

Bulletin

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Our Battle Continues

Chronicle of Resistance

A Trade Union Law?

Victims of War

Why Walesa Was Freed

Anatomy of a Strike

Our Goals: Independence and Democracy (Letter from Frasniumk)

STATEMENT OF PUBLICATION

Since the last issue of the *SOLIDARNOSC BULLETIN* was published (August 1982), the communist-military regime in Poland has intensified its campaign to repress the workers' movement. Although General Jaruzelski has tried to appease public opinion in the West by "suspending" martial law, it is clear that martial law has simply been replaced by statutes that legalize and institutionalize its most oppressive features.

The demonstrations of August 31, called by the national Solidarity leadership (see page 9), were large and successful, and the spontaneous strike actions following the outlawing of Solidarity on October 10 (see page 8) convinced the authorities that their previous efforts to quell the demands for freedom had not been sufficient. In preparation for the general strike called for November 10, they began to expand those efforts in order to thwart the strike and break Solidarity's resistance once and for all:

☐ Thousands of workers were conscripted for military service, either arbitrarily or as punishment for participating in protest activities. They were sent to special military camps, which are guarded by security forces. (For example, six hundred workers from the Nowa Huta Shipyards were taken to military camps on November 10.)

☐ Deploying ZOMO police (the notorious special security forces) and soldiers inside factory grounds to prevent workers from participating in the general strike.

☐ Firing and arresting more and more workers for "continued union activity." Five to ten thousand people are in jail, and tens of thousands are unable to obtain work—thus becoming subject to Poland's new "parasite" law. (See the text of the "Law on Notorious Job Shirkers," page 15.)

As a result of these measures, the Solidarity movement's attempt to extract a significant compromise from the government through its own intensification of pressure—i.e., the call for the general strike—was not successful. (See "Why the Strike Failed," page 4.)

Moreover, when the Parliament passed the law "suspending" the rule of the junta (the Military Council for Nationalization, or WRON), at the same time it kept in force the very measures brought into being by military rule: the militarization of factories and mines, (subjecting workers to military discipline), complete powers of arbitrary arrest without provisions for *habeas corpus*, the continued use of military courts to try cases involving "public order, security, and national defense"—verdicts by military courts cannot be appealed—complete powers of censorship, wiretapping, and confiscation of correspondence, the restriction of travel, and others. All of this is in addition to the new trade union law, which out-

lawed Solidarity and all free unions (see page 16), the censorship law, the law on Public Order at Universities, the law on "juvenile delinquents," etc.

Throughout this period, however, while the government has been tightening the screws on opposition activity, the Polish people and its workers' movement have shown astonishing vitality and will to resist the rule of terror. Resistance to the regime is not only widespread but it has become a routine part of people's lives. Workers are almost universally boycotting the new official trade unions, despite coercion. Solidarity still holds the allegiance of the vast majority of the Polish people; it is a common practice to pay union dues (two percent of wages) to the underground Solidarity structures, which have been established at almost all work places. Various underground organizations have been formed.

As we know from the underground press—which has more than four hundred publications—the Solidarity movement understands that its struggle will be long and difficult. (See Wladyslaw Frasyniuk's letter to union members, page 3, and "The Underground Society," page 11.) New ideas, strategies, and tactics are being discussed throughout the country.

At a time when the Polish people are struggling under the most grueling conditions to keep the cause of freedom alive, it is essential for the American public to be informed about their heroic resistance, and to continue their support for the Free and Independent Trade Union, Solidarity.

The *SOLIDARNOSC BULLETIN* is published by the Committee in Support of Solidarity, which has compiled the most complete documentation available in the United States on the situation in Poland under martial law from the underground Solidarity press, from eyewitnesses, and from the official Polish media. The *BULLETIN* is published in cooperation with the League for Industrial Democracy, which also publishes a journal of analysis, *Workers Under Communism*, in cooperation with the International Labor Program at Georgetown University.

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Solidarity Underground

A Letter from Wladyslaw Frasyniuk to Union Members

Our Goals: Independence and Democracy

Wladyslaw Frasyniuk, one of the most important underground leaders, wrote this open letter to union members before he was arrested in October. It was printed in the underground paper *Z Dnia Na Dzień*. Frasyniuk, a member of the Temporary Coordinating Commission under martial law, was arrested on October 5 and sentenced to six years' imprisonment.

UNDER OUR SYSTEM OF GOVERNMENT, POLITICAL AUTHORITY is not a result of choice, and therefore it is illegitimate. Both the Parliament, whose members are nominated by the party, and the executive authority—the government—are illegitimate. The military-party junta of General Jaruzelski is especially without grounds in law, since it is based on the blatant usurpation of power, and so far has not even been disguised by a farcical election. It was merely confirmed after the fact by the puppet Parliament, which could do so only by contradicting its own laws.

The basic paradox of the state of war consists in the fact that an illegal authority, lacking any social mandate, has suspended a union of ten million people, a union that was legal because it was based on authentic elections. Attempts to intimidate the nation led to the loss of almost all support for the regime. The difficulties of the regime are clearly visible in its hopeless efforts to organize front groups to support it, such as social committees. This does not mean, however, that a single heroic national effort would be sufficient to change the situation dramatically in our favor. If we are aiming at permanent social and political change, and not just a momentary victory, years of persistent struggle still lie ahead.

During the first period of its existence as an independent trade union acting openly in a totalitarian system, Solidarity liberated impulses of social initiative, taught people the forms of self-organization, and created permanent links among different social groups. In its present, post-December, period Solidarity directs the resistance and builds underground organizational structures. Today we face two possibilities: either we find enough strength to resist the system and to gradually win full social self-government, or we turn into another front organization that recognizes all the most mendacious aspects of the system. Choosing the second path would mean betraying fundamental values such as freedom, social justice, and independence of individuals, groups, and the state—values that our entire social movement serves. The hope that we might quickly gain opportunities to conduct open and independent trade union activity within the framework of the same political system is a dangerous self-deception, which deprives us of the motivation for a long-term struggle. Our opponent did not introduce the state of war in order to retreat now of his own will. The struggle to resume the union's normal activity must be equivalent to pressure for gradually eliminating the dictatorship of the party.

A successful struggle for full self-government de-

mands the exposure of the basic falsehoods on which the present dictatorship is based. The thesis that the party represents the working class is the first such falsehood. Another is the electoral farce and the Parliament, which is not elected and does not constitute the highest authority of the state. The fiction of the independence of the highest representative body includes the fiction of independence of all representative bodies down to the lowest levels. Honest elections to the Parliament and to all other representative bodies are the basis for genuine self-government. The struggle for free elections, for a government that legally represents society, must be clearly defined as the primary means for the achievement of our main goal. By relinquishing such a struggle, we contribute to the most essential falsehood of our system. To renounce the struggle for social self-government would lead to the degeneration of our movement, to its complete breakdown, or to an explosion.

Full independence is our primary goal. Its realization requires a struggle for more immediate, partial, goals. And during this struggle we can negotiate with the authorities. Some people believe that if one refuses to recognize the basic legitimacy of one's opponent, it will be impossible to talk to him. But this need not necessarily be so. It is known that opponents occasionally talk to one another because the situation forces them to do so. Wartime negotiations can serve as an example. After all, we also have a war. Despite the fact that we deny the authorities their legitimacy, we can negotiate as two real forces. It is necessary to create a situation in which the opponent is interested in negotiations. Attempts to reach an agreement after submitting lists of concessions will certainly not succeed. Such actions only strengthen the position of the opponent and weaken our movement. Partial concessions from the authorities can be won only as a result of various forms of pressure, which must be based on an underground society organized in various circles, groups, and work places. Only the systematic harassment of the opponent, supplemented when necessary with strong protest actions throughout the entire country (strikes, street demonstrations), can create a balance of forces in our favor.

Some permanent forms of pressure are:

- ☐ resisting all violations of the rule of law, and defending those who are persecuted;
- ☐ condemning acts of collaboration;
- ☐ spreading information and conducting propaganda campaigns among groups that are the chief bastions of the regime, such as the police, the army, the party apparatus, and the justice system;
- ☐ exposing lawless acts before the society.

The organizing of different forms of pressure by particular groups and trades is a necessary element of the building of self-government. Publishing programs of action—taking into account the special situation of a given milieu—is the civil and moral duty of all social groups.

Wroclaw, September 23, 1982 Wladyslaw Frasyniuk

Why the Strike Failed

On November 13, 1982, the Regional Coordinating Commission (R.K.W.) of the Gdansk region issued a statement on why the strike of November 10, called to protest the dissolution of Solidarity, had not succeeded as planned.

The members of the R.K.W. are: Bogdan Lis, also a member of the T.K.K.; Bogdan Borusewicz, a member of the Presidium of the Gdansk region from September 1980 to June 1981 and a founding member with Lech Walesa of the Committee for Free Trade Unions in 1972; Aleksander Hall, a co-founder of the Movement of Young Poland and the journal *Bratniak*, and Leszek Świddek.

THE PROTEST ACTION CALLED FOR BY THE GDANSK R.K.W. set for November 10 failed. It was the first such defeat for underground Solidarity.

The following are, we think, the reasons for the strike's defeat:

First: The regime took unprecedented preventive measures that included:

- Drafting into the army and ZOMO police about

a thousand workers from the major shipyards and factories in Gdansk and Gdynia, and threatening to draft workers who participated in strikes or were otherwise marked by management:

- Preventive internments;
- Introducing military and police patrols within the factory and shipyard grounds;
- Threatening workers with harsh prison terms or dismissal from work;
- Distributing fake "Solidarity" leaflets printed by the authorities that called off the strike;
- Deploying more police at the places designated by Solidarity as rallying points for demonstrations.

Second: The Primate of Poland took a negative attitude toward the protest actions called for by the T.K.K.

Third: A short amount of time passed between the spontaneous general strike in Gdansk that took place right after the delegatization of Solidarity on October 10 and the strike protest on November 10.

Under these conditions, it was extremely difficult to respond successfully to the T.K.K. appeal.

What Do We Fight for?

This is from the 76th issue of *Z Dnia Na Dzien* (From Day to Day), the underground Solidarity bulletin of the Wrocław Region.

THE SOLIDARITY FACTORY COMMISSION AT THE ELWRO plant in Wrocław issued the following:

WHY ARE WE FIGHTING?

- To let Poland be Poland.
- To win.
- To defend the weakest among us and those who are suffering poverty, hunger, and imprisonment.
- To restore the civil and national rights that have been trampled upon.
- So that we don't allow ourselves to become enslaved.
- To remain faithful to the tradition of our forefathers: "For your freedom and ours."
- To show the world that one can and must fight evil.
- So that we don't lose ourselves in passive resistance.
- To reach a just social accord.
- To preserve our dignity.
- To live like free people.
- To be able to say to the young generation that they are working for their country and for themselves.
- So that Poles may be brothers to each other, and not their executioners.
- For an independent and democratic Poland.
- To let the truth be told about Polish history.
- So that all citizens may be equal before the law that is the law for all.
- For independent, free, and self-governing trade unions and scientific, artistic, cultural, and youth organizations.

"Premeditated Murder"

The ZOMO killed at least three people in Lubin, a copper-mining town in southwest Poland, during the August 31 demonstrations. An unknown number of people were wounded. The following are eyewitness accounts of events of August 31 that appeared in *Solidarnosc Zagłębia Miedziowego* (Solidarity of the Copper Mine Region), No. 39, September 14, 1982.

I WALKED BY THE POST OFFICE, PASSING A PATROL, WHICH marched calmly by; nobody attacked it. When shots sounded I was convinced they were blanks; even when I heard the scream, when I saw a man falling down, I still thought he had just stumbled. With horror I saw his shirt turn red. I saw one man in the patrol reloading the magazine—was it he? It was a premeditated murder, coldly calculated by "the forces of order, which decisively intervened in order to prevent provocations"—according to the official communiqué. . . .

AFTER THE CROWD IN THE MARKET SQUARE WAS dispersed I found myself among a small group of people in the square behind the Small Church. With horror I saw a police van driving full speed straight at us. We scattered, looking for shelter. When I turned around I saw the van chasing in circles after a young man who was trying to get away. Suddenly a hand appeared in the van's window and a shot was heard. The boy threw his hands up and fell, he was still trying to escape on hands and knees but the car was faster. It ran him over, stopped, and ran over him once again in reverse. A moment passed before I realized I was screaming: "Murderers!" . . .

On September 1 our children went to school. They saw, they heard, they know. This knowledge is forever. The town is full of people, and most of them were at the scene of the carnage. . . .

Why Walesa Was Set "Free"

Upon the release of Lech Walesa and the announcement of an agreement on the Papal visit, a Solidarity member writing under the initials B. K. wrote an article discussing what the authorities hoped to achieve with these moves, and the meaning of Walesa's release for the Solidarity movement. This article appeared in the forty-first issue of *Tygodnik Wojenny* (War Weekly), published in Gdansk, November 25.

WALESA'S RELEASE PROVIDED STIFF COMPETITION FOR the changes at the Kremlin in Western mass media. Numerous media commentators see in this act a beginning of a political change of course by the authorities, a step undertaken by the government in the direction of a more or less authentic accord with Polish society. On the other hand, the press spokesman for that very government [Jerzy Urban] repeats again and again that Walesa is a private citizen, that Jaruzelski has no intention of having any conversations with him, and that he was released because the authorities do not think he will be troublesome. It seems that Urban is closer to the truth than the commentators who wish that the Polish question could be regarded as solved—or, if not solved, then at least progressing in the right direction.

