

## POLAND ONCE AGAIN AT A TURNING POINT: A DISCUSSION OF THE VIEWS OF EUGENIUSZ SMOLAR

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### Abstract

In November of 2021, journalist Eugeniusz Smolar penned an article, “*The Half Empty Glass*.” This article is a reflection on the views of Eugeniusz Smolar on contemporary Poland and provides a political and economic context to these comments. The article is based on a series of research articles published by the authors on topics of Polish economics, society, and politics, as well as a review of current literature, economic statistics, news reports, and other academic contributions. The article concludes with commentary on the future of Poland in light of the many dysfunctions and uncertainties present in Polish society, especially highlighted by Smolar.

**Keywords:** Poland, PiS, re-Polonization, Constitutional Court, Morawiecki Plan, media

### 1. INTRODUCTION

In November of 2021, Eugeniusz Smolar published an article, “*The Half Empty Glass*,” offering his views on several contemporary issues in Poland. Born in 1945, Smolar is a noted Polish journalist and was a member of the opposition movement during the communist period in Poland, despite being the son of prominent communist party activist Grzegorz Smolar.

Grzegorz Smolar returned to Poland at the conclusion of World War II in 1946 from Minsk. Smolar became a member of the Polish Workers’ Party and later the Polish United Workers’ Party (PZPR). He began working in the Central Committee of Polish Jews (CCSC) as head of the Department of Culture and Propaganda and as a member of its Presidium or Executive Committee. Through 1962, he was chairman of the Main Board of the Social and Cultural Society of Jews in Poland. Until 1968, he headed *Folks Sztyme*, the press organ of the PZPR in Yiddish (Hirszowicz, 1987). The elder Smolar lost his position in 1968 as a result of an anti-Semitic, anti-Zionist campaign (Stola, 2004) following what are known as the “March events” surround the suppression of a play, “Forefather’s Eve,” [Dziady], which the Soviets contended exhibited strong anti-Soviet sentiments (Atkins, 1969; Zuk, 2021). He was then expelled from the communist party. In 1970, he emigrated to Israel via Paris, where he worked at the National Library in Jerusalem at Tel Aviv University. Grzegorz Smolar died in Israel in 1973.

Under “People’s Poland,” the younger Smolar began his studies in economics at the University of Warsaw and became a member of the opposition movement. Smolar was imprisoned during his university studies both in 1968 and 1969 for participating in student demonstrations protesting the invasion of Czechoslovakia by members of the Warsaw Pact, of which Poland was a member.

In 1970, Smolar emigrated from Poland to Sweden and was involved in creating a quarterly, *Aneks*, an influential magazine published between 1973 and 1989, initially by a Polish “scientific circle” at the University of Uppsala, and later by the London publishing house Aneks. According to the website of PWN, the Polish Scientific Publishers (2021), “the journal became the only significant body of the 1968 emigration wave, and its primary purpose was to translate and promulgate political literature which was unavailable in the country.” *Aneks* featured authors such as Leszek Kolakowski, A. Tarn, Zbigniew Bauman,

and Stanislaw Gomulka, and later established contacts with prominent representatives of the opposition such as Stanislaw Baranczak, Adam Michnik, and Jacek Kuron, who wrote for the journal. Later, Smolar was involved in organizing aid for the Polish opposition and the Solidarity Trade Union Movement during the period of Martial Law in Poland.

Smolar joined the BBC and became director of its Polish Sector from 1988 through 1997. Smolar returned to Poland in 1997 and became a member of the board of Polish radio. Between 2005 and 2009, Smolar served as a member of the editorial board of *New Eastern Europe*, a bimonthly magazine covering events in Eastern and Central Europe.

This article provides commentary on Smolar's views and is framed in order to bring political, social, and economic context to his comments. The article is based on a series of articles published by the authors on topics of Polish economics, politics, and society (Hunter, 2018; Hunter, 2019; Hunter & Lozada, 2019; Hunter, 2020; Hunter, 2021; Hunter & Lozada, 2021). As a journalist, Smolar is especially concerned about the current government's policies towards independent journalism, and more broadly, mass communications in Poland (see Surowiec, Kania-Lundholm, & Winiarska-Brodowska, 2019; Guzek & Grzesiok-Horosz, 2021; Jedrzejewski, 2021).

