relations in the next

decades. Article 1 of the treaty says that the “Polish and German governments shall endeavor to realize the wish of both their peoples for lasting understanding and reconciliation” (AIPS 2011, p.16). This treaty became the milestone of mutual trust and closer ties between the two states, including civil societies, and became a crucial foundation for their future relations. More specifically, after the negotiation, both sides made an agreement on the institutionalization of cooperation, and established institutions throughout the following fields: politics, economy, security, culture, education, transnational activities, sciences and youth exchange (Feldman 1999, p.349). Consequently, the German-Polish relations officially started to institutionalize, with newly emerged organizations in all areas (Ulatowski 2016, p. 47).

Five years later, Germany and Poland strengthened their relations once again by signing an agreement on cultural cooperation during the German-Polish summit held in Bonn on 14th July 1997. Bilateral talks at the highest governmental level were conducted between Germany and Poland, and Poland was the first country to participate in talks with Germany among the post-communist states (Ziemer 2015, p.29-30). Likewise, by signing the treaty in 1991 and the agreement in 1997 for bilateral cooperation, Germany and Poland created a framework for comprehensive cooperation through specialized institutions at all levels. Through this framework, both parties were able to develop and pursue

their mutual interests with continuous institutional interactions (Feldman 1999, p.336).

Table 5. List of Institutions Formed on the 1991 and 1997 Agreement

Area	Name of Institutions
Payment of the compensation for victims	<ul style="list-style-type: none"> • The Foundation for Polish-German Reconciliation (FPGR)
Foundation for overall cooperation	<ul style="list-style-type: none"> • The Foundation for German-Polish Cooperation (FGPC) • The German-Polish Youth Office (GPYO)
Exchange between civil societies	<ul style="list-style-type: none"> • Assistance for Self-Help • The German-Polish Economic Promotion Agency • The German-Polish Society • The German Academic Exchange Service (DAAD) • The German-Polish Foundation for the Preservation of Cultural Monuments

Additionally, under the influence of the strategic institutionalization at the governmental level, a high level of regional and cross-border cooperation could actively occur at the non-governmental level, such as academic partnerships between research institutions or schools and town twinning arrangements between the two countries (Federal Foreign Office 2018). In summary, the bilateral German-Polish relations in 1990s can be characterized as the preparation period of building a solid foundation for overall cooperation. Moreover, in the

1990s, Germany and Poland strongly shared mutual goals and interests to strengthen their strategic, political and economic partnership.

3.2.2. Political Cooperation

After the communist regime fell in 1989, a major concern of Poland's first post-communism government was the political integration with the Western European block. As a former communist country in Central Europe, its accession to Western European communities, including NATO, was rather doubtful to other member states. However, since Germany and Poland had the same goal of consolidating their strategic partnership, Poland's joining to the regional organizations was crucial to Germany. Therefore, during the process of Poland's accession to such organizations, Germany played a strong role as a powerful supporter within the institutions. In particular, Germany put a lot of strength in the negotiation process for Poland's accession to the EU in order to integrate the bilateral cooperation in the regional context. Some said that without strong support from Germany at that moment, Poland would not have been able to successfully join the European networks (Ulatowski 2016, p.47). Besides its joining to EU in 2004, Poland has also actively participated in several multilateral regional systems that Germany participates: the Weimar Triangle, which is a cooperation formula between France, Germany and Poland, in 1991, NATO in

1999 and Schengen area in 2007 (a border-free area which guarantees unrestricted travel within a territory of 26 European countries). These marked another phase in the German-Polish relations, making bilateral interaction for mutual interests much easier within the multilateral cooperation framework (Feldman 1999, p.353). Likewise, German-Polish institutionalized relations were strengthened after both were able to pursue similar interests within the multilateral frameworks.

Besides political cooperation in the multilateral contexts, both states have regularly interacted for bilateral political dialogue. Actually, Germany and Poland started regular talks tenuously in the late 1970s, with political interactions strengthened from the early 1990s. The German-Polish Forum was initiated in 1977 to provide a dialogue platform between political and social elites and experts from both states outside official consultations. The forum was organized with the regularly support from the foreign ministries of Germany and Poland and was hosted by the Foundation for German-Polish Cooperation from 2014 (PIIA 2014, p.17). Another key political channel in the German-Polish relations is the Intergovernmental Commission, organized once a year since 1991 in Germany and Poland alternately, and consisting of the four committees: cross-border cooperation, regional planning, interregional cooperation and education to foster communication and cooperation between interregional or cross-border

institutions.

Moreover, the states also established ‘The German-Polish Prize’ to honor outstanding individuals who greatly contribute to the improvement of the bilateral relations, based on article 35 of the treaty in 1991. The prize is worth 20,000 euros and winners of the prize are selected by the Prize Committee, composed of five members from both sides appointed by the foreign ministers for a five-year term. Since its establishment in 1993, the prize was awarded to more than 34 people or institutions, including Willy Brandt, Tadeusz Mazowiecki and the Foundation for Polish-German Reconciliation (Ministry of Foreign Affairs 2014; Federal Foreign Office 2018). At the governmental level, Germany and Poland have been consistently interacting through meetings or visits of high-ranking politicians to develop political cooperation. For instance, to mark the 25th anniversary of the treaty of 1991, about 223 political meetings were held, including three bilateral meetings of the Heads of Governments in 2016 (Federal Foreign Office 2018).

3.2.3. Economic Cooperation

In the early 1990s, the top priority of Germany and Poland was political cooperation; however, economic cooperation also played a great role in the relations, making them each one of the most important economic partners for one

another. In particular, industrial associations in Germany powerfully supported the cooperation to strengthen the German-Polish economic ties. When other member states were reluctant to Poland's accession to the EU, Germany used its economic power to convince them, emphasizing the need of eastern enlargement. The financial power of Germany influenced Poland, with Poland accepting the German model of social market economy to reform its economic structure (Ulatowski 2016, p.56).