It seems, however, that the authorities treat the freeing of Walesa as a tactical move, a price to pay while bargaining with the Episcopate. For months, the release of Lech Walesa was one of the fundamental demands of society; at the same time such a step had humanitarian significance. The authorities decided it was worth the risk when the time came. But what was supposed to be a first step toward defusing the situation is, for the government, only an isolated move.

The publication of Walesa's letter requesting talks [in the official press] was perceived by some as the authorities' intention to conduct such talks; however, in their view the matter was exhausted by Walesa's meeting with Kiszczak [the Minister of Internal Affairs]. During his journey from Arłamowo [where Walesa had been interned since June] to Gdansk, Walesa was merely instructed by public prosecutors what was permissible and what was not under the state of war.

It turned out that nothing is allowed. The junta assumes that the Walesa who sits at home and talks to foreign journalists does not pose any danger to it, and, to the contrary, provides the junta with a good reputation. Probably no one in the government is so naive as to believe that Walesa will allow himself to be bought by a spurious initiative like the Citizens' Committees for National Salvation (OCHON) and the Patriotic Movement of National Rebirth (PRON), or fake trade

"Since the imposition of martial law and the coup d'état of the Military Council for National Salvation (WRON), the regime has initiated numerous citizens' or social movements for 'national salvation,' such as OCHON and PRON, in an attempt to create some sort of social base outside the Communist Party. During the Parliamentary debate on the new law governing trade unions, one of the few deputies who argued against it, Janusz Zabłowski, said in his speech: 'WRON, OCHON, PRON—why do we have these committees for the salvation of the nation when it is the state that is broken and needs to be fixed?'"

unions." However, it is hoped that his release will act as a break on the activity of underground Solidarity; after awhile, when it turns out that Walesa is unable to do anything, his prestige will diminish and society will be split, in part because of the issue of Walesa himself, and thus it will be deprived of a leader while the government gets rid of a dangerous opponent. His internment only exalted Walesa's role, hence they are trying to take care of him in a different way.

This idea of the government's is not unfounded; however, that does not mean that it will prove correct. These plans can be frustrated. It depends on Walesa himself, and even more on the society. Indeed, Walesa is a common citizen like any of us, but he is also the citizen who was elected the leader of a ten-million-member organization and who has the support of the majority of the people. He enjoys no royal rights, but his support counts for more than the pseudo-legality of Polish communist authorities. His strength depends on his support. The authorities hope that, without the union, without the possibility of public action, Walesa will not be a threat. This may come about unless such plans are frustrated. It is possible that workers will do what a "private citizen" in Gdansk tells them to do, and not what the authorities using their apparatus of terror demands that they do.

Surely Walesa will not create a miracle. He won't do for us what we need done. This task belongs to the society at large, which should not expect too much from Lech. However, if he asks for support, if he proposes an action, even a very modest one, and it is obeyed voluntarily, then this will demonstrate that the government is dealing with a united society, organized in spite of everything, a society with a leader to express the people's desires.



Drawing by Andrzej Dudziński. Reproduced with permission.

"In Poland Anyone Can Become a Prisoner"

Editor's Note

According to Solidarity and Church sources, five to ten thousand people are still in prison who either have been sentenced to violations of martial law or are awaiting trial on such charges.

Although the Polish government announced that some of the interned—those detained without charges—would be released after the "suspension" of martial law, there has been no amnesty granted for those sentenced or in pre-trial detention. People continue to be arrested, among them many of the internees who have been released.

The government spokesman, Jurek Olski, recently admitted for the first time to Western reporters that upwards of fifteen hundred people were imprisoned on charges of violating martial law decrees.

However, official government statements of civilian and military prosecutions throughout the last year make clear that the regime has sentenced at least five thousand to prison terms ranging from one to ten years.

An Appeal for Political Prisoners

Today in Poland everyone can become a political prisoner. Poland's folk hold underground activists and demonstrators round up in the streets, organizers of the December strikes, and students caught with but a single flower, workers denounced by factory informers, members of KOR (Workers' Defense Committee) and K.O.N. (Confederation of Independent Poland), and high school students accused of participation in terrorist organizations.

It is not known exactly how many prisoners there are; estimates suggest that there are between 2,000 and 3,000 sentenced and between 2,500 and 3,000 people under investigative arrest (awaiting trial).

Prisoners in Poland have no rights. Society has no control over what happens behind bars. "Parovoz" is suspended; despite repeated efforts over many months, neither representatives of the Episcopate nor the Primate's Assistance Committee nor representatives of the International Red Cross have been allowed into jails. Under these conditions, functionaries of the People's Militia, the Security Services, and the prison administration are free to act with impunity. They can act lawlessly and with hostility, leave those who are seriously ill without medical help, beat and torture prisoners, maliciously impose stricter prison discipline, and generally make prison conditions worse.

Prisons are designed to crush people both physically and psychologically. The worst thing for the prisoners is the feeling of isolation and abandonment. This is more difficult to endure than hunger, dirt and cramped conditions. The weeks in and prisoners get no mail. They are left only with the lies of the prison intendant and of their interrogators. Confiscation of letters, cancellation of visits, and detention in isolation cells are daily occurrences.

"Parovoz," originally formed in Poland before World War II, was a non-governmental organization established to monitor prison conditions. It was unable to function during World War II, and it dissolved after the war. Several unsuccessful attempts were made to reestablish it under communist rule, and in 1982 "Parovoz" was re-formed. It was suspended after martial law.

The Committee in Support of Solidarity has compiled a list of over one thousand political prisoners. Since the list is based on early fragmentary information—mainly from newspapers and journals published by the Polish government—it is more than likely that many others have been imprisoned. The official charges brought against these prisoners are "continuing union activity," "participating in demonstrations," "possessing, distributing, or printing leaflets or bulletins," and the like. Under new laws passed by the Parliament in December at the instigation of General Jaruzelski's Military Council for National Salvation, penalties are even more severe: for example, possession of an "anti-state" leaflet is subject to five years' imprisonment.

From the outset of martial law, the Solidarity movement has organized, with the Church, a broad network of aid to help prisoners and their families. *Niezwycieczny*'s twenty-eighth issue, dated October 5, printed the following appeal on behalf of political prisoners.

The prisoner can "hold out" only so long as he believes that his struggle has meaning—that, as they say in the investigative prison on Rakowiecka Street—Solidarity will "cut through the bars." Loneliness and lack of news from the outside brings on doubt; he thinks, "Was it worth it?" This is why every proof that he is being remembered and why every sign of concern and support from others is so important, helping the prisoner endure his worst moments. It helps him to resist breaking down under the pressure of the investigation, to resist selling out after he is sentenced. From the Wrocław prison on Kiełkowska Street, a letter reads:

"Many prisoners, especially those accidentally sentenced, decided that what they did would depend on what happened in Poland on August 31. If nothing happened they planned to write a petition asking for pardon. We could see and hear what happened in Wrocław ourselves. Several days later we already knew that what had happened in Wrocław had happened all over Poland. This really raised our spirits. Now no one thinks about asking for pardon."

Families of prisoners often find themselves in terrible situations. Work places stop paying salaries. Not all such families are being helped. Only thanks to the parishes, Solidarity activists, or friends, half of these distressed families are entered in the registers of the assistance centers. Among these there are about the hundred families who are left without means of support, families with many children or with elderly people needing care.

Among the political prisoners there are almost ten hundred women. We know of cases in which children have been put in orphanages while their mothers are serving their sentences.

More than material support is needed. Desperate families often do not know where to turn to for aid or help. Helplessly they tread a path between the loved one and the prison warden.

There are some circles in which families of prisoners are cared for and generally respected. But there are also places—we know about Rechenow and Aleksandrow—

where fear is stronger than feelings of moral responsibility, or even of simple decency. There are families that are hounded to such an extent that, fearing prosecution and persecution from the security police, they are afraid even to seek help, and do not trust those who come to offer it.

Solidarity, the Church, and the whole society are proud that as early as January, at the very beginning of the war, assistance was given to virtually every interned person and his family. From the military government suffered a defeat: people organized and did not allow themselves to be intimidated. Gradually, the authorities stopped persecuting those who assisted the interned.

In 1976, under incomparably more difficult conditions, several dozen people organized aid for those persecuted in Ursus, Radom, Puck, and Gdansk (after workers' protests were crushed). The Workers' Defense Committee (KOR) was created, and social self-help and self-defense movements were born.

Today the fate of political prisoners is of vital concern to the millions of Solidarity members. These prisoners are in jail for all of us. Each of us must be put where they are now. Help for them is above all a matter of human responsibility, but it is more than that. If we lose on this issue, it will be a moral defeat for our entire movement.

We appeal to all factory commissions of Solidarity:

- give support to political prisoners and their families;

- send observers to trials;

- collect the addresses of the families of those arrested and convicted; ask among their colleagues and friends in their parishes and in their lawyers' offices, search for their names in the underground and the official press;

- organize regular collections of funds;

- make sure that the families under your care are given regular help.

We appeal to all people of good will: Gather and pass on information about prisoners and their families, help make contacts, join in actions of assistance, send postcards to prisoners. They must know that they are not alone!

Translated by Elga Amsterdamer

"Our Battle Continues"

Piotr Gubinski and Jurek Pionki, two Solidarity leaders, submit an appeal to Solidarity members in an open letter two days before Solidarity was outlawed. Gubinski and Pionki are members of the Solidarity Regional Committee of Lower Silesia. Their letter appeared in the underground publication *Z Dnia do Dnia* (From Day to Day) on October 2.

Piotr Gubinski was arrested in October and, after a summary trial, received two years' imprisonment for continuing union activities. His arrest followed that of Wladyslaw Pruszyński, the Chairman of the Regional Committee of Solidarity.

Their appeal continues to appear in *Targowica*, a group of Polish writers who called upon Emperor Catherine the Great in 1792 to intervene in Poland to prevent democratic change. The work has come to mean a symbol of the Polish nation.

These are hard times for our Union, following the capture of Wladyslaw Pruszyński by the secret police and after the Targowica that took place in Parliament. Via the representatives of the Regional Solidarity Committee, turn to all members of Solidarity.

Solidarity has effectively been "outlawed" for eleven months. Despite this our Union still exists because its members are alive and working. From month to month, we have built secret independent social organizations—an underground society is being created. The official delegatization of Solidarity in Parliament only proves that General Jaruzelski's order is far removed from the reality in Poland today.

We call upon all Solidarity members in Lower Silesia to continue to perfect our underground union structure. Our aim is to have a self-governing Republic. The totalitarian communist system, with its tanks and secret police, shall not crush this ideal.

We continue to let the handshakes for the dead in the underground society. Our fight is freedom and democracy lived!

Signed on behalf of the Regional Solidarity Committee:

Piotr Gubinski
Jurek Pionki

Wrocław, October 7, 1982



SOLIDARITY STRIKERS

Protests at the Lenin Shipyards:

Anatomy of a Strike

The Gdansk Regional Strike Commission (R.K.W.) issued a number of communiqués upon the outbreak of Solidarity and the eruption of spontaneous protest strikes in the Gdansk Region, sparked by the workers at the Lenin Shipyards. The communiqués give a detailed account of the strikes and the security forces' attacks on the workers.

October 12, 4 p.m.

Yesterday, at about 5 p.m., the militia provoked street clashes by attacking people in Solidarity Square. This led to street fights, which continued until midnight in various districts of Gdansk. The most intense fighting took place in the center of Wrzeszcz, near Solidarity's headquarters. . . . In the late afternoon and during the night ZOMO reinforcements were brought into Gdansk — (we know that) at about 7 p.m. a detachment of militia patrol cars entered from the direction of Słupsk. The strike initiated by the Lenin shipyard workers on October 11 is spreading. Other shipyards and the Gdansk harbor are taking part, as well as other coastal factories, colleges, and secondary schools. [Emphasis added.]

"The mood at gate No. 2 is reminiscent of the memorable August: national and religious symbols, and flowers are hung on the gate. . . ."

Since early morning the area of the Lenin Shipyards has been full of militia detachments, but the strikers would not let themselves be provoked. No serious incidents occurred, and at about 1 p.m. the militia left the vicinity of the shipyard. The shipyard workers left the premises at the usual time, with the intention of continuing the strike tomorrow. The mood at gate No. 2 is reminiscent of the memorable August: national and religious symbols and flowers are hung on the gate. New touches have been added: there is also an effigy of Jerzy Urban (the government spokesman) hanging there.

At around 3 p.m., five to six thousand people went to Solidarity Square. They remain quiet.

Radio Solidarity Gdansk will begin its daily broadcast tonight at 10 p.m. It will include a speech by Bogdan Lis, a member of the T.K.K. and R.K.W.

October 12, 7 p.m.

The Secret Solidarity Factory Commission of the Ninth shipyard appeals to the shipyard workers and to other factories in Gdynia to join in the strike initiated by the Gdansk Shipyards.

We have just received information on yesterday's strikes in Hydrotech, UNIMOR, and ELMOR plants. At the moment fighting is going on in Wrzeszcz and in the center of Gdansk. We will provide details in tomorrow's communiqué.

