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Veröffentlichungsversion / Published Version

Zeitschriftenartikel / journal article

#### Empfohlene Zitierung / Suggested Citation:

Zubrzycka-Czarnecka, A. (2021). Discursive construction of the perception of gender identity: The case of tenants and owners in re-privatization/property restitution in Warsaw. *Studia z Polityki Publicznej / Public Policy Studies*, 8(1), 27-48. <https://doi.org/10.33119/KSzPP/2021.1.2>

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## Discursive construction of the perception of gender identity: The case of tenants and owners in re-privatization/property restitution in Warsaw

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### Abstract

The article examines how the perception of gender identities of tenants and owners was constructed in normalizing discourses regarding re-privatization/property restitution in Warsaw in 2004–2016. As a theoretical approach, it applies the feminist post-structuralist perspective developed by Sophie Watson (2000a). The data were collected with discourse analysis, as proposed by Judith Baxter (2008a). The article identifies two discourses pertaining to re-privatization/property restitution in Warsaw: 1) property restitution discourse, under which returning property to former owners (or their heirs) is presented as a moral imperative; and 2) expropriation of tenants discourse, focusing on abuse, fraud and human misfortune stemming from the passage of municipal housing stock to the descendants of former owners. In both discourses, tenants were ascribed a feminine identity, and owners a masculine one (G. Hofstede, G.J. Hofstede, 2007). That affected the tenants' and owners' positions in the housing policy process.

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**Keywords:** municipal housing, social actors; re-privatization/property restitution, tenants, owners

**JEL Classification Codes:** Z10, Z13, Z18

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## Dyskursywna konstrukcja postrzegania tożsamości płciowej. Przypadek najemców i właścicieli w procesie reprivatyzacji w Warszawie

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### Streszczenie

Celem artykułu jest przedstawienie zagadnienia dyskursywnego konstruowania sposobu postrzegania tożsamości płciowej najemców i właścicieli w normalizujących dyskursach dotyczących reprivatyzacji w Warszawie w latach 2004–2016. Jako podejście teoretyczne zastosowano feministyczną perspektywę poststrukturalistyczną opracowaną przez Sophie Watson (2000a). Dane zebrano za pomocą analizy dyskursu, według wskazówek Judith Baxter (2008a). W artykule omówiono dwa dyskursy dotyczące reprivatyzacji w Warszawie: (1) dyskurs o restytucji nieruchomości, w ramach którego zwrot nieruchomości byłym właścicielom (lub ich spadkobiercom) jest przedstawiany jako imperatyw moralny; oraz (2) dyskurs reprivatyzowanych najemców, koncentrujący się na nadużyciach, oszustwach i ludzkich nieszczęściach wynikających z przekazania zasobów komunalnych potomkom byłych właścicieli. W obu dyskursach lokatorom przypisywano tożsamość kobiecą, a właścicielom męską (G. Hofstede, G.J. Hofstede, 2007). Wpłynęło to na pozycję najemców i właścicieli w procesie polityki mieszkaniowej.

**Słowa kluczowe:** mieszkania komunalne, aktorzy społeczni, reprivatyzacja, lokatorzy, właściciele

**Kody klasyfikacji JEL:** Z10, Z13, Z18

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## Introduction

In the public policy literature, the issue of discursively shaped perception of gender identity of owners and tenants remains understudied (Watson, 2000b). Despite the growing interest in the relationship between discourse, gender, and identity (Litoseliti, Sunderland, 2002; Ehrlich, Meyerhoff, Holmes, 2014), relatively little is known about discursive construction of gender identities of tenants and owners in the context of marketization, privatization or property restitution in housing. The issue of property restitution/re-privatization/compensation in Poland has been commanding

the attention of both researchers and the public for three decades now. In this article the author uses the broadest term, “re-privatization,” which she examines in relation to the informality of the legal and judicial system in Poland and the “re-privatization business” in Warsaw (Kusiak, 2019). A number of studies have looked at pre-war buildings in Warsaw in the light of property restitution (Górczyńska, 2016). Analyses have explored the influence of property restitution on the process of managing public property (Trembecka, Kwartnik-Pruc, 2018) and on gentrification in Warsaw (Jakóbczyk-Gryszkiewicz, Szybel-Boberek, Wolaniuk, 2017). Researchers have compared property restitution models in Central and Eastern European countries (most often in Poland, Czechia and Hungary; Gelpert, 1993; Bornstein, 1997; Blacksell, Born, 2002; Hanley, Treiman, 2004; Appel, 2005; Lux, Cirman, Sunega, 2017). At the same time, few specific studies have been done on Polish re-privatization in the fields of public policy or urban studies (Anioł, 2019), particularly from the perspective of the discursive construction of the perception of gender identities of tenants and owners. The article sets out to address this lacuna. The approach allows the gender labelling of social groups to be captured. Furthermore, it is useful to show how “normalizing” discourses regarding re-privatization shape specific power relations between tenants and owners.

