



Weekly Briefing

Poland political briefing:
Poland 2020 Domestic Policy Summary
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Poland 2020 Domestic Policy Summary

The year 2020 was a time of huge political turbulence in Poland, which was additionally reinforced by the prevailing pandemic. The presidential elections scheduled for May were postponed to the turn of June and July, and the election campaign conducted during the COVID-19 epidemic only highlighted the ideological gap between the candidates. However, the election of Andrzej Duda for a next term did not end political animosities, and the second half of the year was full of crises in domestic policy.

The passing year in domestic affairs promised to be extremely hot from the very beginning. Poland was facing presidential elections - a difficult political campaign and another clash between ruling camp and the entire opposition was about to come from the start of the new year. According to the decision of the Marshal of the Sejm, Elżbieta Witek, made in February 2020 (before the outbreak of the pandemic in Poland), presidential elections were scheduled for May 10, and a possible second round for May 24. Yet, taking into account the epidemic situation (the first Polish case of SARS-CoV-2 infection took place on March 4, and shortly thereafter the state of epidemic was declared nationwide), since end-March, discussions continued whether and when to postpone the voting. Many variants of its organization were considered: holding the elections in the traditional form on the scheduled date, organizing correspondence elections or postponing them for next year.

Contrary to the logic and assumptions of the state of the epidemic, the ruling Law and Justice Party (Prawo i Sprawiedliwość, PiS) wanted to arrange presidential elections on the original May date. However, since polling stations could not be organised in a traditional form, it was assumed that voting would be held by post. The Minister of State Assets, Jacek Sasin, was responsible for their conduction. Though, taking into account all the disputable issues that arose as a result of the preparations (legality of elections resulting from the issue of forwarding the addresses of all eligible citizens to the Polish Post Office; the costs of the elections; the issue of health risks for postmen carrying election packages; as well as all the political turbulence in this matter that arose between the parties forming the government coalition), the State Electoral Commission decided on May 8, two days before the planned postal voting, that no correspondence election would take place. This decision allowed the Polish Sejm to choose a new voting date. Ultimately, Marshal Witek announced that the 2020 presidential election

would be held on June 28, and a possible second round would take place 14 days later. PiS politicians emphasized that June 28 is the last date that allows for elections to be held in a manner consistent with the Constitution. Carrying them out at a later date would require the introduction of controversial changes to the Constitution (which was proposed by the PiS coalition partner, Jarosław Gowin's party Agreement).

The election's postponement changed the composition of the list of candidates. The main opponent for Andrzej Duda (PiS), a representative of the Civic Coalition, Małgorzata Kidawa-Błońska, resigned from the election race. Her place was taken by the President of the capital city of Warsaw - Rafał Trzaskowski. The duel of both men - Duda and Trzaskowski - dominated the campaign, although both politicians rejected the possibility of taking part in a joint presidential debate, which in a way symbolized the divisions that have occurred in Poland in recent years. Eventually, the election was won by Andrzej Duda, who gained 51.03% of votes in the second round (with a turnout of 68%).

Duda's victory was in fact not spectacular. In the first round he had as much as 13% advantage over Trzaskowski, and two weeks later it decreased to less than 3%. Meanwhile, the President seeking re-election had access to almost unlimited resources - parliamentary majority, favourable government and public media, administration, and support from the State Treasury companies. Nevertheless, he barely beat the counter-candidate who ran his campaign for less than two months with much less resources. Although right-wing politicians celebrated this presidential triumph, it was to be expected that there would soon be a political crisis in the ruling camp. Indeed, Duda's success meant a great political and psychological value for the United Right, yet after July 12, any masks worn by politicians fighting for Duda's re-election were removed.

President assured throughout the election campaign that his second term would guarantee the coordinated management of the country in the political triangle between the government, parliament and himself, though in practice his victory coincided with enormous polarization and aggravation of the situation in Poland.

