

THE TERRITORIAL DEFENCE FORCES AS THE FIFTH TYPE OF THE ARMED FORCES OF THE REPUBLIC OF POLAND

(Genesis and political background of their formation as well as attitude to them among society)

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Abstract: In 2015, political alternation at a central level took place in Poland. Conservative right-wing party Law and Justice (Polish: PiS) emerged as the winner of the parliamentary elections. A range of changes followed. One of them was establishment of the fifth type of the Armed Forces of the Republic of Poland - the Territorial Defence Forces. They are designed to aid the regular army in situations of military crises and threats.

Keywords: government; ruling; Armed Forces of the Republic of Poland; Territorial Defence Forces; public opinion.

1 INTRODUCTION

2015 saw a change of power in Poland. For the first time in history, by decision of the voters, a single party, conservative right-wing Law and Justice (PiS), took power. The first leader of the party was Lech Kaczyński, the President of the Republic of Poland who died in a plane crash near Smoleńsk in Russia (10 April 2010). The political block led by his brother, Jarosław Kaczyński, gained a strong mandate from the voters and formed an autonomous government with the ambition to implement changes in Poland. The central group in the previous government coalition was Civic Platform (Polish: PO). PiS and PO have differed and still differ with respect to the ideology and values, views on the issues of threats to the country, and perception of Poland's political alliances. The parties understood the issues of the country's security and perceived the meaning of Russia's territorial proximity in different ways. They differed in their orientation in the international policy and interpretation of Poland's membership of the European Union and NATO. These values were translated into a range of specific measures taken by the government formed as a result of the 2015 elections and had a functional implication in the area of a national security policy. A different view on the role, strength and size of the Polish army resulted in establishment of the fifth type of the Armed Forces of the Republic of Poland - the Territorial Defence Forces.

2 HISTORICAL SOLUTIONS CONNECTED WITH TERRITORIAL DEFENCE IN POLAND

In the Polish history, solutions connected with what today is called a territorial army have a rich tradition [1, p. 401]. As early as in the times of the first rulers, the Piasts, the army was made up of two components. The first was the ruler's squad - an equivalent of operational forces and professional soldiers. The second component was an army established to defend a certain territory, drawn mostly from the peasantry (or from townfolk in towns), who

were non-professional soldiers. With time (from the 11th century), the centre of gravity of the defence shifted from the duke's/king's squad to warrior knights, who settled down on a given territory and fulfilled defending functions in a situation of a conflict. Casimir III the Great's military reforms bound the "military" and "civil" components: the *pospolite ruszenie* (mass mobilisation of armed forces) was reorganised and the peasantry was obliged to defend their territory in the event of an attack [2]. The *pospolite ruszenie* functioned from the 13th to the 17th century, supporting the regular army, conducting partisan operations and defending known territories. On the day preceding the partitioning of Poland, it was written in Art. 11 of the Constitution of 3 May 1791 that "The nation has an obligation to itself to defend itself in case of aggression and to keep itself whole. Thus, all citizens are defenders of the whole and national freedoms. The army is nothing other (...)" [2, p. 322]. That declaration is vital due to the fact that Poland was a forerunner in Europe in creation of basic laws and shortly afterwards the country ceased to exist.

Territorial armies, or bottom-up initiatives of Poles under the command of experienced officers or skilful strategists turned out to play an important role over the 123 years of life under a foreign country's rule. Except for the November Uprising (1830-1831), Poles' attempts to regain independence (1846, 1848, 1863-1865) relied on irregular units of militia [2, p. 323]. Various formations of land forces, militia and partisan units were established as part of such efforts [1, p. 402]. After Poland's regaining of independence in 1918, the issue of territorial defence was raised relatively late, i.e. in the second half of the 1930s. The Territorial Defence was created based on the principle of territorial mobilisation and was drawn from people who had not been conscripted. By the year 1939, 11 brigades and semi-brigades consisting of around 50 thousand soldiers and 1600 officers were created [2, pp. 325-325]. Although those units were not designed to carry out autonomous operations, and their task was mainly to carry out short-lasting defensive actions on a given territory, their soldiers "demonstrated huge sacrifice and courage, despite significant equipment shortages" [1, 402].

After WWII, in 1959, Committee for the Defence of the Country (Polish: Komitet Obrony Kraju) was established and dissolved later as part of the reforms of armed forces after 1989. A decade from the political transformation of the 1990s, an attempt was made to create territorial defence. However, due to reduction of the Armed Forces of the Republic of Poland and financial problems, it was established in an incomplete form and ultimately - as a result of the 2008 programme of Armed Forces professionalisation - ceased to operate in its then current form [2, p. 325-328].