The examination of the discursive construction of the perception of gender identities of tenants and owners in the process of re-privatization contributes to the existing literature in two main ways. First, it helps test the feminist post-structuralist perspective recently developed in urban studies mainly by Sophie Watson (2000a, 2000b). In the present study, the author uses the Feminist Post-Structuralist Discourse Analysis (FPDA) formulated by Judith Baxter (2008a). With regard to the public policy theory, the chosen approach can give answers to “representation questions” (formulated in the studies in which interpretive orientation to public policy is adopted) (Browne et al., 2019). In these studies, the meanings are treated as an analytical focus. The feminist post-structuralist perspective and FPDA method can be seen as part of the discursive approach to public policy (Zubrzycka-Czarnecka, 2018). They complement “traditional” approaches to public policy and share some of the theoretical assumptions with the Social Construction of Target Populations Approach developed by Anne Schneider and Helen Ingram (Sabatier, Weible, 2014). The feminist post-structuralist perspective and FPDA contribute to the theoretical understanding of the impact of discursively constructed gender labels on the position of social actors (e.g., owners/heirs and claim buyers, and social tenants) in the public policy process. They make it possible to show the changes taking place in the discursive shaping of the perception of identities of owners and tenants. They are useful to illustrate the impact of these changes on the position of the studied groups

of social actors in the process of creating and implementing the housing policy. The selected theoretical perspective and research tool, supplemented by the six dimensions model of national culture (G. Hofstede, G.J. Hofstede, 2007), help to capture the links between the discursive process of shaping the perception of gender identity of social actors and the impact of culture and culturally based stereotypes on social perception of gender identity.

Secondly, the article supplements the knowledge on “normalizing” discourses in the housing policy (Gurney, 1999). The research contributes to several of the aspects of the work being done on polarizations between tenants and landlords related to the process of re-privatization in countries with East European Housing Model features (Clapham, 1995).

The paper begins by contextualizing the study and briefly outlining the framework guiding the analysis (the feminist post-structuralist perspective in housing studies). The author then examines the research methods (the Feminist Post-Structuralist Discourse Analysis) and the findings of the original empirical study. They are framed by the impact of two “normalizing” discourses on shaping the perception of gender identities of tenants of re-privatized municipal housing and owners who had recovered such real estate. The article ends with a discussion section, where the author discusses the role of gender identities in shaping new discourses in the housing policy.

## Study context

Re-privatization centers around the returning of property to the heirs of former owners who lost it to the City of Warsaw as a result of the Decree of Bierut (the so-called Warsaw Decree) of 1945. The then communist government justified the seizure of property with the need to rebuild the city. During World War II, Warsaw lost 850,000 of its inhabitants (including the large Jewish population that numbered 368,394 in 1938 and only 18,000 in 1946) (*Historia...*, 2018). Following the suppression of the Warsaw uprising, almost all the remaining population was expelled from the city, which the Nazi occupiers then razed to the ground. In effect, 67% of Warsaw was destroyed. People returning to the city after the war had nowhere to live. The Warsaw Decree, as stated in art. 1 of the document, was enacted to make the process of rebuilding the city easier. It covered over 14,000 hectares of land mainly in the city center (more than a quarter of the capital's territory) and deprived over 20,000 Warsaw residents of their property (Palicki, 2016). The area was then populated with tenants.

According to the decree, the owners had the right to be paid. Theoretically, it was possible to request perpetual usufruct of the communalized land or get another parcel of equal value. However, only 303 of the 15,000 applications submitted were granted (Palicki, 2016). Many of the applications have never been settled at all. After 1989, no government (regardless of how far left- or right-wing) has undertaken to settle the matter of property restitution legally. A so-called “bottom-up” judicial property re-privatization model was adopted. It involved appeals against decisions delivered decades before, or measures to force the authorities to deal with applications that have never been settled.

## Research strategy

### The feminist post-structuralist perspective: the conceptual background

The method was informed by the feminist post-structuralist perspective. This approach is related to the assumption that the social world “is fluid, changing and inherently complex and fragmented” (Watson, 2000b: 67). This perspective maintains that material reality exists, but the experience of reality is felt or understood through cultural and social discourses. In this context, discourse can be understood as a social practice; a way of constituting knowledge and related social practices, forms of subjectivity and power relations which create, maintain, and reinforce inequalities between social actors. The feminist post-structuralist perspective holds that the nature of speakers’ identities is performative and diverse. The interests of individual groups of social actors (including women’s political “interests”) are bundles of many diverse and unstable positions discursively expressed in the political process (Pringle, Watson, 1992). These positions are dynamic and contextual. As Pringle and Watson state: “subjectivity can never be acquired once and for all, and is constructed as part of a chain of differences” (1992: 220). The simple opposition of biological and cultural gender is questioned (Carver, 1998), with gender seen as a subject position within a discourse. The given discourse is assumed to be always inscribed and inflected with traces of other discourses. For this reason, the need for continuous self-reflexivity is emphasized.