His electoral achievement and subsequent political steps showed clearly what is the condition of domestic policy at present: even if in Poland there is a semi-presidential system, and in practice a parliamentary one, since 2015 Polish politics has been focused around the leader of the main ruling party PiS, Jarosław Kaczyński. In this system, the President of Poland plays a symbolic role and is an ally of the ruling majority. At the same time, in recent 5 years, since Andrzej Duda won his first term in the presidential election and a few months later Law

and Justice won the parliamentary elections, a triumvirate of the President, government and the Constitutional Tribunal was formed - and they all depend on their political patron, Kaczyński. Consequently, in the actual system, both Duda and the heavily politicized Constitutional Tribunal are no longer “safety-valves” limiting the executive power, but organs that facilitate the ruling majority to govern according to their own needs.

This is all the more important today, because Duda’s 2020 victory ended the marathon of elections that had been held in Poland for recent two years (local government, European Parliament, Polish parliament and presidential elections). Thus, the next years with the majority government of PiS and Duda in the Presidential Palace were supposed to bring stabilization. But they can be dominated by the so-called “hawks”, who will try to play the political game for themselves and build their political capital in the coming years. If nothing will restrict the ruling camp anymore - neither the elections, nor the President and the Constitutional Tribunal - the right-wing fight for taking power will begin. After all, Kaczyński’s departure, if only because of his age (71), is inevitable.

The first example of “hawkish” activity spread around the current Minister of Justice, Zbigniew Ziobro, what led to a serious government crisis at the turn of August and September. Its official reason was the disagreement of some members of the United Right with the provisions of the new “Animal Protection Act”, which intended i.e. to prohibit the breeding of fur animals, the use of animals for entertainment and shows, and the creation of an animal council at the Ministry of Agriculture. Although it was one of the key bills for PiS, and in particular for its leader Kaczyński, the serious resistance of Ziobro’s party Solidarity Poland forced PiS to change its provisions. At the same time, the uproar around the new law eventually led at the end of September to a serious reshuffle in the government and a reduction in the number of ministries - from 20 to 14. Both coalition parties for Law and Justice, i.e. the Agreement of Jarosław Gowin and Zbigniew Ziobro’s Solidarity Poland, received only one ministry each (respectively: Minister of Development, Labor and Technology; and Ministry of Justice).

Only couple of weeks later, Ziobro continued his fight for a high position in the United Right, demanding that Prime Minister Morawiecki (Ziobro’s main political competitor) veto negotiations on the EU budget for 2021-2027 due to the link between the payments of funds and compliance with the rule of law. Yet, the adoption of the budget at the European Council summit on December 10, 2020, buried the ambitions of Minister Ziobro once again. The question remains for how long.

Thus, the reorganization of the government introduced stabilization, but only for a very short time. Minister Ziobro was looking for an opportunity to increase his position, while the social situation became more and more difficult as well. It was related to the judgment of the Constitutional Court, which ruled on October 22, that the right to abortion in the event of severe and irreversible fetal impairment is inconsistent with the Constitution. Just after this ruling thousands of people went on the streets, protesting against limitation of human rights and forcing women and their seriously ill children to bear inhuman suffering. In general they also wanted to oppose the situation in domestic politics, dominated by PiS and personally Kaczyński. However, the mass protests, which have been continued since then, are being pacified more and more brutally by the police. The official reason is the state of the epidemic and the ban on assembly, but it is clear that authorities are using their apparatus to compel the citizens to obey. It is not without significance that the Minister responsible for the police and army is the PiS leader, Kaczyński.

So Kaczyński himself has a hard nut to crack - he has to take care of power of his party, at the same time settling conflicts and pacifying political “hawks”. In this situation, President Duda should be a “safety-valve”, consolidating all groups and the society as a whole. However, as it turns out, despite winning the second term in office, this politician is unable to achieve political sovereignty and is still dependent on Kaczyński. Interesting, if the next year 2021 will bring a change in this matter.