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AND NOW, SHOW TRIALS IN POLAND

INTRODUCTION

A new chapter in the history of communist repression is beginning in Poland. Five political activists, closely associated with the dissident Committee for Social Self-Defense (KSS-KOR), have been singled out by the Warsaw regime for a major political "show trial." They have been charged with various crimes against the state including "making preparations for a violent overthrow of the Polish socio-political system." Conviction is pre-ordained; only the extent and harshness of the sentencing remain in doubt.

The Polish case is not unique. Political show trials have been and continue to be an integral component of the communist totalitarian model. Though show trials are more often associated with the brutal excesses of Stalin during the 1930s, their roots certainly date to the early 1920s purges initiated by Lenin. Political trials continued after Stalin and were in evidence during the Brezhnev era. Similarly, political show trials have not been confined exclusively to the Soviet Union; throughout the post-World War II period, they were found in Eastern Europe, Cuba, Vietnam, and the People's Republic of China. Such trials expose the repression that is the very essence of all communist totalitarian regimes.

The trials in Poland are the latest attempt by the Jaruzelski regime to stifle dissent and controversy, to further immobilize--hopefully eradicate--the free trade union movement, and to squelch human and civil rights organizations like KSS-KOR. These trials are gross violations of the Helsinki Accords and internationally accepted standards for fair trials. They are a further step toward repression of Polish society.

BACKGROUND

Following the industrial strikes and demonstrations during the summer of 1976, a group of fourteen leading Polish intellectuals organized the Committee for the Defense of Workers (Komitet Obrony Robotnikow, KOR) to provide legal, financial, and medical aid to workers victimized by police and security forces during the June riots. KOR also demanded an investigation of "police brutality" during and after the strikes, and petitioned the government for a general amnesty for those interned that summer.

The first fruits of KOR's activity became apparent in January 1977 when party boss Edward Gierek promised to pardon the detained workers; he did so in July. In the meantime, the regime initiated a campaign of intimidation and harassment of KOR members; several members and supporters repeatedly were detained and their homes searched.

A new chapter in KOR's history began in September 1977. The committee decided to rename itself "The Committee for Social Self-Defense--KOR" (Komitet Samoobrony Spolecznej, KSS-KOR) and to broaden substantially the original scope of its human rights activities to include all victims of official repression. At the same time, some members and supporters began an independent, unofficial workers' newspaper, Robotnik ("The Worker"). The ideas and principles first promoted in Robotnik were to have a formative effect on many of the emerging labor union leaders.

During the summer 1980 wave of strikes in Poland, KSS-KOR functioned as a strike information agency and then as a contact center for various strike committees. Though KSS-KOR was not responsible for the strikes, the government accused the committee of "anti-social behavior" and exploiting workers' grievances for their own subversive ends.

By the end of August, 28 of the 33 committee members either had been detained or arrested. Among the 21 demands presented by the Gdansk Interfactory Strike Committee was a call for the immediate release of all political leaders, including those from KSS-KOR.¹ The release was accomplished on August 31, the date the Gdansk Accord was signed.

The most significant accomplishment of the Gdansk agreement was the emergence of the independent trade union movement, Solidarity. Though no formal linkage existed between the two organizations, many KSS-KOR members acted as advisers to specialized groups in Solidarity. From the outset, KSS-KOR leaders fashioned a program that emphasized maximizing results on minimum demands. This meant, as Anna Sabbat, a specialist on Polish Affairs for

¹ Demand No. 4b. For an English translation of the 21 demands, see Karol Bartkowiak and William Scully, "The Economic Roots of the Polish Revolt," The Heritage Foundation Backgrounder No. 133 (February 17, 1981), pp. A1-A2.

Radio Free Europe Research, has stated, "acting within the political system and accepting its limitations, rather than trying to undermine it or overturn it."² But this fact has been overlooked in the campaign of disinformation and vilification waged against KSS-KOR by Polish, Soviet, and East European media.

On September 28, 1981--the third day of Solidarity's first national congress in Gdansk--Professor Edward Lipinski, dean of Polish economists and a member of KSS-KOR's Helsinki Monitoring Commission, announced that the committee had served its purpose and that the time had come to disband. With Solidarity now firmly on the scene, the Committee for Social Self-Defense became superfluous.³ Though the group disbanded, the virulent propaganda campaign against it continued unabated and even intensified after the declaration of martial law on December 13, 1981.

