

# The first limits of the democratic government in Poland

Monday 25 December 2023, by [MALEWSKI Jan](#) (Date first published: 21 December 2023).

**Although the conservative right has made progress in most recent elections, the Polish elections of 15 October 2023, with a historic turnout (78%), on the contrary put the conservative government in a minority. What's more, only 40% of voters took part in the racist migration referendums called at the same time, rendering their results invalid.**

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However, it was not until two months later that the new Polish majority [1] was able to form a government and its Prime Minister, Donald Tusk, was sworn in by President Andrzej Duda on 15 December. The latter had initially reappointed the conservative Prime Minister Morawiecki on the pretext that his party had come out on top in the elections (35.58%) even though it did not have a majority (194 out of 460 mandates). The conservative right took advantage of these two extra months to appoint its own people to head the army and the state apparatus, to spend money and to continue to subjugate the judiciary.



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## Independence of the judiciary and European aid

As soon as he became prime minister, Tusk flew to the European Council in Brussels to try to unblock European aid (€59.8 billion from the national recovery plan and €76.5 billion from the Cohesion Fund). The country had seen the payment of these funds blocked as a result of its policy of subjugating the judiciary. In particular, the EU is demanding the abolition of the Disciplinary Chamber and the appointment of an independent tribunal to deal with disciplinary cases involving judges, the abolition of the texts allowing judges to be appointed, and the refusal to allow judgements to be handed down by judges appointed illegally. Adam Bodnar, the new Minister of Justice - an independent jurist - introduced regulatory changes as soon as he took office. However, it will take time to adopt the new laws, and if President Duda refuses to countersign them, the Sejm must vote by two-thirds of its members. The new majority does not have as many mandates. Tusk's

first success: the EU has just granted an advance of more than €5 billion before the end of 2023, to be used to modernize and decarbonize energy systems.

Addressing the Sejm on 11 December, Tusk asserted that his coalition's election promises would be fulfilled: "teachers' salaries will be increased by 30% from 1 January, and the salaries of all civil servants will be increased by 20%, as promised", and "we will immediately introduce a second annual increase in pensions as soon as inflation exceeds 5%".

## The issue of abortion rights

While the "15 October coalition" owes its electoral victory to the majority women's vote, Tusk spoke of the "very painful problem of the right to legal and safe abortion". The coalition government does not agree on the legalization of abortion. The deputy prime minister from the conservative agrarian party has already announced that he wants a return "to the compromise" of 1993, i.e. limiting the right to abortion to three cases: rape, danger to the life of the woman and serious foetal handicap. This latter reason was ruled unconstitutional by the Constitutional court in 2020, however the court itself is widely considered to be illegitimate. The President of the Sejm has called for a referendum and is opposed to legalizing abortion.

As a result, one of the main issues that led to the victory of the democratic opposition remains unresolved. The small anti-capitalist party, Razem, rightly decided not to join the government, although it did vote in favour of it. For it is through social mobilization in the streets that the main popular demands can be won, first and foremost the right of women to decide their own lives. For the moment, the wait-and-see attitude is still dominant.

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**P.S.**

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<https://lanticapitaliste.org/actualite/international/en-pologne-les-premieres-limites-du-gouvernement-democrate>

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## **Footnotes**

[1] Formed by the Civic Coalition KO (30.70% of the votes cast, 157 mandates in the Sejm, the parliament), the Third Way of the agrarian party PSL and the Christian Democrat party Poland 2050 (14.40%, 65 mandates) and the left, an electoral alliance of the New Left (NL, formed by the merger of the Alliance of the Democratic Left SLD and the Wiosna party, Spring), the Polish Socialist Party PPS and the anti-capitalist party Razem (Together) : 8.61% of the vote, 26 mandates.