



Weekly Briefing

Poland Political briefing:
Political Developments in Poland
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The most significant controversies raised from the newly adopted by the Polish Parliament (Lower and Upper Diet) amendments to the law on the Institute of National Remembrance, which foresees, in particular, punishment for "crimes of Ukrainian nationalists," and people using expressions such as "Polish death camps." As declared in the law: *Whoever accuses, publicly and against the facts, the Polish nation, or the Polish state, of being responsible or complicit in the Nazi crimes committed by the Third German Reich ... shall be subject to a fine or a penalty of imprisonment of up to three years.* The Polish Institute of National Remembrance (IPN) said that Poland had been in the past many times presented as an ally of Hitler, which made it necessary to protect its reputation. What should be remembered Poland lost about 3 million of its non-Jewish citizens, including many of its intellectuals and members of the elites during World War Two. Apart from the domestic tension, the law stimulated the international controversies in the United States, Israel, and Ukraine. This briefing discusses the reason for the amendments, and consequences at the domestic and international scene. This first is mainly driven by the relations between current government and opposition parties, and the growing nationalistic feelings in the Polish society. The second, far more complicated, is dedicated to the shaping Polish historical narratives accepted by the other players in the international arena.

The chairman of the Civic Platform parliamentary group confirmed that the Civic Platform (the most prominent opposition party) presented its "precise" and "clear" version of the controversial phrases in the Act on the Institute of National Remembrance. As pointed out by Neumann, a document prepared by the Law and Justice party "may be interpreted in various ways." But the Civic Platform cannot play this card against the Law and Justice in the domestic campaigns. As argued by Neumann these amendments should not be perceived as controversial in the "normal times." This understanding implies that the Civic Platform would ask for the same amendments. The problem laid in the fact that

the Law and Justice are too controversial in the international arena and failed to be trusted government. What should be remembered that during the election campaign Schetyna, the leader of the Civic Platform confirmed his previous announcement regarding the liquidation of the Institute of National Remembrance and the Central Anticorruption Bureau? - *These institutions cannot serve a political party that wins elections, and this is the case today. I am an advocate of research and historical truth, but the Institute of National Remembrance cannot be a tool in the hands of politicians.* Only Donald Tusk former leader of the Civic Platform on his Twitter account went further by saying that “The authors of the bill have promoted this vile slander (Polish camps) all over the world, effectively as nobody has before.” This unequivocal cut statements might symbolize Donald Tusk's presidential aspirations (2020 presidential elections), and from short time perspective be calling for the more united opposition.

The second crucial domestic context is the latest celebration Adolf Hitler's birthdays in Southern Poland. As aired on news channel TVN24 a group of men wearing Nazi-inspired uniforms performing Nazi salutes celebrated Hitler's birthday. This Nazi feeling is not very popular in Poland. However, the number of nationalist groups has been rising. In November 2017 during the National Independence Day, the quasi-patriots groups organized a mass rally upon in Warsaw. After the manifestation with, e.g., smoking the Jewish figures, leaders of the governing right-wing Law and Justice (PiS) party spoke out against xenophobia after a controversial Independence Day march organized by far-right and nationalist groups. From this point of view, the voted amendments might serve as the shifting focus from the Polish national issues to the more broaden the perspective of the Second War World crimes made by Germany (Nazi). This understanding, however, is perceived as counterproductive: accusation of censoring history, conflict with Israel and Ukraine.

At the moment what is predicted by some journalist e.g. Dominika Wielowiejska from “Gazeta Wyborcza” the Law and Justice strategy on the law

on the Institute of National Remembrance and the crisis with Israel and the USA is very simple: let parliament quickly finish work on this amendment, and then President Andrzej Duda would veto it. This approach will allow the government to get out of the crisis. The bill is ready now to veto. This will significantly shorten the period of confusion around the provisions that were supposed to protect the good name of the "nation" and the "Polish state." While the president vetoes the bill, the discussion will be closed, and the tensions will be relieved. During the conflict with the European Union, the government needs to have good relations with Washington and cannot go with "two fronts" war. Moreover, the Minister of Defence Mariusz Blaszczak just visited Washington and said that the Polish side achieved a good deal for Patriot missile defense system as discussed in the last briefing. But on the other hand, the expectations of the conservative electorate are different. The president has to sign the newly passed law otherwise the Law and Justice will show its weakness and will bow to the international pressure.