October 12, 10 a.m.

Yesterday was the second day of the protest action in the Gdansk Region. At 4:30 p.m. fighting was still

going on in a dozen places around Gdansk. The ZOMO men used light rockets aimed directly against the demonstrators. At about 5 p.m., clashes spread from the center of town. . . . At 7 they died down in the Old City. The ZOMO units use concussion and tear-gas grenades against demonstrators along Granowaldzka Street. They also attack women standing on lines and children on their way home from school. A crowd of people waiting for a bus in Solenczowski Square were attacked by the ZOMO. Granowald Avenue was blocked by barricades. . . . Fighting in many streets was still going on at 9 p.m.

October 12, 11 p.m.

After two days of strikes, workers at the Lenin Shipyards, the Gdansk Repair Dockyard, and the Northern Shipyards ended their protest. In other shipyards and plants, the action was ended after one day.

The authorities responded to the end of the strike with a campaign of intimidation. The Lenin Shipyards were surrounded from early morning by ZOMO units blocking entrances. Order number one of the Director Commandant Zaczek (military commissar for the shipyard) was broadcast many times: the shipyard was militarized and penalties of anywhere from 3 years' imprisonment to death would be meted out for disobedience. A similar speech was made yesterday by the provincial prosecutor. Some rooms were locked and workers were not allowed to move freely on the shipyard premises. . . . Dismissals have begun.

Street demonstrations in Gdansk ended Tuesday night. Several hundred people were detained, several dozen wounded. In the center of Gdansk, the increased presence of militia detachments was evident all day.

Radio Solidarity Gdansk broadcast for ten minutes on both Tuesday and Wednesday.

Today the spontaneous protest actions initiated by the Lenin Shipyards workers ended. As during August 1980, they showed determination and the will to fight. After the Parliament ruled out the August agreements, a continuation of the August protest—for this is what the shipyard workers were conducting—demands great courage and faith in the values we fight for, under these conditions of martial law. Despite the support of other plants and spontaneous demonstrations for two days, the strike could not win back Solidarity's right to legal existence, nor could it lead to the release of the interned and convicted.

However, it was not a defeat. The world was able to see it as a symbolic act of resistance of the Polish people—an act of resistance against tyranny, falsehood, and hypocrisy, which revealed the lies of the authorities about the alleged support of the society for their policies. The shipyard workers deserve our deep respect and appreciation for their action. The Gdansk R.K.W. thanks the people of the coastal region and to all who actively supported the shipyard strike. We also thank the demonstrators in Nowa Huta and Wrocław.

The fight for Solidarity continues. There may be difficult moments, but there will not be a defeat. Victory is our common aim.

Bogdan Lis
Marian Szelek

Aleksander Hall
Bogdan Barusiewicz

SOLIDARITY BULLETIN

National Leaders Pursue the Struggle Underground

Editor's Note

After the imposition of martial law and the crushing of widespread strikes by the communist junta, Solidarity members and activists set out to build union structures underground, including factory committees, regional committees, and on the national scale, a Temporary Coordinating Committee of Solidarity (T.K.K.), made up of elected leaders of different regions who had escaped arrest and gone into hiding.

In April 1981, Zbigniew Bujak (Warsaw), Bogdan Lis (Gdansk), Władysław Hordich (Kraków), and Władysław Frasyniuk (Wrocław) officially formed the T.K.K., which set out to coordinate any national demonstrations of protest by the Solidarity movement and to put forward proposals for continued union activity and protest.

From July through November 1982, the T.K.K. established conditions for the possibility of an accord between Solidarity and the government, and called for progressively stronger means of protest, from the massive demonstrations throughout August to the call for a nationwide general strike on November 19, in the hope that strong visible demonstrations of protest would force the regime into making some type of genuine compromise.

Five Times "No"

THE JULY SESSION OF THE PARLIAMENT IS YET ANOTHER proof that the authorities reject cooperation with society.

First, not only was the state of war not abolished, but it was announced that it would be continued indefinitely.

Second, none of the more than two thousand people who had been sentenced were freed, nor were those who had been interned; some of them—including women—received a so-called temporary release, enjoining them to return to their centers of confinement. Neither were the chairman of Solidarity, Lech Wałęsa, nor the leadership of the union released.

Third, no conditions for the reinstatement of Solidarity been formulated, and moreover the resolution of the problem posed by the union movement has been postponed until some time in the future, a resolution in which the authorities see no place for Solidarity.

Fourth, no principles for genuine national accord were proposed. Instead, new bodies at the disposal of the authorities have been called into existence, such as the Patriotic Movement for National Salvation and the Social Coordinating Committee for Union Affairs.

Fifth, no concrete plans for economic reform have been presented, while at the same time Polish workers are expected to continue to work slavishly and accept responsibility for the fate of the country.

These five "no's" are taking from society any hope for political and economic change in Poland. The widening gap created between the rulers and the ruled will dramatically lessen the chances for solving the crisis.

Zbigniew Bujak
Władysław Frasyniuk
Eugeniusz Szwarczko

Władysław Hordich
Bogdan Lis

July 25, 1982

SOLIDARITY BULLETIN

The strike of November 19, rising to nationwide proportions on the part of the police and the lack of means of communication between factories and regions, resulted in a comparatively minor protest.

The T.K.K. also published a program for the Solidarity movement, entitled the "Underground Society" (see page 11), which gave forth ideas for a long-term struggle with the communist-military regime through various social activities independent of the state-party apparatus. Given the lack of success of the November 19 strike, this document became more significant as a basis for the underground resistance.

The T.K.K. communiqués and statements, selections of which are printed here, reflect the course of nationally coordinated protest actions. The T.K.K. is regarded as the highest body of the underground structure, and its calls for protest have been responded to as such. However, it should be emphasized that Solidarity, a formal social movement with a great deal of spontaneity, has not relied heavily on its national elected leadership under martial law (outside of national protests, especially since the means of communication are few). The underground movement is highly decentralized, and relies on independent initiatives, actions, and means of protest.

Call to August Demonstrations

TWO YEARS WILL HAVE PASSED ON AUGUST 11, SINCE THE Interfactory Strike Committee of the Gdansk shipyard signed an agreement with representatives of the government of the Polish People's Republic. The agreement, which demonstrated the possibility of a dialogue between the authorities and the society, raised hopes that it would be the basis for the resolution of Poland's problems. Although those hopes collapsed last December, and although the authorities on July 22 once again rejected the idea of a social compact, nevertheless, on Solidarity's birthday, August 11, we will demonstrate that the union continues in its resolve to fight for an accord.

On August 11 two years will have passed since the Interfactory Strike Committee was formed in Gdansk with Lech Wałęsa. That was when Solidarity was born. From August 16 to August 21 our union will be especially visible. Posters and leaflets should be distributed heavily. We call upon union members to organize peaceful street demonstrations on August 16, 1982, calling for the reinstatement of Solidarity, the release of those who have been interned, arrested, and sentenced, and negotiations toward a national accord. We call upon everyone to participate in these demonstrations.

The Necessity for an Agreement

THE DEMONSTRATIONS on the second anniversary of the Gdansk Accord have shown that the Polish nation is determined to fight for its rights. Whenever the demonstrations were not restricted by the ZOMO riot police, demonstrations were totally peaceful, in accord with the appeal of the T.K.K.

On August 11, guns were used against the demon-

T.K.K. Statements, continued from previous page

stators and the blood of Poles was shed.

—We accuse the authorities of spilling Polish blood.

—We accuse the authorities of deliberate provocations on the streets of Polish cities.

—We accuse the authorities of policies contrary to the vital interests of the Polish nation.

Despite the deep gulf brought about by the authorities between themselves and the nation, an agreement remains our only aim and the only chance to overcome the present crisis. By its response to the appeals issued by the T.K.K. for social peace in July and for demonstrations in August, the society has proven its discipline and unity. Such a nation cannot be ruled by sheer force. If the powers that be do not understand this and if they do not start negotiations with the elected National Commission of Solidarity, headed by Lech Walesa, we will lose the opportunity for a peaceful solution to the conflict.

The T.K.K. expresses its highest admiration and regard for the working people all over the country, for all those who, risking their lives, freedom, and health, took part in the August protests. It is the moral victory of the nation.

Protest the Outlawing of Solidarity

THE DISSOLUTION OF ALL TRADE UNIONS IS AN UNPRECEDENTED act in the history of civilized societies. By that action, the Military Council for National Salvation (WRON) is in effect admitting defeat. Attempts to destroy the union movement did not succeed. Attempts to corrupt prominent union leaders did not succeed. For ten months of the state of war, an undivided work force demonstrated against and resisted the regime of truncheons and generals. This self-appointed Parliament, the very same that acquiesced in the creation of WRON—an act contrary to the Constitution of the Polish People's Republic—and the same Parliament that sanctioned the illegal decree of the Council of State imposing the state of war, dared to delegatize trade unions embracing ninety percent of the adult citizens of Poland, contradicting the will of the people.

The Independent and Self-Governing Trade Union Solidarity may be dissolved only by the decision of its members. Our union exists and will continue to fight for a self-governing Republic. The Temporary Coordinating Commission of Solidarity appeals to union members, to all working people, and to all trade unions to boycott the new sham unions. Let the refusal to join them be a nationwide referendum that will declare Polish society's opposition against the policy of repression, against the enslavement of the Polish nation, against increasing poverty, and against thirty-seven years of catastrophic social and economic policies.

Let the tenth of November, the second anniversary of the registration of the Independent and Self-Governing Trade Union Solidarity, become a day of protest. We call on all working people, whatever their trade union membership, to take part in a mass, nationwide protest against lawlessness and impoverishment. We proclaim a four-hour protest strike for November 10, to start at 10 A.M. Secret strike committees should be established in all factories and enterprises and in all divi-

sions to prepare for the November 10 protests. The strike must be prepared in such a way that its leaders not be exposed. The outcome of the protest will determine the future strategy of the union.

"Solidarity exists and continues to exist whether some people like it or not."

—Lech Walesa,
First National Congress of Solidarity

After the November Strike

November 24, 1982—Communiqué No. 1

WE HAVE PRESENTED ON SEVERAL OCCASIONS THE conditions for an agreement between the authorities and Polish society. By outlawing Solidarity, and all free trade unions, the authorities rejected any prospect for an authentic agreement.

Yet the release of Lech Walesa and the granting of permission for John Paul II to visit Poland can only be seen as a suggestion for a truce. This truce should result in the repeal of martial law with all its attendant legislation.

For such a truce to result in a solution to the present conflict, with the prospect for some future agreement, considering the current political atmosphere, at least the following conditions must be met:

- the release of all political prisoners;
- the reactivation of all organizations currently suspended, including creative and scientific associations, and especially those of writers, artists, and film makers;
- the re-adoption of the Parliamentary Act on Censorship of 1980, which was passed after negotiations with Solidarity.

Making such a truce might create a climate for the country to emerge from its economic crisis, providing, however, that political guarantees also include the return to full self-management for work places (as called for in compromise legislation, negotiated by Solidarity and the government and adopted by Parliament).

Lifting martial law without meeting the above conditions would be yet another empty gesture by the authorities. It would not meet the most fundamental expectations of Polish society.

Communiqué No. 2

THE OUTCOME OF EVENTS ON NOVEMBER 10 POSES A question about the tactics adopted so far by the union. Solidarity is now faced with the problem of developing new forms of struggle. The release of Lech Walesa, the agreement on the Papal visit, and the prospect of the lifting of martial law, all create a new political situation. These developments allow us some hope for a truce between the authorities and Polish society.

This has led us to decide to cancel the protest actions in December that we called for in our statements of October 20.

At the same time, December 16, 1982, remains the day of remembrance for those who fell in December 1970 and for those who were murdered in the first days after the imposition of martial law, in particular those who died at the Wujek mine. On December 16, we ask you to make roll-calls of the dead, to lay wreaths and flowers, and to have masses held for the victims of repression.

*That includes the new law governing trade unions, the parasite law, and the proposed special emergency powers by the Parliament.

