

## **ELECTION BRIEFING No 37 EUROPE AND THE OCTOBER 2007 POLISH PARLIAMETARY ELECTION**

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### **Key points**

- The Polish parliamentary election was held on October 21, two years ahead of schedule, following the break up of the turbulent coalition government led by the right-wing Law and Justice party.
- Although Law and Justice increased both its share of the votes and parliamentary representation, it finished well behind the opposition liberal-conservative Civic Platform.
- The scale of Civic Platform's victory, on a relatively high turnout, came as a surprise as that the two main parties were evenly matched for most of the campaign.
- In spite of its impressive victory, Civic Platform fell short of an overall majority and had to form a coalition government with the Polish Peasant Party.
- European issues, and foreign affairs more generally, had a somewhat higher profile than in other recent Polish elections because they were an important component in determining attitudes towards the key election issue: support for or opposition to a controversial and polarising government.
- The new government will seek to improve strained relations with Poland's EU partners but will also be assertive in standing up for what it perceives to be Poland's national interests.
- Although the election result means a more consolidated party system, Polish politics are still in flux with further re-alignments a distinct possibility.

### **Background/Context**

Poland's parliamentary election was held on October 21, two years ahead of schedule, following two months of political turmoil that culminated in the break up of the

fractious coalition led by the right-wing, traditionalist conservative Law and Justice party (PiS). The previous September 2005 parliamentary election was a bi-polar contest between two centre-right, socially conservative parties emerging from the Solidarity tradition: Law and Justice and the more liberal Civic Platform (PO), following a collapse in support for the governing communist successor Democratic Left Alliance (SLD).<sup>1</sup> In spite of policy differences, especially on the economy, the two parties had worked together in the 2001-5 parliament and were widely expected to form a coalition after the election, with the prime minister being the leader of whichever of the two won the most seats. However, although Law and Justice finished narrowly ahead, its leader Jarosław Kaczyński declined the premiership, fearing that concerns about twins holding the two highest elected state offices would damage the chances of his brother, Lech, in the presidential election that was held immediately after the parliamentary poll. Instead, the party nominated the more consensual Kazimierz Marcinkiewicz, who was not part of its top leadership, as prime minister. One month later, Lech Kaczyński defeated Civic Platform leader Donald Tusk in the presidential election.

The bitterness of the prolonged election campaign soured relations between the two parties and, following the breakdown of coalition negotiations, Law and Justice formed a minority government and Civic Platform became the main opposition party. As the Law and Justice caucus in the Sejm, the more powerful lower house of the Polish parliament, comprised only 155 deputies, well short of the 231 required for a majority, the new government had to look to smaller parties to secure support for its programme. Initially, it sought a parliamentary majority by signing a so-called 'stabilisation pact' at the beginning of 2006 with two radical parties: the agrarian-populist Self-Defence (Samoobrona) party and the clerical-nationalist League of Polish Families (LPR). However, Law and Justice soon came to the conclusion that the stabilisation pact was an unreliable basis of support for the government and, following an unsuccessful attempt to dissolve parliament, the three parties signed a more formal coalition agreement at the beginning of May 2006. As a consequence, the controversial Self-Defence and the League of Polish Families leaders, Andrzej Lepper and Roman Giertych, joined the government as deputy prime ministers.

Mr Marcinkiewicz came from the Law and Justice party's more liberal and pragmatic wing and was clearly at odds ideologically with the two radical parties, so bringing them into government placed further strains on his already uneasy relationship with Jarosław Kaczyński. Although Mr Marcinkiewicz ran the day-to-day business of government he lacked any power base within the party, of which Mr Kaczyński remained the unquestioned leader and most important political strategist. Nonetheless, Mr Marcinkiewicz quickly carved out a niche for himself and became Poland's most popular politician by portraying himself as a hard working and independent-minded prime minister above the political fray. In July 2006, clearly unhappy about the way that Mr Marcinkiewicz was emerging as a strong political figure in his own right, Mr Kaczyński decided to remove him and take over the job of prime minister himself.