Furthermore, using its economic power, Germany financially supported Poland in the 1990s, as the key donor of economic aid. In terms of the foreign debt of Poland, which was the main obstacle for the development of economic relations between the states, the German share of the Polish debt was about 23.9% (USD 7.7 billion). On 25th March 1992, Germany made an agreement with Poland to the reduction (standard value) of the Polish debt owned by Germany by 50% (Ulatowski 2016, p.51). Once they removed economic obstacles and were economically integrated in 2004, the German-Polish economic interdependence became much more intense. The trade exchange between the states has developed dramatically from the early 1990s. In the mid-1990s, the German market was the largest overseas market for Polish exporters, and in 1995, about 38.3% of exports from Poland went to Germany and Poland imports from Germany made up 26.6% of the total (Ulatowski 2016, p.52). Since then,

Germany has kept its position as the first biggest trade partner of Poland up until now. According to Poland Quarterly Statistics, the share of Germany in the total exports reached 27.4%, and in the total imports was 23.1% in 2017 (GUS 2018). In the same year, Poland was recorded as the 8th biggest exporter and 6th source of German imports (Destatis 2018). When it comes to the balance of trade between Germany and Poland, both states have maintained a ‘favorable balance’ ever since 2004, escalating the total volume of trade, and in 2017, the German-Polish economic relations recorded a positive balance of trade at 8459.4 million euros.

Table 6. Trade Between Germany and Poland (in million EUR)

Year	Exports	Imports	Balance
2004	18776.30	15973.39	2802.91
2005	22348.78	16769.70	5579.08
2006	29018.79	21225.95	7792.84
2007	36193.25	24055.06	12138.19
2008	40750.33	25874.81	14875.52
2009	31121.78	22160.95	8960.83
2010	37665.52	27636.95	10028.57
2011	43502.67	32305.35	11197.32
2012	41823.19	33027.27	8795.92
2013	42472.61	36013.02	6459.59
2014	47691.57	39648.11	8043.46
2015	52162.78	44708.35	7454.43
2016	54581.71	46493.45	8088.26
2017	59480.90	51021.48	8459.42

Source: The Federal Statistical Office of Germany (Statistisches Bundesamt; Destatis).

Furthermore, in terms of the economic investments, particularly foreign direct investment (FDI), German companies have been the largest investors in terms of the number and total amount invested. As economic relations are gradually strengthened, German FDI has increased accordingly, and from 1990, the aggregated amount in Poland stands at approximately 30 billion euros (The Federal Foreign Office 2018).

As shown above, with the active political and economic cooperation for decades, Poland and Germany have constituted a solid background for a more comprehensive cooperation as important partners in international society. In addition, as the bilateral cooperation intensified in the sphere of politics and economy, the German-Polish relations were institutionalized accordingly, to promote the partnership, and numerous channels through institutions were also established for further cooperation.

IV. Institutionalizing Reconciliation Between Germany and Poland

4.1. General Perspective: Emergence and Maintenance of Relevant Institutions

Under the same multilateral framework with a strong economic partnership, Germany and Poland were able to have a much closer relationship than ever before. In fact, the educational and cultural exchange between societies was accelerated from 1991, making the direct interaction between the citizens of both states easier (Ziemer 2015, p.39). The exchanges on the non-governmental level unveiled the need for the resolution of sensitive issues, such as the perception of history and the compensation for the victims of Nazi persecution in Poland. Both states have utilized institutions to solve controversial and sensitive issues related to the past. Through cooperation between institutions, the matters have been dealt with smoothly and have been successfully resolved to some extent, promoting consistent interactions between societies for a mutual understanding.

Compensation for Victims

During the negotiation for the Treaty of Good Neighbourship and Friendly Cooperation, there was a long-neglected problem that needed to be resolved in order to fundamentally reconcile relations: compensation for the Polish victims

of the Nazi persecution during WWII. For the case of payments of compensation, both agreed on a non-treaty solution by founding a specialized institution, and thus the Foundation for Polish-German Reconciliation (FPGR) was founded in 1991. Its primary goal is the assistance for victims of the Nazi persecution by the means of financial aid, with the compensation coming from the budget provided by the German government as humanitarian aid. Poland received the sum of 500 million DM from the German government in three instalments between January 10th 1992 to June 18th 1993, and the sum was translated into Polish currency ‘Złoty’ 417,270 thousands PLN (FPGR 2005). The agreement was the political-moral gesture of the treaty of 1991 and it contains the Polish government’s declaration that it will not pursue any further claims of Polish citizens against the German government which might arise in regard to Nazi persecution in the future (AIPS 2011). All the financial funds are placed in a bank and the total amount of the additional budget from the accumulated interest is 542,654.3 PLN. In 1992-2005, the total amount of the humanitarian support based on the agreement was 732 million PLN, and reached to 1,057,555 individuals (FPGR 2005).

In February 1999, the German chancellor Schröder introduced the fund for the Foundation “Remembrance, Responsibility and the Future” (German acronym EVZ), financed by German industries to console the victims of forced labor abused by German companies during WWII. In the following year, the law

on the creation of EVZ was passed in the German Bundestag on 2 August, and the agreement between the Foundation for Polish-German Reconciliation (FPGR) and EVZ was made on 16th January 2001. This contains the Polish share of the fund for former forced laborers and other victims of Nazis in Poland. The foreseen sum was about 1,812 billion DM and the FPGR has paid compensation from the fund to over 484,000 Polish victims and 315,000 legal successors of deceased victims. The total amount of the compensation reached nearly 3.6 billion PLN (975.5 million euros) between the years 2001 to 2005 (AIPS 2011).