At particular issue is the government's attempt to force Discovery, Inc, based in New York City, to sell its television stations in Poland—TVN and the TVN24 news channel—which some critics (including Smolar) argue is a not-too-veiled “attempt to hijack a television station to enhance the government's control over media hit right in the solar plexus of mutual relations between the allies” (Smolar, 2021). In addition, the government has removed at least one thousand journalists and managers from state-owned radio and television services, and “embarked on aggressive campaigns of support for the government against all who oppose PiS [Poland's ruling political party] autocratic rule—opposition parties, local councils, NGOs, independent media such as TVN, women's and LGBT rights activists, and the European Union, among others” (Smolar, 2021).

In December of 2020, under the slogan of “Re-Polonizing” the media, PiS orchestrated the purchase of the unprofitable local newspaper chain, *Polska Press*, from its Swiss-German publishers by the state-owned energy company Orlen (The First News, 2021a). Despite its precarious profitability position, *Polska Press* was rather ubiquitous in Poland, controlling 20 regional newspapers, 120 weekly magazines, and some 450 online portals, accessed by some 17 million Poles on a regular basis. Not unsurprisingly, following these actions, “these publications' editorial stances came into alignment with PiS policies.” Timothy Garton Ash, professor of European studies at the University of Oxford, commented that Orlen's media takeover was “straight from Orbán's playbook” as a way for “authoritarian” governments to reduce media freedom (Notes from Poland, 2021a). The International Press Institute (IPI) (2021) commented:

“Analysts and Polish media experts have described the managerial and editorial changes as a conservative coup at the publishing company. At best, experts suggest, soft censorship will pressure newspapers to dampen criticism and slowly encourage reporting favourable to the government. At worst, they could now be deformed into propaganda mouthpieces of the PiS.

Either way, the changes have illustrated concerns raised by media freedom organizations including IPI that Orlen ownership would lead to a purge of critical journalists akin to the takeover of the public television and radio at the start of its first mandate in 2015. Further editorial changes at *Polska Press* are now expected to

follow.”

The International NGO *Reporters without Borders* (2021) in its annual *World Press Freedom Index* also characterized these actions on a negative light, stating “Repolonizing means censoring.” Similarly, there are reports that the government is attempting to force Disney to sell its Polish channel and network.

## 2. THE CONTEXT

What is the context of this debate?

In 1989, under the leadership of Deputy Prime Minister and Minister of Finance Leszek Balcerowicz, and with the assistance of noted economists Jeffrey Sachs and David Lipton (Sachs, 1994; Wellisz, 1994; Hunter & Ryan, 2009), Poland embarked on a bold plan of rapid economic transformation called “Shock Therapy” (Visvizi & Zukrowska, 2020) designed to create a market economy (Lipton, Sachs, Fischer, & Kornai, 1990) in order to overcome the “Four Grand Failures” of the system of state central planning which had been adopted in Poland after World War II:

1. Failure of the system to create economic value;
2. Failure of the system to provide adequate organizational and individual incentives;
3. Failure of the system to “measure up” to comparative economies, not only in the West but also in several Eastern European countries; and
4. Failure of the system to satisfy basic consumption needs (creating the “dollarization” of the economy through the existence of large semi-official “black markets”).

The program adopted in Poland was based on five philosophical *pillars of economic transformation*:

- *Rapid transformation* of the monocentric system of state central planning into a private functioning market economy;
- *Liberalization* of economic functions, especially in relation to foreign trade and foreign direct investment;
- *Privatization* of state-owned-enterprises (SOEs) (Ryan, Hunter, & Nowak, 1995; Hunter & Ryan, 2004);
- Construction of an effective *social safety net* (World Bank, 2013); and
- *Mobilization of international financial assistance* to support the process (Hunter & Ryan, 2009; Fafara & Kleczkowska, 2015).

Because the system of central planning involved both political and economic aspects, reform of the system necessarily involved extensive *political and economic reform* and encompassed the following actions:

- Attaining political stability and pluralism, accomplished through holding free and multiparty elections in as short a period of time as possible after 1989;
- Implementing a program of real economic reform with the evolution to a full market economy, involving an emphasis on the development of a substantial private sector and a reduction of the state sector through a multi-track program of privatization; and
- Creating and nurturing basic institutions of capitalism, including banking systems, credit institutions, customs and clearing houses, a private insurance system, currency exchanges, a stock market, and creation of investment funds and investment vehicles.