Although the Law and Justice leader hoped that a formal coalition agreement would provide his party with a more stable parliamentary majority, the government was

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<sup>1</sup> See: Aleks Szczerbiak, 'Europe and the September/October 2005 Polish Parliamentary and Presidential Elections,' *European Parties Elections and Referendums Network Election Briefing No 22* at [http://www.sussex.ac.uk/sei/documents/epern\\_eb\\_22\\_poland.pdf](http://www.sussex.ac.uk/sei/documents/epern_eb_22_poland.pdf).

always a fractious one. Both smaller coalition partners knew that, ultimately, their political future depended upon their ability to carve out an independent niche by differentiating themselves from Law and Justice. This led to continued instability, with Law and Justice having to use the threat of an early election continuously as a disciplinary device against its coalition partners; who, opinion polls suggested, would struggle to secure representation in a new parliament. In fact, the coalition almost collapsed in September 2006 when Self-Defence was expelled briefly from the government following Mr Lepper's continual acts of disloyalty towards, and increasingly vocal criticisms of, the government, prompted by fears that Law and Justice was making significant inroads into his party's core rural electorate. However, Self-Defence was invited back after three weeks when Law and Justice failed to construct an alternative parliamentary majority with the Polish Peasant Party (PSL), a rival agrarian party. A scandal that emerged at the beginning of December 2006, when Self-Defence party leaders were accused of forcing women to have sexual relationships with them in exchange for party jobs, placed further strains upon the coalition.

The fact that Civic Platform emerged as the main opposition party to the Law and Justice-led government, meant that the political scene continued to be dominated by these two parties, with opinion polls suggesting, and the autumn 2006 local elections appearing to confirm, that they were fairly evenly balanced in terms of their popular support. The Law and Justice party's ability, unlike governing parties in the two previous parliaments, to both remain organisationally intact and retain a firm hold on a significant portion of the electorate, was remarkable given the government's frequent political crises. The party's success was due partly due to strong economic growth and falling unemployment, together with the fact that it failed to introduce any radical social or economic reforms that might have produced negative short-term electoral consequences. However, more fundamentally, the Law and Justice-led government focused relentlessly on its core election promises of fighting crime and corruption and introducing reforms that it claimed would restore probity in public life. Thus the party retained a loyal core of supporters prepared to give it the benefit of the doubt as long as it appeared to be delivering on its programme of moral and political renewal aimed at creating a 'Fourth Republic'.

The crisis that led to the break up of the coalition and parliamentary dissolution began in July 2007 when Mr Kaczyński sacked Mr Lepper from the posts of deputy prime minister and agriculture minister. This followed allegations that Mr Lepper was a suspect in a sting operation being conducted by the central anti-corruption bureau (CBA) centred on an alleged bribe to re-classify agricultural land in Poland's lake district as property for commercial development; allegations that Mr Lepper denied vigorously. Although Mr Kaczyński would probably have preferred the parliament to run its full four-year term, when these allegations emerged the political costs of continued association with Mr Lepper became too high. Although the Law and Justice leader tried initially to keep the coalition together, a government that excluded the Self-Defence leader never really had any chance of survival and efforts to broker a peace over the summer proved impossible. An attempt to create a new parliamentary majority by persuading enough Self-Defence deputies to defect and join Law and Justice, the League of Polish Families and other smaller parliamentary groupings and independents (fearful of losing their seats) foundered when the two junior coalition partners formed an electoral coalition called the 'League and Self-Defence' (LiS) that,

they claimed, would be the precursor to a new party. Although the new coalition only lasted a few weeks, in the short term it emboldened the two parties by making them more confident of crossing the 5% threshold for parliamentary representation in an early election, and therefore less willing to compromise on Mr Kaczyński's terms. When, in apparent breach of the coalition agreement, the prime minister rejected the Self-Defence nominee to replace Mr Lepper as agriculture minister and instead appointed a Law and Justice deputy who had resigned from Self-Defence in the previous parliament after a fierce clash with its leader, Mr Lepper's party formally declared an end to the coalition.

Mr Kaczyński responded by firing all the remaining ministers from the two smaller parties and also declaring the coalition to be over. Although this still left him in office as head of a minority government, he sensed that the Law and Justice party's credibility and support would soon be eroded by the continual political bargaining needed to secure parliamentary majorities. In the event, he gambled on an early election and - with Law and Justice, Civic Platform, the Democratic Left Alliance and the Polish Peasant Party all voting solidly in favour - the Sejm voted by 377 votes to 54 for a dissolution, easily securing the two-thirds majority of 307 votes needed to cut short the parliamentary term.