Besides the main financial resources obtained by the German government and German industries, various institutions have provided financial support for the victims of the Nazis. These include the Austrian Fund for Reconciliation, Peace and Cooperation, the London Fund of Plundered Gold for Survivors of the Holocaust, the Swiss Fund for the Benefit of the Victims of the Holocaust/Shoa and German local government initiatives, including Frankfurt am Main. In the last few years, thanks to such institutions, the FPGR has managed to provide various forms of humanitarian, medical and social aid to Nazi victims in Poland. Since its initiation of the projects in 1992, the foundation has paid financial aid of more than 4.7 billion PLN (1.3 billion euro), based on the financial resources from various institutions (FPGR 2018).

Since 2003, as most of the primary budget for compensation was

implemented, the activities of the FPGR have gradually changed from payment of compensation to financial assistance for socio-humanitarian purposes. Firstly, it has started to finance the needs of victims for medical treatments or surgery. Secondly, information and publication activities have been initiated to collect documents in order to preserve the memory of victims and enhance the understanding on the historical truth during WWII in Poland. As one of the programs, the book series “Conserving Memories” was published, and an exhibition was held regarding the forced labor of Polish citizens during WWII in 1939-1945. Material was collected relating to the Nazi persecution from the victims and was subsequently archived as a national memory. Most recently, the FPGR participated in the international project to open a museum in Sobibór, the location of a Nazi extermination camp during WWII. Furthermore, as the core organization in the front line of communication with victims, it has taken the role of a bridge between victims and the society, supporting the Polish Union of Victims of Nazis, established in June 2004.

As the reconciliation process is still in progress, minor conflicts between Germany and Poland still occur. In September 2017, The Sejm of the Republic of Poland, at the request of Polish government, published a report on material damage and human losses caused by the German aggression during WWII. Through this report, the Polish government claimed that Germany still has a

responsibility to pay in reparations and the estimated amount of reparations is about 1 trillion USD (830 billion euros) (Bloomberg 2017). The current government has been evaluated as ‘anti-European’ since the ruling party changed when the nationalist-minded Law and Justice Party won the election in October 2015 (Aleks 2017; Bloomberg 2017). In response, the German government formed a legal consultation team regarding the legal condition of the claim and strictly rejected it, with the fact that the Polish government already waived its right to receive reparation in 1953 and the German government has offered compensation through institutions including FPGR and EVZ (CNBC 2017).

The interesting thing is the reaction of the Polish civil society on this matter. Some Polish critics of the government argued that the government are talking about reparations to divert attention from their nationalistic agenda. According to a survey conducted by Ibris pollsters in Poland, 51% of respondents opposed any reparation claims against Germany, while 24% of respondents approve official reparation claims (New Europe 2017). Nevertheless, we need to note that there is a limitation to the cooperation regarding the compensation for victims of Nazis. The limitation is that none of the payments constituted ‘reparations’ in the formal-legal sense, and all the payments from Germany were ‘humanitarian aid’ or ‘voluntary financial payments’ as a form of moral compensation. Still, Germany has paid compensation to victims and has met the

prerequisite ‘apology’ whenever needed, so the national sentiment in Poland toward this issue seems to agree that an official reparation is not required.

The Joint Project: The German-Polish History Textbook

An additional successful bilateral cooperation through institutions is the joint history textbook project between Germany and Poland. German-Polish discussions on history textbooks has begun in 1972 when the joint German-Polish Textbook Commission was founded, and has proceeded until now. The interesting part of the talks is that it was initiated by the civil society, more specifically, academia. This movement in the civil society level reached the governmental level as Germany and Poland made an agreement that both will make more of an effort to enhance the mutual understanding one another based on the treaty of 1991 (Ruchniewicz 2008). In autumn 2006, the joint history textbook project was proposed by German side, with a rough plan to develop a common history textbook. In January 2008, both governments agreed to create the German-Polish project group for this joint project, and requested that the joint German-Polish Textbook Commission be in charge of the design the concept of the joint textbooks.

The German-Polish project group includes the bi-national panel of experts to academically support the publication process, and the steering committee

consists of political representatives of both sides, namely, the minister of education of both states. Since the project is part of the bilateral cooperation, it is funded equally by both governments. The first volume of the joint textbook was additionally funded by the Foundation for Polish-German Cooperation and the second volume was partially supported by the Standing Conference of the Ministers of Education and Cultural Affairs (Georg Eckert Institute). The project was officially launched in May 2008 and presented its recommendations on the development of the joint history textbook, which contains the pedagogic framework and a set of timelines on 1st December 2010. After this announcement, the real work for the publication started in cooperation with a German-Polish publishing partnership between Eduversum and Wydawnictwa Szkolne i Pedagogiczne (WSiP).

Germany and Poland officially announced the publication of the first joint history textbook *Europe - Our History* on 23rd June 2016. The jointly written textbook covers the period from prehistory to the last Middle Ages and it will be introduced to students of the 7th to 9th grade, in both states. The textbook is not for complementary material of public education, but complies with the curricula of Germany and Poland to fulfill the purpose of this project: developing a common German-Polish perspective for history with the same body of knowledge. With the publication of a joint history textbook, is expected that both

states manage to reconcile their different stances toward the past and help younger generations in both states to have unitary and common European narratives (MSZ). This project took eight years to finish and the whole journey for a joint history textbook took more than 44 years, starting with the first meeting of the joint German-Polish textbook commission in 1972 (Ministry of Foreign Affairs Republic of Poland 2016).

In fact, the joint history textbook project between Germany and Poland is directly derived from the experience of the German-Polish Textbook Commission, established in 1972. The commission was established by the German and Polish Commissions for UNESCO and carried out numerous meetings and conferences for historical dialogue, with the strong support from the Georg Eckert Institute. Its primary goal was to provide a guideline to teachers through numerous dialogues between historians and experts from Germany and Poland (PIIA.2014: p.17). The commission has worked as a channel for academic exchanges between scholars from the two states to explore the existing prejudice, stereotypes and misunderstanding of one another, and has tried to advocate the need for objective representations of controversial historical matters in German-Polish relations. The commission made an important recommendation in 1975, denoted as the ‘Recommendation for History and Geography Textbooks in the Federal Republic of Germany and the People’s Republic of Poland’, which was

often used to evaluate milestones of international reconciliation. It also contains the agreement that both sides will try to first solve the less-controversial issues from the past. However, since the relations between Germany and Poland had not normalized until 1990, the members of the commission concentrated on narrowing the gap between both sides regarding historical perspectives and hold consistent discussions on historically sensitive issues (Chun 2012, p.291-292). After the unification of the German states in 1990, experts from East Germany also participated in the commission for the German-Polish textbook talks, and in 2001 published the guideline book for teachers on the history of 20th century.