There *was* a consensus—at least on the surface—on Poland’s future course, *at least* until 2015.

### 3. THE POLICIES AND POLITICS OF “LAW AND JUSTICE” (adapted from Hunter, 2020)

Law and Justice, known in Poland as PiS, was successful in the 2005 parliamentary election pledging to “bring Poland up from its knees” and to “give back dignity to the people” (Stepinska, Lipinski, & Adamczewska, 2018; Pronczuk, 2019). The center-left SLD (Democratic Left Alliance), housing the remnants of the leadership of Poland’s communist past, lost in a landslide (Markowski, 2006).

The party was founded in 2001 by the Kaczynski twins, Lech and Jaroslaw, as a central right and traditional Christian Democratic Party. PiS was formed from part of the Solidarity Electoral Action (AWS), with the Christian Democratic Centre Agreement forming the new party’s core. In Kaczynski’s view, noted Foy (2016a), “working-class patriots of the struggle had been sold out for a capitalist future by, and benefiting, the traitors who they once sought to topple. That conviction drove Kaczynski, in the early 1990s, to turn on his old mentor and national hero Walesa, whom he believed co-operated too closely with post-communists after 1989.”

At the same time PiS won the parliamentary elections, Lech Kaczynski won the Polish Presidency. Law and Justice formed a parliamentary coalition with the decidedly Eurosceptic League of Polish Families (LPR) and Self-Defence of the Republic of Poland (SRP). Jaroslaw served as Prime Minister before calling elections in 2007, in which the party unexpectedly came in second place to Civic Platform (PO). In the 2007 parliamentary elections, PiS lost most of its moderate electorate, but was able to drain the support from its former coalition members. As a result, PiS partners LPR and SRP lost all of their seats in the Sejm and essentially disappeared from the political calculus. PiS then turned decisively to nationalism and populism as the core tenets of its political platform (Toplisek, 2019).

Santora (2019) writes that “Mr. Kaczynski argues that the decision to share power with the Communists to ensure a peaceful transition, rather than purge them from public life, allowed for an entrenched elite to take advantage of the emerging capitalist system and many ordinary Poles.” Foy (2016a) asserts that “In Kaczynski’s world view, Poland’s former communist rulers still wield power and influence in new capitalist, modern disguises. The EU, a foreign liberal force intent on shaping Poland to its will, is complicit in this deception, with Germany at its head. And Russia, the old foe that sent in the communists in the first place, dreams of dominance once more.”

A seminal event occurred in 2010 that further shaped Jaroslaw Kaczynski’s world view. In 2010, several leading members of PiS, including Polish President Lech Kaczynski and his wife, died in a plane crash while preparing to attend a memorial to the more than 22,000 Polish officers who had been murdered by the Soviet NKVD in the Katyn Forest near Smolensk seventy years earlier (Parrish, 2009; Shawyer, 2013; Cieniala, 2014). Then Polish Defense Minister Antoni Macierewicz blamed Russian officials for the tragedy. Macierewicz rejected previous independent investigations, which had determined that the crash was the result of pilot error in poor visibility (CBS News, 2010). Instead, he has long pointed the finger of guilt at the Kremlin and at Poland’s former Prime Minister and later president of the European Council Donald Tusk (Cichowlas, 2016). Interestingly, when confronted by the fact that there was no evidence to support this theory, Kaczynski stated that *the absence of hard evidence* in fact *proved* how well the conspiracy had been concealed.

### 3.1. The PiS

PiS is itself an amalgam of seemingly disjointed views and personalities. However, the party may be aptly characterized as Eurosceptic (Nieto, 2020) and “decidedly conservative, following a ‘law and order’ agenda.” Economically, PiS has embraced state economic intervention and criticized the privatization policy.