## **The Campaign**

For most of the campaign opinion polls suggested that the two centre-right parties were running neck-and-neck. Indeed, until the final week it was actually Law and Justice that had set the terms of the debate. Mr Kaczyński made his government's fight against corruption the focal point of the party's professional and highly effective campaign, hammering home his message that his was the only party committed to fighting the 'układ' or network of politicians, business leaders and members of the former communist security services that, they argued, had exerted such a baleful influence on political and economic life in post-1989 Poland. Law and Justice also claimed credit for strong economic growth and falling unemployment. Moreover, it was able to overshadow the defection of a number of important political figures associated with the party to Civic Platform, such as former defence minister Radosław Sikorski (who resigned from the government in February 2007 following a clash with Mr Kaczyński), by persuading Nelly Rokita - the wife of Jan Rokita, one of Civic Platform's best know leaders and its candidate for prime minister in 2005 - to run on the Law and Justice ticket in the Warsaw constituency.

The weakness of the Law and Justice party's strategy was that it was based on polarising the campaign around support for or opposition to the outgoing government. However, opinion polls had shown consistently that, although the party retained a loyal core electorate, Mr Kaczyński's administration always had more opponents than supporters. This meant that while the Law and Justice campaign was extremely successful at consolidating and mobilising the government's supporters, as the party absorbed most of its former coalition partners' vote, there was a ceiling above which it was always going to be difficult for it to rise. However, for most of the campaign Civic Platform struggled to convey an effective message that could persuade this extremely disparate group of voters united only in their dislike of the Kaczyński government to vote for them.

The turning point was a strong performance by Mr Tusk in a debate with a surprisingly lacklustre Mr Kaczyński, held nine days before the election and watched by millions of Poles on prime time TV. The debate shattered Mr Kaczyński's image of invincibility and allowed Mr Tusk to re-invent himself as a dynamic and effective leader. The Civic Platform leader followed up his victory over the prime minister when, in another (somewhat more evenly matched) TV debate held three days later with former President and the centre-left's candidate for prime minister Aleksander Kwaśniewski, he made a powerful pitch for all anti-Law and Justice voters to rally around his party as the most effective way of defeating Mr Kaczyński. Following the TV debates, the dynamics of the campaign changed as Civic Platform finally found a convincing theme around which it could unite this diverse group of voters and squeeze the centre-left. The party made bold pledges that, by adopting the Irish model and abandoning excessive regulations, it could bring about an 'economic miracle' that would pay for improved public services and infrastructure. Moving away from an open espousal of economic liberalism, it also tried to exploit the dis-satisfaction of public sector workers with the Law and Justice-led government, by promising better salaries for doctors, nurses and teachers. All of this would, the party argued, prevent Poles from being forced to work abroad in order to improve their standard of living.

Law and Justice could not develop an effective response to this and an attempt during the final week to shift the campaign back on to its strongest issue, corruption, ended up back-firing on the party. Earlier in the campaign, the anti-corruption bureau, which was headed by a former Law and Justice parliamentary deputy Mariusz Kamiński, had arrested Beata Sawicka, a little known Civic Platform deputy, in a sting operation while accepting a bribe in exchange for promising to fix a public auction for real estate on an attractive vacation spot on the Baltic coast. Ms Sawicka was thrown out of the party immediately but then, during the last week of the campaign, the anti-corruption bureau held a sensational press conference, broadcast live and re-broadcast on prime time TV, where it laid out publicly the case against Ms Sawicka, showing hidden camera footage of her taking the bribe. Although Mr Kamiński claimed that the arrest and subsequent press conference were un-related to the election campaign, Law and Justice clearly hoped to use the 'Sawicka affair' as a symbol of the party fulfilling its promises to fight corruption at the same time as discrediting Civic Platform as being part of the problem. However, rather than helping Law and Justice to re-gain the initiative, the whole affair appeared to confirm the opposition's claims that the party was using the anti-corruption drive to intimidate its political opponents and gain an advantage in the election, particularly when Ms Sawicka held an emotional press conference the next day during which she broke down in tears.

