

Poland's toxic property restitution debate fueling antisemitism

ANALYSIS

By JEREMY SHARON

In Poland today, there is an issue that encompasses the ravages of the Nazi occupation during the Second World War, the scars of Communist rule, the current Europe-wide surge of nationalist populism, and the ghosts of the country's Jewish community.

That issue, the restitution of Jewish property confiscated by the Communist regime in Poland after the war, has become a central pillar of public and political campaigns by far-right parties in Poland to gain relevance, popularity and electoral success.

This campaign has fueled antisemitic sentiment and dialogue in the country, and with presidential elections scheduled for next year, the campaign's malign effects on the country show no sign of abating.

In the late 1940s and early 1950s, the Communist authorities enacted a massive program of property confiscation across the country, which included large amounts of property which belonged to Poland's pre-war Jewish population of some three million people, 90% of whom were murdered at the hands of the Nazis in the Holocaust.

Recent efforts to advance the cause of restitution for Jewish property confiscated in that era, including the passage of legislation in the US and comments by US Secretary of State Mike Pompeo, have heightened tensions over the issue.

Following the October parliamentary elections in Poland in which a coalition of far-right parties called the Confederation Liberty and Independence won 6.8% of the vote, legislation was proposed which would ban and even criminalize the restitution of or compensation for heirless property.

Heirless property is that which there is no longer a valid individual claimant, mostly due to the fact that the owners and their families were murdered.

The Terezin Declaration of 2009, to which Poland is a signatory, recommends that European countries use money from heirless properties to financially assist Holocaust survivors and for Holocaust education.

The confederation cannot submit legislation to the parliament because it lacks the requisite sized caucus, so it has instead embarked on a campaign to secure 100,000 signatures for its draft law, which would then require parliament to put it on its legislative agenda.

Antisemitic imagery and sentiment have been widely used in the campaign against property restitution, including by leaders of the confederation such as Grzegorz Braun, who said about the issue in May that: "The American Empire is here the political, and also military, tool of Jewish blackmail against Poland."

Braun, who is one of confederation's primary candidates for its nominee for the upcoming presidential election, also recently stated that Jews have "waged war" against the Polish nation, and the whole Christian world, for centuries.

In May, far-right parties and organizations organized a march ahead of the European parliamentary elections specifically against Jewish property restitution claims, which featured signs that declared claimants to be "Holocaust hyenas."

And a far-right Polish Independence rally in November also featured the Jewish property restitution issue, with slogans, stickers and signs declaring Stop 447, referring to US legislation requiring the State Department to report to Congress about progress on restitution in the 47 signatories to the Terezin Declaration.

Dr. Rafal Pankowski, an associate professor at Collegium Civitas and a co-founder of the Never Again Association, says that the confederation made property restitution a central part of its election campaigns for the European parliament in May and the Polish parliamentary elections in October.

The Confederation took 4.5% of the vote in Poland in the EU elections – some 622,000 votes – and grew in strength in the parliamentary elections, garnering 1.2 million votes, some 6.8% of the electorate, giving it 11 MPs in the Sejm, Poland's 460 member Lower House.

"For the first time, a political party took as their central platform an anti-Jewish campaign

based on the imagined threat of Jewish claims against Poland," said Pankowski.

"Antisemitic sentiment in Poland has existed for a long time; it never really went away," he continued, adding that it has been "activated" of late over both the infamous legislation which criminalized ascribing complicity in the Holocaust to the Polish nation or state, as well as the restitution issue.

"The far Right has activated and mobilized anti-Jewish sentiment and emotion over these issues, and it has become a pretext for invoking antisemitic stereotypes on a level we haven't seen before," said Pankowski.

Konstanty Gebert, a journalist for the Gazeta Wyborcza newspaper and an expert on Polish society, provides context for the rise of the far Right in Poland.

He said that the rise in antisemitic rhetoric, and the nationalist sentiment surrounding the opposition to property restitu-

tion, are part of the current political zeitgeist in Europe of nationalist populism that has taken hold in numerous countries on the continent, such as France, Italy, Hungary and beyond.

The ruling Law and Justice Party (PiS) in Poland fits in well with Marine Le Pen's National Rally in France, Matteo Salvini's League in Italy, and Victor Orban's Fidesz Party in Hungary, says Gebert, accusing PiS of having "legitimized extreme right-wing language," which was until recently beyond the pale of legitimate political dialogue.

The immigration crisis in Europe, and the EU's ideal of minimizing and dulling ethnic and national identities have both played important roles in the resurgence of these political movements.

And the febrile atmosphere that has been generated by PiS around Polish nationhood, Poland's record in the Holocaust, and the Communist era, have

been utilized by the far Right to advance its own agenda, which focuses on Polish ethnic identity as the paramount concern of the Polish state.

"The issues of property restitution and antisemitism are part of a larger battle which has been going in Poland since the 19th Century, which sees two visions for the country," says Gebert.

"Both visions are nationalistic because Polish independence is critical, but the question is whether the country wants an ethnic state of Polish people, or a democratic state of all citizens."

A critical question now in Poland is how successful the far Right can be in advancing its agenda of ethnic identification, and how badly this will affect sentiment towards Jews in general, as well as towards the small Jewish community in the country.

Antisemitic attitudes in Poland are already on the rise, with the ADL reporting last month a rise

from 37% of Poles in 2015 who held antisemitic attitudes to 48% in 2019, much of which has probably been fueled by the furors over the Holocaust law and restitution issues.

The concern is that the far-right parties of the confederation will drag PiS to the right on issues of property restitution, thus further fueling the antisemitic rhetoric bound up in the debate, and heightening antisemitic sentiment in the country.

"It is possible that PiS will shift rightwards," says Pankowski. "All the leaders of the main political parties need to reject antisemitic language and campaigns, but this is not happening," he says.

The confederation's legislation has no chance of passing, and neither PiS nor the more liberal and left-wing parties in the parliament support it.

Nevertheless, the confederation petition will almost certainly get its requisite 100,000 signatures, the deadline for which is January 15, which will cause

significant embarrassment to PiS when the bill reaches parliament.

The legislation will get buried in committee, but this will let the confederation accuse PiS of acting against Polish national interests.

"It will help the opponents of restitution claim that they are fighting the 'Jewish blood-suckers' – it will be a major political embarrassment," says Gebert.

If the campaign succeeds in boosting the popularity of the confederation's eventual presidential nominee, and the presidential election in 2020 goes to a second round, then this could heighten further the tensions around restitution.

"The political situation isn't getting better," concludes Gebert, asserting that antisemitism in Poland is part of the larger confrontation between nationalists and an ethnically based vision of Poland against a liberal democratic vision of the



GRZEGORZ BRAUN
(Wikimedia Commons)

country. "Antisemitism has already heightened over the property restitution issue, and attitudes towards Jews will deteriorate as long as Polish democracy deteriorates," Gebert said. "This battle isn't over yet. It won't be decided on the issue of antisemitism, but the future of antisemitism in Poland will be decided by the outcome of this battle."

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