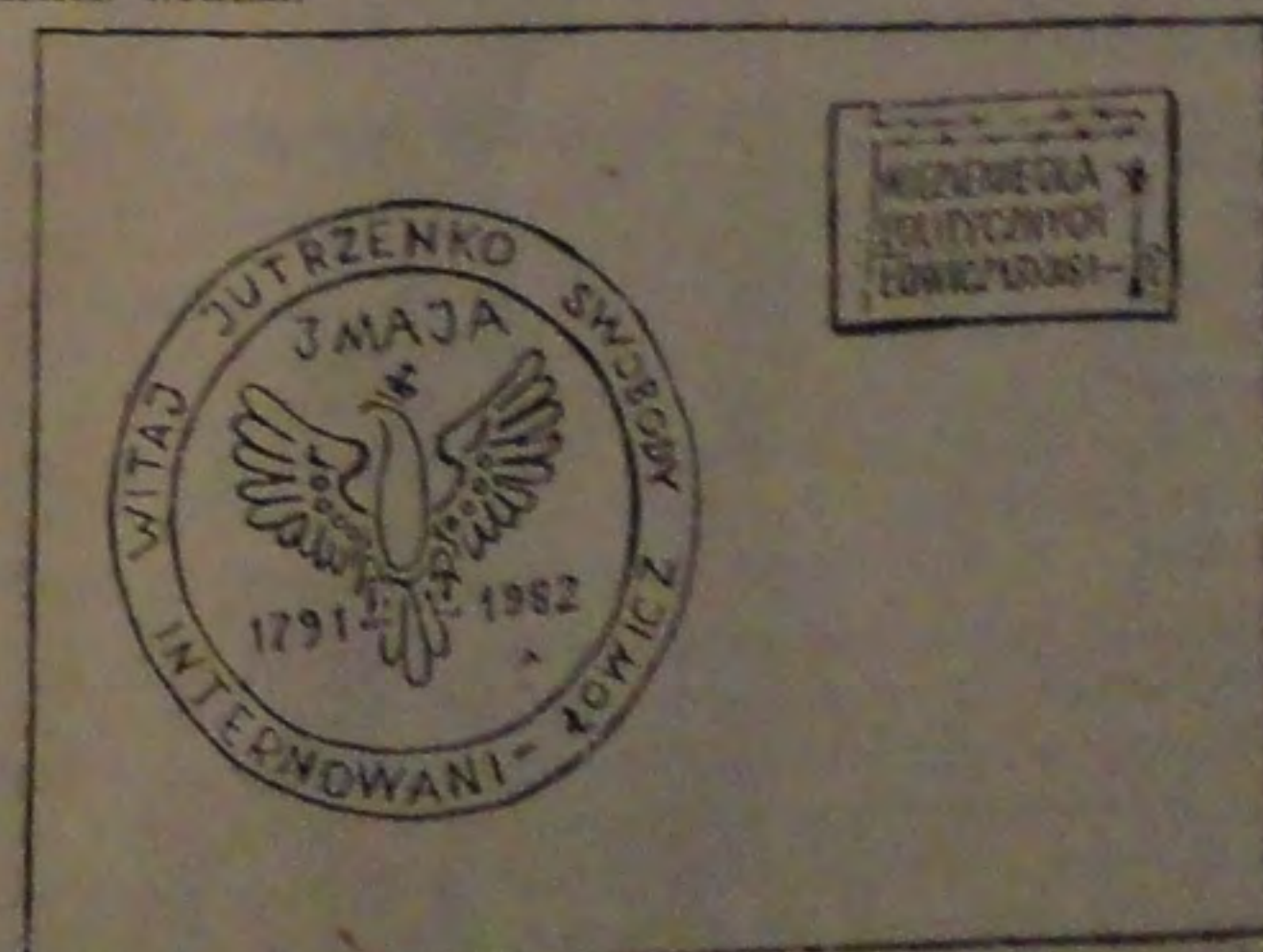
The Underground Society

THE EXPERIENCES OF HUNGRY WINTERS UNDER THE state of war teach us that the struggle for our goals requires the universal participation of a society conscious of its inalienable rights and organized for long-term action. The authorities' war on the Polish people continues. Only their tactics change. Today they formally struggle against Solidarity. In fact, however, by bringing into question the August agreements (the Gdansk accords), they are striking at the fundamental interests of the society.

Under the guise of the state of war they are liquidating the independence of our organization, which we won in August, at the same time that the Parliament—which is at the authorities' disposal—is passing laws that take away all that we gained before December. The society has been deprived of the possibility of independent activities and the active shaping of political life. The authorities aim to create a legal-political order in which any kind of independent social activity will be impossible. All decisions and promises by the authorities are made only to gain time. The authorities expect that the people, tired by the struggle for survival and deprived of hope, will give up the program of reforms and accept the loss of participation in national life.

Our goal is to build an autonomous society—a self-governing Republic—in accordance with the program accepted at the First National Congress of Solidarity in September-October 1981. At present we can achieve this goal only through an underground society.

We are calling for a movement of universal resistance and the creation of an underground society. This movement shall be a reflection of social attitudes, life, and activities. All groups and localities, in the city and in the village, constitute the movement's strength, making it impossible for the authorities to create and maintain antagonisms that divide the society. The underground resistance must lessen the individual's feelings of isolation, teach collective action, and strengthen the awareness that only through organization and initiative can we reach our goals. It must show society the strength that flourishes within.



These are stamps and postmarks made by internees at the Łowicz prison, which they use on letters and underground publications that are smuggled out. The engraving on the right reads: "Łowicz, a camp for political prisoners, December 13, 1981-?" The engraving at left reads: "Welcome the dawn of freedom, Łowicz internees"—a popular slogan of Polish resistance.

The underground society should have all:

• make the authorities' attempts to divide the society impossible.

• develop the capacity for organization and self-defense.

• raise the level of political culture and prepare people for life in a democratic Poland.

This underground movement shall be created by organized groups in factories, in professional groups, in settlements, and among circles of friends. The character, scope, and form of activities of each group will depend on realistic possibilities.

Special attention should be paid to the youth. As the most uncompromising and self-sacrificing group by nature, the weight of organizing various kinds of resistance rests and continues to rest upon them. The mass participation of young people in the underground movement will portend victory.

Everyone should be able to find it possible to fit into the underground society. There is room for everyone who accepts our program.

We propose the following basic activities for the underground movement:

• Help for those who have been repressed, for those who have lost their jobs and are living in need, for the sick, and for others requiring material and moral support.

• Independent circulation of information, including publishing, distributing, producing leaflets, and exposing the aims of the authorities' propaganda.

• Learning and self-education: independent instruction and an independent teaching movement, courses in continuing education, workers' universities, discussion clubs, academic publications; the instruction of the movement's organizers and activists, stipends and support for students, teachers, and authors who are studying; the establishment of social foundations, etc.

• Actions demonstrating society's resistance: anniversary celebrations, posters, leaflets, and participation in protests called by regional decision-making bodies or by the Temporary Coordinating Commission.

• Economic activities (cooperatives, workshops, etc.).

The underground society will fight against front organizations set up by the authorities, and against boycotts of official propaganda and of meetings, discussions, and undertakings with a view to spreading their propaganda. It will oppose all forms of collaboration. The underground society should, by exerting pressure on the authorities, create conditions that drive a social accord nearer, while at the same time gradually acquire broader social and political rights.

The proposed actions will create a movement of a national community united around the idea of Solidarity. The underground society will become the basis for political activity. Even if the union is delegatized, it will keep people from losing faith, as well as to exert continuous pressure on the authorities, threaten to isolate them, and force them to recognize the fact that only an accord can lead toward a solution of Poland's problems.

The underground society establishes the necessary conditions for struggling for our current goals: freeing political prisoners and those interned, ending the state of war, and reinstating an independent union movement—and for the long-term goal: the creation of a self-governing Republic.

Victims of War

Violence against demonstrators and activists in the Solidarity movement has resulted in an unknown number of killed and wounded. The lack of information has prevented an accurate accounting of the martial law regime's violence. However, underground Solidarity activists and publications try to document the deaths that result from police actions. The regime has admitted to only fifteen deaths as a result of clashes between demonstrators and police. Below is a list of thirty-five people killed by security forces for whom information is available. The actual number may be quite higher.

December 16, 1981

At the Wujek mine in the Silesia Region of Poland, striking miners clashed with armed ZOMO riot police. The workers used crude tools and weapons to fight the ZOMO, who were backed up by tanks. When the ZOMO attacked, seven miners were killed, and two fatally wounded. (See Solidarnosc Bulletin No. 2.) It is not known how many miners were wounded, nor what casualties were suffered by the ZOMO. The names of nine workers who are known to have died were listed in the nineteenth issue of an underground publication from Silesia, *Przetwarzanie*:

Jozef Czechalski
Jozef Giza
Joachim Gnida
Ryszard Gzik
Boguslaw Kopczak
Andrzej Pelka
Jan Stawinski
(first name unknown) Wilk
Zenon Zajak

December 17, 1981

Antoni Browarczyk, 23
Shot to death during street demonstrations and strikes in Gdansk.
—*Tygodnik Mazowsze* (Mazowsze Weekly), No. 29, October 31, reprinted from *Solidarnosc Gdansk*, No. 9, September 23.

March 3, 1982

Wojciech Cieslewicz, 29, graduate of Poznan University
Died as a result of wounds suffered in a beating by the ZOMO police on February 13. He never regained consciousness.

—*Informacja Solidarnosci* (Warsaw Solidarity Information Bulletin), No. 33, March 16.

April

Gluszek (first name unknown), soldier

He was found dead near railroad tracks outside of Rzeszow in the beginning of April. It was determined that he had been handcuffed and beaten. Two days earlier, police stopped a taxi in which the soldier was riding from Babice to his home. The taxi driver said that the soldier had gotten impatient with the long search and told the policemen, "Your rule won't last for long." The police then took him away.

—*Serwis Informacyjny* (Information bulletin of the Malopolska Regional Commission, No. 14, June 14.

April 2, 1982

Wojciech Cielecki, 19, Biala Podlaska

He was stopped on the street in the late evening by

a sergeant and a lieutenant (both of the army). They were drunk and demanded vodka from him. They began beating him but he managed to run away. They found him later and attacked him again. The sergeant then shot him in the back of the head with a handgun.

—*Informacja Solidarnosci*, No. 41, April 20

April 3, 1982

Mieczyslaw Rokitoski, Przemyśl

He was beaten to death during interrogations at the Zaleze detention center. On March 23, he had been arrested on charges of distributing Solidarity publications.

—*Informacja Solidarnosci*, No. 55

Stanislaw Kot, engineer in Rzeszow.

While returning home from a company meeting with retiring employees on March 31, he was stopped by a patrol of ZOMO police. A few hours later, he was found unconscious by uniformed police, who brought him to a detoxification center. A doctor there established that he had collapsed about five hours earlier. He was taken to the regional hospital, where he was found to have numerous broken bones, a broken jaw, a concussion, a damaged spine, and severe internal hemorrhaging. He never regained consciousness.

The prosecutor tried to force the doctors to sign a false death certificate but they refused. Mr. Kot was the father of two children.

—*Informacja Solidarnosci*, No. 41, April 20

April 13, 1982

Franciszek Rycerz, 19

He died one day after street clashes in Krakow (Malopolska Region). He had tried to hide with other young people in a club called "Flipper" in Ryk. ZOMO police took them outside one by one through the "health path," two parallel lines of police who beat those passing through with truncheons. Rycerz was found dead the next day in a doorway. He had suffocated on his own blood after having been hit on the bridge of his nose.

—*Tygodnik Mazowsze*, No. 15, May 27

May 3, 1982

Mieczyslaw Radomski, 56, ironworker from the Unita-Unima factory in Warsaw.

On his way to church, he was stopped by ZOMO police as they cordoned off streets on the day of large demonstrations. He was taken away by an ambulance and was dead on arrival at the hospital. His wife found him at a clinic on Lindliye Street. Five hundred people attended his funeral. Radomski was the father of five children.

—*Informacja Solidarnosci*, No. 48, May 18

Wladyslaw Durda, locksmith from the Szczecin shipyard
The cause of death: tear gas poisoning. The concentration of tear gas used to disperse demonstrators that day was so strong in his apartment that neither he nor his wife could sleep. He became sick after midnight and police prevented his wife, who had gone out to the street for help, from calling for an ambulance. He died due to paralysis of the lungs from tear gas poisoning.

—*Tygodnik Mazowsze*, No. 23, August 1.

May 5, 1982

Jolanta Lenartowicz, 19

Died as a result of injuries suffered during a beating by police.

—*Tygodnik Mazowsze*, No. 15, May 27

May 9, 1982

Adam Szulecki, 32

On May 3, as he was on his way home from work, ZOMO police took him to their car and beat him over the head with truncheons. Unconscious when taken to the police precinct, he was taken the next morning to the hospital. He died five days later without regaining consciousness.

May 18, 1982

Piotr Majchrzak, 19, student at a high school for gardening in Poznan

Police stopped him on the street May 13 because he was wearing a radio resister on his jacket, a symbol of Solidarity's resistance. He was also carrying a rosary with him, which he refused to throw away at the orders of the police. The police began beating him but he managed to run away. He tried to find refuge at a nearby church, but it was closed. Policemen caught him on the steps and beat him with truncheons. He died five days later.

—*Informacja Solidarnosci*, No. 57, June 18.

May 25, 1982

Andrzej Flak, 26, Warsaw

Died as a result of injuries suffered during a beating by ZOMO police. The medical certificate of examination stated that he had died from internal hemorrhaging of the abdomen and a broken spleen.

June 3, 1982

Emil Barchanski, 17, first-year student at Rey High School in Warsaw

He was arrested during a police raid on an underground printing house and was severely beaten during interrogation. At his trial, he publicly testified on the use of torture against him and said that he feared for his life. Because of his young age, he was released in the custody of a state assigned probationary officer for "juvenile delinquents." His body was found in the Vistula River on June 6.

—*Tygodnik Mazowsze*, No. 20, June 30

June 9, 1982

Andrzej Urbanowicz, lived in Augustow, student in Warsaw

Detained on June 9. On June 16, his mother received a sealed coffin containing his body from the police, who told her not to open the coffin. She was informed that her son had died during an accident.

—*Serwis Informacyjny R.K.W. Malopolska* (Information Bulletin of the Krakow Solidarity Regional Commission, No. 15, June 26.