The biggest difference made from the consistent interaction between two states through the German-Polish textbook talks is that the portion of the Polish history in the German history textbook has increased. Moreover, the newly developed joint history textbooks deal with the Eastern European countries, including Poland, with more detail and reflect reactions and influences in both states, without any nationalistic views (Han 2008, p351-352). Besides the joint history textbook project, to promote the study and research on historical aspects of their relations, Germany and Poland founded The Center for Historical Studies of the Polish Academy of Sciences in Berlin (since 2006) and The German Historical Institute in Warsaw (since 1993). In addition, Germany and Poland joined a multilateral organization in order to understand the perception of history

in the European context, known as the ‘European Network Remembrance and Solidarity’, which was established by Germany, Hungary, Poland and Slovakia to promote history studies of the 20th century (PIIA.2014: p.17).

With the consistent cooperation between Germany and Poland, on 20th November 2017, the two states published the second volume of the joint history textbook under the same title *Europe – Our History*. This volume covers the start of the modern era up until 1815, and is intended for students from the 7th to 9th grade. The project group of the two states is planning the 3rd and 4th volume of the joint history textbook, and both volumes will be developed by 2020. In the international society, such a bilateral cooperation for historical dialogue targeting the next generation in a long-term view, and for the improvement of historical mutual understanding, is highly praised as an incredible example of bilateral cooperation for reconciliation, along with the German-French joint history textbook.

4.2. The Case of The Foundation for Polish-German Cooperation

4.2.1. Brief Overview

Apart from the institutions created to resolve controversial matters directly related to the past, institutions for extensive exchanges aiming to eradicate strong prejudice in both societies by enhancing mutual understanding have also been

created. In the reconciliation process, the role of civil societies is crucial since they are subject to psychological changes, which need to be healed for building new relations upon the future mutual understanding. If the psychological changes fail to occur in the civil society, the whole reconciliation process is affected from the wounded memories or negative emotions, despite of the efforts between other groups, including governments. Therefore, to firmly consolidate the bilateral relations, strategic and consistent grassroot actions by non-governmental organizations in the civil society level are needed (Ziemer 2015, p.9).

Unlike institutions with specific goals, institutions for public goals or interests are not able to show any concrete results in a short time. Since the major reason for the existence of these institutions is the maintenance of the exchanges between societies for the psychological transformation in relations, they should be able to exist for a sufficient time without any direct restriction from the government. More specifically, the institutions should be able to implement their projects to maintain the interactions on a more stable and consistent basis. If they can manage their own projects independently, without any control by governments, the result of interactions and exchanges at the civil society level will not reflect any political interests. Therefore, it is important to keep institutions independent from governments during the reconciliation process. Following this, how can we determine whether the reconciliation has become

institutionalized? In terms of the reconciliation, which is a process for constructing a solid foundation for lasting peace between former adversaries, numerous institutions must perform stably and consistently between the two foes on a regular basis. With the stable and consistent role of institutions, we can determine whether the reconciliation is institutionalized.

One of the institutions set up for the exchange between Germany and Poland, the Foundation for the Polish-German Cooperation (FPGC), has been selected to be analyzed in terms of its autonomy level. The reasons why this Foundation was chosen as a case study are as follows: 1) It was established based on the milestone treaty in 1991, and after 27 years, still works as a crucial institution in the reconciliation process, keeping its original goal. Many of institutions established in 1991, including the Foundation for Polish-German Reconciliation, have been downsized as their goals were partially achieved. 2) The Foundation is a bilateral organization co-organized by Polish and German governments. 3) It has long-term and fundamental goals and financially supports various programs of other organizations in order to improve German-Polish relations.

4.2.2. Institutionalized Interaction Between Societies

To promote comprehensive exchanges between the two societies,

Germany and Poland co-funded two independent institutions, along with the other numerous institutions upon the treaty of 1991: the Foundation for Polish-German Cooperation (FPGC) and the German-Polish Youth Office (GPYO). The purpose of the institutions is to provide strategic support to German-Polish cooperation projects as platforms for active networking. The numerous projects and meetings organized by the organizations offer opportunities for both sides to recall the shared history and memories of the events connecting them, making them feel closer to each other (Ziemer 2015, p.36). The head offices of the institutions are located in Warsaw and have also opened offices in Germany for more efficiently communication between both civil societies.

Among the two institutions, the Foundation for Polish-German Cooperation (FPGC; hereafter, the Foundation) plays a particularly important role as a strong partner for the financial support to German-Polish projects, which are carried out by various German and Polish institutions. Since its establishment in 1991, the Foundation has undertaken numerous projects with various partners in different fields, such as education, media, culture, academy, society, economy and the environment, and includes the joint history textbook project which was initiated in 2008. The Foundation has the Online System for Applicants (OSA) in both languages for electronic applications, with maximum funding at 80,000 PLN (23 million KRW), which constitutes about 60% of the total costs of the

project. The financially supported projects can be delivered in Germany, Poland or any other states, as long as the projects are related to German-Polish relations.

Since 1991, the aggregated number of bilateral projects co-financed by the Foundation reached almost 15,000 in order to contribute to a better understanding between Germany and Poland. On average, the Foundation has organized and financed about 557 projects per year. In 2011, the Foundation supported the largest number of projects, at a total of 708. In 2016, the total amount of projects reached 347, and the total amount of expenses was given at 13,337,773 PLN (approx. 3,705 million KRW). Among these projects, 28 were organized by the Foundation itself. In addition, in the same year, the most supported field was culture (38%), followed education (35%).