Rae (2016) offered this summary analysis:

It is in these conditions that the PiS government is attempting to consolidate power, often through encroaching on the practices and institutions of the democratic state. They are drawing on the dissatisfactions in society, by presenting themselves as standing against Poland’s corrupt elite. They claim that this elite wishes to use the Constitutional Tribunal to block its social reforms (such as introducing new child benefits and reducing the retirement age). Their economic policies are often aimed at the young and the struggling middle class: the failed entrepreneur; the graduate who can’t find stable work; the person struggling to pay the mortgage s/he took in Swiss Francs. They offer more government intervention with the vision of a state that prioritizes and protects Polish businesses and tax-payers. It is an ideology based on the frustrations of the many, who feel let down by a system many once supported. And when the economic programme of PiS founders they will find new external and internal enemies (imagined and real) to blame: refugees, the EU, Russia, gays, communists, liberals. The party’s Catholic nationalist wing split off in 2011 to form a new grouping, Solidarity Poland, but then agreed to form a joint ballot with PiS before the 2015 parliamentary elections. After gaining power in the 2015 elections to the Sejm (Markowski, 2016), PiS gained the support of many Poles who believed that the economic changes had left them behind. PiS provided transfer payments to families with children (Santora, 2019), but attracted international criticism and domestic protest movements, accusing the government of dismantling liberal-democratic checks and balances. Fomina and Kucharczyk (2016) have characterized the party’s governance as *illiberal* and *authoritarian*.

PiS finds its core base of support in eastern Poland, especially “among small, pious farmers and working class families who have lost jobs and income through the change from a state economy to an often ruthless neoliberalism” (Ascherson, 2016). Smolar (2021) is very pointed in this summary:

PiS embraced a radical conservative nationalism, strongly rooted in Catholicism. In elections, the party has presented itself as the only defender of Poland’s security and national character against many threats: Muslim refugees, who are potential terrorists and spread “parasites and diseases” (Kaczynski’s words); hostile foreign powers; a decadent Europe bent on forcing the Polish people to accept LGBT and abortion rights; and Poland’s entrenched elites.

The policies of PiS have been subjected to withering criticisms from both within and outside of Poland— including harsh criticism from former President and Solidarity leader Lech Walesa, whom Jaroslaw Kaczynski accused of being a Soviet agent in the 1970s. Walesa then countered that Kaczynski bore responsibility for the 2010 air crash that killed his twin brother, then Polish President Lech Kaczynski (Cienski, 2018). “Almost immediately, the PiS introduced a series of supposed “judicial reforms” which were heavily criticized by Brussels [The European Union] and the PO. Opponents characterized proposals as an attempt to limit the judiciary’s independence,” stated Scislowska (2017).

As Ascherson (2016) notes, the Law and Justice Administration has packed the Constitutional Court while politicizing the appointment of prosecutors, moved to abolish court consent for state access to private internet accounts, and brought public broadcasting under direct

government control. Kovacs and Scheppele (2018) point out that the constitutional courts and the ordinary judiciary are now under the control of political forces so that there is no longer a separation of law and politics. Chapman (2017) weighs in on issues relating to press freedom and notes:

- Poland has become a crucial battleground in the drive by authoritarian-minded leaders to gain control over political discourse and limit media pluralism.
- The Law and Justice (PiS) government has sought to control the media as part of a broader push to weaken checks and balances and silence independent voices. In rejecting the media's independence, the government is deepening polarization within Poland.
- The fate of media freedom in Poland is foreshadowing the continued march of populist authoritarianism around the world or signifies a turning of the tide and a new period of democratic resilience.
- The EU and Poland's allies, including the United States, should make clear that Poland's best interests lie in respecting the media's independence and allowing a diversity of views to flourish."

Recently, the European Union's top court, the Court of Justice of the European Union or CJEU (see Terziev, Bankov, & Georgiev, 2018) determined that provisions of Polish law allowing the Minister of Justice to assign and remove judges from higher criminal courts violate EU law (see Gremmelprez, 2019).

The website of the Court of Justice of the European Union (2021) noted: "The requirement that judges be independent means that the rules relating to such amendments must provide the necessary guarantees in order to prevent any risk of those amendments being used as a means of exerting political control over the content of judicial decisions, including criminal matters." Wanat (2021) explains that "The judgment is a blow against Poland's powerful justice minister, Zbigniew Ziobro, who is also the country's chief prosecutor. He is one of the main forces behind five years of deep changes to the Polish judicial system, which critics say are aimed at bringing courts under tighter political control—and which have set off a deepening conflict between the nationalist government and the European Union." It should be noted that in October of 2021, Poland was fined euro 1 million a day for not being in compliance with a CJEU ruling ordering it to dismantle a contested disciplinary mechanism for judges (Deutsche Welle, 2021).