July 13, 1982

Wladyslaw Lisowski, 67

Died as a result of damage to his liver caused by a beating from ZOMO police he received two months earlier. The "officially" stated cause of death was cancer.

—*Kronika Malopolska* (Krakow Chronical), No. 13, July 30

August 1, 1982

Jacek Osmanski, 27

He was beaten to death by a police patrol at a rock concert in Torun.

—*Tygodnik Mazowsze*, No. 25, September 9, and *Torunski Informator Solidarnosci* (Torun Solidarity Information Bulletin), No. 29

August 21, 1982

Eight people were killed as a result of street demonstrations held to mark the Gdansk Accords. (The authorities admitted to five deaths.)

Michal Adamowicz, 25, Lubin, married, electrician at the Mining Enterprise.

He was shot in the head.

Mieczyslaw Puzniak, 25, married, worker at the Elektromontaz enterprise.

He was shot in the stomach.

Andrzej Trajbarski, 32, Lubin, married with three children, mechanic

He was shot in the head.

Kazimierz Michalczyk, 27, Wroclaw, married, two children, turner at the Elwro factory

He died on September 2 as a result of injuries sustained three days earlier at the hands of the police.

Tadeusz Wozniak, 40, Wroclaw

Died September 1 in a hospital in Wroclaw. Doctors certified that the causes of death included a brain contusion, damaged large intestine, poisoning of the lungs by toxic fumes, and a heart attack. On August 31, he had left for work, but it is not known what happened to him on that day. On September 1, he asked for a day's leave. His superior saw signs of Wozniak's having been beaten, and told him to go to a doctor. Fellow employees took him to a hospital. He died a few hours later. The police refused to give the family his clothing and told them to bring fresh clothing to the morgue.

—*Z Dnia Na Dzień* (From Day to Day), October 5

Wladyslaw Joniec, 62, Nowa Huta

The circumstances of his death are not known.

Piotr Sadowski, 22, Gdansk, employee, Lenin Shipyards
Died from gunshot wounds received during demonstration grenade.

Stanislaw Raczek, 35, Kielce, watchmaker

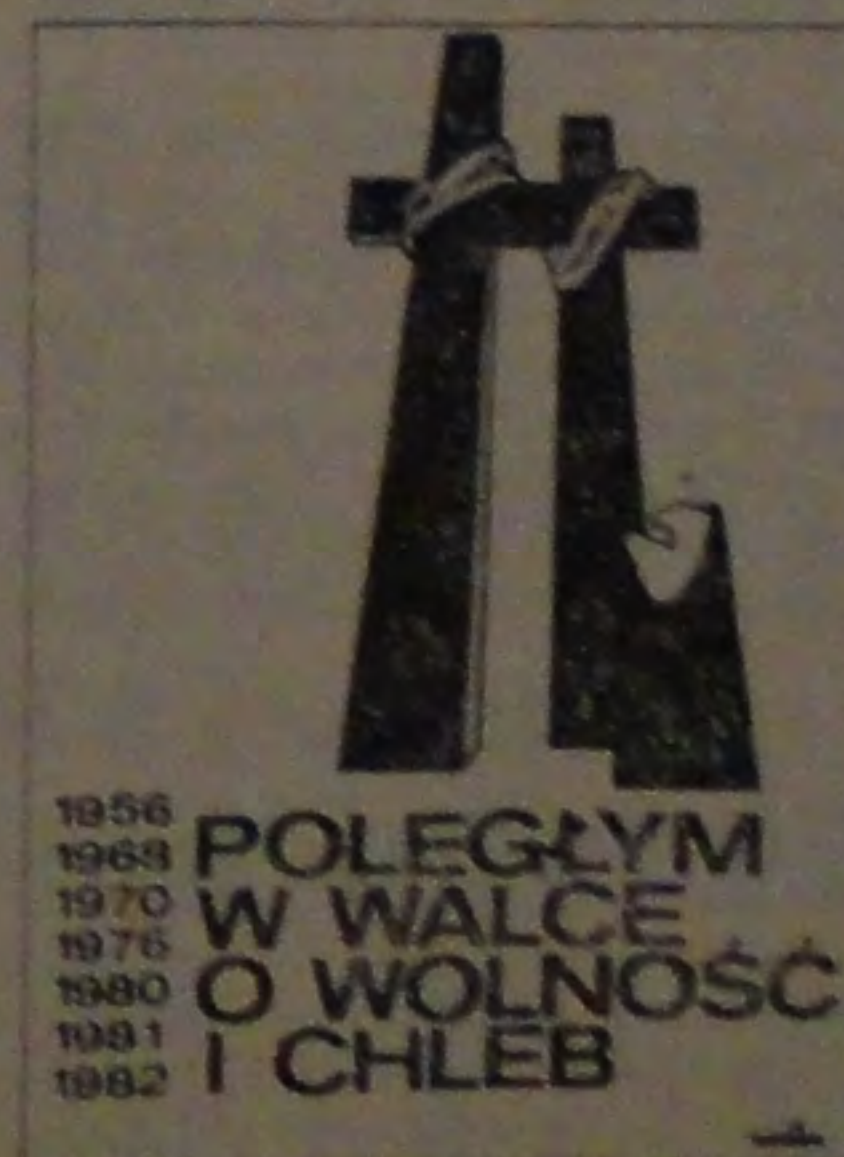
Died on September 7 as a result of beatings by the police on August 31.

—*Tygodnik Mazowsze*, No. 29, October 13

October 14, 1982

Bogdan Wlosik, 20, worker, Nowa Huta

Died from gunshot wounds received during demonstrations on October 13.



How Communists Organize Trade Unions

When the Parliament banned Solidarity and established new "trade unions," whose activities were to be strictly controlled, the party-state apparatus tried to set up the new unions at factories and work places. The regime hopes that, in time, the combined methods of coercion and the promising of rewards—for example, free vacations to a communist country of the worker's choosing—will succeed in gaining enough members to their trade unions. Thus the regime will attempt to convince both the West and Polish society that Solidarity is no longer alive and that the government enjoys the support of the Polish working class. However, in a significant act of political protest, almost all workers have boycotted the new official unions, despite considerable pressure on them to join; many workers are ostracizing collaborators.

Various accounts of how the regime has organized its new unions appear in underground Solidarity bulletins, some of which we excerpt below.

☐ SETTING UP A "NEW" TRADE UNION AT AN AVERAGE WORK PLACE: Two days before the Parliament passed the trade union law banning Solidarity, the manager of an enterprise, following the instructions of the District Committee of the Communist Party (P.Z.P.R.), appointed a chairman of an initiating commission. Immediately after the law passed, the chairman of the former official trade unions, a party secretary and an active opponent of Solidarity, joined.

Three separate directives aimed at recruitment to the "new" trade unions were sent to employees at the workplace:

—From the chief manager of the enterprise to directly subordinate deputy managers and chief specialists, who were threatened with demotion if they did not join.

—From the executive party committee jointly with the management to all Party members, ordering them to sign up. (At one meeting, an objection was raised that this was lawlessness, and many party members are still considering not joining.)

—From the initiating commission to all workers.

The results of the recruitment activity are reported, in accordance with instructions, twice a day to a District Committee of the party, including the number of new members, their past trade union and party affiliation, and their past work classification.

☐ Activists of the former official trade unions at the Polish State Railways (P.K.P.) are being induced to join the initiating commission of the new union with promises of salary raises and a six-week trip to a socialist country of their choosing. If they refuse, the proposition is then presented as an official order. For the time being, this "socialist" attempt at forming "independent" trade unions is being hampered by the victims' demands that they be presented with the official order in writing.

from *Kronika Malopolska*, No. 18

☐ On October 14, a "working" meeting of the founding group for the new trade unions took place at the largest hall of our plant. A crowd of hard-line enthusiasts gathered: fifteen of them in all. They elected ten to the presidium of the founding committee. (We would be very interested to know how the Krakow rag got the

information that one hundred people from our plant belong to the new unions.)

On Saturday, October 9, a meeting took place at the District (City) Committee of the Communist Party between party activists and the management of the Legionow work places. Representatives of those work places were told what their reactions to the new trade union law should be:

—First, new trade unions had to be set up at all enterprises;

—Second, members of the Communist Party (the P.Z.P.R.), the Z.S.M.P. (Union of Polish Socialist Youth), and other organizations must actively participate in them;

—Third, it was the management's responsibility to create founding groups and to be on their guard against the infiltration of these groups by uncertain and anti-party elements.

Moreover, those attending the meeting, which took place twelve hours after the new trade union bill was passed, could equip themselves with a brochure, printed on good paper, entitled: "The General Statute of the New Trade Unions in an Enterprise."

—from *Slowo*, No. 12

☐ At the Nowa Huta shipyards outside of Krakow, with over ten thousand workers: The meeting was opened by the chief of this "cabaret," Marian Zak, a retired steelworker. It is quite fitting that he be the leader of the group, since the organization needs . . . fresh blood. The telephone number of these pensioners is 74-47; let's telephone them to uphold the spirits of these collaborators and traitors.

When members of the work force leaving the first shift heard about the meeting—which began at about two p.m.—they whistled and threw stones at the window of the "Vatican" [the party headquarters in Nowa Huta] as they were going past.

—from *Nowa Hutnik*, No. 31

☐ New trade unions are being established at the heat and power plant in Legnet by the party secretary Litwowski and comrade Bak, among others. The morning after the announcement of their mission to organize the new unions, workers lined up in front of the telephone booth.

The first telephone call was to the point: "There's a group of us here, and eight of us have already decided to join the union. But we didn't know where to start, and were hoping you would advise us." They received an enthusiastic response from the party secretary: "Splendid—it is right that you should have come to this decision of your own accord . . . that this should come from you below!"

"From below! From below we can rip off your b--- you son of a w---."

This was followed by another caller: "Are you the son of a w--- who's forming the new trade unions?"

After two hours of these calls, when the telephone rang yet again, this time from an innocent who had a relevant question about the new unions, the party secretary hysterically responded that no one was forming new trade unions there.

—from *Kronika Malopolska*, No. 18

The Law on "Notorious Job Shirkers"

The Polish Parliament adopted on October 25 an "anti-parasite" law (excerpted below), common to the Soviet Union and other Soviet bloc countries, which forcibly drafts or punishes unemployed workers. The intent is to repress those who have been dismissed from their jobs or who are being denied employment for union activity. The text of the law is instructive in the mechanisms used by the communist regime to legalize its repression.

The adoption of the law had been expected for some time and had been proposed to the Parliament in draft form in June. At that time Solidarity's Temporary Coordinating Commission issued a formal declaration opposing the adoption of the parasite law.

"Creating a Legal Basis for Repression"

CONCERNING THE INTRODUCTION IN THE PARLIAMENT OF the government's draft of a law concerning persons who avoid employment, the Temporary Coordinating Commission of Solidarity declares:

The supposed purpose of the law is to introduce legal means that will induce all able-bodied persons to undertake work, and that will make it impossible for the unemployed to live on income from illegal sources.

The text, however, shows that it is not the authorities' purpose in drafting this law to deal with the negative social phenomenon of a group of people who live without working.

The true aim of this law is to create a legal basis for the continued repression of people dismissed from

their jobs for union activity or political opposition, of those who have become inconvenient to the management and authorities for other reasons. The impossibility of finding work according to qualifications and professional training will expose these people to the possible application of the provisions of this law against them. The bill proposes to establish a register of unemployed persons, then to harass them by obliging them to report to the authorities every month, and finally to require that they file a declaration detailing the sources of their income. It is also possible to direct unemployed persons to compulsory public service for a two-month period.

The proposed law violates the Constitution of the Polish People's Republic, which does not impose a legal duty to work on its citizens. It is also an attempt to circumvent the prohibition of compulsory labor included in the international conventions ratified by Poland. In particular, it violates Article 2 of the I.L.O. Convention No. 29 concerning obligatory or compulsory labor, Article 1 of the I.L.O. Convention 105 concerning abolition of forced labor, Article 8 of the International Covenant on Human and Political Rights, and Article 6 of the International Covenant on Economic, Social, and Cultural Rights.

The Temporary Coordinating Commission of Solidarity calls on union members to oppose the draft of this law in all public, professional, and private discussions.

At the same time, the T.K.K. announces that in case this bill is passed into law, it will bring before the I.L.O. and the international trade union movement proposals to condemn the government of the Polish People's Republic for breaking the obligations it has undertaken.

The Text of the Job-Shirkers Law

ARTICLE 1

If for any given period of three months or more a Polish citizen between the ages of eighteen and forty-five does not work or study at school and is not registered with the labor exchange as looking for work, he must report to the local basic body of state administration in his permanent or temporary place of residence and explain why he is not working or studying. The body in question will henceforth be called *administrative body*.

ARTICLE 2

The duty defined in Article 1 does not apply to: 1) retired people; 2) disabled people; 3) farmers who run individual farms and members of their families, as well as members of the farm producer cooperatives; 4) artisans who ply their trades with official permission, and members of their families covered by social insurance; 5) persons who engage in documented earning activities of their own account; (6) persons engaged in [officially sanctioned] cultural, literary, educational, scientific, and journalistic activities; 7) persons granted state or social scholarships; 8) members of the voluntary labor corps; 9) priests and monks of the officially recognized churches and religious associations; 10) persons who receive social and religious assistance; 11) persons who are completely or partially debarrd from exercising responsibility.