Table 7. Total Number and Sum of Projects in 2016

Area	Number of Projects	Total Amount (PLN)
Media	25	1,387,274
Education	97	4,627,610
Academy	36	1,103,134
Culture	140	5,063,133
Society, Economy, Environment	46	1,156,622
Total	344	13,337,773

Source: The Foundation for Polish-German Cooperation (FPGC).

Besides the projects mentioned above, the Foundation also promotes publications regarding German-Polish relations with financial support, spending a total of 1,415,471 PLN (approx. 393 million KRW) for 32 publications in 2016. As the main work of the Foundation is more likely to be a supportive partner for other institutions, the Foundation concentrates on the granting of projects and publications related to German-Polish relations. Therefore, to share the results of their activities and their current financial situation, the Foundation has published a yearbook on its website with details such as the amount of granted money, and a list of partner institutions and publications from 2001. The yearbooks, annual budget reports and the Statute of the Foundation were reviewed in this study for the analysis of the Foundation's autonomy level.

4.2.3. The Level of Autonomy of the Institution

To determine whether the reconciliation has been institutionalized, the Foundation was analyzed in terms of the level of autonomy using the framework of Verhoest. According to Verhoest et al. (2004), the autonomy of public institutions can be understood with two definitions: 1) the autonomy at the level of decision-making competencies, 2) the autonomy at the exemptions of constraints on the actual use of decision-making competencies (Verhoest et al. 2004). The Foundation was analyzed here based on the latter definition, i.e. the

relational autonomy with government. The reason is that although an institution has the full decision-making capability in terms of internal management, if the institution is still under direct or strong influence of the government, the institution cannot be considered as autonomous (Verhoest et al. 2004, p. 105). Therefore, the autonomy of an institution refers to the level of the independence which should be understood in relation to the central government. There are four kinds of autonomy in this category which affect the actual decision-making power of institutions: structural, financial, legal and interventional autonomy.

Structural Autonomy

Firstly, structural autonomy directly relates to the appointment of the agency head and supervisory board. More specifically, the level of power the government has in the appointment of the leadership and supervisory board members to represent its interest (Verhoest et al. 2004, p. 105). This concept mainly relates to the human resources of the Foundation, particularly the head and the supervising board. The management of the leadership of the Foundation is decided by the German and Polish governments. There are two kinds of board in the Foundation: the Foundation Board and the Management Board. The Foundation Board has 10 members, of which five are of Polish and five are of German origin. The members each represent economic, cultural, scientific and

political fields from both countries. Their role is to review the activities of the Foundation, including the approval of annual action plans, annual statements of the Foundation and providing recommendations to the Management Board.

On the other hand, the Management Board has an authority to take decisions related to the Foundation's performance, including granting projects to other institutions or to itself. The Management Board has six members; three Poles and three Germans. Each government appoints three management members respectively and they are again distinguished based on their roles: a co-chairman, a managing director and a board member. The two managing directors are employed on a full-time basis and represent the Foundation to the third parties with the co-chairmen. The co-chairmen are also selected from the Management Board members with a three year term each. Since its establishment in 1991, there have been 10 co-chairmen of the Foundation. One of the current co-chairmen is Johannes Von Thadden, appointed by the German government and served since 2011. The co-chairman position from the Polish side is currently vacant.

From this, we can see that both governments have a strong power over the appointment of leadership of the Foundation. However, both the German and Polish governments included some articles in the Statute of the Foundation as restraint devices to keep both governments in check. Firstly, in terms of the managing directors who have power to direct internal management, both

directors shall unanimously reach agreements on personnel issues. If they cannot take unanimous decisions, the entire Management Board members shall take the final decision. Moreover, employment agreements should be approved by the Foundation Board (Statute Article 13, Clause 6-7). Additionally, in the process of the appointment for a new Management Board member, both governments should inform one another if it has a plan to change or appoint a new member in advance, upon the Articles 13 and 14 in the Statute. This mechanism helps the Foundation to keep its character as a ‘bilateral institution’, preventing one of the governments in having imbalanced power over the Foundation, such that no government is able to fully control the Foundation for their political interests in terms of the structural autonomy.

Furthermore, the interesting thing is that even though the governments have a right to make the appointment of the head and board members, it seems like the leadership of the Foundation rather has been stable and consistent, keeping the Foundation’s activities from the control of the governments’ political interest. In case of the Management Board members, most have served more than three years, which is a fixed term, and some were employed for over nine years. In particular, when it comes to the consistency of the German Management Board members, all the previous and current members have performed more than three years, while Polish board members worked for three years or less.

Table 8. Leadership of the Foundation

	Germany	Poland
Co-chairmen	Heinrich Windelen (1991 - 1995)	Paweł Piskorski (1991 - 1993)
	Hebert Helmich (1995 - 2010)	Leon Kieres (1993 - 1994)
		Janusz Dobrosz (1994 - 1997)
		Jacek Rusiecki (1997 - 2001)
		Kazimierz Działocha (2003 - 2005)
	Johannes Von Thadden (2011 - present)	Andrzej Grajewski (2006 - 2014)
		Sebastian Płociennik (2015 - 2016)
Managing Directors	Albrecht Lempp (2003 – 2011)	Vacant (2017 - present)
		Włodzimierz Konarski (2003 – 2004)
		Jan Truszczyński (2005 – 2006)
		Irena Lipowicz (2008 – 2009)
	Cornelius Ochmann (2013 – present)	Małgorzata Ławrowska (2010 – 2012)
		Krzysztof Miszczak (2013 – 2015)
		Krzysztof Rak (2016 - present)

Source: The Foundation for Polish-German Cooperation (FPGC).

