Polish government expands police state powers

Clara Weiss
25 February 2016

Poland's right-wing nationalist government has rapidly expanded its police state measures in recent weeks. Since assuming power last autumn, the Law and Justice Party (PiS), has stripped the constitutional court of its power, brought the intelligence services directly under its control, co-opted public radio and television in line with the state and launched a rearmament programme for use at home and abroad.

Since the beginning of the year, the government has enacted a series of authoritarian laws. At the end of January, parliament rushed through a law in an emergency session that subordinates the state prosecutor's office to the Ministry of Justice. The functions of the prosecution service and Ministry of Justice were only separated in 2009.

The elimination of this separation, which PiS had promoted in its election campaign, represents a massive infringement on the balance of powers between the executive and judicial branches of government. The PiS government will thus be in a position to intervene directly into investigations by the state prosecutor and influence proceedings.

Justice Minister Zbigniew Zbioro is among the most right-wing and hated figures in the government. He held the same post in the PiS government of 2005-2006. During that period, he controlled the state prosecutor's office, which he used to carry out substantial purging of the state apparatus in the interests of his party. Zbioro was accused at the time of ordering journalists and politicians to be spied upon.

Another law passed in January, which came into force at the beginning of February, drastically expands police surveillance powers. According to the non-governmental organisation Panoptykon, the police can legally access virtually all personal data of an Internet user—from passwords and e-mails to medical data.

To date, police could only request such data in writing from firms if they required it for an ongoing investigation. Companies then had to give out the data without any questions. Now, the process for the police has been made even easier: without a written request, the police merely need to contact the firm or even collect the data themselves. Unlike in the past, access to the data does not have to be approved by a court.

According to newspaper *Polityka*, which is aligned with the opposition Citizens Platform (PO), the law also does away with the legally protected obligation of lawyers to not forward to the judiciary or police information given to them by a client in confidence.

Dr. Wojciech Marchwicki, a Polish lawyer, told *Polityka* that with comprehensive access to data, it would be easy for the state to blackmail people or defame them by publishing details about their professional or private lives. In addition, the police can install surveillance programmes on private computers with court approval, without the affected person being informed about this prior to it taking place.

In recent weeks, several demonstrations have been held against the law. As with earlier protests, these have been dominated by the so-called Committee for the Defence of Democracy (KOD). The committee is formally independent of all parties, but closely tied to PO and the liberal opposition Nowoczesna (Modern). The perspective of the protests is to appeal to the European Union (EU), and above all Germany, to adopt harsh measures against the PiS government.

For the first time in its history, the EU set into motion the so-called rule of law mechanism. Brussels thus enters a "process of dialogue," presenting representatives of the Polish government with proposals to change Polish laws. If Warsaw continues to refuse to adopt these measures, the EU can strip

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Poland of its voting and veto rights at EU summits and in negotiations.

The reactionary character of appealing to the EU is clear from the case of the law on state surveillance. In recent years, the EU has ensured that state surveillance in all member states has been massively expanded. The German government introduced a data storage law and permits communications to be comprehensively intercepted by the foreign intelligence service (BND), which then shares data with the US National Security Agency (NSA). Similarly comprehensive surveillance programmes exist in other EU member states.

It was no accident that no European country granted asylum to Edward Snowden or Julian Assange after they exposed the massive surveillance programmes of the Western powers. On the contrary, European governments actively supported and publicly defended the witch-hunt of Assange and Snowden by the US government.

That the so-called democratic movement is appealing to such forces shows it has no genuine interest in defending democratic rights. The KOD movement in reality represents the interests of sections of the Polish bourgeoisie and middle class, which fear that the PiS government will restrict their social privileges and political interests, and orient foreign policy too closely towards the US.

In tandem with the strengthening of the state's domestic powers, the PiS government has increased military spending and rearmed paramilitary units, integrating them into the state apparatus. In total, these units are now made up of 80,000 men, corresponding to some two thirds of the regular Polish armed forces of 120,000.

The strengthening of the military and state apparatus is aimed first of all at preparing for war with Russia and closer integration into the war strategy of US imperialism. At the same time, the PiS government is well aware that it sits atop a social powder keg, and, facing growing social tensions, is preparing for a confrontation with the working class.

According to a report by the economic web site bankier.pl from the summer of 2015, 43 percent of the Polish population lived on less than the financial minimum for survival. Roughly 4.6 million people, more than 10 percent of the entire population of 40 million, had just 514 zloty (around €117) available to spend. A further 6 million people lived on just 1,000 zloty (around €230). In recent weeks, shipyard workers in Gdansk went on strike. Miners are also threatening new strikes and protests following a series of talks that brought no results.

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