ARTICLE 3

1) The administrative body runs a register of the persons listed in Article 1.

2) The administrative body defers the registration of the person who is without work or who does not study at school for more than three months if this person has reported to the administrative body and has made a credible deposition that he does not work or study at school for special reasons resulting from the state of his health or personal or family circumstances. In such a case the administrative body tells the person concerned when he must report again to supply further explanations or to state that he has assumed work or study at school.

3. The Minister of Labor, Wages, and Social Affairs defines the details and procedures of such a register in cooperation with the Minister of Administration, Local Economy, and Environmental Protection; the Minister of National Defense; and the Minister of Internal Affairs.

ARTICLE 4

1. If the credibility of the explanation given by the person cited in Article 1 is doubted, the administrative body initiates proceedings to clarify the reasons for which the person is without work or not studying.

ARTICLE 6

The registered person who does not work or study at school for socially unjustified reasons is told by the administrative body when he can work or is helped by this body to study at school, to raise or change his job classifications, or to start work on his own.

ARTICLE 7

The registered person who, despite the help given him

"Trade unions registered before the enactment of the present Statute shall no longer possess legal personality."

A Trade Union Law?

Editor's Note

The Polish Parliament adopted a bill governing trade unions on October 8, 1982, outlawing the Independent and Self-Governing Trade Union, Solidarity—which until that time had only been suspended under the state of war—and establishing new trade unions.

The new law, which replaced a compromise draft bill worked out between Solidarity and the government in 1981, provides for the control and restriction of trade union activity and virtually bans the right to strike by establishing complex and prohibitive strike procedures.

Along with the parasite law, the censorship law, and the special emergency powers act, among others, the new law governing trade unions was adopted by the Parliament at the initiative of the Military Council for National Salvation (WRON), in order to give the government and the state-party apparatus almost complete control over the lives of the Polish people.

The text of the law, which we excerpt below, is instructive in how the regime uses Poland's legal statutes to legitimize its coercion and control of the workers. For example, although workers have the "right" to form "self-governing" unions, the *voivodship*, or local, civilian courts have arbitrary powers to register or not to register these unions. The law never actually defines what a trade union is. A trade union may be registered to represent a factory with as few as thirty worker members—

no matter what the size of the factory. This makes it possible for a small number of party members to shoulder the burden of representing the workers' interests.

Moreover, a court may determine at any time that a trade union is acting against the intent of the trade union statute or against the Constitution of the Polish People's Republic, and remove it from the trade union register. (See Article 48.)

In addition, no trade union may be formed at a "militarized" work place, that is, any work place under the aegis of the Ministry of Defense or Internal Affairs. Under separate legislation not mentioned in this law, broad powers are given to the government to militarize any mine, shipyard, steelworks, or other establishment.

The right to strike is elaborately stipulated as a right of workers, but strikes are permissible only after the "union" follows arcane arbitration procedures that are intended both to inhibit strikes and to serve the interests of management. Then, after the law lays down these arbitration procedures, it provides a long list of categories of workers, comprising perhaps more than half the work force, that are deprived the right to strike from the start. (See Articles 34, 35, 36, and 40.)

Another instructive feature of the law is that, although trade unions have numerous obligations—to adhere to the principle of the "leading role" of the Communist Party, to support Poland's foreign alliances, and to "co-

3. In special cases the daily length of such work may be extended to twelve hours.

ARTICLE 18. In agreement with the Minister of Administration, Local Economy, and Environmental Protection, the Minister of National Defense, and the Minister of Internal Affairs, the Minister of Labor, Wages, and Social Affairs will decree the procedure by which persons are called to do public work, the principles and procedures of releasing persons from this work, the detailed principles of doing this work, the organization of regulations of the groups doing public work, and the supervision over such groups.

ARTICLE 20. A person who does not fulfill the duty defined in Article 1, or who fails to obey the call to report to the administrative body as spelled out in Article 4, paragraph 3, will be imprisoned for up to three months or fined.

ARTICLE 21. A person who is included on the list of persons who persist in refusing to work and fails to obey the call to report to the administrative body in order to make a statement about the source of his subsistence will be imprisoned for up to one year or will be fined.

2. A person who fails to report without good reason, despite his obligation to do so, or who fails to do public work in the proper place at the proper time, or who refuses to do public work, will be imprisoned for up to two years or fined.

ARTICLE 23. This law comes into force as of January 1, 1983.

operate" with management on increasing national production—management itself has virtually no obligations, e.g., to bargain in good faith with worker representatives.

However, the statute has also given broad powers, not readily gleaned from the text, to the trade union at a work place. While the courts determine what is and is not a proper trade union, making sure that only a body properly controlled by the state-party apparatus is representing the workers, a trade union has control over workers' vacations, work schedules, leisure and sports activity, educational activity, and such things as "worker-assistance and loan societies," which give emergency loans and assistance to workers at its discretion. Thus the unions are designed to fulfill the traditional role that unions have in Communist countries, that of regulating the workers.

1. Principles and Aims of Trade Union Activities

ARTICLE 1.

(1) Workers shall have the right to form and to associate in trade unions.

(2) Trade unions shall be self-governing. In particular, they shall have the right, independently and in conformity with the law, to:

(i) Frame their goals and programs of action;

(ii) Ratify their charters and other internal acts pertaining to trade union activities. . . .

ARTICLE 2.

(1) Trade unions shall be independent of the organs of state administration and of the collective economy.

(2) Trade unions, acting under the terms of their charters, shall not be subject to the supervision or control of state administrative organs. . . .

ARTICLE 3. A trade union shall act in accordance with its charter, which should conform to the Constitution of the Polish People's Republic and to other laws. In particular, trade unions shall have their foundations in the principles of social ownership of the means of production as the basis of the socialist order of the state; they shall recognize the leading role of the Polish United Workers' Party [the Communist Party] in building socialism, together with the principles of foreign policy described in the Constitution of the Polish People's Republic.

ARTICLE 4.

(1) Membership in a trade union shall be voluntary. No one may suffer adverse consequences from membership or non-membership in a union. In particular, non-membership may not be a condition for concluding a contract of employment, nor for a worker's continued employment or promotion, unless the provisions of the present Statute prohibit workers employed in a given work place from belonging to a union.

ARTICLE 5. Trade unions shall represent the occupational and professional interests of their members in dealings with the management, with the organs of state organization and the collective economy, and with social organizations, and in relations with trade union organizations from other countries, and shall cooperate with such organs and organizations.

ARTICLE 6.

(1) Trade unions shall represent and protect the rights and interests of workers with respect to working conditions, wages, and social, material, and cultural well-being, especially: rational employment policy and the development of rights and duties resulting from the employment relationship; remuneration and benefits;

work safety and hygiene, and work ethics; the working conditions of women and young persons; social benefits for workers and their families; leisure, organized sports, tourism, and vacations; the protection of workers' health as well as that of their families; medical, retirement, disability, and social security benefits; housing needs; the development of educational and cultural activities among workers, and the protection of the natural environment.

(2) Trade unions shall help frame and realize socio-economic goals of national growth, and work for an increased national income and its equitable distribution.

ARTICLE 7. Trade unions shall conduct educational activities with a view to developing professional ethics, the conscientious and efficient performance of employment obligations, and the observance of principles of social coexistence and cooperation.

2. The Formation of Trade Unions

ARTICLE 10.

(1) Individuals employed under an agreement of employment shall have the right to form and associate in trade unions without regard to the type of agreement or kind of employment.

(2) Trade unions shall organize workers in a given class of activity or in a given type of employment or profession.*

ARTICLE 12. Soldiers on active or reserve duty, together with police and prison officers, shall not have the right to form and associate in trade unions, nor to be active in a trade union of which they were members at the time of being drafted.

ARTICLE 13. Workers employed in military or other institutional units under the jurisdiction of the Minister for Internal Affairs shall not have the right to form and associate in trade unions.

ARTICLE 14.

(2) Those employed in military units under the jurisdiction of the Minister of Defense shall not have the right to form and associate in trade unions. . . .

ARTICLE 17. Workers desiring to form a trade union shall elect a founding committee and approve a union charter. At the date of filing the charter for registration, the number of members shall be not less than thirty.

ARTICLE 18.

(1) The trade union's charter shall give the name of the union by indicating the class of activity, type of employment, occupation, or profession of the workers organizing the union, and its registered office. It shall further specify the trade union's province and character, its aims, the rules governing membership, the rights and duties of members, its organizational structure and offices, together with the procedures for election to and removal from office. . . .

ARTICLE 19.

(1) A trade union shall acquire legal status . . . on

*As opposed to Solidarity's organization, which was formed along local, regional, and national lines. Although workers and employees did join specific unions representing their occupations, all were members of the regional union, the second highest structure of Solidarity's organization. Solidarity insisted on this method of organization's being permitted in the earlier trade union law. In order to better protect the workers' interests, the government seeks to break unions into trades and occupations in order to prevent the forming of regional and national bodies that might coordinate union activity.

Job Shirkers Law, continued from previous page

according to Article 6, persists in refusing to work or study at school for socially unjustified reasons, and draws his subsistence from sources that are unknown or are in conflict with the principles of social living, will be included in the list of persons who persist in refusing to work. Henceforth the list in question will be called the list.

ARTICLE 8.

1. The inclusion of a person on the list is based upon the decision made by the administrative body.

3. If it is established that penal proceedings against the person in question are warranted for offenses, civil proceedings for avoiding tax obligations, or other proceedings, the administrative body informs the appropriate organs.

ARTICLE 10.

In cooperation with the Minister of Administration, Local Economy, and Environmental Protection, the Minister of National Defense, the Minister of Labor, Wages, and Social Affairs defines by decree the detailed principles of how the list is to be kept.

ARTICLE 13. The persons included on the list can be obligated to do public work. . . .

ARTICLE 15.

1. The total length of public work done by an individual must not exceed sixty days a year.

2. The daily length of such work must not exceed eight hours.

the date of its registration.

(2) A court shall refuse to register a trade union if it is manifest from the substance of the charter that the organization is not a trade union within the meaning of the present Statute or if the provisions of the charter are not consistent with those of the present Statute.

(3) The Council of Ministers shall issue an executive order establishing the precise nature of the registration procedure.

3. The Rights and Duties of Trade Unions

Article 21

(1) Trade unions shall have the right to speak on government proposals as well as on draft legislation and draft statutory instruments and decisions affecting the rights and interests of workers and their families.

(2) A trade union may exercise its right to be heard either by way of a detailed written opinion or in the course of direct consultation between trade union representatives and the competent state or administrative organ. A trade union should furnish a written opinion to the competent state or administrative organ within a month. Failure to so furnish such opinion within the requisite time period shall be deemed a failure to exercise a trade union's right to be heard.

Article 22

(1) Trade unions shall have the right to enter into nationwide collective bargaining agreements. Such agreements shall be binding on all workers of a given class of activity without regard to union membership.

Article 23

(1) Trade unions shall exercise collective control over the working conditions and welfare of workers and their families as well as over the observance of workers' rights.

Article 24 Trade unions shall have the right to conduct promotional activities related to union work as well as educational and cultural activities. They shall also have the right to present trade union problems to the general public and to public organizations through the mass media in a manner consistent with the provisions governing the activities of such media.

4. The Organization of the Union at the Work Place

Article 25

(1) Trade union activities shall be performed by trade union organizations at the work place level, acting through the bodies provided for in their charters.

(2) In particular, the activities of trade union organizations at the work place shall include the following:

(a) Representing in all cases involving individual workers that are governed by the Labor Code;

(b) Cooperating with the manager and with the self-management organization of the work force in matters touching the rights and interests of the work force, and in particular on those involving the establishment

of work rules, standards for awards and premiums, work and vacation schedules, as well as those concerning the moral, material, and cultural needs of the work force;

(c) Cooperating with management in training workers to increase their competence and developing their efficiency and creativity as well as shaping the principles of cooperation in the work place.

5. Collective Disputes and the Right to Strike

Article 26 In the event of a collective dispute, the competent organ of the trade union organization and of the administration shall be under an obligation immediately to enter into negotiations with a view to resolving the dispute.

Article 27

(1) Should the negotiations fail to resolve the dispute, each of the parties may call for the commencement of arbitration proceedings. Such proceedings shall be conducted by a specially appointed commission composed of six members, three of whom shall be nominated by each of the parties to the dispute.

(2) Any dispute should be resolved by way of arbitration within a period of seven days from the commencement of the proceedings if that dispute is limited to a single work place, and within a period of ten days if the dispute concerns more than one work place.

(3) A dispute shall be resolved by way of an agreement binding on all the parties concerned. Should the parties to the dispute fail to reach an agreement, the commission shall draw up a statement of differences indicating the positions of each of the disputing parties.

Article 28

(1) Should the parties fail to resolve a dispute in the manner prescribed by articles 26 and 27 above, they shall be under an obligation to submit any dispute to the social arbitration board of the local labor and social security court.

(2) The arbitration board shall be composed of a chairman appointed by the president of the respective court from among its judges, and six other members, three of whom shall be nominated by each of the parties to the dispute.

(3) Arbitration boards shall decide disputes by majority vote. Such decisions shall be binding on the parties concerned, except where one of the parties to the dispute shall have determined otherwise prior to submitting the dispute before the arbitration board.