This pattern also be shown in the list of the co-chairmen and the managing directors of the Foundation. It clearly shows the stability and consistency, particularly on the German side. Since 1995, there were only three

German co-chairmen, while seven Polish co-chairmen were present. In case of the managing director, two managing directors appointed by the German government, while six Polish managing directors were appointed from 2003. Despite the fact that the appointment of co-chairmen by the Polish government occurred more frequently than the German government, a few of the Polish co-chairmen also served more than three years. In summary, the Foundation demonstrates a low-level of structural autonomy since the entire leadership, including co-chairmen, Management Board and Foundation Board, are appointed by both governments. However, it should be noted that the Foundation has a bi-national structure of leadership as restraint devices, which was set up by both governments to keep the balance and minimize direct influence from one government over the Foundation. Moreover, the stability of the leadership was observed with the consistency of the member terms, generally more than three years: with the German leadership particularly remaining stable.

Financial Autonomy

Financial autonomy is related to the budgeting capability. It refers what extent the institutions depend on governmental funding or whether they have their own financial resources. Furthermore, if the institution has its own revenues to fulfill its budget to proceed its business, it must be solely responsible for its

own losses (Verhoest et al. 2004, p. 106).

The initial budget of the Foundation came from what remained of the fund intended for the infrastructure construction in Poland under the Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany. This agreement was extended in 1975 and concluded on 7 November 1990 (Article 1). As both states have the same standpoint that the main goal of this agreement, the improvement of the relations, had not been achieved and it must be continued in the future, both governments agreed to establish an institution and the Foundation was established in 1991 by the State Treasury of the Republic of Poland, the Minister of Finance for indefinite term. It was formed as a ‘foundation’ with a legal personality based on its fund with perpetual goals of improvement of the relations between Germany and Poland.

According to Article 5 and 10 in the Statute, it can possess assets including money, securities, and property rights (movable and immovable property). Additionally, it can conduct business activities in the form of real property leases, the purchase of treasury securities, fully-collateralized capital deposits on bank accounts and awarding repayable grants (Article 11). These business activities should be conducted as an organization and distinguished with the original activities of the Foundation. In terms of the liability, both

governments shall not be liable for the obligations of the Foundation and vice versa (Article 21). Both governments clarified in the Statute that the Foundation has the full capability to manage its assets including profits and deficits, without direct control of the governments. When all the assets or budget of the Foundation exhausted, the Foundation would also be dismissed since it was established based on its fund (Article 19).

Table 9. Annual Financial Status of the Foundation (in PLN)

Year	Asset	Net Profit	Net loss
2006	404,427,789.06	-	- 1,296,424.97
2007	406,886,054.38	2,296,844.79	-
2008	412,619,881.64	5,690,937.69	-
2009	416,451,811.28	3,763,710.78	-
2010	416,585,178.44	46,266.70	-
2011	414,876,911.44	-	- 1,907,289.74
2012	419,094,812.36	4,382,971.81	-
2013	420,578,799.16	1,277,621.84	-
2014	420,088,374.39	-	- 6,033.89
2015	417,114,755.09	-	- 2,709,565.49
2016	411,712,935.88	-	- 5,919,121.37

Source: The Foundation for Polish-German Cooperation (FPGC).

Thus, upon the statute, the Foundation does not receive any financial support from the government and has the full capability to shift its budget, with

all deficits covered within its own asset. Moreover, it can conduct business activities and possess assets as an economic unit. Therefore, we can rate its financial autonomy as ‘high level’.

Legal Autonomy and Interventional Autonomy

The legal autonomy relates to the legal status of the institution, particularly whether it can prevent the influence of government on the institutions' decision-making competencies (Verhoest et al. 2004, p. 106). If an institution has a legal personality, its decision-making competencies cannot be easily taken back by the government. Moreover, such institutions dealing with societal matters usually keep a substantial distance from the government, which means that the institutions share interests with numerous stakeholders rather than the government alone. These stakeholders sometimes participate in the supervisory board, or are involved in the leadership of the institution, and in this case, the institutions are more likely to avoid the strong influence from the government.

Therefore, the legal autonomy can be evaluated based on whether the organization has a legal personality or not. According to Article 2 in the Statute, the Foundation has a legal personality for an indefinite term. The Foundation has statutory goals and shall be dissolved when the statutory goals are attained, with liquidation needing to be approved by both governments (Article 18; Clause 3).

The performance of the Foundation is limited within categories, as stated in the statute, and the amendment to the statute is only possible with the approval of both governments (Article 20). It has a legal status which minimize the influence of governments with public goals and interest. In this way, the high-level legal autonomy of the Foundation allows it to play a critical role in the reconciliation process between civil societies.

The interventional autonomy is relevant to the obligations of the institutions, such as ex-post reporting requirements, evaluation and government sanctions or interventions with respect to institutions' decisions and outcomes (Verhoest et al. 2004, p.106). The Foundation has an obligation to submit an annual budget report on the use of the funds to both governments; the Tax Control Office in Poland and the Federal Accounting Chamber of the Germany are authorized to regulate the financial issues of the Foundation (Article 17). However, in the Statute of Foundation, there is no mention about the sanction or restriction on the performance of the Foundation. Usually, the sanction or restriction on a Foundation is written in the founding statute. Additionally, no records of the sanctions from the central governments were found in the yearbooks and annual budget reports of the Foundation. Unfortunately, the internal materials regarding the sanctions or restrictions on the performance of the Foundation from the central governments were not accessible for this study.

A more convincing analysis on the interventional autonomy level of the Foundation can be made with additional documents on sanctions.

It is hard to evaluate the interventional autonomy level of the Foundation due to the limited resources. However, to perform the autonomy analysis with limited resources, we can assume that the performance of the Foundation is not subject to evaluation by the governments. The use of the funds of the Foundation is subject to the monitoring or supervising to ensure its performances are closely related to the statutory goals, but the control by governments on the agencies' decisions by the means of evaluation is rather weak since there are no records on the sanctions or restrictions.

