

DEMOCRACY IN THE TIME OF PANDEMIC OR ELECTIONS ARE NOT EVERYTHING

Universal elections are the pillars of modern democracy. It seems obvious that whenever we see any form of meddling with electoral processes such as vote rigging, conducting an election in the atmosphere of terror, calling off or delaying and changing the rules by the government, we immediately associate such actions with dictatorship. In modern Russia, by way of example, continued fiddling with the tenure of presidency reveals the undemocratic character of Putin's government. The election, notwithstanding the fact of it being the fundament of democracy, is not the absolute priority over everything that is happening in the state and the society. In the hierarchy of existential needs, the election certainly is not above security and health. Second to this, the process must be conducted in compliance with The Constitution. The election cannot be organised in any manner, it has to be equal, universal, direct and by secret ballot.

Going to the polls in May, the presidential election in Poland could endanger the health and lives of the voting citizens as well as that of the members of the electoral commissions. In the same way, it will be difficult to provide safety in the postal election, as the postmen would be most vulnerable, having to deliver ballot papers to hundreds of people in a short time before the election date.

Despite warnings from advisors, politicians from the PiS party have been deaf to these arguments. They put the presidential election before the safety of the citizens while calling it 'a celebration of democracy'. They forget though, that The Constitution provides for the circumstances when an election should not or even must

not take place. This happens when a state of emergency is imposed: the state of natural disaster or martial law. Elections must not be conducted not only during any of the declared states of emergency, but also in the proceeding 90 days. These 90 days is exactly what greatly bothers Jaroslaw Kaczynski.

In Poland presently no state of emergency is formally in place. We 'only' have the 'state of an epidemic' and this is not an obstacle in conducting the presidential election. This new construct was invented by the Sejm (lower house of parliament) in order to circumvent the declaration of the state of natural disaster (which by the way includes the epidemic). However, since the start of the 'state of an epidemic', the government imposes orders which curtail our civil liberties (freedom of movement, freedom of conducting business, freedom of gathering, etc.), while The Constitution indicates that these curtailments must only be introduced as full acts of law. Orders may be made, but only during the state of emergency. We therefore have a kind of exceptional emergency state. All of this with one thing in mind – presidential elections must take place in May, when Andrzej Duda still has a good chance of winning. Later, when the effects of the epidemic and the economic freeze change the moods in the society, the ratings of the ruling party's candidate will diminish a lot. Political calculations are clear, the party leaders always make these before taking decisions. However, their decisions should not overcast the principal objective set before them – to assure the wellbeing of the citizens. What does the Polish Government do in the middle of the pandemic? Instead of saving first and foremost the national he-

alth service, jobs and economy, they throw in a succession of proposals for the postal voting to make it possible to quickly win presidential elections by their own candidate.

Jaroslaw Kaczynski could not care less that this election will not be fair. Electoral campaign was formally suspended because of the pandemic and yet the president in office is ever present in the media as the one who 'soldiers on the front of the epidemic'. Kaczynski doesn't care that the election will not be universal, for how can the Poles living abroad or those who are away from home receive their ballot papers? The secret balloting is also under threat – the ballot papers will contain our personal details as well as our vote. Not to mention that this election will not be transparent, particularly because the new Chairman of the Polish Post and the Minister of Government Securities, Jacek Sasin will both have greater insights in the voting process than the National Electoral Commission.

If the voting process is supervised by the politicians of the ruling party, not independent officials, if there is no transparency of the process, because new procedures are put in place one month before the election, if the election takes longer than one day (which is against the law) and if in the end, turnout is going to be very low, who will recognise the new president elected this way?

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