## Results

In the event, as **Table 1** shows, Civic Platform won a clear victory with 41.51% of the votes and 209 (out of 460) seats in the Sejm. Although Law and Justice increased both its share of the votes and parliamentary representation, it finished well behind Civic Platform with only 32.11% of the vote and 166 seats. Given that the two main parties had been evenly matched for most of the campaign, the scale of Civic Platform's victory came as a surprise to most commentators.

**Table 1: September 2007 Parliamentary election results to the Sejm**

	Votes	%	2005 (%)	Change (%)	Seats
Civic Platform	6 701 010	41.51	24.14	+20.97	209
Law and Justice	5 183 477	32.11	26.99	+5.12	166
Left and Democrats	2 122 988	13.15	17.74*	-4.59	53
Polish Peasant Party	1 437 638	8.91	6.96	+1.95	31
Self-Defence	247 335	1.53	11.41	-9.88	
League of Polish Families**	209 171	1.30	7.97	-6.67	

Source: Polish State Electoral Commission (<http://www.pkw.gov.pl/>)

\*Combined vote for Democratic Left Alliance (11.31%), Polish Social Democracy-Labour Union (3.98%) and the Democrats (2.45%).

\*\*As part of the League of the Right-wing of the Republic electoral alliance.

As **Table 2** shows, at 53.9%, turnout was the highest of any of the six parliamentary elections held since 1989 and this relatively large mobilisation - particularly among young, urban voters - was felt to have helped Civic Platform.

**Table 2: Turnout in post-1989 Polish elections (%)**

	Presidential	Parliamentary
1990	60.6 (1st round) 53.4 (2nd round)	
1991		43.2
1993		52.1
1995	64.7 (1st round) 68.2 (2nd round)	
1997		47.9
2000	61.1	
2001		46.2
2005	49.7 (1st round) 51.0 (2nd round)	40.6
2007		53.9

Source: *Rzeczpospolita*, 14 June 2004 and Polish State Electoral Commission (<http://www.pkw.gov.pl/>)

The 'Left and Democrats' (LiD) - an electoral alliance of four centre-left parties anchored by the Democratic Left Alliance but also comprising the Democrats, a small liberal party that included well-known figures from the Solidarity movement - emerged as the third largest grouping with 13.15% of the votes and 53 seats. However, this was a disappointing result given that it was less than the total combined vote for these parties in the 2005 election and fewer than the 55 seats that the Democratic Left Alliance won on its own in the previous election. This was partly because the centre-left's hopes of reaping the electoral rewards from being the moderate opposition to the widely expected Civic Platform-Law and Justice coalition government were scuppered when Mr Tusk's party went into opposition in 2005. Consequently, most anti-Law and Justice voters tended to opt for Civic Platform as the most effective of removing Mr Kaczyński's party from office. Mr Kwaśniewski, who was the most popular figure on the centre-left and should have been its greatest electoral asset, also proved something of a mixed blessing. Although he performed competently in televised debates with Mr Kaczyński and Mr Tusk, he also appeared to be drunk while trying to make speeches on two other occasions during the campaign. More

fundamentally, the centre-left, and Democratic Left Alliance in particular, were still too closely associated with the political elites that had been discredited following numerous sleaze and corruption allegations that emerged during the 2001-5 parliament when the party was in government.

The Civic Platform's putative coalition partner, the Polish Peasant Party, came fourth with 8.91% of the votes and 31 seats. The Peasant Party had been in coalition with the Democratic Left Alliance in 1993-97 and 2001-3 but almost failed to cross the threshold for parliamentary representation at the 2005 election. However, the party reserved its decline this time and appeared to win back the support of many of the rural voters that it lost to Self-Defence in the two previous elections by presenting itself as a pragmatic and calming influence on the political scene. All the other political groupings failed to cross the 5% threshold including the Law and Justice party's two former coalition partners Self-Defence and the League of Polish Families<sup>2</sup> who secured only 1.53% and 1.3% of the votes respectively.

