

Polish President Andrzej Duda vetoes government's judicial reform

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27 July 2017

On Monday, Polish President Andrzej Duda unexpectedly vetoed two key aspects of the judicial reform of the governing Law and Justice Party (PiS), which would have given the government virtually unrestricted control over the country's judicial system.

Duda's veto has temporarily halted two bills that would have led to the immediate dismissal of 83 top judges and given Justice Minister Zbigniew Ziobro complete freedom in the appointment of judges to the Supreme Court. Both chambers of the Polish parliament had agreed to the drafts after fierce disputes.

Duda agreed another bill authorizing the justice minister to appoint judges to the district and state courts.

The two draft laws vetoed by the president must now go back to parliament, which can only overturn the veto with a three-fifths majority. Since the PiS needs the support of the right-wing Kukiz '15 party, who have welcomed Duda's veto, this is unlikely.

Hundreds of thousands of people have protested against the laws in the past days and weeks. In a survey, 55 percent of Poles declared that they wanted Duda to veto the laws. The European Union (EU) threatened to impose severe sanctions on Poland because of the judicial reform. German politicians have warned Poland of political isolation, and the US State Department also expressed concern about the so-called reform on Saturday.

Duda justified his decision by saying, "I think reform in this form will not strengthen the sense of security and justice."

By claiming that a meeting with Zofia Romaszewska, one of his advisers, who had opposed granting new powers to the justice minister, had been decisive in making his decision, Duda is appealing to the ferocious anti-Communism in both the PiS and the liberal

opposition. In the 1970s and 1980s, Romaszewska was one of the most important members of the Committee for the Defence of Workers (KOR) and Solidarnosc. She played a critical role in turning the trade union movement in an anti-communist and nationalist direction.

Duda announced that he would submit his own amendments in the near future. In two months, the bill will be discussed again in amended form.

The veto apparently came as a shock to the PiS. Duda himself is a member of the party and has been regarded as a puppet of PiS chief Jarosław Kaczyński since entering office in 2015. Media reports describe the general frustration, confusion and disappointment among PiS politicians.

The liberal opposition and Western media are now praising Duda, amid hopes that his move will lead to the break-up of the government party. In last week's protests, the opposition made the appeal to the president to exercise his veto a central issue.

Newsweek Polska, which belongs to German publisher Axel Springer, wrote triumphantly: "For the first time the power of Kaczyński has been called into question." In several editorials, the newspaper explained how Duda's move could lead to a sharper division within the PiS government.

It argued that within the framework of the PiS, "a competitive power camp" had formed around the president. "PiS politicians in parliament and in the party, for whom the authoritarian radicalism of Kaczynski and his assistants is unpalatable, can now give this courageous expression. There are such people in the government camp and perhaps their number will grow."

In another piece, *Newsweek Polska* asserted that PiS politicians feared "President Andrzej Duda wants to

found his own political movement with the support of people like Jarosław Gowin and Mateusz Morawiecki and Kukiz '15. The veto against the reform of the Supreme Court and state court council could be the beginning of a bid for independence by the president.”

Kukiz '15 is an extreme right-wing party that has supported most of the PiS's authoritarian measures over the past few years and is known to include fascist tendencies. Morawiecki, a former banker, is currently Finance Minister under the PiS. Gowin is notorious for his militant homophobia and has played a central role as Minister of Education and Science in shifting Poland's cultural climate to the right.

The fact that the bourgeois opposition is now hoping to deepen a split in the government camp through pressure from the EU and Washington and to strengthen right-wing politicians like Duda, Morawiecki and the Kukiz'15 party exposes once again the reactionary core of its politics.

The opposition's conflict with the PiS revolves, above all, around questions of foreign policy. The former not only rejects the orientation of the PiS toward an alliance with the US against Germany, but also fears losing political influence under an authoritarian PiS government.

For the last two years the opposition against the PiS has been dominated by the liberal opposition and largely confined to middle class layers in the big cities. The PiS has tried to appeal to social resentment in the working class and, in preparations for war and the establishment of a police-state, to neutralise it through certain social concessions, such as the introduction of a child allowance of 500 zloty per month (approximately 117 euros or US\$ 137).

In a country where 43 percent of the population (about 16 million people) have less than 245 euro (1080 zloty) per month on which to live, this is a significant sum for many. On social issues, such as the introduction of the child allowance, the liberal opposition, which carried out extreme social cutbacks when in government, has repeatedly attacked the PiS from the right.

Despite these limited social concessions, the policies of the PiS are rejected by large portions of the Polish population. In a survey, 82 percent of 19-to-29-year-olds saw themselves as opponents of the government. In total, 52 percent of voters put themselves in this

category. Meanwhile the two main bourgeois opposition parties, the Citizens Platform (PO) and Nowoczesna, could not command the support of a third of the electorate between them.

At the same time, Polish foreign policy is in a deep crisis. The emerging conflict between America and Germany, both key countries for Poland's foreign and economic policy, presents the Polish ruling elite with a dilemma virtually impossible to resolve.

The liberal opposition rejects a break with Germany and the EU, and considers an orientation to the Trump government to be dangerous. Conservative newspapers such as *Rzeczpospolita* also believe that Poland cannot afford an exclusive orientation to Washington.

Under these conditions, Duda seems to have felt it too dangerous to push forward the extremely unpopular justice reform. The greatest fear of the entire Polish political establishment is intervention by the working class.



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