The feminist post-structuralist perspective has been influenced by Foucault’s writings, particularly his notions of power and the importance of discourse (Watson, 2000a: 102). The idea of the state as an objectively existing set of institutions and structures operating on the basis of uniform interests is rejected. The notion of

government as governmentality is adopted (referring to Foucault). Following Watson, the author considers housing policy as a narration and she assumes that power in the housing policy is not imposed from above, is not the result of social hierarchy and does not result from the opposition between the dominant and dominated. But it has the form of an interaction network, and it is relational. It operates in a capillary fashion. Concepts, knowledge and discourses are its tools.

From the feminist post-structuralist perspective, it is assumed that governmentality (an all-encompassing technique of exercising power) is implemented through social actors (through networks, interactions, alliances). Social order is maintained by social actors who “become free entities” by identifying themselves with the norms of self-control and self-discipline promoted by discourses (Pringle, Watson, 1992). The instruments (mechanisms and technologies) that social actors use for this purpose are, among others, disciplinary power and discourses. They work slightly differently in each situation, which is why they need to be tested in relation to a specific case. In the process of re-privatization disciplinary power is used by political decision-makers and city officials (who implement the ideas of the decision makers). It involves shaping the behavior of municipal housing tenants and owners by using administrative decisions, legal regulations, court judgments and the like.

The feminist post-structuralist perspective is a valuable approach for understanding the way of shaping how identities, subject positions, and interactions are shaped (within discourses and by power relations) (Baxter, 2008a). This approach helps to capture the fluctuation of social actors' positions between power and powerlessness in social relations. It lets us know the circumstances in which an actor changes its position in power relations. Following Judith Baxter, the author recognizes that although the possibilities of individual groups of social actors in this respect are varied, they can always apply micro-practices of resistance to a specific “power regime” (specific assumptions about the world, social reality, social norms) (Watson, 2000b). The author assumes that these resistances have the potential to contribute to more participatory decision-making (Huxley, 1994). Resistance strategies can also lead to a change in the property restitution discourse.

From the feminist post-structuralist perspective, to address housing problems properly, it sometimes requires the adoption of a micro perspective, which enables consideration of the local context and learning of the complex opinions (and micro-practices) of stakeholders, including those marginalized and those who have to bear the most negative consequences of these problems. It is recognised that the reconstruction of how discourses (including feminist ones) were shaped allows for their deconstruction.

## Feminist Post-Structuralist Discourse Analysis (FPDA): data and methods

The article employs the Feminist Post-Structuralist Discourse Analysis (FPDA), a research tool developed under the feminist post-structuralist perspective, and also an analytical tool used in linguistics. The author defines it as: “an approach to analysing intertextualised discourses in spoken interaction and other types of text. It draws upon the poststructuralist principles of complexity, plurality, ambiguity, connection, recognition, diversity, textual playfulness, functionality and transformation. The feminist perspective on poststructuralist discourse analysis considers gender differentiation to be a dominant discourse among competing discourses when analysing all types of text” (Baxter, 2008a: 245).

Even if the feminist post-structuralist perspective and the FPDA are sometimes situated in opposition to socialist feminism (Weedon, 1991: 49; Watson, 2000a; Randall, 2006) and criticised as being more “a body of ideas” than “a theory” (Ravetz, 2000: 105), it has, nonetheless, been useful in achieving the aim of this study: to reconstruct the socially constructed and gender-labelled category of tenant and owner in the housing policy in Warsaw. It is helpful in the author’s attempts to deconstruct, at least partially, these categories by showing their internal differences and inconsistencies. The reconstruction and partial deconstruction of discursively constructed perceptions of gender identity of social tenants and owners (heirs and claim buyers) facilitate better understanding of the changing positions of social actors in the housing policy process in Warsaw.

The author applied the FPDA approach in this case study, covering the normalizing discourses regarding re-privatization/property restitution in Warsaw in 2004–2016. The study focuses on the stances of tenants, owners, journalists, urban activists and city officials, reconstructed from press articles. Thus, these individuals are quoted indirectly and, with the exception of the journalists themselves, “filtered” by journalists. The author attempted to overcome the resulting limitations: 1) by looking primarily at the statements of social actors cited by journalists, not at journalists’ comments, and 2) by thoroughly reviewing the literature, which provided the critical lens through which to examine the texts.

64 press articles on property re-privatization were selected for analysis. The press articles were published between 2004 and 2016 in *Gazeta Wyborcza*, a daily newspaper published in Poland since 1989. The articles were selected through a search of databases using the key words *tenants*, *owners*, *re-privatization*, *Warsaw*. In the process of selecting articles for analysis, the author tried to avoid partiality or bias. The choice of



*Gazeta Wyborcza* was related to the fact that it is the most reliable newspaper in the studied topic. The newspaper's archives give access to articles from many years. The newspaper has a local issue about Warsaw. The obtained data were supplemented with conclusions from the literature review in order to ensure greater objectivity.