Table 10. Analysis of the Level of Autonomy

Type of autonomy	Level of autonomy
Structural autonomy	<p><i>Low level → High level</i></p> <p>The head of the Foundation is appointed by central government and there are a supervisory board: the Management Board and Foundation Board</p> <p><u>But, certain mechanisms exists to limit the power of key members of the leadership and to keep both governments in check.</u></p> <p>* Some of the members have served consecutive terms; the German side shows particular stability and consistency</p>
Financial autonomy	<p><i>High level</i></p> <ul style="list-style-type: none"> • Primary income is from sources other than governments • The Foundation has to cover a major extent of deficits by itself
Legal autonomy	<p><i>High level</i></p> <p>The Foundation has a legal personality under the public law</p>
Interventional autonomy	<p><i>High level</i></p> <p>The Foundation has limited reporting requirements to governments, and sanctions or interventions are rare.</p>

Source: The Foundation for Polish-German Cooperation (FPGC).

In summary, the relational autonomy with the government is the key to guaranteeing an institution's freedom and keeping the institution independent from the impact or enforcement of governments. If the institution totally or partially depends on the government for its budget, its actual decision-making power is severely restrained. Also, if the leadership of the institution is fully appointed by the government and the institution is subject to an evaluation which has to report

every single decision to the government without a legal personality, the institutions' capability of decision-making is strongly constrained and the institution is not independent (Verhoest et al. 2004, p. 105).

The Foundation, as shown above, has a high-level of autonomy from the central governments to some extent, with strong networking power, acting flexibly to pursue the statutory goals regardless of the political interests of the governments. Thus, as an independent main actor, it has successfully proceeded activities with other related institutions to prevent potential conflicts or misunderstanding in the civil societies (AIPS 2011). Many institutions, including the Foundation, have initiated and created various platforms for civil societies to actively communicate in the reconciliation process, with the institutions helping both states to maintain the civic character of the reconciliation, and more fundamentally, institutionalizing the reconciliation process itself.

V. Conclusion

Over the past 27 years, the German-Polish relations have been favorably developed, with both states having institutionalized reconciliation with combined psychological and structural methods. In this process, the stable role of autonomous institutions having been particularly significant.

First of all, Germany and Poland had fulfilled the prerequisites of restoring their partnership in the psychological perspective with ritualized apologies and the extermination of the threat of military conflicts. As the preconditions were satisfied, strong mistrust and hostility towards each other in the society was soothed, setting up a rather favorable environment so that the leaderships could negotiate the following steps to directly improve relations. Secondly, upon this friendly setting, structural changes of relations occurred, which is a necessary condition for the reconciliation. Both states signed several treaties and agreements to establish legal foundations for comprehensive cooperation in the future. Along with the bilateral cooperation mechanism, they accelerated political and economic cooperation, joining the same multilateral regional frameworks, such as the EU. Lastly, they have strongly supported the consistent exchanges and interactions between civil societies through specialized institutions upon a solid legal foundation. The institutions can design and organize projects for reconciliation without direct control from the governments.

Since the roles of the institutions have remained stable with a high-level of autonomy, both societies were able to actively and consistently interact with each other. Through the stable role of autonomous institutions in the process, the reconciliation between Germany and Poland can be institutionalized.

This research on Polish-German relations is of great significance to South Korean-Japanese relations in the arena of conflict resolution and reconciliation, since both cases share similarities in a historical context. Technically, South Korea and Japan fulfilled the preconditions of an apology and termination of threats with the treaty of 1965 (“Treaty on Basic Relations between Japan and the Republic of Korea”). However, the treaty has a significant fault in that it was considered and interpreted quite differently by both states, particularly on the reparation for Japanese war crimes and the legality of the Japanese colonization of the Korean Peninsula. Right after the result of the treaty was announced to the public, the Korean government claimed that it includes official reparation. On the other hand, the Japanese government argued that the payment is not an official reparation but a financial support. In terms of the legality of the colonization in the early 1900s, the Korean government announced that the Japanese government acknowledged the illegality of the colonization through the treaty, while the Japanese government claimed that it affirmed the legality of the colonization (Lee 1996). The different interpretations on the treaty negatively affect the current

bilateral relations, causing confusions in both societies.

As for an official apology, apologies from the Japanese government failed to be ritualized and accepted as sincere. Japanese governments issued three apologies: the Kono statement (1993.8), the Murayama statement (1995.8) and the Kan Naoto statement (2010.8). However, the current and previous leadership of the Japanese government have visited the Yasukuni shrine, which honors those killed in the war, including 14 Class-A war criminals (BBC, 2015). The inconsistency of the Japanese governments' attitude related to the wrongdoing in the past has intensified confusion and mistrust in neighboring countries towards Japan. Like Rosoux (2009) once mentioned, when the basic level of trust between the parties is absent, the official apologies are easily discounted as 'a manipulative action' and become less meaningful since they have no positive influence for the reconciliation (Rosoux 2009, p.551).

Lack of trust and negative national sentiments between South Korea and Japan have prevented them from creating structural foundations to solve historical conflicts, such as the long-standing issue of 'Comfort Women', a term that describes sex slaves mobilized by the Japanese military during WWII. Although both governments agreed to resolve the conflict by signing an agreement in 2015 as a 'final and irreversible resolution', it was a decision between leaderships against the national sentiment. As a result, the agreement has

become nominal and the Reconciliation and Healing Foundation, established based on the agreement, was unable to perform since it is not accepted by the victims and society members in South Korea. As both states could not successfully construct a legal foundation to resolve the existing conflicts related to the past, the few remaining related institutions act as a crucial part in eradicating deep-rooted misperceptions and a negative legacy in the relations. Furthermore, the institutions cannot efficiently perform with weak support from both governments and civil societies.

In summary, South Korea and Japan can begin to institutionalize the reconciliation for the lasting peace, but there has been no noticeable progress with regards to fundamental social-psychological changes. Both states partially satisfied the preconditions for reconciliation, but as the negative national sentiment remained without any proper support from institutions, both states cannot make any more progress to improve the relations and keep going back to the beginning whenever any historical disputes occur. Without proper systematic follow-ups upon a solid structural foundation for reconciliation, Korean-Japanese relations have been covered with a series of shallow conflict resolutions due to the failure from both sides in confronting the past and overcoming the difference of perceptions between the two.