On August 31, 1982, the second anniversary of the Gdansk agreement, Poland was gripped by widespread turmoil, public agitation, and numerous bloody clashes between security forces and the population. The following day, government authorities sought to place blame for "these irresponsible occurrences and adventures" on "internal and external inspirers." These included foreign broadcast institutions, particularly Radio Free Europe, and "extremist activists and ideologists of the anti-socialist opposition, especially KSS-KOR."⁴

On September 3, government authorities announced that four already interned members of KSS-KOR had been arrested, and charges were preferred against two committee members currently out of the country and one who was in hiding in Poland. According to official statements, these individuals were charged with "making preparations for a violent overthrow of the Polish socio-political system." If convicted, they could receive a minimum sentence of five years' imprisonment or a maximum sentence of death.

² Anna Sabbat, "The Independent Labor Union Movement and KSS 'KOR'," RAD Background Report/232 (Poland), Radio Free Europe Research (October 6, 1980), p. 4.

³ Cf. Ewa Celt and Anna Sabbat, "KSS 'KOR' Disbands: Five Years in Retrospect," RAD Background Report/284 (Poland) Radio Free Europe Research (October 6, 1981).

⁴ The same accusations were repeated in Moscow by Pravda on September 3, 1982. In part, the Pravda article read: "Assessing the new instances of interference by Western subversive centers in internal Polish affairs, the Military Council for National Salvation pointed in particular to the subversive activity of Radio Free Europe, which uses gangster methods to incite people into antistate demonstrations and then disseminates phony information about them. The ideologists and extremists of the antisocialist underground, primarily from KSS--KOR are acting in unison with Radio Free Europe." This excerpt appeared in FBIS, Daily Report (Soviet Union), Vol. III, No. 174 (September 8, 1982), p. F2.

THE DEFENDANTS

Though charges were preferred against seven individuals, the trial is being confined to five. Zbigniew Romaszewski, a member of KSS-KOR since 1978 and director of its Intervention Bureau, was separately tried and convicted to four and one-half years imprisonment for his involvement with Radio Solidarity. Mirosław Chojecki, a chemist and Director of the underground Nowa publishing house, remains outside the country.

Those on trial are:

- o Jacek Kuron, 48, a sociologist and a dissident Marxist. A former Communist Party official, he was expelled from the Party and imprisoned for 3 years in 1964 when he coauthored (with Karol Modzelewski) an "open letter" to Party members charging Party chief Władysław Gomułka with exploiting the working class. As a participant in the 1968 student strikes, he was jailed for another three and one-half years. Considered a principal figure in KSS-KOR, he was incarcerated during the summer of 1980 and his release became a principal issue during the Gdansk strikes. He, like the other four, has been interned since December 13, 1981, the day on which martial law was declared.
- o Adam Michnik, 35, is a prominent Polish historian. His involvement dates from the mid-1960s when he was jailed for two months in connection with the Kuron-Modzelewski letter. Like Kuron, he was imprisoned for three years for his involvement in the 1968 student strikes.
- o Jan Josef Lipski, 56, is a scholar, writer, and literary critic. One of the principal founders of KOR, and a member of the Warsaw Regional Board of Solidarity, he was arrested and charged with organizing an anti-martial law strike in December 1981. His subsequent trial was interrupted in 1982 so that he could receive medical treatment in London. Upon his return in early September, he was charged with crimes against the state along with the other defendants.⁵

⁵ According to Committee in Support of Solidarity REPORTS, Issue No. 2 (May 19, 1982), pp. 14-15, the following members of Lipski's family are also detained: Maria Dmochowska, M.D. (sister), arrested in December 1981; Jan Tomasz Lipski (son), sociologist, interned December 1981; Agnieszka Lipska-Onyszkiewicz (daughter), psychology student, interned since February 1982; Wojciech Celinski (nephew), surgeon, interned since December 1981; Andrzej Celinski (nephew), sociologist, interned since December 1981, Wojciech Onyszkiewicz (son-in-law), escaped arrest; Roman Lipski (father); and several others.

- o Jan Litynski, in his early 30s, is a prominent mathematician who gained fame through his editing of Robotnik.
- o Henryk Wujec, 41, is a physicist who lost his job at a semiconductor factory after he joined KOR. He helped Litynski edit Robotnik.