## **The impact of Europe**

European issues, and foreign affairs more generally, had a somewhat higher profile in the 2007 campaign than in other recent Polish elections. There were a number of reasons for this. Firstly, the Law and Justice-party led government's foreign and EU policies were extremely controversial both in Poland and abroad among its EU partners, with a widespread and growing perception that Poland was turning into Europe's 'new awkward partner'. These increased tensions were highlighted during the election campaign when Poland blocked EU plans to hold a European day against the death penalty. For its part, Law and Justice made a virtue of the fact that it had significantly re-orientated in Poland's approach to foreign policy which, it argued, needed to be 're-claimed' from a post-1989 establishment that had been over-conciliatory and insufficiently robust in defending Poland's interests abroad, especially in the EU. For example, it claimed that the government's negotiating tactics at the June EU summit, where it threatened to veto the negotiating mandate for the EU reform treaty, were effective in helping to secure a favourable deal for Poland by negotiating a ten-year extension of the EU voting provisions contained in the 2001 Nice treaty. The Nice voting provisions were felt to be more advantageous to Poland than the 'double majority' system contained in the new treaty, which was based on the number of countries and their population size and thereby favoured larger countries such as France and Germany.

Opposition parties, on the other hand, argued that, by poisoning relations with its EU partners, the Law and Justice-led government's rhetoric and unpredictable negotiating tactics were condemning Poland to ridicule and isolation in the international arena. Civic Platform argued that, although an assertive and determined approach to EU relations was necessary, this had to be conducted on the basis of competence and professionalism. For example, speaking at a Civic Platform election convention,

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<sup>2</sup> The League contested the election in an electoral alliance with the Right-wing of the Republic (PR) party, a small Catholic-conservative breakaway from Law and Justice, and (bizarrely given the League's economically interventionist programme) with the radical free market Union of Real Politics (UPR) as the League of the Right-wing of the Republic (which also had the Polish acronym 'LPR').

former foreign minister and war hero Władysław Bartoszewski denounced the officials responsible for foreign policy under the Law and Justice party as incompetent ‘diplomo-morons’ (dyplomatołki). Mr Tusk also attempted to use a September Warsaw summit of the European People’s Party, of which Civic Platform was a member (as was the Peasant Party) and that was attended by European Commission President Jose Manuel Barroso, as an opportunity to underline the party’s pro-European stance and its international credentials; although Mr Barroso tried to remain above the fray by also meeting Jarosław Kaczyński and Democratic Left Alliance leader Wojciech Olejniczak. For their part, the Left and Democrats also criticised Law and Justice for its apparent failure to build alliances with Poland’s European partners and engage constructively in debates about the EU’s future. However, the centre-left tried to outflank Civic Platform as the most pro-European by pointing out that Mr Tusk’s party had supported the government’s threats to veto the reform treaty in the run up to the June summit and highlighting the case for swift Polish adoption of the euro.

Another reason why Polish-EU relations played a more prominent role in this election was that the campaign coincided with the run up to an EU leaders meeting in Lisbon scheduled for October 18-19 that was due to secure agreement on the reform treaty. Just as it had at the Brussels summit in June, Poland looked set to dominate the negotiations by pressing for a reference in the treaty text to the so-called ‘Ioannina mechanism’, whereby a small number of countries could delay an EU decision on new legislation temporarily if it felt its interests were at stake. The majority of EU countries only wanted to have the blocking clause mentioned in a separate declaration with less legal status. Indeed, at one stage it was feared that the timing of the summit, just two days before polling day, would make the Law and Justice-led government less willing to compromise and thereby disrupt plans to secure agreement on the treaty. In the event, to the surprise of many observers, EU leaders actually reached a compromise agreement on the first day of their meeting. Poland accepted a deal whereby the decision blocking mechanism would be written into a declaration linked to a legally stronger protocol saying that the clause could only be modified by unanimous consensus of all EU leaders; in other words, that it could not be removed without Poland’s approval. Law and Justice claimed that the outcome of the summit vindicated their European policy, while Civic Platform argued that the apparent strengthening of the ‘Ioannina’ blocking mechanism was of little real significance.