The Foucauldian-inspired analysis is often criticized as not very systematic (e.g., compared to the critical discourse analysis). However, this criticism is not confirmed in the case of the Feminist Post-Structuralist Discourse Analysis. The analysis and interpretation of data were conducted in two stages. First, the author roughly analysed the data using "denotative" micro-analysis (Baxter, 2002). The author limited this part of the analysis to basic information about the text (author, title, date of publication) and employed a "connotative analysis" of the data (Baxter, 2002). The author identified and named the significant discourses that have shaped the gender identities of tenants and owners in the housing policy. It was not the author's intention to reduce all aspects of social life to language. The author accepts the distinction between the material and discursive sphere. But the author assumes that access to the material world is mediated by language and discourse. When discussing the identified features of the perceptions of gender identity of tenants and owners, the author cited, like Judith Baxter (2002), extracts from selected articles. The author focused on the attitudes, behaviors and socioeconomic status of tenants and owners, which she identified in the argumentation formulated by social actors. The author assumes that the individual agency of tenants and owners is shaped by discourse and connected to wider social processes.

According to Geert Hofstede and Gert Jan Hofstede, Poland is situated within societies with dominant features of a masculine culture ("Masculinity and Femininity" is one of the six dimensions of national culture proposed by Geert Hofstede; G. Hofstede, G.J. Hofstede, 2007). In such societies, specific characteristics are attributed to women, including modesty, tenderness, gentleness, feelings-orientation, submissiveness and a lack of ego. They are often objectified, obliged to behave in accordance with social norms. They are not expected to fight for themselves, but to solve conflict through compromise. They lose their attractiveness when they succeed. The following traits are attributed to men: ambitiousness, assertiveness, hardness, firmness, vigor, material success, authority, aggressiveness. They resolve conflict through confrontation and strength, strengthening their own ego. They are recognized for their achievements, are not obliged to comply with social norms and should stand up for themselves. The exploitation of women can be seen as an achievement; and they are less attractive when they fail (G. Hofstede, G.J. Hofstede, 2007). All of these, obviously, are stereotypes. In fact, men and women do not form homogeneous groups, but are only cast as such due to the dominant gender identities present in the

culture (in Poland's case, it is a masculine culture). The author reveals a simplified, stereotypical presentation of tenants and owners in the discourse. The simplifications consist in giving the studied groups of social actors specific gender identities. While this affects the position of these social actors, it also consolidates culturally shaped, conventional, gender identities. In the articles the author analyzed, women were surprisingly rarely the owners and surprisingly often the tenants.

The author attempted to uncover which characteristics were attributed respectively to tenants and owners in the normalizing discourses and also to discover whether the emerging image of the given group resembles the stereotypical image of each gender present in societies with a masculine culture. The author did not avoid indicating which group is losing more and which is gaining in connection with the discursive attribution of the features of the feminine or masculine image.

Over the course of the research, the author adhered to the rules adopted in the Polish Sociologist's Code of Ethics.

## Findings: discursively constructed gender identities of tenants and owners of restituted apartment buildings

The research findings (mainly derived from the "connotative analysis" of data) are organized into two sections. The first focuses on the impact of the earlier discourse on re-privatization (in which property restitution is understood as a moral imperative) on shaping the perceptions of the gender identity of tenants and owners (the author refers here to the claim that gender is a subject position within a discourse; Pringle, Watson, 1992). This normalizing discourse presents the heirs of former owners in a positive light, as individuals harmed by the communist system, who are now recovering their properties with great difficulty (Śpiewak, 2017: 23). Anna Gelpern put it like this: "As the Eastern Bloc collapsed ... 'privatization' has come to symbolize liberation, prosperity, and the West. The idea of 're-privatization' binds the outcome of privatization to particular visions of continuity, national history, identity, and suggests a re-union with Western Europe" (1993: 370–371).

This argument for regulating the return of properties to former owners is based on a specific understanding of the concept of justice, one defined in reference to anti-communist ideas and beliefs popular in the countries of Central and Eastern Europe in the early 1990s (Appel, 2005: 380). The idea is that re-privatization is useful and necessary: "on moral grounds to redress past injury; on legal grounds to show respect for private property; and on economic grounds to help provide the private ownership needed for a competitive market economy" (Bornstein, 1997: 324).

In Poland, however, “after the fall of communism ... re-privatization has never enjoyed the support of the majority of citizens or the vast majority of political parties” (Luterek, 2017: 82). According to Mark Blacksell and Karl Born: “restitution has often only been achieved at the cost of resentment between arbitrarily selected groups of winners and losers and the rekindling of deep political antagonisms from the past” (2002: 188). As part of the perceptions of gender identity shaped by discourse, the heirs of former owners have been seen as winners of political and economic changes in Poland after 1989.

The second section of the article describes the impact of the new discourse (which focuses on the social consequences of re-privatization) on the social construction of the perceptions of gender identity of tenants and owners. The analysis of the press articles indicated that the society’s reaction to the earlier narration pertaining to tenants and owners was a new normalizing discourse which was more favorable to tenants and the public domain (the author refers here to the argument that the given discourse is always inscribed and inflected with traces of other discourses; Baxter, 2008a). This was due to the disclosure of tenants’ rights violation by some heirs of former owners. Supporters of this discourse pointed to a democratic state ruled by law, social justice, and equality before the law (Makarzec, 2003: 96). President Aleksander Kwaśniewski referred to these values in 2001 when he vetoed the act on re-privatization.