The possible motives behind such a show trial are both varied and plentiful: punishing KSS-KOR for its active and successful criticism of past official policies; driving a wedge between intellectuals and workers by persuading the latter that KSS-KOR manipulated Solidarity into a political, counter-revolutionary force; further intimidating the public that any opposition to government policies will be severely punished; expunging all human rights organizations, particularly those that monitor the Helsinki agreements; seeking a scapegoat for current economic ills; and accommodating Moscow which finds KSS-KOR a proverbial thorn in its side. Relative to the last point, KSS-KOR published a document on September 17, 1980, the fortieth anniversary of the Red Army invasion, accusing the Soviet Union of genocide in Poland and demanding the appointment of an international tribunal to investigate Soviet war crimes.

The charge that these five had made "preparations for a violent overthrow of the Polish socio-political system" is without merit. Neither KSS-KOR as an organization nor any of these individuals has ever advocated the independence of Poland through terrorism or force or even a change in the system of government.

POLITICAL TRIALS AND INTERNATIONAL COMMUNISM

Totalitarian revolutionary regimes must have opposition; as Professor Peter Moody states, they need "enemies to suppress, the suppression of enemies keeping alive (their) dynamism."⁶ The history of the international communist movement is replete not only with a host of oppositional figures and groups but also with a wide variety of instruments, both legal and extralegal, to deal effectively with such "counter-revolutionary" occurrences. One particularly effective instrument of suppression has been the "political trial."

Mass terror was the principal instrument of oppression during the Russian civil war, but during the early 1920s it came to be replaced by "show trials." The most memorable of these trials was conducted in 1922 against the "Social Revolutionary Centres." The trial was marked by prejudicial campaigns, the use of agents-provocateurs, and the notable absence of defense lawyers.⁷

⁶ Peter R. Moody, Jr., Opposition and Dissent in Contemporary China (Stanford: Hoover Institution Press, 1977), p. 239.

⁷ Cf. Robert Conquest, The Great Terror; Stalin's Purge of the Thirties (Toronto: The Macmillan Company, 1968), p. 549. See also Aleksandr I. Solzhenitsyn, The Gulag Archipelago (New York: Harper & Row, 1973), pp. 352-4 and 354-367 for greater details on the trial.

The next great wave of show trials opened on May 18, 1928, with the Shakhty case. It lasted till mid-July. Fifty Russians and three German technicians and engineers in the coal industrial city of Shakhty were charged with sabotage and espionage. Stalin's motive was to discredit the Bukharin line of peaceful cooperation with non-Party specialists and to "prove" that the class struggle was getting sharper.⁸ Ten of the prisoners made full "confessions"; six others, partial ones. No other evidence was produced. The written confessions implicated all those present, including some who had not confessed. One of the accused did not appear in the dock; he had, his counsel explained, gone mad. Another failed to appear later on during the trial; it was announced that he had committed suicide. No other evidence was produced. Eleven death sentences were announced; six were commuted because of the prisoners' cooperation.⁹

With the Shakhty trial, Stalin had created a model for the later purges--there was no witness who was not himself a prisoner, no documentary evidence was produced, confessions were the leitmotif.

Show trials continued during the early 1930s. These "judicial proceedings," however, were but a prelude and a rehearsal for the Great Purges of the late thirties. Among those standing trial were all the members of Lenin's Politburo, except Stalin and Trotsky, who, though absent, was the principal defendant. The charges leveled were "shameless inventions based on a grotesquely brutalized and distorting anticipation of possible developments."¹⁰ The accused were charged with espionage, wrecking and undermining Soviet military power, provoking a military attack on the USSR, plotting the dismemberment of the state, and the overthrow of the social system in favor of a return to capitalism.¹¹ The trials were a sham; brutally extracted confessions, unverifiable evidence, and incessant badgering of the accused were their hallmarks. Most of the accused were summarily executed; a few escaped by being condemned to penal servitude. Stalin's objective was simple: to decimate any opposition to his rule, whether real or potential.

The orgy of political terror was staggering. Isaac Deutscher wrote that thousands had been sentenced to death and hundreds of thousands to prison and concentration camps,¹² but these figures seem excessively conservative. Robert Conquest, in his monumental work The Great Terror, notes that at least one million were executed, millions were arrested, and certainly over ten million were assigned to prison and labor camps¹³ during the "Great Purges" of the thirties.

⁸ Conquest, op. cit., p. 550.

⁹ See also Solzhenitsyn, op. cit., pp. 373-376.

¹⁰ Isaac Deutscher, Stalin, 2nd ed. (New York: Oxford University Press, 1966), p. 377.

¹¹ Conquest, op. cit., pp. 368-369.

¹² Deutscher, op. cit., p. 380.