The three main parties devoted considerable space in their election programmes to European issues. Seven pages of the Law and Justice party’s 71-page programme were devoted to foreign policy, around half of which was specifically about EU issues. The party argued that the government’s priority in European policy should be to defend EU ‘solidarity’ (in other words, large social transfers from richer to poorer regions) and prevent domination of the Union by the larger (richer) member states. Civic Platform devoted ten pages of its 84-page programme to its foreign policy section titled ‘A Strong and Safe Poland in the EU’, most of which was, indeed, about European policy. The party argued: that the EU should be the ‘centre of gravity’ for Polish foreign policy; that ‘solidarity’ should remain basis for the EU’s internal cohesion; that Poland had to defend the common agricultural policy as a means of ‘modernising’ this sector; and in favour of further European integration in foreign, defence and energy policy. The Left and Democrats produced two programmatic statements during the campaign. The first, titled ‘New policies, New hope’, contained



eight (out of 70) pages in its foreign policy section, 'Polish faith in Europe', which set out its European policy priorities including: adoption of a more constructive approach to European integration, re-building Poland's alliances with its EU partners, and swift Polish adoption of the euro. The second was a shorter policy statement titled '100 specifics' and included a foreign policy section titled 'Poland in Europe' that contained five short paragraphs referring to EU policy, re-iterating the main commitments contained in the longer document. The Peasant Party, on the other hand, produced a much shorter 12-page programme comprising ten short chapters, each containing ten programmatic bullet points. In the chapter on foreign policy, titled 'The Polish national interest', although six of the ten points mentioned the EU they confined themselves to generalities such as: calling for a model of EU integration based on a 'Europe of homelands' and stressing the importance of EU funds and for Poland to be on good terms with its neighbours.

There was also evidence of the 'Europeanisation' of party programmes in the way that they made links to the EU in policy areas that, prior to accession, might have been regarded as primarily or solely the realm of domestic politics. The Law and Justice programme, for example, contained substantial references to the EU, especially in relation to EU funds, in the four sections on: the economy, agriculture, regional policy, and (to a lesser extent) education, science and culture. The Civic Platform manifesto included a series of shorter references to the EU in seven chapters of its programme on: the structure of the state, civic freedom and justice, the economy, knowledge and human capital, education, agriculture and cultural policy; while most of the chapter on regional policy was about EU funds. Interestingly, three of the eleven domestic policy chapters (regional policy, agriculture and cultural policy) were also headed 'Poland in Europe'. In the longer version of its election programme, the Left and Democrats had a series of short references to the EU in six of the domestic policy chapters on: the structure of the state, human rights, young people, the economy, regional policy, and the environment. In its shorter policy statement, in addition to the five bullet points in the foreign policy section mentioned above, three of the other 'one hundred specifics' also mentioned the EU. On the other hand, only two out of the nine domestic policy chapters in the Peasant Party's programme (on the environment and security) contained references to the EU, and in each of these it was only mentioned in one of the ten bullet points.

The fact that the three TV debates, which were watched by millions of Poles and played an important role in the campaign, devoted one third of the discussion to foreign affairs also helped to raise the profile of European issues in this election. In addition, Law and Justice produced two special TV election broadcasts aimed at farmers and rural voters (which featured a former Peasant Party leader, Janusz Wojciechowski, who was standing on the Law and Justice ticket) where it pledged to defend Poland's interests within the EU. The Left and Democrats produced two short election broadcasts devoted to EU issues: one where Mr Kwaśniewski called for a 'modern patriotism' based on dialogue with Poland's EU partners, and another where another party leader, Marek Borowski, called for swift Polish adoption to the euro.

The grouping that probably gave the most prominence to European issues in its campaigning, in relative terms at least, was actually the League of the Right-wing of the Republic. One of the four main points in the League's one page 'election declaration' stated that the grouping was committed to securing at a strong position

for Poland (and particularly building up a strong Christian lobby) in the EU and opposed both the introduction of an 'EU constitution' and the euro, and any expansion of the competencies of what it called the 'socialist Brussels bureaucracy'. During the campaign the League called for referendums to be held to reject both the euro (which it claimed would lead to price increases) and the reform treaty (which it tended to refer to, fairly inter-changeably, as the 'European constitution' and claimed would be turn the EU into a European super-state). The League also devoted the most attention of any of party to EU issues in its TV election broadcasts, once again calling for the rejection of the euro and reform treaty. On the other hand, Self-Defence gave less prominence to European issues, although, in its campaign literature (the party did not publish a separate election programme) and one of its election broadcasts, the party claimed that Mr Lepper had obtained numerous benefits for Polish farmers in his negotiations with the EU during his stint as agriculture minister.