According to Anna Gelpern, “the unique role of worker-dominated Solidarity in Poland’s transition from state socialism and the popularity of efficiency arguments advanced by the technocrats helped advance distributive justice arguments against restitution” (1993: 335). It was pointed out that re-privatization has much to do with privatization (perceived increasingly negatively at that time, e.g., in the context of various kinds of deficiencies related to the economic transformation implemented in Poland after 1989, following the World Bank’s neoliberal guidelines). According to Tomasz Luterek: “privatization is defined as ... transfer of assets from the public domain to a private one. The same process occurs in the case of re-privatization, but ... it concerns property previously nationalized that is now to be returned to its previous owner” (2017: 78). Beata Siemieniako (2017) argues that the status of tenants of re-privatized apartment buildings is similar to the status of employees of re-privatized enterprises in Poland after 1989 (as described by Elizabeth Dunn, 2004). The situation of both groups of social actors was often tragic. In this context, Luterek writes: “at this point we come to the largest paradox of financial settlements in post-communist countries, i.e., to the fact that the restoration of ownership relations as they were before the introduction of the communist system and compensation for harm suffered by former owners

would have to take place at the expense of millions of citizens who live under the new socio-ownership structure” (2017: 84–85).

Successive governments in Poland gave up the statutory regulation of the issue of re-privatization due to its disastrous effects on the state budget. It was highlighted that: “First, the small minority of people who are ex-property owners should not get restitution when the population as a whole receives no compensation for the freedom and consumption lost during decades of communist rule. Second, restitution would reduce potential budget revenue if the state divests for restitution property that might otherwise be sold. Third, the possibility of physical restitution could delay privatization by creating uncertainty about ownership” (Bornstein, 1997: 324).

The emergence of this new discourse can be described as a social reaction to the fact that “the judicial process of property restitution that developed between 1990 and 2016 transmogrified into an advanced form of primitive accumulation of capital” (Kusiak, 2019: 592).

It is difficult to say categorically when the old discourse ceased to be the dominant one. The analysis of *Gazeta Wyborcza* suggests that 2005 was a landmark year. However, a review of the literature (Śpiewak, 2017; Szpala, Zubik, 2017) indicates that, as part of the urban policy process, the scales did not turn in favor of tenants until much later – even 2016.

## Old normalizing discourse: re-privatization as a moral imperative

This discourse shaped very clearly the gender identities of the heirs of former owners (“masculine identity”) and tenants (“feminine identity”) (Table 1). Here the author refers to the assumption that discourse is a way of constituting forms of subjectivity and power relations (Watson, 2000b).

**Table 1. Tenants and owners’ descriptions as women and men**

Owners (features of the “masculine identity” in a masculine culture; G. Hofstede, G.J. Hofstede, 2007)	Tenants (features of the “feminine identity” in a masculine culture; G. Hofstede, G.J. Hofstede, 2007)
dynamic people; well-informed; motivated; proactive; effective; rational; professional; educated people; brutal	weak people; defenceless; passive; doomed to lose; poor; old; incompetent; they should be instructed; they should adapt to everything

Source: own elaboration.

The issue was reflected in the media image of the owners (symbolized by Marek Mossakowski, “collector of restituted apartment buildings”) and tenants (symbolized by Jolanta Brzeska, a tenant activist who was most probably killed and burned). Tenants and owners are presented in the literature on re-privatization in a similar

fashion. Due to the fact that the old discourse ceased to be dominant around 2016 (which does not mean that it has completely disappeared), the author mentions a work by Beata Siemieniako, published in 2017. Even if Siemieniako is actually a prominent example of the new discourse, some traces of old discourse can be found in her book. Beata Siemieniako (2017) describes the stories of three women (Ala, 72 years old; Ala, 60, and Marta, 36) as the voice of tenants. In turn, the owners' voice (in her book) comes from two men (Tomasz Luterek, a lawyer, political scientist, property appraiser and researcher; and Dariusz Lisiecki, an activist of the Dekretowiec [man, heir of former owners] association). The research concerns Warsaw. However, in the case of Gdynia, one woman-landlord (restituent) became internationally known through media discourse – Maria Hutten-Czapska. The author would like to highlight that in articles published in the local issue of *Gazeta Wyborcza* for the Gdynia region, Hutten-Czapska has been assigned many features typical of the “masculine identity” within societies with dominant features of a masculine culture (G. Hofstede, G.J. Hofstede, 2007).

This shows, first, that owners as entitled, strong, assertive people (features of the masculine identity in a masculine culture; G. Hofstede, G.J. Hofstede, 2007) and, second, that tenants living in restituted properties are weak, unsuccessful and demanding (features of the feminine identity in a masculine culture; G. Hofstede, G.J. Hofstede, 2007).

## The “masculine identity” of owners

In the newspaper articles examined that match the earlier discourse, owners are presented as dynamic people who can take care of their own interests (see G. Hofstede, G.J. Hofstede, 2007: 133). They are ready to defend their rights before national and international courts. They are well-informed and motivated: “The owners of apartment buildings have been vigorously preparing for a rent increase since the New Year ... Now our apartment buildings are waiting only for winning trials in Strasbourg and compensation for the renovation of these apartment buildings” (Article 2004/6).