During the transformation period, both politicians and people from the military circles proposed concepts of a territorial army that would combine citizens' volunteer participation and patriotic posture with security challenges facing the country. As Ewa Maj pointed out, "Questions about the sense of creating a Territorial Defence system continuously appeared in discussions on the defence of Poland in 1989-2015" [3, p. 300], however for many years these postulates and assumptions, originating mainly from the political right, were hardly materialised. Among those who had long stressed the importance of a non-professional territorial army was politician Antoni Macierewicz [3, p. 303], who became Minister of National Defence in 2015. The starting point for the formation of the territorial army was diagnosis and political analysis of Poland's geopolitical situation. The Law and Justice party had a negative view of Civic Platform's policy - e.g. it criticised the reduction of the country's defence capability by abandoning the concept of building the U.S. anti-missile shield in Poland [4] and the effects of the programme to professionalise the armed forces (2008-2010). The programme foresaw a shift from conscription service to a professional army so as to improve the army's effectiveness and capability to react to various military and non-military threats [5, p. 169]. This perspective might have been correct when the Polish army conducted operations in Iraq and Afghanistan, but in the light of the 2014 Crimean Crisis not so much so... Poland's relations with Russia became tense from 10 April 2010 onwards according to the Law and Justice, whereas according to the then ruling political elites - after annexation of the Crimea. Although the solutions adopted during NATO summit in Warsaw [6] were favourable for Poland's defence, a decision was taken as part of the internal policy to strengthen the Armed Forces of the Republic of Poland, not only by increasing the defence budget, but also by creating its fifth type - a territorial army.

3 POLITICAL CLIMATE OF THE CHANGE OF POWER IN POLAND IN 2015

It is not clear what led to the alternation of power in Poland in 2015. Certainly, one of the reasons was that people were "tired" of the political elites that had

ruled nonstop for eight years and the fact they held the whole power in the country (especially after 2010). A factor that affected public opinion was the exposure, despite a virtual monopoly of the mass media, of a scandal involving people in power and their camp. In June 2014, the so-called eavesdropping scandal broke out - stenographic records of illegally eavesdropped conversations of leading Civic Platform politicians, members of the government and heads of state institutions as well as businessmen were published by the "Wprost" weekly. The recordings not only exposed materialistic motivation behind the political activity of those in power and their attitude to the society and state, but they also indicated political nepotism, corrupt activities and disrespect for public funds. In terms of security institutions, the scandal is associated not only with the fact that security forces allowed conversations of people fulfilling key functions in the state (apart from the Minister of Internal Affairs, also the then Head of Central Anti-Corruption Bureau) to be recorded, but also with a spectacularly inept entry of the Internal Security Agency into the editorial office of the "Wprost" weekly and attempts to seize the evidence. The whole "raid" on a newspaper's editorial office in a democratic state was covered live by some media: both commercial TV and the relatively weak but active at that time opposition media. Not long afterwards, Civic Platform's leader Donald Tusk resigned from his position as Prime Minister of the Republic of Poland to take the position of President of the European Council as of 1 December 2014. His leaving Polish politics weakened his party, as he enjoyed great public trust. The developments on the political scene that undermined Civic Platform and the decreasing popularity of this party coincided with the 2015 migration crisis. Only at the very beginning was the attitude to refugees/migrants among Poles relatively positive. As time passed, concerns started to dominate in the Polish society [7]. It had a major practical consequence for politics, when the then Prime Minister Ewa Kopacz broke the arrangements with the The Visegrád Group and announced at Brussels willingness to accept people referred to as refugees as part of relocation [8]. In the light of terrorist attacks (24 May 2014 – Brussels; 7-9 January 2015 – Paris, 14 February 2015 – Copenhagen) [9] the issue of refugees started to be associated in social perception with a threat to the country's inhabitants. The year 2015 became a watershed in the Polish politics: in spring 2015 (24 May 2015), the incumbent President of the Republic of Poland, who had been connected with the ruling party, was replaced by a candidate recommended by Law and Justice. In autumn (25 October 2015), the Law and Justice party gained 37.58% of valid votes [10], which allowed the party led by Jarosław Kaczyński to form a government together with its electoral allies.

4 POLITICAL DECLARATIONS OF CHANGES IN MILITARY SECURITY

The parliamentary elections held in autumn 2015 resulted in Civic Platform becoming the opposition party, while the President of the Republic of Poland entrusted the mission of forming the government to Beata Szydło. In her speech, the Prime Minister referenced the plans of the new cabinet, which were based on election promises. The issue of security was strongly articulated. One of the first words of her speech were as follows: (...)

