

How the US pressured Poland into softening its law on Holocaust speech



By Cnaan Liphshiz
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(JTA) — After the prime minister of Poland announced a major retreat on his country’s controversial Holocaust speech law, many of his right-wing critics accused him of capitulating to Israel.

The concession presented by Mateusz Morawiecki was an amendment passed hastily Wednesday in parliament altering a law from February that was meant to punish those who blame the Polish nation for Nazis crimes. The amendment essentially makes it a civil offense rather than a criminal one.

Jewish groups and organizations reacted with cautious optimism to the amendment of a law they believed would stifle scholarship and free speech. In Poland, some critics of the new legislation said it did not go far enough.

To Polish nationalists, however, the original law was essential to defending the country’s honor and preventing scholars and journalists from using terms like “Polish death camps” or portraying Poles as anything but victims of the Nazis. And they knew just who to blame for softening it: Israel.

Marek Markowski, a nationalist activist, said the amendment was a “disgraceful surrender” to “Israel’s extortion and strong-arming that apparently mean that this foreign nation is interfering with our internal matters,” he wrote on Twitter.

Markowski and others seized on Israel’s unusually vocal opposition to the law. But behind the scenes, many Polish analysts said, the real reason for the concession appeared to be pressure by the United States, not Israel.

In March, the Onet news site said it had obtained documents showing that Morawiecki and President Andrzej Duda would not be received by President Donald Trump or any other member of the U.S. administration if the law was not revised. Onet said it did not publish the documents to protect the source.

Staff from the U.S. Embassy in Warsaw also threatened to suspend funding for joint military projects between the United States and Poland, according to the Onet report.

Polish and U.S. officials denied the claims. But Trump and Duda did not meet once during the Polish leader’s five-day visit to the United States last month, while Trump did meet with the president of Uzbekistan at the White House.

Pundits in Poland also noted American pressure. Katarzyna Pełczyńska-Nałęcz, a former Polish ambassador to Russia, blamed “brutal, political blackmail by the United States” for the decision to amend the law, she told the Tok FM broadcaster on Wednesday.

In an op-ed for the Opinie news site, columnist Maciej Deja wrote that the amendment came “when it turned out that, despite the Polish position, the United States also stood on the Jewish side.”

Even Krzysztof Bosak, a far-right activist who promotes conspiracy theories about Israel, acknowledged that the pressure to defang the Holocaust law came primarily from the United States. Calling the amendment “disastrous,” he blamed Poland’s “blind and one-sided alliance with the United States” in an interview with the Dziennik Zachodni daily. But Israel did play an “inspirational role,” he also said.

A source close to Morawiecki confirmed the claim.

“The Polish government ideologically sees eye to eye with the Trump Administration and with Israel,” said the source, who spoke to JTA under condition of anonymity. “The only hurdle was this law, and eventually all sides saw it just had to go already.”

Israel's clout over Poland appears to be far less than the far right in Poland believes. Trade between the two countries came to \$500 million in 2015 — about a third of Poland's trade volume that year with other non-EU partners like Belarus or Saudi Arabia.

By contrast, Poland and the United States carry on more than \$10 billion in trade, and talks are underway about opening a huge \$2 billion U.S. military base on Polish soil.

Under attack by his party's nationalist base, Morawiecki attempted to downplay the amendment's scope. Because of the law, "no one in the world will now say 'Polish death camps' with impunity," he said in parliament. He also vowed to "continue to fight for truth" over World War II.

In another fiery speech in parliament, Morawiecki revisited the perceived injustice of blaming Poles for the death of Jews.

"When a Jew met a German, the Jew died. When a Jew met a Pole, he had a chance to live and tell the story," he said.

During World War II, Poles saved thousands of Jews. Other Poles killed thousands of Jews or betrayed them to the Nazis. The Nazis killed 3 million Jewish Poles and another 3 million non-Jewish ones.

Even after the amendment, newspapers in the West will "think twice" because writing the wrong thing about Poland will mean "paying compensation of \$50 [million] or \$100 million, which we can now direct in some lawsuit," Morawiecki said.

In a joint statement with Netanyahu, Morawiecki took a more conciliatory tone.

While reiterating his rejection of the term "Polish death camp," the Polish leader acknowledged the existence of "collaborators" in Poland and that "some people" revealed their "darkest side" during the Holocaust.

"The governments of Poland and Israel call for a return to civil and respectful dialogue in the public discourse," the statement read.

Yad Vashem, Israel's Holocaust memorial, whose chief historian in February blasted the law and some of Morawiecki's past statements as "morally and historically flawed," said the amendment was a "positive development in the right direction." Jonathan Greenblatt, national director of the Anti-Defamation League, said that despite lingering issues with the law, the amendment "would resolve much of this dispute."

The International Association of Jewish Lawyers and Jurists, which this week wrote to the Polish Constitutional Tribunal to complain about the law's punitive provisions, said it was "elated" at their removal.

David Harris, the CEO of the American Jewish Committee, noted how the law affects U.S.-Polish ties.

"Correcting this counterproductive measure is an important step to restore confidence and advance ties among Poland, the Jewish world, and the United States," he said.

Back in Poland, however, some critics of the law are not celebrating.

Even after the amendments, a government agency will decide if it's interested in "initiating legal cases on behalf of 'the nation' in the civil courts," said Rafal Pankowski, a spokesman for the Never Again watchdog on racism in Poland, which has been an outspoken critic of the law. "That's my worry."

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