¹³ Cf. Appendix A, "Casualty Figures," in Conquest, op. cit., pp. 525-535.

In the immediate post-World War II era, Stalin resorted once again to mass terror and show trials in an attempt to impose ideological conformity and a monolithic unity on the fledgling East European communist states. In September 1949, Laszlo Rajk and other Hungarian party and army functionaries were accused of ideological "deviationism" and treason, tried, and executed by garroting. In December of the same year, Traicho Kostov, and other high Bulgarian officials were similarly tried and executed. During the course of the next three years, a pandemonium of show trials and mass terror raged over Eastern Europe.¹⁴

The most famous, and last, of the East European trials occurred in 1951-52 in Czechoslovakia. Rudolf Slansky, Deputy Prime Minister, and Vladimir Clementis, Foreign Minister, and a host of others were accused of being Trotskyites, Titoists, and Zionist-American spies. On December 3, 1952, eleven of the defendants, including Clementis and Slansky, were hanged. Over half of the 97 members of the Czech Communist Party Central Committee were purged, as were six of the seven members of the Secretariat.

Although mass terror and show trials have been less conspicuous in the post-Stalin era, repression of groups and individuals has not ceased or even slackened. The Khrushchev years saw new campaigns of harassment and persecution against members of Christian and other religions as well as attempts to assimilate all national minorities into the Russian nation.

Khrushchev shied away from attacking prominent members of the intelligentsia, but this certainly was not the case with Leonid Brezhnev. Since 1968, the Soviets have intensified their efforts to silence any and all forms of dissent: "Helsinki monitors" (unofficial groups trying to monitor Soviet compliance with the human rights provisions of the Final Act of the 1975 Helsinki Conference on Security and Cooperation in Europe); critics of Soviet nationalities policy in the non-Russian Soviet Republics; advocates of political independence; and religious groups, particularly Baptist, Seventh-Day Adventist, Pentecostalist, and Russian Orthodox. Among the prominent individuals persecuted have been Dr. Andrei Sakharov, Anatoly Shcharansky, Yury Orlov, Alexander Ginzberg, to mention but a few.

Trials, terror, and repression are not the legacy of the Soviet and East European states alone; they extend to other communist states as well. Consider the excesses and trials

¹⁴ It is generally estimated that about one of every four Party members in Eastern Europe was purged. Zbigniew K. Brzezinski, The Soviet Bloc: Unity and Conflict, rev. ed. (New York: Frederick A. Praeger, 1961) cites the following purge figures: Poland: 370,000; Czechoslovakia: 550,000; Rumania: 200,000; Hungary: 200,000; East Germany: 300,000, Bulgaria: 90,000, p. 97.

associated with the Cuban revolution, post-1975 Vietnam, and the People's Republic of China.

POLAND TODAY: STALINISM REDIVIVUS

On the morning of December 13, 1981, General Wojciech Jaruzelski announced over the national airwaves that "Poland was on the edge of an abyss" and fast approaching a national catastrophe. To counter this, a Military Council of National Salvation had been formed and a "State of War" (martial law) had been decreed from midnight, 12 December.

With that declaration, a brutal wave of repression descended on Poland. Water cannons, truncheons, tear gas, "hot irons," blackmail, loyalty declarations, draconian sentences, summary trials, detention centers, senseless beatings, murder--all have become the rule, not the exception.

Over the past year, thousands of Poles have been sentenced to prison terms ranging from three to ten years for various violations of the martial-law decree.¹⁵ Thousands more were "interned indefinitely without charges." Tens of thousands were fired from work and were deprived of the basic means of subsistence. On October 25, the Polish Parliament adopted an "anti-parasite" law, which forcibly drafts and punishes unemployed workers.

Though the Jaruzelski regime announced, on the first anniversary of martial law, that the main rigors of martial law would be discontinued by the end of 1982, the new regulations on freedom of movement are hardly less stringent than martial law itself. The trials of Michnik, Kuron, Litynski, and their colleagues will proceed as promised. They bear bitter testimony to the determination of Moscow and Poland's military rulers to repress any Polish strivings for liberty. They are testimony also to the Stalinist methods that survive within these communist regimes.

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¹⁵ Examples of draconian sentences include: one to eight years for disseminating information which "weakens the defense capability of the Polish People's Republic"; six months to five years for disseminating "false information which may cause public anxiety or riots"; up to five years for producing, collecting, transporting or carrying such information; and one to ten years for the use of printing equipment to disseminate information.