
Interview: Dr. Boguslaw Banaszak

The problematic issue of Poland's files

Dr. Banaszak is a jurist and a professor of constitutional law at the University in Wroclaw, Poland. Angelika Beyreuther-Raimondi spoke with him on May 3.

EIR: The revolutions in the former East bloc countries took place with a great deal of initiative from Poland. That is why it was surprising for me to learn that there is no institution yet, which lets Polish citizens have access to their secret police files, and that Poland seems to be lagging behind other countries in working through its communist past.

Dr. Banaszak: First let me quote from the Bible: The first may also be the last. But, quite seriously: At the beginning of the Mazowiecki government, there was the “rough stroke” policy, which means that we drew a line, a stroke of the brush or pen that marks off the past, and we built the future anew. . . .

In the 1993 elections, the left came back to power. The reason for that was not that they had the majority of votes, but because the 5% threshold [to enter Parliament] was introduced. The conservative parties received [cumulatively] 35% of the vote, but no one party managed to get over 5%, and therefore could not enter Parliament. The ex-communists received 20% of the vote, and that made them the strongest party in Parliament—it was not that Poland had suddenly voted for the ex-communists.

But in this election, you can also see that it was not important to people, whether someone had been an agent or not: People elected an individual because they saw that he had adapted to new conditions, that now he spoke eloquently about the constitutional state, about the market economy, and he also took action in this direction. It is no accident, that the party elite transformed itself into a financial elite, which is the same phenomenon as we have heard about from Romania. . . .

Poland has had two generations living under circumstances which are very different from those in East Germany or Czechoslovakia. We had private agriculture, private craftsmen, private merchants, and Poland was well adjusted to the market economy. That is why hopes were so great that we would be able to take the [state-sector] businesses into our own hands.

What happened after 1989? Suddenly, the European Union was closed off to us in those very areas where we were competitive: agriculture, steel, coal. Then, of course, we tell

people, “Yes, you just talk a lot about market economy. But what is happening? The French farmers block Polish trucks with Polish meat from entering France. Where is this free-market economy?”

So people saw that the communists were a lie, but the free-market economy is not always the truth, either. And, then many people voted for the ex-communists, because they would say, maybe, they will find a “third way,” i.e., less than a totally free-market economy. We can observe the same thing in Slovakia and in Belarus—these hopes, which lead nowhere. . . .

EIR: What is happening with the files of the old regime, the party files, the state dossiers?

Dr. Banaszak: The first important thing is to allow citizens to see the files—all citizens. That is not the case now, but soon it will be possible. Why is that so important? This is something, which cannot only be important for the elite. There must be a “lustration” [ritual cleansing].

I'll give you an example, the Oleksy case and even the head of state, [Lech] Walesa, were accused of having been agents. [Prime Minister Jozef Oleksy was forced to resign in January 1996 after allegations were made against him the previous month.] So, you can say, theoretically, he is an agent, but there is no proof; and then comes Oleksy and he claims that it is just a lie. Whom should I believe? Why can't a constitutional republic prove these things through the legal system? Okay, we do not have all of the files; but, in the files we do have, we do not have Oleksy as a spy, and we do not have Walesa as a spy. Much has been altered in these files, and there was enough time to do that. Of course, this is all problematic. But, if we ignore the files completely, then that is a victory of the former secret service, because they will become important again, and they will appear as witnesses, and they can continue their manipulations.

EIR: Careful use of the files is naturally important, because they were forged and manipulated, and the Russians have used the files as blackmail material.

Dr. Banaszak: You have cited an important reason for the lustration. If we do not do that, foreign nations can always interfere. Any country can interfere in our politics; if we do not “lustrate,” then that can always happen. That is why access to the files is important. How can an individual prove that he was not a collaborator of the Stasi, if he has no access to the files? . . . Access to the files provides the possibility to defend oneself against lies about collaboration with the Stasi.

EIR: When will the draft legislation be passed?

Dr. Banaszak: Soon, I hope, but when? The next question is whether the President will veto it. The President, an ex-communist, is playing a game here. He said that we would not “lustrate” former Polish spies, i.e., agents in the West, because that would threaten our national security. . . .