As noted by Kosicki (2016), Kaczynski "rose to power briefly a decade ago, promising to create a 'Fourth Republic,' to elevate the Catholic Church's position in public life, to reinstate Communist-era welfare guarantees, and—most provocatively—to expose the alleged skeletons in the closets of the Third Republic's political and business elites." Observers have noted that while Jaroslaw Kaczynski did not hold any office or perform any official governmental function, he was the *de facto* leader of the country, exercising great influence on the government's personnel and policies (Ascherson, 2016). Only in 2020 was Kaczynski appointed Poland's Deputy Prime Minister for security and defense. However, Kaczynski announced in October of 2021 that he would resign as Deputy Prime Minister at the beginning of 2022 "in order to have more control over party affairs" (Euronews, 2021).

### 3.2. The Platform (adapted from Hunter, 2018)

PiS captured the Presidency in 2016 when PiS candidate Andrzej Duda surprisingly upset the incumbent Bronislaw Komorowski (Casey, 2015), who had, as Marshall of the Sejm, succeeded Lech Kaczynski upon his death. The current Prime Minister is Mateusz Morawiecki, the son of a well-known and respected Solidarity activist, Kornel Morawiecki, founder of “Fighting Solidarity,” also from the PiS.

The economic strategy adopted by PiS is embodied in the *Morawiecki Plan*, named for then Deputy Prime Minister Mateusz Morawiecki (Mroczkowski & Miller, 2017). The Plan represented a sharp departure from the approach of the Balcerowicz Plan. Morawiecki stated: “We have been in this [economic] model for 27 years. We have reached the trap of dependent development. To a huge extent we are dependent on foreigners” (reported in Foy, 2016b). A new course would be charted.

The program would address deficiencies in the Polish economy through actions described as Minister Morawiecki’s “*five pillars of economic development of Poland*”:

- *Reindustrialization*—i.e., focusing on industries in which Poland can gain a competitive advantage and attract foreign investment (Gorka, Grzegarek-Wiecek, & Szopa, 2017);
- *Development of innovative companies*, which involves, among others, drawing up a *Business Constitution* designed to simplify regulations, help develop and launch innovative products, and raise spending on research and development;
- *Raising capital for development*—aiming for a significant increase in capital expenditure, and improved efficiency of institutions supporting investment; the establishment of the *Polish Development Fund*;
- *Foreign expansion*—support for Polish exports aimed at reaching new markets, conducting foreign trade missions, and developing a network of “economic diplomacy posts” throughout current and potential markets;
- *Social and regional development*—to create a comprehensive demographic program, reform of the education system, and support the development of Polish regions that had not benefit of prior development efforts” (adapted from Borowski & Jaworski, 2016).

In addition, Minister Morawiecki supported the creation of a “new spirit of Polish entrepreneurship,” with an emphasis on fostering opportunities in economic sectors that would be export sensitive, and the creation of new Polish brands (“Polish Champions”) which could compete worldwide with high-quality recognizable products, and which would assure the return of many of Poland’s “best and brightest” who had emigrated in the search of economic opportunity in Western Europe, the United Kingdom, and the United States (Ionescu, 2015; Strybel, 2017).

The Morawiecki Plan, which has been termed *Polonization or Repolonization*, would include buying back many businesses which had been previously privatized. However, where the funds would come from to accomplish this objective remains to be seen. Poland is still a country that “lacks significant internal capital,” although no longer “capitalists.” A policy announced by the government to tax large, mainly foreign-owned retail chains and banks has been challenged by the European Union (Martewicz & Krasuski, 2016; Foy, 2016). The tax levied on banks did not meet its expected revenue target of 5.5 billion zł. And instead was projected to raise only 3 billion zł. In revenue. The tax on large retailers was questioned on grounds that it amounted to “unacceptable state aid for small Polish enterprises” and had to

be shelved until a date in the future (Zygulski, 2016/2017). These policies have led to frequent clashes with Brussels and the European Union.