Proactive and effective, owners are determined to use any available means and procedures to achieve their goals (Article 2004/6). They have access to expert knowledge, particularly from lawyers, and they are well organized. They collaborate, for example, with the Warsaw Association of Real Estate Owners, and take every opportunity to raise the rent in the properties they recover (Article 2004/5).

Owners are presented as rational and professional (see G. Hofstede, G.J. Hofstede, 2007: 145): “Given their economic and legal interest, landlords should raise the rent to the market level once, based on the calculation made ... We have prepared the entire action of the increases very professionally” (Article 2004/6).

Owners are not driven by sentiment or emotion, but by rational considerations (Article 2004/1). An important feature of the image of the owners is that almost every action (even morally questionable ones) is justified as lawful (see G. Hofstede, G.J. Hofstede, 2007: 148): “Everything is done legally. Tenants wait until the last minute, counting on nobody knows what’ – an owner’s representative expresses his astonishment” (Article 2004/4).

Owners are portrayed as educated people with important political and social functions (traveller, writer, former diplomat, Article 2005/3; presidents and activists of non-governmental organizations, Article 2004/5). They have agency, the ability to organize and efficiency. Owners neither give up nor succumb to bureaucratic pressure. They fight for their rights in different ways: “[The owners] want to defend themselves. They announce a wave of lawsuits and organize a demonstration in front of the City Hall Saturday at 11” (Article 2005/4).

Owners are able to show a certain amount of brutality and boldness (see G. Hofstede, G.J. Hofstede, 2007: 154). They seem to look down on officials and show little respect for administrative and political procedures, if the rules put them at a disadvantage: “City Hall’s interpretations met with whistles, shouts and jeers: Thief, demagoguery, nonsense, stop doing tricky things, they want to rob us” (Article 2005/5).

The articles (e.g., Article 2004/1) demonstrate that many landlords took any measures (e.g., drastic rent increases) to get rid of tenants. Declaring an interest in themselves or their families moving into the reclaimed property, some owners took steps to cease the rent relation immediately following the recovery of the property (in 2004 at least 800 tenants had to face this, Article 2004/4).

At this stage of the property restitution process, some owners treated the tenants with disdain. The ruthlessness of many heirs of former owners was noted (see G. Hofstede, G.J. Hofstede, 2007: 159). The press articles describe methods of discouraging tenants from staying in an occupied apartment, such as depriving them of electricity and water (Article 2004/5). Some landlords did not even offer tenants an increase in rent; they just wanted to get rid of them by any means possible, including violating the law. They used to say that tenants were “pushed by the authorities” into the apartment buildings they had recovered.

When discussing the “masculine identity” of owners, the variety of behaviors they exhibited are worth noting. Some landlords initially declared that they would not increase the rent drastically (Article 2004/1). In taking care of their own rights,

they did not forsake those of their tenants (this observation confirms the argument that interests of individual groups of social actors are bundles of many diverse and unstable positions constructed discursively; Pringle, Watson, 1992). Nevertheless, they were the minority.

## The “feminine identity” of tenants

The earlier normalizing discourse on re-privatization (re-privatization as a moral imperative) tends to present tenants as poor, old and incompetent (this confirms the claim that discourses constantly work to position people within given sets of power relations; Baxter, 2008b). The press articles emphasize that: “they are generally poor people, lacking legal protection, because tenant organizations are very weak” (Article 2004/4).

Tenants were presented as persons who should be instructed about the situation in which they found themselves, through no fault of their own (see G. Hofstede, G.J. Hofstede, 2007: 142): “Tenants must remember that...; People also have to reckon with the fact that...” (Article 2004/2). They were treated as objects (see G. Hofstede, G.J. Hofstede, 2007: 148). It was pointed out that tenants should adapt to everything. They were not invited to discuss or negotiate with anyone about their problems.

Their actions were ridiculed, even those backed by their statutory rights: “tenants’ vexatious litigations will be limited because the losing party has to bear the costs” (Article 2004/6).

The discourse reinforced the image of tenants as weak people who lacked any driving force and were unable to change their situation (see G. Hofstede, G.J. Hofstede, 2007: 142). Others decide for them, e.g., city authorities or owners: “Lidia is convinced that her rent will be increased. She would like to move to a smaller apartment, but the owner won’t allow her to” (Article 2004/5).

Tenants were portrayed as defenceless, passive and doomed to lose (Article 2004/6). Tenants’ organizations (e.g., the Polish Union of Tenants) warned that tenants, many of whom were unable to pay significantly increased rents and fell into debt, had been left alone, and were being threatened with eviction, including right out into the streets.

Tenants at risk of eviction were portrayed as “trouble to the community” (Article 2004/4), people who had no influence over their situation. To add insult to injury, tenants could not count on adequate help from the city.



## A new normalizing discourse: social consequences of re-privatization

The new discourse had little influence on the perception of gender identity of the owners (it remained a “masculine identity,” although a less coherent one). At the same time, the new discourse shaped the tenants’ perceptions of gender identity somewhat less clearly (Table 2, the “feminine identity” still dominated, though some features of the “masculine identity” were acquired) (the author refers here to the argument that the nature of social actors’ identities is performative and diverse; Baxter, 2008a).