In a public opinion poll conducted by Genron NPO and East Asia Institute

of 2017, both Japanese and South Korean respondents were very skeptical on the future of bilateral relations. Only 18.9% of Japanese respondents and 27.8% of South Korean respondents believed that relations will improve. The major reasons for the skeptical view given by Japanese respondents were that South Korea continues to criticize Japan on historical issues (76.5%), and territorial conflict over Takeshima (38.8%). Meanwhile, the South Korean respondents gave reasons such as Japan has not properly reflected on its history of invading South Korea (80.6%), and the territorial conflict over Dokdo (70.7%). The stumbling blocks for peaceful relations between the states are the territorial dispute over Dokdo (Takeshima) and the different perception on the historical responsibility.

As shown above, South Korea and Japan are still tied up with the past although both states tried to improve their future relations for mutual interests. On the contrary, Germans and Poles conceive the biggest problems in German-Polish relations in terms of the present or future rather than the past. About 67% of Poles and 43% of Germans have had a strong positive view of the bilateral relations. The major concerns for both were the refugee crisis (82% of Germans and 63% of Poles), and differences in policy toward Russia (62% of Germans and 65% of Poles) (The German-Polish Barometer 2016). However, since this research focuses on the German-Polish relations, it was impossible to compare it

with other existing cases. Therefore, further comparative work on the intractable interstate conflicts, including the case of South Korea and Japan, upon this study remain as future tasks.

Reconciliation is a dynamic and open-ended process (Feldman 1999: p336). Since it is a delicate process to ensure the everlasting peace between former adversaries that have their own uniqueness, it cannot be a linear process with every step firmly fixed in a specific sequence. Therefore, it is hard to say what comes first and what comes next because of the non-linear nature of the process. However, from the details of the variables that encourage and facilitate the reconciliation in German-Polish relations, the most important factor is that all the steps of reconciliation are taken with the consistent interaction between the governments and the active support of civil society. In the process of reconciliation, the states involved in intractable conflicts must communicate with each society to promote a real and effectual understanding between them. Finally, when the states can facilitate the reconciliation flexibly but systematically upon a mutual understanding and strong will to reconcile, they can reach the ultimate goal of the whole process: an everlasting peace.

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국가 간 화해의 제도화 독일-폴란드 사례를 중심으로

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이 논문은 과거 문제로 끊임없이 부딪히는 한국과 일본의 현재 상황에 대한 관찰에서 착안하여, 실제로 국가 간 화해가 어떻게 진행되는 지에 대해 살펴보기 위해 시작되었다. 이에 답하기 위해, 본 논문에서는 국가 간 화해에 대한 개념적 접근과 사례 연구를 진행하였다. 기존 연구에 따르면, 흔히 생각하는 것과는 달리 국가 간 화해는 특정 조약 또는 합의로 이뤄내는 결과이기 보다는 갈등을 끌랫는 합의 (대부분의 평화조약) 이후 이어지는 일련의 양자 간 협력과 노력으로 진행되는 과정에 가깝다. 그리고 과정으로써 화해를 진행하기 위해서는 해당 국가들 간의 공식적인 갈등 해결 후에 국가 간 관계를 구조적으로 재정립하는 것이 선행되어야 한다. 이와 같이 구조화된 관계 내에서 양측이 지속될 수 있는 안정적인 과정으로써 화해를 성공적으로 제도화했을 때, 과거 적대국이었던 두 국가의 관계는 영구적 평화를 (an everlasting peace) 향해 나아갈 수 있는 것이다.

본 논문의 사례연구로 선정된 독일과 폴란드의 경우, 수십 년에 걸쳐 의례화(ritualized)된 과거에 대한 사죄와 1990년에 체결된 두 차례 다자/양자 조약으로 본격적인 화해를 진행하기 위한 선결 조

건으로써 ‘공식 사죄 (official apology)’와 ‘전쟁 위협 해소 (elimination of threat of war)’를 충족시킨 후, 1991년 우호선린조약을 통해 두 국가 간 화해를 위한 법적 기반을 만들었다. 이 조약으로 두 국가 간 화해를 위해 수많은 유관 기관들이 출범하였으며, 기준 갈등 해결 외에도 두 정부/사회 간 교류 및 상호 이해도 증진을 위해 다양한 프로그램과 프로젝트를 진행하고 있다. 실제로 두 국가 간 화해가 과정으로써 지속적이고 안정적으로 진행되고 있는지, 즉, 화해가 제도화되었는지 확인하기 위해 동 유관기관들이 중앙정부의 영향력 밖에서 지속적으로 사업을 전개하고 있는지 알아보고자 기관의 자율성 수준을 분석해보았다. 이를 위해 ‘폴란드-독일협력재단 (The Foundation for Polish-German Cooperation)’을 대상으로 선정하여 분석해본 결과, 높은 수준의 자율성을 갖고 있는 것으로 확인되었다.

반면, 한국과 일본의 관계는 화해 제도화를 위한 선결조건으로써 공식 사죄와 무력 충돌의 위협을 부분적으로 충족시켰으나, 가해국 일본의 사죄에 대한 양측의 입장 차이와 독도를 둘러싼 영토분쟁으로 그 조건이 완전히 충족되었다고 보기 어려운 상황이다. 또한, 이와 같이 선결조건이 미완결적으로 충족됨에 따라 화해의 제도화를 뒷받침할 법적 기반 그리고 이를 실질적으로 수행할 기관들이 부재하게 되었고, 결과적으로 독일과 폴란드 사례와는 달리 본질적인 화해가 더디 진행될 수밖에 없는 것으로 보인다.

주 요 어: 화해, 제도화, 국가 간 갈등, 갈등 해결, 독일-폴란드 관계,
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