At its core, PiS essentially supports a policy of "social redistribution" (Rzegocki & Partyka, 2017), including the introduction of a generous universal child-benefit program, seemingly recognizing Poland's twin crises of low fertility and "mass emigration to other Western countries." PiS stands as a self-described defender of Poland's sovereignty, culture, values, and Catholic faith *against* various foreign and domestic enemies (see Zuk & Zuk, 2019), including refugees, the LGBT community (Roache, 2019), political correctness, and the European Union.

On the economic front, PiS has lowered the retirement age, which had been raised by the previous PO government in an attempt to shore-up Poland's chronically underfunded retirement system (Oruga Group, 2020), and instead has provided *additional* payments to Polish pensioners. It has strong links with the Polish Roman Catholic Church (Zuk & Zuk, 2019), still a very influential institution in Poland, which exhibited a considerable clout in parliamentary elections from 1989 through 2010 and beyond (Kowalczyk, 2012). PiS continues to defend the coal-dependent Polish energy sector—as much as 81% of Poland's electricity comes from coal (Sauer, 2018)—currying the favor (and votes) of heavily subsidized miners (Sauer, 2018) and others employed in the mining sector.

PiS has promised to raise Poland's minimum wage to 4,000 zloty a month by 2023 (approximately

\$1,000), almost doubling the present figure, and to provide two additional monthly pension payments to Polish retirees (Harper, 2019). PiS also pledged to protect the traditional family model and "Catholic values," to continue its reforms of the Polish judiciary, and also promised to "re-Polonise" and "take back control" of the media after its victory in last fall's parliamentary elections, in which PiS received 43.59% of votes—a higher percentage than any individual party has achieved in the entire post-communist period. This translated into 235 seats, the same number as it had won in 2015. Because it had achieved a majority in the Sejm, PiS was able to form a government without seeking the support of any other parties or groupings in a coalition government. However, PiS does not have enough of a majority to seek to change the constitution on its own right, which would require a two-thirds majority in the Sejm. Surprisingly, PiS actually *lost* its previous majority in the Senate, winning 48 seats, with the number of opposition and opposition-aligned independent senators amounting to 52. In foreign policy, PiS is staunchly "anti-Russian" and favors strengthening and expanding political and economic ties with the United States (King, 2017; Cadier, 2021), which it sees as the primary guarantor of Poland's military security against Russia. Balcer, Buras, Gromadzki, and Smolar (2016, p. 2) write that "The most significant element of Poland's foreign policy paradigm redefinition by PiS is based on a deep pessimism as regards the future of European integration" and sees foreign policy clearly as "secondary to domestic objectives."

PiS had enthusiastically endorsed the placement of an American military installation in Poland, which it has dubbed "Fort Trump." It ranks as one of its major achievements ending the visa requirement for Polish citizens who wish to visit the United States as further proof of its close relationship with the United States and former President Trump. As noted by Taylor (2018): "The White House calls the move an 'important step in continuing to increase economic, security, cultural, and people-to-people connections between our two nations.' Poland has pursued access to the program for decades, and with the announcement... , it looks



as though it will finally be included.” Interestingly, in August of 2021, President Biden announced that he was nominating Mark Brzezinski, the son of the late National Security Advisor to President Carter, as Ambassador to Poland. The move was seen as a sign of President Biden’s desire to strengthen U.S. relations with Poland in a time of uncertainty in Central Europe (Madhani, 2021). The elder Brzezinski was a staunch supporter of Solidarity in the 1980s and was referred to as the gravedigger of the Soviet Union (see Cloud, 2020). While Poland has been openly critical of the European Union, in fact, since joining the Union in 2004, Poland has received some euro 123 billion (\$145 billion) net in non-returnable subsidies. The EU budget (European Commission, 2021) provides that between 2021 and 2027, Poland is scheduled to receive a further euro 139.4 billion (\$164.3 billion) in subsidies, and euro 34.2 billion (\$40 billion) in repayable aid. In addition, Poland is set to receive euro 23 billion (\$27 billion) in non-repayable grants from the *Next Generation EU Recovery Fund* (Fuest, 2021), which was established to address the impact of the Covid pandemic. It will also have the opportunity to take advantage of approximately euro 34 billion (\$40 billion) in loans at very favorable interest rates. However, Strupczewski (2021) reported that “The European Commission has started its long-awaited probe into whether Poland and Hungary should continue to receive billions of euros from the EU budget because of problems with corruption and the rule of law.”