Article 29

(1) Trade unions shall have the right to organize strikes in accordance with the rules laid down here.

(2) Trade unions shall also have the right to engage in other types of protest actions consistent with the legal order and the principles of social cooperation.

Article 30

(1) A voluntary collective withholding of labor by workers to protect the economic and social interests of a given group of workers shall constitute a strike.

(2) Strikes shall constitute actions of last resort and may not be called before all the procedures for settling a dispute referred to in articles 26 and 27 have been exhausted. The above shall not apply to any strikes involving the failure to implement a decision of an arbitration board referred to in article 28 above.

(3) Strikes shall be prohibited whenever existing individual disputes can be decided by bodies competent to handle worker grievances.

(4) Strikes of a political character shall be prohibited.

Article 31

(1) A strike shall be called by the trade union body at a work place upon the acceptance of such a decision by a majority of the work force voting by secret ballot, and upon the approval of a higher trade union body. No one shall be under an obligation to vote.

(2) Participation in a strike shall be voluntary. No one may be forced to participate in or to hold out against a strike. Non-striking workers or workers ending their participation in a strike shall not be hindered from working provided that working conditions permit.

(3) A strike shall be called at least seven days before it is due to begin. The manager of the work place shall be informed thereof.

Article 32

(1) Organizing, staging, and taking part in a strike or protest action shall not exempt anyone from criminal liability for violating the law, and in particular, for illegally using or misappropriating property, using force or illegal threats to coerce persons into not taking up or leaving work, or making it impossible or more difficult for the manager of a work place to perform his duty.

Article 33

(1) Workers employed by military units and in state enterprises subject to the jurisdiction of the Ministers of Defense and Internal Affairs, establishments, departments, and divisions of the defense industry, administrative units under the jurisdiction of the Minister for Internal Affairs, and in the correction services, as well as fire department officials, together with workers employed in positions directly related to the defense and security of the state, by establishments producing, storing, and distributing food, by medical establishments and the social services, by pharmacies, and by education and cultural centers shall not have the right to strike.

(2) Workers employed by the state administration, banks, the judiciary, the Public Prosecutor's Office, as well as those whose work is connected with oil and gas pipelines, the servicing of transit lines, equipment indispensable for international transport and communication, and the servicing of transit vehicles for international and inter-city transport, together with workers employed by special services, communication media, communication workers in radio and television stations, and road and air transport workers shall also not have the right to strike.

(3) Services indispensable to the defense and security of the State and to the basic needs of the population should be secured by the Polish State Railroads and other transport establishments, communication network units, and services supplying the population with water, electricity, heat, and gas. To this end, strike organizers shall be under an obligation to cooperate with management, with the regional organs of state administration, and with the competent military bodies. A decision of a competent military body concerning the defense and security needs of the State shall be binding.

Article 34 The exercise of the right to strike shall not exempt either work places or the workers employed therein from the duties flowing from the universal duty to defend the Polish People's Republic.

6. Liability for Breach of Statutory Provisions

Article 35 Whoever in connection with the holding or discharge of union office fails to perform his duties or otherwise violates the provisions of the present Statute shall be punished by a fine of up to 50,000 zlotys.

Article 36 Whoever organizes a strike in a manner inconsistent with the provisions of the present Statute shall be punished by a deprivation of liberty for a period of up to one year, by a limitation of freedom, or by a fine of up to 50,000 zlotys.

Article 37

(1) In the event of a finding that a trade union body is acting in a manner blatantly inconsistent with the provisions of the present Statute, the Voivodship Court of Warsaw shall bind that body over a period of three months to comply with the applicable provisions of the Statute. Such court proceedings shall be opened on a motion of the Prosecutor General of the Polish People's Republic.

(2) Should such a penalty not show results, the Voivodship Court of Warsaw may:

(a) Impose a fine of up to 50,000 zlotys on each of the members, or

(b) Command the competent trade union authority to conduct new elections within a given period, under the threat of suspending the activities of that body altogether.

(3) Should these measures prove ineffective or should the trade union conduct activities inconsistent with the provisions of the Constitution of the Polish People's Republic and other legislation, the Voivodship Court of Warsaw shall, on a motion of the Prosecutor General pronounce in favor of the trade union's removal from the trade union register.

7. Transitional and Concluding Provisions

Article 38

(1) Worker assistance and loan societies shall be established with socialized work places, all of whose employees, including retired and disabled persons, without regard to union membership, may be members thereof. Trade unions shall exercise collective control over such societies.

Article 39 Trade unions registered before the entering into force of the present Statute shall no longer possess legal personality.

Article 40

(1) Trade union activities shall be commenced as of:

(a) December 31, 1982, by trade union organizations at the work-place level, but not before registering their charters with the voivodship courts;

(b) December 31, 1983, by trade union organizations at the national level, and

(c) December 31, 1984, by trade union organizations at the association and inter-union organizational level.

(2) The Council of State shall issue an executive order laying down the rules and procedures for applying the provisions contained in paragraph 13 above, with the qualification that only one trade union shall operate at the work-place level until the end of the transitional period on December 31, 1984.

Article 41

(1) The assets of trade union organizations and associations existing before this Statute enters into force shall be transferred until the end of the transitional period to a temporary board of administration.

—Translated by Eva Brantley

[The Council of Ministers has determined that the assets of Solidarity will be distributed among the new unions.]

Chronicle of Resistance

JULY 1982

July 14—At the Kwidzyn prison, where both prisoners and interest are held, one hundred are beaten by ZOMO police and prison guards. Six require hospitalization.

July 16—The Central Committee of the P.Z.W.P. (Communist Party) meets and replaces Józef Czerwinski with Stefan Olszowski as Poland's foreign minister.

July 21—General Wojciech Jaruzelski announces to the Parliament that martial law will continue indefinitely as long as "anti-socialist" activity that prevents "normalization" goes on. He also announces the release of 1,000 internees, most of whom have been detained since December 13. None of Solidarity's National Commission members are included.

Jaruzelski also announces that Pope John Paul II will be denied admittance to Poland in August for the celebration of the 600th anniversary of the Black Madonna of Czestochowa, the most revered icon of the Polish Church.

July 26—The vice-chairman of Solidarity's National Commission, Miroslaw Krupinski, who was also the leader of the National Strike Committee formed in Gdansk on December 13 in response to the imposition of martial law, is sentenced to three-and-a-half years of imprisonment. He is the second highest ranking elected official of the free trade union Solidarity.

P.A.P. (Polish Press Agency) reports that industrial production has declined 7.6% despite an increase in coal production of 16.6% over 1981. Living standards also declined by 26%; the cost of living increased 104%.

July 29—The Temporary Coordinating Commission (T.K.K.) of Solidarity issues an appeal for demonstrations throughout the month of August culminating in a nationwide protest on August 31, the second anniversary of the signing of the Gdansk Accords.

July 30—Near Gdynia, ZOMO police are trained for dispersing demonstrations at specially erected replicas of the Lenin Shipyards and the railway station in Gdansk, major centers of protest. In the training exercise, soldiers are used to represent the crowd, and they shout "Gestapo! Gestapo!" at the ZOMO.

AUGUST

August 1—Ten thousand people gather at the Powanski cemetery in Warsaw to mark the anniversary of the Warsaw Ghetto Uprising under the German occupation. Solidarity banners are openly displayed, and demonstrators chant Solidarity slogans and hold their hands aloft in the sign of victory. A recorded appeal by Zbigniew Brzezinski is played, in which he urges continued struggle for Solidarity.

August 12—In Szczecin, a funeral for the son and daughter-in-law of the region's Solidarity leader, Marian Jurczyk, becomes the scene of a large demonstration for Solidarity. Approximately 1,000 people, including Jurczyk, who was released from imprisonment to attend the funeral, march through the streets of Szczecin and are dispersed by the police.

August 13—In the monthly observance of the day on which the state of war was imposed, 15,000 people demonstrate in Gdansk, 4,000 in Krakow, and tens of thousands in other cities. Riot police disperse the crowds with water cannons and tear gas.

One thousand gather in Warsaw in Victory Square, one of the symbolic areas of resistance, to lay a forty-foot wreath where

the late Primate Cardinal Wyszyński lay in state one year earlier.

August 15—The Polish Primate, Józef Glemp, addresses more than 120,000 pilgrims at the Jasna Gora monastery, saying that the right to organize is fundamental and cannot be taken away. He urges a new dialogue between the government, the Church, and Solidarity.

August 16—At Victory Square in Warsaw, a few hundred people gather and, as before, lay wreaths and chant Solidarity slogans.

August 20—The authorities seal off Victory Square with a six-foot-high fence under the pretext of renovating the area. Bus shelters are removed from the streets to prevent their use by demonstrators trying to protect themselves from water cannons.

August 21—Hundreds of people are dispersed by riot police after gathering at St. Anne's Church and the Church of the Sisters of Visitation to lay wreaths there as an alternative to Victory Square. The following day, the demonstrators continue the ceremony; ZOMO police look on.

August 26—More than 250,000 gather in a pilgrimage marking the 600th anniversary of the Black Madonna of Czestochowa. Primate Glemp demands that the authorities release those interned and sentenced, rescind martial law, and reinstate Solidarity. These are the same demands as those of the Solidarity leaders underground.

In Lodz, police arrest 108 people out of an estimated 1,000 who demonstrate against martial law. They are immediately sentenced for violating the martial law decree prohibiting assembly. Seven militiamen are reportedly injured.

August 27—Police intensify efforts to prevent demonstrations on August 31. There are reports of significant numbers of Solidarity activists being arrested and of printing presses and leaflets being confiscated. ZOMO's bivouac in Warsaw hotels.

August 31—In at least sixty-seven cities throughout Poland, over 300,000 Solidarity supporters demonstrate, despite the deployment beforehand of ZOMO riot police detachments armed with water cannons, concussion grenades, tear gas, and truncheons. They are the largest demonstrations against martial law since December 13.

At least seven people are killed by the ZOMO as the peaceful demonstrators are violently dispersed. Three are killed in Lubin, a copper mining town; two in Wroclaw; one each in Gdansk and Nowa Huta. Demonstrations last for two days in Wroclaw and Lubin.

SEPTEMBER

September 1—The government reports that 4,053 people have been arrested for participating in the August 31 demonstrations, and the Military Council for National Salvation orders that they be summarily tried and sentenced. An additional estimated 4,000 were arrested during the month of August.

Zolnierz Wolnosci (Soldier of Freedom), the army daily, reports the completion of joint Soviet-Polish tactical military maneuvers.

Wladyslaw Gomulka, who ruled Poland from 1956 until 1970 as the general secretary of the Communist Party, dies.

September 2—The government brings charges against members of the Workers Defense Committee (KOR), which was formed in 1976 and dissolved by its members at the Solidarity

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National Congress in 1981. They are being charged with making preparations for overthrowing the political system of the People's Republic of Poland. Those named are Miroslaw Chojcik, Jacek Kuron, Jan Jozef Lipski, Jan Litwinski, Adam Michnik, Zbigniew Romaszewski and Henryk Wajet. (Chojcik and Lipski are abroad.)

September 5—Three hundred thousand farmers gather for Jubilee pilgrimage to Jasna Gora to celebrate the harvest and to mark the 600th anniversary of the Black Madonna of Czestochowa. In his homily, Bishop Ignacy Tokarczuk of the Diocese of Przysiel (a town in southwest Poland), calls for a reaffirmation of hope, the reinstitution of Solidarity and Rural Solidarity, the release of all prisoners, and an end to repression. It is one of the sharpest criticisms of the martial law regime by a bishop since the state of war began.

September 13—On the ninth monthly anniversary of the imposition of martial law, demonstrations take place in Wroclaw, Nowa Huta, Szczecin, Lodz, and other cities.

September 15—Jan Jozef Lipski, who has been in London for medical treatment of a serious heart condition, returns to Poland, where he is arrested within twenty-four hours on charges of planning to attempt to overthrow the political system.

A soccer match between a local team from Wroclaw and Dynamo Moscow is played, and the crowd chants "Solidarity" and "Frasyniuk" throughout the game. The match ends in a draw. Polish television broadcasts only the second half of the match, without the sound track.

September 16—General Kiszczak, Minister of Internal Affairs, with jurisdiction over Poland's internal security forces, admits that 300,000 people demonstrated on August 31. He announces that 5,131 people were detained or arrested, 117 were tried under penal proceedings, and 3,339 have been sentenced by the petty offenses courts, and that 295 policemen and five soldiers were injured.

September 17—Poland's bishops, in a sternly worded statement, warn Polish authorities that unrest will increase if the regime continues its repression of the Polish people. "We deem it our duty to stand up on behalf of all those who were beaten and who suffered bodily injury and moral humiliation . . . who have been deprived of their freedom and variously sentenced and heavily fined."

September 29—Official news media continue their attacks on Solidarity and warn that the new draft bill on trade unionism will not allow its reinstatement.

Police arrest four Solidarity activists in Bielsko-Biala. "Janusz K" is arrested in Gdansk for possessing a low-power transmitter and attempting to broadcast Radio Solidarity.

September 30—In Wroclaw, ten thousand demonstrate to commemorate those killed in the August 31 demonstrations. Workers in factories throughout Poland, responding to the Temporary Coordinating Commission's call, observe a minute of silence for those who fell.