Nonetheless, in spite of the somewhat higher profile given to the EU and foreign policy in this campaign, they were still very much secondary to domestic issues in terms of party's electoral strategies and appeals. Although it is difficult to evaluate this precisely without detailed statistical analysis, it is also unlikely that they were of primary importance for most Poles when deciding how to cast their vote. However, Europe probably was significant in the sense that the 2007 election was, essentially, a plebiscite on the performance of a controversial and polarising government in which the way that EU relations and foreign policy had been conducted were an important component in determining more general overall attitudes towards that government. For supporters of the Law and Justice party, the new, more assertive foreign policy, and the fact that it exemplified a break with the policies pursued by the post-1989 political elites more generally, would have been an important factor contributing to their overall positive evaluation of the government. For opponents of the government, on the other hand, the Law and Justice party's foreign and European policy exemplified its more general incompetence and confrontational style of politics that they rejected. Indeed, echoing themes from the 2003 EU accession referendum,<sup>3</sup> at one point during the campaign Mr Tusk even attempted to frame the election as a 'civilisational choice' between East and West, arguing that under the Law and Justice government Poland was evolving more in the direction of Russia than a modern West European democracy.

## **Conclusion/Future Prospects**

In spite of its impressive victory, Civic Platform fell short of the 231 seats required for a parliamentary majority in the Sejm and had to form a coalition government with the Peasant Party. Although he was anxious that becoming prime minister could damage his 2010 presidential election chances, Mr Tusk bowed to the inevitable and decided to head up the government. Peasant Party leader Waldemar Pawlak became his deputy as well as taking over the economy ministry and the agrarian party also took control of the agriculture and labour ministries. The most substantial changes under a Civic Platform-led government are likely to be in the area of economic policy, where the party will be keen to push forward with privatisation, tax cuts, public

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<sup>3</sup> See: Aleks Szczerbiak, 'The Polish EU Accession Referendum, 7-8 June 2003, *Opposing Europe Research Network Referendum Briefing No 5* at <http://www.sussex.ac.uk/sei/documents/poland5.pdf>.

finance reform and de-regulation. However, the main difference, initially at least, will be in the style of government rather than the substance of policy, with Mr Tusk a more consensual and less polarising figure than Mr Kaczyński was.

There are some reasons to expect why, in the short term at least, a Civic Platform-Peasant Party coalition will bring some stability to the Polish political scene. The two parties fought the 2006 local elections as an electoral bloc and work together successfully in running twelve of Poland's sixteen regional councils. The Peasant Party has always been primarily an office-seeking party with a clearly defined core electorate and its main priorities being to secure state appointments for its supporters and 'delivering' for the agricultural sector and rural communities. While this will be problematic for the Civic Platform's declared intention of de-politicising public appointments and introduce liberal agricultural reforms, it also makes the party a fairly pragmatic negotiating partner and narrows the field of potential policy conflicts. The fact that, unlike previous Polish coalitions, the two parties have rather different core electoral constituencies, with the Civic Platform primarily an urban party, also means that they will not be competing directly for the same voters.

However, the new government's longer-term prospects are more uncertain. Civic Platform mobilised a very broad coalition of voters with somewhat different expectations united only in their dislike of the outgoing government. In order to make itself electable, the party also made very bold pledges so enters office with both a disparate base of electoral support and very high expectations. Although it toned down economic liberalism during the campaign, Civic Platform remains committed to policies such as introducing a 'flat tax' for individuals and businesses and greater market mechanisms into the public services, such as education vouchers, which could bring it into conflict with the more egalitarian and interventionist Peasant Party. Moreover, the Peasant Party's previous record in government suggests that it can be a difficult and unpredictable coalition partner. This is particularly true when the party is defending the privileges of its core rural-agricultural constituency, although in the past it has also used other issues to differentiate itself from the main governing party when the coalitions of which it was a member began to lose popular support.

An important source of instability will be the fact that that, in the Law and Justice party, the new government faces a sizeable and relentlessly hostile parliamentary opposition backed by Lech Kaczyński, who remains President for at least the next three years. Since his election in 2005, Mr Kaczyński has been a 'partisan President', engaging actively to support the party interests of Law and Justice, and will not hesitate to intervene in political disputes to undermine the Civic Platform-Peasant Party government. The President's constitutional powers are very limited but he can frustrate the new government, particularly through his ability to veto legislation that requires a 60% majority (276 votes) in parliament to be over-turned. Although Law and Justice does not have enough parliamentary votes on its own to form a 'blocking minority', Civic Platform and the Peasant Party only have 240 seats between them, so will require the support of the Left and Democrats to over-turn a presidential veto. This cannot be taken for granted given that the centre-left will be looking to differentiate itself from the new government in order to revive its electoral fortunes, particularly on issues such as public sector or budget reform.