#### 4. A DISCUSSION OF SMOLAR’S MAIN CONTENTIONS

In more recent times, Kaczynski has sought linkage with the more extreme elements of the anti- vaccination movement, “until some of members attacked vaccination centers as Covid-19 numbers began to rise again” (Zuk, Zuk, & Lisiewicz-Jakubaszko, 2019; Smolar, 2021). Similar to former President Donald Trump, Kaczynski and the candidacy of Andrzej Duda in 2020 (Walker, 2020) sought to exploit the tensions between the “countryside” and Poland’s more cosmopolitan urban areas, demanding a more equal distribution of wealth among its voters who believe they have been left behind in the economic and social development of the past few decades since 1989 in favor of the nomenklatura and other post- communists who had led Poland into economic disaster and political disarray—all while personally benefitting greatly from the changes.

Smolar (2021) summarized his views relating to the policies of the PiS in the following areas:

- **An attack on the justice system:**

“PiS has stacked the judiciary with loyalists, starting with the Constitutional Tribunal, the Supreme Court, and the National Council of the Judiciary (which selects nominees for the judges who are ultimately appointed by the president), thus ensuring there will be no legal challenges to the party’s policies. PiS has replaced most of the presidents of regional and local courts across Poland and introduced a system of punishment for judges who disagree with violations of the constitution.” As noted by Wanat (2021), “these and other “reforms” were successfully challenged in the European Court of Justice and remain a source of serious conflict between Warsaw and the European Commission and Parliament. The party has merged the Ministry of Justice with the function of prosecutor general (previously the prosecutor’s office had been a separate and relatively independent body).” Grabowska-Moroz and Sniadach (2021, p. 59) point out the “negative consequences of the rule of law backsliding for the civil space....”

- **The firing or forced retirement of more than sixty generals and more than one thousand lower- ranking officers:**

“Many of these officers were trained at West Point in the United States or Sandhurst Military Academy in the United Kingdom and had combat experience working with the U.S. Army in Iraq and Afghanistan” in which Poland had been a steadfast ally of the United States. In addition, the government engineered **the replacement of many intelligence and counterintelligence officers who were deemed insufficiently loyal to the party.** Much to the consternation of civil libertarian groups such as Statewatch, the government a series of far-reaching powers for eavesdropping and hacking, “allowing the government to access the communications of all groups in society.”

- **The firing, forced resignation, or marginalization of hundreds of diplomats in the Ministry of Foreign Affairs:**

Replacing experienced diplomats with party loyalists, many with little or no diplomatic experience, but who exhibited unusual fealty to the PiS.

- **Interference with governmental functions and rewarding coalition partners with the spoils of widespread purges in government:**

In a series of actions reminiscent of the discredited communist nomenklatura system. PiS has “dismissed and replaced thousands of employees in national government and in local governments where it is in power. It has abolished or watered down the competitive process for recruitment to the civil service, so that trustworthy cadres and their families can fill positions. It has replaced hundreds of managers in state- owned industries with new nominees, many of whom have no business experience” but who enjoys close ties with the PiS.

- **Cultural Initiatives:**

In cultural matters, PiS “has withheld or severely limited funding for museums, theaters, film production, and cultural festivals that are associated with artists known for their liberal, non-nationalist views, or that do not conform to the cultural aesthetics promoted by the government.” PiS “is pressuring cultural institutions and schools to act as guardians of official orthodoxy and teach a single, heroic version of Polish history,” characterized by an increase in the role of Catholic religious education in secular state- operated schools. Reports indicate that similar changes are in the offing for Polish universities, curiously in the name of expanding “freedom of academic debate.”

The government has brought schools, previously managed by local governments, under the direct control of the state’s regional educational inspectorates. It has changed the curricula and promoted the teaching of a single, more “patriotic” version of history, with an increase in the amount and role of Catholic religious education. Similar changes are also planned for universities in the name of expanding “freedom of academic debate.” Notes From Poland (2021b) reported that “Earlier this year, the education minister condemned LGBT pride parades for ‘promoting deviancy’ and said that those who do so ‘do not have the same rights’ as ‘normal people.’ Last year, another government minister called for a ban on “promoting LGBT ideology” and “teaching gender studies at universities and schools in Poland.”