This diminished support for the rights of owners within the discourse (though the existing policy continued) and strengthened the position of tenants.

As time passed, the tenants’ movement began to develop and become increasingly socially and politically active. Pensioners (predominantly poor women) emerged as the leading activists of the tenant movement. As Beata Siemieniako (2017) writes, this was due to the perception that it is easier for women to deal with re-privatization matters in offices and to ask others for help.

**Table 2. Tenants and owners’ descriptions as women and men**

Owners (features of less coherent “masculine identity” in a masculine culture; G. Hofstede, G.J. Hofstede, 2007)	Tenants (features of the “feminine identity” with some aspects of the “masculine identity” in a masculine culture; G. Hofstede, G.J. Hofstede, 2007)
aggressive; brutal; fraudsters; forgers of documents weak victims of a group of so-called “buyers of claims;” some of them could not afford to keep restituted property; “male losers”	victims of abuse by new owners of the apartment buildings; unwanted “meat filling” at the property; ignored; not respected; sentimental people fighting for their rights; proactive; well organised

Source: own elaboration.

### The “masculine identity” of owners (less coherent than before)

In the new discourse, owners’ masculine identity began to include more negative elements. Their strong position within the discourse seemed to make them feel free to express aggression towards tenants. As a consequence, their aggression and double standards of morality draw more and more attention in the discourse.

The new owners were portrayed in the discourse as individuals willing to employ any method necessary to run off tenants (G. Hofstede, G.J. Hofstede, 2007: 154). They would cut off the gas, cause irregular waste collection, limit access to basements (Article 2007/4) or even have the water cut off (Article 2010/2). They would sometimes use the guise of carrying out renovations to accomplish these goals. They would also deliberately avoid contact with tenants so as to withhold vital information about the rent. For example, one tenant explained how “the owners did not respond to our



requests to indicate the account number to pay the rent... So we applied to the court for permission to set up a deposit and we sent the money there” (Article 2014/17).

Owners were portrayed as fraudsters and forgers of documents (Article 2015/16). They sometimes engaged so-called “cleaners,” people whose task was to obstruct the tenants’ lives so that they would eventually decide to voluntarily move out (Article 2015/10). The “cleaners” would ‘suddenly start ‘construction work:’ they dig up the yard, remove windows and doors in staircases, destroy stairs, rip off gutters and put holes in roofs” (Article 2015/19).

The new discourse also brought about new developments at the other end of the masculine identity continuum. Next to the examples of the brutal and aggressive practices, cases of owners who could not afford to keep restituted property emerged: “I am a pensioner, as are two other owners. I can’t afford to pay for water for the tenants. They don’t pay for this ...” (Article 2010/2).

The image of owners was complicated by showing them as victims of a group of so-called “buyers of claims.” They specialized in long-term investments based on the takeover of buildings with tenants to arrange luxury apartments for eventual sale (Article 2015/7). Now it was not only tenants but also the heirs of former owners falling victim: “A large group of people, usually older people, are exposed. They have the claims to retrieve a valuable property. But those are often poor people, they cannot afford to go to court, and they do not know their rights ... So, these people are left in the free market. And they easily become victims of *buyers of claims* (Article 2015/13).

Another article chronicled how an owner applied for a return of property including a building with inhabited communal apartments allocated by the city. They then complained that they had to bear the costs the building generated (Article 2015/8).

While at the earlier stage of the discourse owners were seen as a group of active, determined, effective, well-organized and rational people, a bifurcation into two categories now occurred. The first comprised owners that were brutal, aggressive, and ruthless, while the second included those who failed to handle the situation and came not only to resemble tenants, but to become victims themselves (this observation confirms the argument that the discursively constructed positions of social actors can fluctuate between power and powerlessness in social relations; Baxter 2008b). This garnered them neither advantage nor sympathy from the public – perhaps because of the perception of gender identity assigned to them at the earlier stage of the discourse. Now “male losers,” they evinced more contempt than compassion.

## The “feminine identity” of tenants (more active and stronger than before)

Tenants have often been pictured as victims of abuse by the new owners of their apartment buildings: “Tenants from the apartment building at Noakowskiego 16 learned that the flats they had occupied changed ownership when they got new rent, which was four times higher. The building looks decent only from the street. It has a nice facade. From the yard, you can see the remnants of plaster falling off and balcony doors boarded up. In one of the frames, wooden stumps hold up the stairs. There is no central heating. Everyone heats water on their own” (Article 2006/1).

When describing their situation, tenants were compared to unwanted “meat filling” at the property (Article 2015/1). It was clear that nobody respected their rights: “First, there was an announcement about the change of administration from a municipal to a private company ... Immediately afterwards we got a rent increase.... Of course, we do not deny the holy ownership rights. However, we cannot accept being treated as objects” (Article 2006/1).

