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Munich, April 2, 1962 (Research and Evaluation/Polish Unit - AFD) -- On 29 March 1962 the Polish parliament (Sejm) passed a new law on assemblies and gatherings, which replaces the previously binding law of 1932.

As is usual with measures not popular with the population, the new law was never fully discussed in the press and radio. Hence, in spite of many foreign correspondents' reports it is difficult fully to assess the changes. One thing however emerges clearly: that the freedom of religion in Poland has been further restricted.

The old 1932 law recognized four basic features of assemblies and gatherings and set different conditions for various types of meetings. These four features were: a) meetings in closed premises; b) in open spaces; c) public meetings opened to everybody; d) meetings restricted to persons either personally known to organizers or being registered members of an organization. Public meetings which were open to everybody but held in closed premises could be organized without permission; the authorities had simply to be notified that they were taking place. Public meetings in the open had to receive permission from the authorities. In both cases a representative of the authorities could be present at the meeting. Meetings restricted to persons known personally to the organizers or limited to members of an organization did not require any notification or permission. Religious activities were exempt from the provisions of this law.

This law of 1932 has been in force till now, although a revision in 1949 did affect the freedom of religious meetings. It stipulated that whereas previously functions inside churches and weddings and funeral processions remained entirely free from authorities' supervision, the Corpus Christi processions had to be cleared in detail with the appropriate authorities.

As stated the exact extent of the changes now introduced is not yet known. Ostensibly the reason for the change was to relieve the authorities from the burden of having to issue a vast number of permissions. The old law required permission or notification of any meeting in the open, or public meeting in closed premises, thus including countless rallies organized by regime agencies. The new law contains the list of organizations, such as

political parties, trade unions, "units of socialized economy", etc., which are now exempt from having to ask permission or give notification.

It also contains a precise definition stressed by the press, of what an assembly, under the new law is. It is any type of lecture, as well as pilgrimages, and processions. This puts under official control and dependent on official permission the two most vital features of church activities. It was this new point which roused the controversy in the Sejm. On the holding of discussion groups the law, as is known, is not clear, hence it is not possible to say at present how justified fears of the UPI correspondent are, that "the law also could hamper discussion groups organized by the church".

But that new law was seen as a threat to the Church by all Catholic groups is shown by a united Catholic opposition in the Sejm. Konstanty Lubienski of the "Znak" group, complained of its vagueness, pointed out its "damaging" provisions, and asked unavailingly that it be returned to the committee for further discussion. According to foreign correspondents' reports all members of the three Catholic groups either opposed or abstained. "Znak" members voted against it while the "Pax" and "Christian-Social Association" abstained (cf. "Frankfurter Allgemeine Zeitung", 31 March 1962). The figures (four and five votes respectively) show that two members were absent. Furthermore, according to Stehle, about half of the non-Party deputies present left the sitting before the voting took place, thus also showing their disapproval.

The most important and interesting point is the fact that all members of "Pax" and the "Christian-Social Association" abstained from voting. Not so long ago, when the law on abolishing two Catholic holidays was under ballot, Jan Frankowski, the leader of the "Christian-Social Association" voted for it (cf. "Express Wieczorny", 17 November 1960, Item No. 3681/61).

At just about the same time as the passage of the law on gatherings the new letter of Cardinal Stefan Wyszynski to the Marshal (Speaker) of the Sejm was reported. The first letter delivered last year called for a Parliamentary Enquiry Commission into the Church-State relations. That was rejected by the Marshal. The second letter challenges the Marshal's statements and once more calls for a commission.

Such a letter of complaint and such demonstrations of opposition in the Sejm are a feature of Polish public life which are unknown in the rest of East Europe. In the former parliament, apart from Catholic deputies there were several outstanding, really independent, non-Party members. These were not reelected to the present Sejm and the body of 38 non-Party members is now less colorful. But as shown in the present controversy, "Znak" is still capable of a show of disapproval. The "Znak" group within the last two years has registered four negative votes and eight abstentions, and in many cases individual members of the "Znak" group have voted against measures or abstained from voting.

This token opposition does not of course affect legislation which is always passed by the official majority, but it certainly influences public opinion. Thus the present law on assemblies shows the negative and still positive aspects of Poland today -- a retrogressive measure against the Church and the continuance of the possibility for some (loyal) opposition to exist.

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