## 5. MIGHT POLAND CHOOSE ANOTHER PATH?

Is Smolar correct in his criticisms of the policies of the PiS or is he being unnecessarily

alarmist?

Poland has now been the focus of sustained attention by the European Union, especially fueled by issues relating to the independence of Poland's judiciary and media. Recent decisions of Poland's Constitutional Court are feared to have put Poland on a path to a possible "Polexit"—a departure from the 27-nation EU like Britain did with Brexit (Lozada, Hunter, & Shannon, 2021). Poland's constitutional court—dominated by PiS party loyalists—challenged the notion that EU law supersedes the laws of its 27 member nations and ruled that some EU laws are incompatible with the nation's own constitution and thus are unenforceable. That decision—made by a court dominated by ruling party loyalists—gives the Polish government the justification it had sought to ignore directives from the European Union's Court of Justice which it doesn't like—particularly on matters of judicial independence and those related to the media. European Union leadership raised a cautionary note. Stated Ursula von der Leyen, European Union President, "This ruling calls into question the foundations of the European Union. It is a direct challenge to the unity of the European legal order" (reported by Fischer, 2021)

The government, however, has denounced reports relating to a "Polexit" as "fake news" (Majeed, 2021).

A standoff over the judiciary has resulted in the European Commission threatening to withhold billions of euros in pandemic recovery funds to Poland. However, Ryszard Terlecki, the party's deputy leader, seemed only to fuel such speculation and stated that if matters cannot be resolved to Poland's satisfaction, "we will have to search for drastic solutions." Referring to Brexit, he also said: "The British showed that the dictatorship of the Brussels bureaucracy did not suit them and turned around and left" (see Gera, 2021).

On the other side of the equation, could Poland face expulsion from the EU? The EU has no legal mechanism to expel a member. That means for Polexit to happen, it would have to be triggered by Warsaw, much like Brexit was engineered by London. However, surveys indicate that more than 80% of Poles favor being in the bloc (Gera, 2021), recognizing the benefits Poland has experienced since 2004. Savvy observers recall that former British Prime Minister David Cameron called for a referendum on EU membership, believing that Great Britain would vote to remain in the EU. When Britains voted narrowly in favor of Brexit in 2006, Cameron resigned. Enter Prime Minister May (briefly), then Boris Johnson (see Lozada, Hunter, & Shannon, 2021).

The title of another work, "*Quo Vadis, Polonia,*" seems apt now. Once again, Poland is at a crossroads—not necessarily economic in nature—but a crisis in identity. Clearly, Poland has moved on from its communist past, and ironically, also from the "glory days" of Solidarity when all seemed possible. Despite its dysfunctions, Poland is now a normal and no longer an extraordinary country—still beset with ancient grudges, conflicts in personalities between figures who once seemed larger than life, and political parties (and the Roman Catholic Church) engaged in machinations and gamesmanship in advance of another looming election in which a minority government may assume power and seek to remedy past grievances.

Anti-Semitism remains a persistent negative influence in Polish society—despite the absence of a considerable Jewish population (see Pankowski, 2018; Cohen, 2021; Jewish News Service, 2021). A public demonstration in Warsaw in November resulted in "Polish nationalists" and skinheads chanting "Death to Jews" and burning a copy of the Kalisz Statute of 1264 that once welcomed Jews into Poland and that had "offered Jews protections and

rights on Polish lands” (Agencies, 2021). The World Jewish Congress reports that in fact there are *fewer than 10,000 Jews living in Poland today*.

On one front, there may be *some* good news. In August, Poland’s deputy Foreign Minister Marcin Przydacz offered positive comments about recently-nominated U.S. ambassador to Poland Mark Brzezinski: “On fundamental issues—regional activity, security, Eastern policy—I think we will have an ally and a friend in the person of Ambassador Brzezinski.” He added significantly: “We should not focus on contentious issues” (reported by Smolar, 2021). Neither should Poland shrink from making difficult decisions—even daring to admit to mistakes in its past.

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