As far as Polish-EU relations are concerned, the new Civic Platform-led government is committed to bringing greater predictability and professionalism to foreign policy-making and shedding Poland's image as an 'awkward partner' within the EU. The party will certainly adopt a more conciliatory tone and have a better sense of the subtleties of EU politics than its predecessor and has vowed to improve relations with Poland's EU partners, especially with Germany with whom the previous government clashed bitterly. For example, Civic Platform has said that the new government will adopt the EU charter of fundamental rights, which its predecessor wanted Poland to join the UK in opting out from because of its supposed liberalism on moral issues and the way that it could, they argued, pave the way for compensation claims for Polish territory that was part of Germany before World War Two. The incoming government is also fortunate that its predecessor signed up to a deal on the reform treaty, which means that Law and Justice is unlikely to oppose its ratification, while the more radical Eurosceptic parties such as the League of Polish Families, who opposed the treaty on principle, failed to secure re-election to the Sejm. Indeed, to symbolise its new positive approach to EU affairs, the incoming government may make Poland the first country to ratify the reform treaty. Similarly, while the Law and Justice government was reluctant to set a target date for Poland to adopt the euro, Civic Platform has talked of accelerating the process. However, while there may be changes in tone and style, with a Civic Platform-led government more predictable and less abrasive than its predecessor, much of party's critique of Law and Justice's approach to European policy was based on its alleged inconsistency and ineffectiveness rather than its substance. The new government is, therefore, likely to be no less assertive in standing up for what it perceives to be Poland's national interests within the EU, while the presence of the Peasant Party as a junior coalition partner will also make it particularly difficult for it to agree to any deal that proposes substantial cuts in agricultural subsidies during the forthcoming EU budget review.

As far as the long-term trajectory of Polish politics is concerned, the election result certainly means a more consolidated Polish party system, with the smallest number of parties elected to the Sejm and the two largest parties winning the largest combined share of the vote in any post-1989 election. However, Polish politics is still in flux and it is far too early to judge to say whether we are seeing the emergence of a stable party system based on a new bi-polar divide, as some commentators have suggested. Poland still has very high levels of electoral volatility compared with other European countries and although - due to the close, polarised and (thanks to the TV debates) somewhat personalised nature of the electoral contest - turnout increased to a post-1989 high for a parliamentary election, it remains incredibly low by European standards. This suggests that most Poles still cannot locate themselves in the party system and that the electorate remains an 'open' one. Together with low levels of party institutionalisation and the weak nature of the links between parties and their supporters, this means that the prospect of further party re-alignments remains a distinct one. In particular, there is scope for a further re-configuration of the Polish political scene on the centre-right: both in the short term, with the possibility of defections from Law and Justice to Civic Platform; but also, more importantly, in the longer-term when a new party could be formed comprising Civic Platform conservatives and disillusioned Law and Justice moderates coalescing around figures such as Mr Rokita and Mr Markinkiewicz if the new government begins to encounter serious difficulties. It is also far too early to write off the Polish left as a significant electoral force. Civic Platform may have 'borrowed' a substantial number of potential

centre-left voters at this election who were anxious to remove the Law and Justice party from office at almost any cost. This could well be a 'one off' and - given that Civic Platform remains, in essence, a centre-right, liberal-conservative party - it will find it difficult to hold on to and 'absorb' these voters in the long run.

*This is the latest in a series of election and referendum briefings produced by the European Parties Elections and Referendums Network (EPERN). Based in the Sussex European Institute, EPERN is an international network of scholars that was originally established as the Opposing Europe Research Network (OERN) in June 2000 to chart the divisions over Europe that exist within party systems. In August 2003 it was re-launched as EPERN to reflect a widening of its objectives to consider the broader impact of the European issue on the domestic politics of EU member and candidate states. The Network retains an independent stance on the issues under consideration. For more information and copies of all our publications visit our website at <http://www.sussex.ac.uk/sei/1-4-2.html>.*