Three Western television crews are detained in Wroclaw for trying to report events in that city, and three members of a CBS television crew are beaten by uniformed police in Gdansk.

OCTOBER

October 4—The former Polish ambassador to the U.S., Romuald Spasowski, is sentenced to death in absentia for de-

flecting and seeking political asylum after the imposition of martial law.

October 5—Police arrest Wladyslaw Frasyniuk, the chairman of the Wroclaw Region of Solidarity and a member of the Temporary Coordinating Commission and the Regional Strike Commission. He has evaded arrest successfully ever since the night of December 13, when most of Solidarity's National Commission was arrested in Gdansk.

October 6—Archbishop Glemp cancels a trip to the Vatican, where the canonization of a Polish priest, Father Maximilian Kolbe, will take place, out of fear of more protests after the expected delegalization of Solidarity.

October 7—"Soldier of Freedom" reports that in September 222 people were sentenced by the military tribunals that were set up outside the civilian court system when the state of war was declared.

Uniformed police increase their presence and activity on the streets of Warsaw and other major cities.

October 8—The Parliament passes a new trade union law, and dissolves the Independent and Self-Governing Trade Union Solidarity, the first free trade union in a Communist country. The new law strictly limits the right to strike and regulates the trade unions' activities.

Out of 440 deputies, 10 vote against, 9 abstain, and 125 are recorded as absent.

Sentences are handed down in the lengthy trial of members of K.P.N. (Confederation for an Independent Poland), which began in June of 1980 but was delayed, partly because of protests against their persecution for their political beliefs. Leszek Moczulski, K.P.N.'s founder, is sentenced to seven years, Romuald Szeremietew and Tadeusz Stanski to five each, and Tadeusz Jandziszak to two years, suspended for five years' probation, on charges of trying to change the political system of the Polish People's Republic.

October 10—The T.K.K. announces that there will be a four-hour general strike nationwide on November 10 to protest the dissolution of Solidarity. November 10 is the second anniversary of Solidarity's registration by the Supreme Court in Warsaw, which took place after a protracted fight over the wording of the union's statutes.

October 11—Nearly ten thousand steelworkers at the Lenin Shipyards in Gdansk, the birthplace of Solidarity, strike for eight hours. The peaceful sit-in strike of the shipyard's first shift is not disrupted by the ZOMO. Workers chant slogans and hang Solidarity banners from the walls, one of which covers the word "Lenin" in the shipyard's name. People outside the shipyards gather to show their support, and are attacked by the ZOMO, along with workers leaving the shipyard.

Communications with Gdansk, Sopot, Gdynia, and Szczecin are cut off.

October 12—Workers at the Lenin Shipyards continue their strike, demanding the reinstatement of Solidarity, the release of all internees and prisoners, and the annulment of martial law. As they leave the yards following their shift, the workers are attacked by ZOMO police with water cannons and tear gas. Demonstrators outside the shipyards are also attacked. Battles last until night, with an unknown number of wounded and over 150 arrests reported by the authorities. Five hundred workers are fired for participating in the strike.

October 13—Demonstrations protesting the dissolution of

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Solidarity and marking the ten-month anniversary of martial law take place in Wrocław, Nowa Huta, and other cities.

Bogdan Włosik, a 20-year-old, is shot and killed in Nowa Huta, where demonstrations continue for two days.

October 14—A large crowd gathers at the site of Bogdan Włosik's murder, where people construct a shrine of candles, crosses, and flowers. Demonstrations break out and the crowd is dispersed by security forces.

October 15—Calls for work slowdowns and strikes are issued in Wrocław, Katowice, and Warsaw. Leaflets appear on the streets and in the factories in numerous cities urging a boycott of the new trade unions being established by the government.

October 20—Between ten and twenty thousand people attend Bogdan Włosik's funeral in Nowa Huta. One of the banners carried says, "Bogdan died for us."

October 23—The Temporary Coordinating Commission calls for a new wave of walkouts and shutdowns and renews its call for a four-hour nationwide general strike on November 10.

October 24—An article in the Warsaw government newspaper, *Rzeczpospolita*, attacks "renegades" within the Communist Party and calls for the success of the new party policy to hold "accountability meetings" in order to purge the party of "careerists."

The Sejm adopts a law to severely limit the sale and distribution of liquor, as well as a law on juvenile delinquency, which entrusts family courts with arbitrary powers to act against delinquents, including placing minors in a psychiatric institute.

October 25—In a continued wave of legislation designed to incorporate martial law decrees into Poland's legal statutes, the Parliament adopts an "anti-parasite" law for "notorious job shirkers," which allows the arrest and forcible draft of anyone who has been unemployed for three months or who cannot prove employment. The law is designed to repress those fired from work or unable to get work because of their union activities or sympathies.

October 26—At a meeting of the Central Committee of the P.U.W.P., officials concede that the Polish economy is in an "unprecedented breakdown." Jaruzelski asks the committee to "come up with solutions."

October 29—General Jaruzelski attacks the United States in a speech to miners for withdrawing most-favored-nation status from Poland. "Poland is not the state of Texas and will not allow itself to be locked up on a reservation like the Indians," he says.

October 30—The Minister of Trade Unions is ordered to draft legislation liquidating the assets of the free trade union Solidarity and redistributing them among the new official trade unions.

Archbishop Glemp, while on an official visit to the Vatican, states that he is opposed to the call for a general strike on November 10, "primarily because of the stricter repressions that such an action could provoke." The Archbishop also expresses the hope that arrangements can be made with the Polish government to allow Pope John Paul II to visit Poland next year.

While instructions for conducting the general strike of November 10 are printed in underground publications and aired on Radio Solidarity broadcasts, the authorities make elaborate preparations for breaking the strikes and protests. Thou-

sands of workers are drafted into the military and police forces and factory managers threaten workers with the draft if they participate in the strike. Many workers and students drafted into service are taken to special military camps, where they are guarded by security forces. ZOMO police are stationed inside factory grounds so as to more easily break up any sit-down strikes.

NOVEMBER

November 4—P.A.P. (Polish Press Agency) reports that in October military prosecutors initiated "summary proceedings" against 189 civilians and that 148 more civilians were indicted for violations of martial law decrees. Among them are students from Szczecin involved in printing the underground publication *Unity*, the chairman of Solidarity at the LEGMET metal plant charged with organizing a strike October 13, and the editor of the monthly underground publication "NO."

November 8—General Jaruzelski and Archbishop Glemp, after a meeting, announce that Pope John Paul II will be allowed to visit Poland in June to celebrate the 600th anniversary of the Black Madonna of Czestochowa. He was prevented from attending the official celebration August 26 when the authorities denied him entrance. After the announcement, however, certain conditions are stipulated in the government press: that the Pope will have to state his political intentions before arriving in Poland.

November 9—Police in Wrocław seize a second radio transmitter while a Radio Solidarity program is being broadcast. The program included messages from Piotr Bednarski and Jozef Pinior, two members of the Regional Strike Commission, who called on workers to participate in strikes and protests on November 10.

November 10—On the day designated by the T.K.K. for strikes and protests, fifteen thousand workers demonstrate in Wrocław after having a sit-in strike for eight hours; strikes and protests take place in Warsaw, Czestochowa, and other cities. However, the heavy deployment of security police inside and outside major industrial centers prevent wide participation.

Six hundred workers from the Nowa Huta steelworks are drafted into the army and police force as they are going to work. Managers and policemen threaten similar action against those who participate in protests.

November 11—P.A.P. announces that martial law authorities will release Lech Walesa; he has been isolated for eleven months. It is also announced that Parliament will meet on December 13. This announcement comes only hours after a report of Leonid Brezhnev's death, which has been kept secret by the Soviets for one day.

November 14—Lech Walesa, whose whereabouts were unknown for three days after the announcement of his release, returns to his home in Gdansk, where a crowd of 1500 greet him. From the window of his apartment, Walesa tells the crowd that he will be "faithful to the agreements made in Gdansk" in August 1980. In a press conference with foreign journalists the next day, he states that "the spirit of Solidarity is invincible."

November 15—The trial of Wladyslaw Frasyniuk begins at the civilian court in Wrocław. He is charged with organizing union activity and strike and protest actions, both violations

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of the decree of the state of war. He is sentenced to six years' imprisonment on November 24.

Two other Solidarity activists, Jerzy Szmoniak and Andrzej Komoniewski, are sentenced to three years' imprisonment for organizing street demonstrations in Dabrowa Gornicza, near Katowice, on October 13.

Anna Walentynowicz, a crane operator at the Lenin shipyards, whose dismissal in August 1980 sparked the historic strike there, is reported to have been transferred from an internment prison to a mental hospital. Except for a brief period, she has been interned since December 13, 1981.

November 14—Foreign Minister Stefan Olszowski returns from a state visit to India, where he met with Indira Gandhi and India's foreign minister, among others, in talks to strengthen "bilateral relations."

November 18—A fourth radio transmitter of Wrocław's "Radio Solidarnosc" is seized by police during a forty-minute program that included a recording of a Communist Party meeting, during which a Politburo member stated that special emergency powers would be granted a civilian government if martial law is lifted. The transmitter that the police seize is connected to a tape recorder; the operators escape.

November 20—Lech Walesa arrives in Warsaw to meet with Archbishop Jozef Glemp.

Zycie Warszawy (Life of Warsaw) reports that martial law may soon be lifted, which corresponds to similar statements by other government papers and statements by government officials.

November 23—Grazyna Kuron, the wife of Solidarity adviser Jacek Kuron, dies in a Lodz hospital. She was interned along with her husband and son, remaining interned until May despite a serious illness.

November 26—The government press agency announces that Parliament will convene on December 13 and 14 in compliance with the Military Council for National Salvation, to discuss the proposed "lifting" of martial law and to adopt a series of fifty new laws, most of which incorporate the decrees of martial law into Poland's statutes.

A front group for the Military Council for National Salvation and the Communist Party, known as the Patriotic Movement for National Rebirth, calls for the lifting of martial law "as soon as possible." This appeal is part of a propaganda campaign building up to the lifting of martial law on December 13, one year after the state of war was declared.

November 27—P.A.P. announces that 402 new trade unions have been registered and that 1,603 applications have been filed with the courts (which have the exclusive power to register and deny applications for trade unions). However, it admits that very few workers have joined the new unions. Underground Solidarity bulletins report a widespread boycott by workers.

November 29—Three hundred twenty-seven people are released from internment. Many of them have been interned since December 13. About two hundred are still interned.

November 30—Archbishop Glemp appeals to actors to end their year-long boycott of Polish television, which they have carried out to protest martial law, but the actors insist that they will continue the boycott until Solidarity's leaders are released and able "to talk freely." The boycott, honored by almost all of Warsaw's five hundred actors, has forced Polish TV to show old programs and programs with unknown actors.

DECEMBER

December 1—The Association of Polish Theater, Television, and Film Actors, ZASP, is dissolved by an order of the Minister of Culture because of ZASP's boycott, which is said to be "politically motivated."

P.A.P. reports that membership in the founding committee of the new trade unions is "modest" but that interest is increasing. At the Lenin shipyards, it reports the new trade union has 1,200 members out of 12,000. However, underground Solidarity bulletins from Gdansk put the number at 150 members, most of them retired workers and party members.

December 2—The Military Prosecutor's office announces that investigations of 108 civilians have begun and that another 117 civilians have been indicted for violations of martial law. They do not say how many have been sentenced by military courts, nor are figures released on how many have been arrested, indicted, or sentenced by civilian courts, which are separate from the military courts.

December 3—P.A.P. reports for the first time on a mining disaster in Bytom, a city in the Silesian region of Poland. Several workers and others involved in rescue operations died and many more were severely injured. The Bytom disaster is one of several accidents at mines since martial law, which are due to increased production requirements and violations of safety provisions by military commissars assigned to the mines.

December 7—In an interview with the underground Warsaw Solidarity publication, *Tygodnik Mazowiecki*, Zbigniew Bujak says that the workers' widespread boycott of the new trade unions, in the face of coercion, is the Solidarity movement's greatest achievement since martial law was imposed.

December 12—General Jaruzelski states in a radio and television address that the Military Council for National Salvation thinks it is now possible to "suspend" some of the restrictions of martial law, but that it is not possible to "relinquish all the extraordinary means" of martial law. "Not one restriction less than necessary" will be kept. The proposals fall far short of what government media and spokesmen have been hinting at.

Lech Walesa writes a letter to Jaruzelski saying that no reconciliation between the regime and Polish society can take place without the release of all prisoners, trade union pluralism, and a genuine dialogue.

Bogdan Lis, in a television interview with a French journalist, says that martial law is being suspended "because they hope that the West will lift sanctions and grant new credits to Poland." He also says that "the struggle will continue," and that underground Solidarity leaders and activists have no intention of coming out from the underground resistance.

December 18—The Parliament passes legislation allowing the Council of State to "suspend" but not lift the state of war. The legislation allows the Council of State to reimpose martial law at any time, in violation of the Polish Constitution. Other provisions in the law allow the militarization of homes, shipyards, and steelworks; provide the army and police with extraordinary powers to arrest civilians and to use live ammunition; suspend the Polish Constitution's provision of habeas corpus; and continue the full powers of military courts. Possession of a leaflet is made subject to five years' imprisonment, and sentences for other violations of the law are lengthened.