(...) I am standing in front of you in an exceptional situation. A few days ago, a terrorist attack was carried out in France. A lot of people died, and many are still fighting for their life. A drama of innocent people took place before our eyes. (...) Poles, like other Europeans, want security today. Therefore we will act in solidarity with European countries to fight terrorism. At the same time, our priority will be to ensure security to citizens of our country. I will stress it once again. For the government of the Republic of Poland, the security of Polish men and women is paramount [11].

It is important to remind here that on 13 November 2015 coordinated terrorist attacks took place in Paris for which Islamic State claimed responsibility. The terrorists held hostages at the Bataclan concert hall. Overall, 130 people were killed in the attacks with over 350 wounded [9].

The issue of broadly understood security (social, energy security, etc.) was clearly highlighted in the speech. The Prime Minister spoke about ensuring military security to the country, understood as strengthening and developing the Armed Forces of the Republic of Poland, and announced investments in the army that would also facilitate the development of the Polish economy. The aim was to strengthen the eastern flank of NATO.

5 THE INSTITUTIONAL PATH TO CREATION OF TERRITORIAL DEFENCE FORCES

The Minister of National Defence in B. Szydło's cabinet became Antoni Macierewicz, a person who was present in the Polish politics after 1989 on the right side. He had already held public office (was among other things Minister of Internal Affairs), is associated with dissolution of Military Information Services (was Minister of National Defence) and with efforts to explain the causes of the so-called Smolensk catastrophe.

On 28 October 2016, after almost a year of preparations, "Government bill amending the act on universal duty to defend the Republic of Poland and certain other acts" was submitted to the Sejm of the Republic of Poland [12]. The explanatory statement of the bill reads: "Due to the change of Poland's

geopolitical and geostrategic situation, we once again face the question of security of the Republic of Poland, especially its military security." Therefore, it was proposed to create Territorial Defence Forces, which would provide a "quick, cheap and effective" way to ensure military security to the country [13]. Relatively soon (2 November 2016), the first reading of the bill took place and decision was taken to continue the procedure. The second reading took place on 15 November 2016, and a day later (16 November 2016), there was the third reading of the bill and voting. 296 of the deputies were in favour of the bill, while 170 voted against it [14]. It was backed up by all the present deputies from the Law and Justice party and the anti-establishment Kukiz15 club, independent deputies and members of the Free and Solidary (Polish: Wolni i Solidarni) party. No one from other opposition parties supported the bill, few abstained, while the vast majority of deputies from Civic Platform, Modern political party (Polish: Nowoczesna) and the Polish People's Party (Polish: Polskie Stronnictwo Ludowe) were against it. Ultimately, on 2 December 2016, the act was submitted to the President of the Republic of Poland, who signed it on 20 December 2016 [12]. The act came into force on 1 January 2017.

6 TERRITORIAL DEFENCE FORCE IN LIGHT OF NORMATIVE SOLUTIONS

The amendment of the act on universal duty to defend the Republic of Poland [15], established Territorial Defence Forces as another type of military service next to Land Forces, Air Force and Navy (Art. 3 paragraph 3), incorporating its command into the existing normative solutions (Art. 3 paragraph 4a). The commander of the Territorial Defence Forces was guaranteed a relatively strong position by the act. He is competent to command military units and organisations of the Territorial Defence Forces (Art. 11c, paragraph 1), and performs the relatively broad tasks specified in the act (Art. 11c, paragraph 2) with the help of the Command of the Territorial Defence Forces (Art. 11c, paragraph 3). The recruitment of soldiers into the Territorial Defence Forces is on a volunteer basis, and the service lasts from one year to six years (Art. 98i and 98j). The soldiers serve (art. 98i paragraph 3) in military units, in organisations of the military type and as the command (Art. 98i paragraph 2). To be able to join the service, a candidate has to meet the following conditions: hold Polish citizenship and be of age, have a physical and psychical capability to do an active military service, have no criminal record of intentional offence and have a certain level of education. In addition, a person applying for the Territorial Defence Forces cannot be assigned to alternative civilian service or do any other active military service, cannot have any emergency assignment, and cannot have any other

military service obligations in a situation of mobilisation or war (Art. 98k, paragraph 3). The act also specified preferences as to the applicants. Precedence in recruitment will be given to people: living in a certain territory, former professional soldiers, members of defence organisations and students from schools that implement defence-oriented programmes or security education programs (Art. 98k, paragraph 5).

