

## The March of a thousand Gowns, Two Years Later

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Hannah Arendt brilliantly explained us that “storytelling reveals meaning without committing the error of defining it.”

Therefore, allow me to start with a short story from David Foster Wallace, the genius writer.

“There are these two young fish swimming along and they happen to meet an older fish swimming the other way, who nods at them and says “Good Morning, boys. How’s the water?” And the two young fish swim on for a bit, and then eventually one of them looks over at the other and goes “What the hell is water?”

This story represents to me a clear parable about judicial independence.

Judicial independence must be seen as our water; only if judges work independently, we can finally move around, no matter what, serving our fellow citizens.

But, sometimes, critical certainties are often the ones that are hardest to see.

Irrespective of the current tempests, regardless of the troubled waters we are obliged to navigate, the survival of judges depends on the presence of water.

Let’s never forget it!

When Europe is finally putting an end to a terrible pandemic that alienate our lives for long months, we are threatened by a war with their inevitable long tail of horror, despair and anguish. Now that the judiciaries were finally rebuilding in a post pandemic era, learning to take the best of digital solutions put forward during the times of confinement, we are confronted with the absolute demand of providing shelter, fulfilling basic needs for survival, to the millions of our Ukrainian brothers and sisters fleeing from death and devastation caused by a ruthless invader.

The Polish people has taught us in recent weeks how generous and compassionate can be mankind; my personal faith in humanity has truly invigorated witnessing how anonymous Polish citizens, with serenity and discretion, came massively to the rescue of their terrified neighbors.

In this particular context of present days, I would like to briefly share with you two conclusions

First:

It is crucial to realize, beyond any doubt, that the solidarity and the demanding efforts from European Union countries to assist Ukraine cannot justify, in any possible way, a retreat or weakening in the decisive struggle for Rule of Law and the independence of the judiciary. Quite

the opposite. It was the absolute absence of Rule of Law that allowed the Russian invasion; it was the disrespect to basic rules of International Law that put us in this terrible situation.

The absurd idea cherished by the European Commission of throwing an irresponsible “blind eye” to the Rule of Law disaster in Poland or in Hungary casts again an immense shadow on the hope for a peaceful and common future for the European Union.

Secondly:

We must continue to underline the symbolical importance of our March, held on January 11, 2020, now more significant than ever before.

A few days ago I was invited for a seminar by an Australian Colleague; the auditorium will be members of their judiciary assembled on the other side of the world. Asking about the main topic for my intervention immediately he asked with genuine enthusiasm - can you speak about the historical moment for judges of the 1000 Robes March?

To celebrate the Warsaw March today is to remind governments that judicial independence is not a problem; is a solution. It is not negotiable; it is vital.

To comply with the rulings of the European Court of Justice and of the European Court of Human Rights on judicial independence in Poland; to take urgent action and immediately apply the Rule of Law Conditionality Mechanism for Poland and Hungary; these are the new trails of our collective March.

Dear Colleagues and friends:

The road may bend out of sight at times, but we always know what lies ahead.

Let's keep marching!