Making their fate all the more difficult, tenants were often ignored by both district and city authorities (Warsaw is divided into 18 districts). Tenants did not have access to any documentation concerning the takeover of the apartment building by the heirs of the former owners. This delayed the tenants and sometimes even made it impossible for them to adapt to the new situation: “Who knows, if I knew a few years ago that there were claims and pending re-privatization proceedings, maybe I would have taken out a loan and bought a flat” (Article 2015/10).

In the new stage of the discourse, it was underlined that tenants did not have the right to alternative social housing. District authorities indicated that due to the large size of the flats the tenants inhabited, they could not be allocated different communal flats (they did not meet the relevant criteria). Many tenants also failed to meet the income criteria (they earned too much) to apply for a government-paid flat. However, they earned too little to rent a private rented flat or get a loan to buy their own dwelling. The city and district authorities could help tenants from re-privatized apartment buildings only in the case of eviction and when the court granted them the right to social housing.

Further compounding tenants’ problems was that the city would not renovate buildings (old apartment buildings) if claims pertaining to a particular property were filed (Article 2010/3). Tenants living in those buildings often had to endure sub-standard conditions (e.g., shared bathrooms, no hot water, gas or central heating).

For many tenants, moving out of an occupied apartment was difficult for sentimental reasons. For example, because they had raised a family there (grandparents

had renovated the property after the war; their families had lived there for several generations) (Article 2007/3).

The city helped tenants secure only minimal extensions. In 2014, arguing that it was not in its interests, the city also rejected a proposal from urban activists to finance legal assistance for tenants of re-privatised apartment buildings (Article 2014/6). However, in 2015 the city put together a guide for tenants and since then has been doing a better job informing tenants of the submission of claims regarding re-privatization of the property they inhabit (Article 2015/10).

In the new discourse, not only did tenants cease to be framed as victims of their own inaction (they became victims of the new owners), but also more emphasis was placed on their agency. Tenants fighting for their rights was a new element in the image of a tenant (which illustrates the claim that social actors' positions can be shaped and reshaped by individual acts of resistance; Baxter, 2008b). Some filed lawsuits to block rent increases (Article 2007/1). In 2009, they organized a demonstration on a session day of the Warsaw Council, showcasing banners that described the Mayor of Warsaw as "the Queen of the Slums" (Article 2009/2). The demonstration was intended to draw the city's attention to the plight of tenants. Thanks to this pressure, the city changed its rules for allocating flats from social housing stock (so that the poorest people from re-privatized apartments could receive them faster) (Article 2009/4).

In 2010, the tenants' movement led to the organization of an extraordinary session of the Warsaw City Council, including a "roundtable for tenants" (Article 2010/1). The tenants were represented by organizations including the Tenants' Defence Committee and the Warsaw Tenants' Association. In 2015, tenant activists again organized a happening at a session of the City Council.

The day of September 1st, 2016 stands out during the period covered in this paper (2004–2016). An extraordinary session of the City Council was organized, broadcast on nationwide television and widely commented upon on social media. It had taken tenants two and a half years to organize the event. Tenants flooded the streets, though the first tenant was not allowed to speak before 9.50 that evening, while the last came to the podium after midnight (Article 2016/26). Despite their efforts, the session did not bring about a clear improvement in their situation.

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The feminist post-structuralist perspective in housing studies (Watson, 2000a) and the Feminist Post-Structuralist Discourse Analysis (Baxter, 2008a) proved useful in identifying two dominant discourses in the re-privatization process in Warsaw. These research tools helped the author show how the first discourse affected

the attribution of the features of feminine or masculine identities to tenants and owners, respectively (G. Hofstede, G.J. Hofstede, 2007). The study revealed that discursive attribution of specific perception of gender identity traits is a two-edged sword. In the first, earlier discourse, owners took advantage of their masculine identity, and were seen in a positive light, since they proved their agency at the expense of tenants (G. Hofstede, G.J. Hofstede, 2007: 147). The same perception of gender identity made them prone to the new discourse in which they were presented as savages or crooks.

On the other hand, tenants, who had been attributed a feminine identity in the first discourse, seemed to take advantage of this perception of gender identity as the new discourse appeared. Their position as victims of the owners was easily accepted by the public since it was consistent with their perception of gender identity. They were now able to extend some compassion. At the same time, efforts made by tenants to organize and become more active gave their image a disproportionately positive boost – since under the masculine culture, the increasing element of masculinity in their perception of gender identity is admired. This is because social tenants are actually transgressing their discursively shaped perception of feminine identity and are increasingly gaining masculine identity.

This situation has reflected some aspects of the complexity of the re-privatization process. As Mark Blacksell and Karl Born write: “private property restitution is controversial, raising as it does questions of prioritizing justice for one group in society at the expense of others, and it is difficult to translate into credible and defensible statutory policies” (2002: 183). In such cases the discourse may easily change to the disadvantage of the party that had initially prevailed. Gender identities, as the example of the re-privatization in Warsaw shows, may play an important role in shaping new discourses.

## Acknowledgments and/or funding

This work was supported by the National Science Centre, Poland, as part of the research project “D-Housing. Democracy of housing policy” under grant number 2016/23/D/HS4/00527 [Agreement number UMO-2016/23/D/HS4/00527].

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