Territorial Defence Force soldiers serve on a rotation or availability basis (Art. 98m). Service on a rotation basis means that a soldier serves in a military unit at certain dates, at least once a month for two non-working days or on other days as required by the Armed Forces, at dates agreed with the commander. Availability means that a soldier stays outside of a unit but is ready to turn up in the unit. In the case of those starting their military service "adventure," i.e. those who have not yet done an active military service and have not taken military oaths, the service in the first period is on a rotation basis and lasts 16 days. During this service, basic training and taking of the oath take place (Art. 98m, paragraph 5). Serving in the Territorial Defence Forces can make it easier for an individual to become a professional soldier, as the act contains a provision saying that people who have served in the military for three years can be conscripted into a candidate or regular service on terms applying to reserve soldiers. It is also important to mention that Territorial Defence Force soldiers have the precedence over other candidates (Art. 98n, paragraph 2).

The concept of the Territorial Defence Forces was based on the idea to incorporate new personnel into active service and thus increase its size, but it was also a response to a certain social demand. It constituted a response to modern threats and challenges to security, and was an attempt to address the specific geopolitical position of Poland, and as such its formation started with the so-called eastern wall. It was assumed that at a time of peace, the tasks of the soldiers would be to provide assistance in emergencies and disasters. The effectiveness and efficiency of the Territorial Defence Forces is to be based on its local character. Residents of a given *locus* are given precedence during recruitment, and the territorial structure of the fifth type of the armed forces of the Republic of Poland is to be adapted to the three-level administrative division of the country (with the exception of the basic level of local government - *gmina*). The Territorial Defence Forces are to function at the central level (command), provincial level (Territorial Defence Force brigades in each province, 2 in the Mazovia region) and poviats level (in provincial cities - battalions, in poviats - 100-strong companies of various type) [1, pp. 402-403].

7 FUNCTIONAL ASSUMPTIONS CONCERNING THE TERRITORIAL DEFENCE FORCES

The fundamental task of every state is to ensure security. State, as a political organisation of a society, should ensure its residents internal and external security. This mission is fulfilled by state authority through a range of security institutions, which at present poses a particularly difficult challenge. The emerging new armed race, antagonisms and conflicts in various parts of the world - these are only few of the problems. The 21st century brings additional threats, which are a result of the emergence of new instruments, previously unknown tools and means of fighting. Terrorism is being reborn in a new form and is directly affecting European societies. Some countries start to fear so-called hybrid warfare [16, pp. 28-29].

In this context, the Territorial Defence Forces are seen as a proposal to ensure security to Poland and its residents. Their establishment should enhance defensive security of the Republic of Poland and ensure inviolability of the country's borders. They will be mainly used in situations when the professional armed forces, due to their size and deployment, will not be able to stop the aggressor on their own and it will be necessary to wait for the allies' assistance. The Territorial Defence Forces allow two components to be combined: professional armed forces and operational forces on the one hand and a non-professional but trained army that knows a given area. Another important factor is inclusion in the country's defence of a social group previously uninterested in service or military, as well as the capability to deter a potential aggressor [1, pp. 406-407]. Knowledge of and connection with an area are important, not only in a situation of an armed conflict and attack on Poland. They are also of rudimentary importance at a time of peace and performance of non-military tasks by the Territorial Defence Forces' soldiers. The Territorial Defence Forces are planned to be mainly used to support the authorities and society in various emergencies caused by e.g. natural disasters or technical failures, and in various campaigns (rescue, humanitarian, cleaning operations) [1, p. 409]. A specific purpose of using the Territorial Defence Forces' soldiers is to promote certain postures in society (patriotic, defensive),

8 PUBLIC OPINION

Democracy is not only about alternation of power and exercising it in compliance with the law, but also about ruling that finds public acceptance. Although the actual power of citizens is manifested relatively rarely, i.e. during elections and referendums, how the public assesses the individual actions taken by politicians is important for social legitimacy of power. It is especially important in the case of the

Territorial Defence Forces, i.e. forces that have a bottom-up character. A useful tool for monitoring current social sentiment is a poll carried out by specialised centres.

The first poll that asked Poles about their attitudes to the Territorial Defence Forces was research conducted on 21-22 November 2016 [17], i.e. when the legislative works were in progress. The biggest share of those polled (43 %) declared support for the creation of these forces. Almost one fourth of the respondents (24 %) was against the idea. As much as one third of the respondents (33%) did not have an opinion on that issue, and every fifth (19%) respondent has never heard of the forces [18].