The second dimension of the bill is dedicated to the international politics. As was declared by the Polish side the amendments were discussed with Israel side in Warsaw and during President Duda visit to Israel. The reaction from the Israel side surprised the Polish government. During the ceremony of commemorating the 73rd anniversary of the liberation of the German Nazi concentration and extermination camp Auschwitz, Israel Ambassador Anna Azari said: *The proposed bill was received in Israel as an attempt to prosecute testimonies of the Holocaust survivors. It evoked many emotions. We think it will make it impossible, to tell the truth about the Holocaust.* More to the point she stressed that these regulations could cause "a much greater storm" in her homeland than in Poland. Soon after Polish Prime Minister Morawiecki called Prime Minister Benjamin Netanyahu, who said that Israel would under no circumstances accept any attempt to rewrite history. Both sides agreed to open the particular working group, for the constructive dialogue for the typical path of dealing with the doubtful accounts. The American Department of State

stimulated the further discussion. In the particular Press Statement, the American side urged Poland to withdraw from the controversial law and said *We are also concerned about the repercussions this draft legislation, if enacted, could have on Poland's strategic interests and relationships – including with the United States and Israel.* Moreover as was stressed the law Regarding Crimes Committed During the Holocaust is a threat to freedom of speech and scientific research. As answered by the Polish Ministry of Foreign Affairs the Polish the enacted legislation does not inhibit free speech, freedom of research and scholarship, or freedom of history debate or artistic activity.

Conclusions

As said by the Polish government these amendments are part of the creating new historical policy, that will allows Poland not to be accused of Holocaust and other World War crimes. But as noted by Krzysztof Szczerski: *Nobody believes us that we are an honest, decent nation that fights for the truth about itself, and thus fights for the truth just like that.*

The further step is on the President side. According to Polish constitution, the president can sign the act within 21 days from the date of its presentation. Before signing the law, the President may apply to the Constitutional Tribunal for the compliance of the Act with the Constitution or can veto the act. If the Sejm again resolves the law by a 3/5 majority in the presence of at least half of the statutory number of deputies, the president signs the legislation within seven days. As said by Minister Szczerski Poland must prevent the transfer of "this fire from historical and emotional issues to geopolitical issues." As said by Presidential minister the relations between the United States and Israel are "exceptional," and American policy on the global scale is under the influence of Israel lobby. The critical role of the Jewish Diaspora, from the USA to China, is one of the keys to the success of modern Israel. Unfortunately, the Polish diaspora has far less influence than Israeli, although it is much more significant in number. For example, about 5 million Jews are living in the USA, while Polonia counts approximately 10 million people there. Nevertheless, the Jewish

Diaspora, which is twice as small, has much higher influence, although Polonia is well-educated and quite well-off, so there is nothing to prevent it becoming an equally effective lobbyist.

To sum up, the de facto domestic issue has traveled to the international arena. After changing Prime Minister from conservative Beata Szydlo to the technocrat Mateusz Morawiecki the Law and Justice party needed to meet the right-wing electorate and proposed the amendments to the law on the Institute of National Remembrance. The problem is that Israel is the close ally of the United States. The declaration delivered by the Department of State should be understood as the ultimatum: Poland needs to withdraw the amendments, or the relations will deteriorate. As was said by the Ambassador of Israel in Warsaw this law will provoke even "greater storm" in Israel than in Poland. From this perspective any destabilization in Israel from the standpoint of Washington is unascertainable.