

## THE LAST FOUNDATION OF DEMOCRACY

We are witnessing a turning point, a moment in which the parliamentary majority of Law and Justice ruling party (PiS) has crossed the line which should never, ever be crossed.

By changing the laws on the judiciary (The National Council of the Judiciary, common courts and the Supreme Court), the ruling party usurps the right to reject the idea of a democratic legal state and the separation of power.

What matters the most, contrary to the interpretation of PiS politicians, is that the ruling party has no electoral mandate to carry out such changes. In the parliamentary elections of 2015, the party had not gained the constitutional majority (307 votes) to allow for the changes to be made to the Polish political system. PiS is changing the system unlawfully, breaching the results of the elections (against the will of the party's beloved 'sovereign') and by the method of *faites accomplis*.

Legislative changes proposed by PiS are outrageous and unacceptable in any democratic state of law and order.

Their sole objective is to replace existing members of the judiciary with people who would be compliant to the ruling party. This is particularly important because of the expected rulings by the Supreme Court which may be unfavourable to the party. For example, in the cases concerning Mariusz Kaminski and Julia Przylebska.

The new laws do not contain any solutions for the improvement of the work of the judiciary. Their intended beneficiaries will be exclusively the politicians of the ruling party who crave impunity. To use their own rhetoric; they wish to be a cast above the law.

But this is not the worst. The worst thing is that every single one of us, our families, friends or colleagues – every Pole today, is getting taken away an elementary part of their freedom - the right to be heard by an independent and impartial court. The principle of a fair trial (Article 45 of the Constitution) will get destroyed by these changes and Poland itself will end in ruins, legal ruins.

So far, in order to win a court case, one needs to prove they are right. With the implementation of the new laws, this principle will not necessarily prevail and the consequences will be felt by all of us.

It is worth mentioning that our grandparents, our parents and some of us fought for the civil liberties we are now enjoying. It is our obligation and duty to defend these rights for us as well as our children and grandchildren.

For the ultimate fundamentals of freedom and democracy are the citizens. Each one of us is important, each one of us can have direct impact our common future. As long as we have faith and we defend democracy, we have hope. And, for as long as you are – the builders of civil society – Poland will not perish.

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People protest against supreme court legislation in front of the seat of the Polish Parliament, July 20, 2017. Photo by Maciej Pokrzywa