Another public opinion poll concerning the fifth type of the Polish army was carried out on 2-9 February 2017 [19]. The question about the forces was similar, the differences lying in the responses from among which the respondents could choose. The poll showed that the "Territorial Defence Forces are gaining far more supporters (49 %) than opponents (25 %) (...)" although they were not commonly known or approved. One sixth (16 %) of the respondents had an indifferent attitude to them, whereas almost one in ten (9 %) respondents did not have an opinion on that issue. Support for the Territorial Defence Forces was mostly expressed by people who were satisfied with the result of the last elections and trusted the then minister of national defence. A positive correlation was also noted between satisfaction with the formation of the Territorial Defence Forces and political party preferences (71 % of Law and Justice supporters expressed positive opinions about the formation of the Territorial Defence Forces). Shortly after the second, the third poll appeared (2-3 March 2017), showing even greater social approval of the idea of creating Territorial Defence Forces. To the question "Are the Territorial Defence Forces needed in Poland?" 58 % of the respondents responded positively, 36 % were against their formation, and only 6 % indicated the response "I don't know" [20].

On 15-17 September 2017 [21], a Polish nationwide poll was conducted asking those who were familiar with the concept of the Territorial Defence Forces two questions. The first question was about the respondents' attitude to the formation of the Territorial Defence Forces. In the question about the assessment of the formation of these forces, 43 % of the respondents assessed them positively (of those, 33 % chose the response "rather positively," whereas 10 % - "definitely positively"). The share of the opponents to the formation of the Territorial Defence Forces was noticeably lower and accounted for 23 % of the respondents (of those, 13 % selected the response "rather negatively," while 10 % assessed the decision "definitely negatively"). The second question asked the respondents whether that type of armed forces could, in their opinions, turn out crucial in a situation of a war. The respondents' responses

were similar. Again, positive attitudes towards the newly-created forces dominated. The response that the Territorial Defence Forces may play an important role in the case of an armed conflict was selected by 45 % of the respondents, with 26 % expressing the opposite opinion.

Despite the fact that the polls were conducted in different periods, different research techniques were used, and the questions were formulated in different ways, it can be concluded that the supporters of the formation of the fifth type of armed forces outnumbered their opponents. The factors affecting the attitude to the Territorial Defence Forces included approval of the government and support for the governing party as well as age (the Territorial Defence Forces are mostly supported by young people) and place of living (rural areas and small towns, and so-called Eastern Poland). Both from the perspective of legitimisation of the activities taken by those in power and recruitment into the Territorial Defence Forces, this is a relatively good result.

9 CONCLUSION

After a few months, rather than years, of the existence of the Territorial Defence Forces, it is hard to assess its significance for Poland's military security - it was not the aim of this paper for that matter. The fact is that the idea of territorial forces was implemented as a political action based on a political and social diagnosis. The political diagnosis focused on identifying threats to the country and the imperative of enhancing Poland's security, whereas the social diagnosis was based on growing concerns about the national security following the annexation of the Crimea and a war Donbass (2014) [22], concerns about the internal security in the face of the migration crisis (2015) and pro-defensive attitudes among the society [23]. The politicians' diagnosis seemed to be confirmed by the sentiment of a significant portion of the society - as showed by the above-presented polls and the research commissioned by the Ministry of National Defence [24].

Currently, there is a fierce conflict on the Polish political scene between those in power and the opposition. As was mentioned earlier, it has continued for years and is based on differing axiological models. This conflict also surfaced during creation of the Territorial Defence Forces. The opponents criticised the idea and vision, the legitimacy and purpose, and were concerned about politicisation of the forces, which was reflected in public opinion [25]. It was pointed out that only a professional army can ensure security to a country, as it possesses a real combat power, is well-trained and armed with heavy equipment, which the Territorial Defence Forces lack. There were concerns about the soldiers' poor training and being armed with light

armament, which could lead to significant losses. The criticism concerned the relative autonomy of the Territorial Defence Forces and the fact that they were subordinate to the operational forces' command. Moreover, given their dispersion, difficulties in training or commanding them as part of battalions or brigades were stressed. The opponents criticised not only the effectiveness of the Territorial Defence Forces, but also the fact that the system, being built from scratch, is cost-intensive and, given the personnel shortages, may drain the command and expert personnel of the regular army [1, 410-411]. Undoubtedly, one can add to these arguments issues connected with the actual building of the units and difficulties that arise in different areas.

Currently, positive attitudes towards the Territorial Defence Forces dominate in the society. However, their actual presence among the types of the Armed Forces of the Republic of Poland will be decided by politicians, and only time will show whether the decision to form these forces was right.

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