

## **ELECTION BRIEFING NO 55 EUROPE AND THE JUNE/JULY 2010 POLISH PRESIDENTIAL ELECTION**

**Prof Aleks Szczerbiak  
Sussex European Institute  
University of Sussex  
Email: a.a.szczerbiak@sussex.ac.uk**

### **Key points:**

- The 2010 Polish Presidential election, originally scheduled for the autumn, was held early following the tragic death of President Lech Kaczyński in a plane crash at Smolensk in western Russia.
- Bronisław Komorowski, the candidate of the governing centre-right Civic Platform (PO) party, overcame a robust challenge from Jarosław Kaczyński, the late President's twin brother and leader of the right-wing Law and Justice (PiS) party, to win a tightly contested second round run off by 53% to 47%.
- Grzegorz Napieralski, the leader of the communist successor Democratic Left Alliance (SLD), also ran a surprisingly vigorous campaign to come in third with 13.7% of the votes in the first round.
- The election shows us that the Smolensk tragedy accelerated the declining effectiveness of opposition to Law and Justice's 'Fourth Republic' project, the key to Civic Platform's dominance of the political scene over the last few years, as method of counter-mobilisation.
- The Smolensk tragedy allowed both Mr Kaczyński and Law and Justice to re-invent themselves and reach out to moderate voters, apparently making the party electable once again.
- However, immediately after the election Mr Kaczyński returned to his earlier harsh and aggressive rhetoric.
- The decline in fear of the 'Fourth Republic' also opened up the space for the Democratic Left Alliance to emerge as a serious challenger on the political left.
- Although European policy was not a major campaign theme, on a couple of occasions it did move to the centre of political debate.

### **Background/Context**

The 2010 Polish Presidential election was originally scheduled to take place in the autumn but was brought forward following the tragic death on April 10 of President

Lech Kaczyński and 95 others, including many leading public and cultural figures, in a plane crash at Smolensk in western Russia. The Smolensk tragedy plunged the Polish nation into shock and triggered a wave of mourning which, for a short period at least, brought political debate to a halt. However, the Polish Constitution required an election to replace Mr Kaczyński to be held within a period of just over two months. So as soon as the national mourning period ended, Bronisław Komorowski - the speaker of the Sejm, the more powerful lower house of parliament, who assumed the functions of the head of state - announced that the first round of voting would take place on June 20 with a second round run-off on July 4 if no candidate received more than 50% of the votes.

The election was expected to be a re-run of the 2005 contest between the incumbent Mr Kaczyński and the prime minister and leader of the governing centre-right Civic Platform (PO) party Donald Tusk.<sup>1</sup> It was widely assumed that Mr Tusk's main political ambition was to replace Mr Kaczyński as President and that he had subordinated much of the government's activities since he came to office following the October 2007 parliamentary election to secure this objective. In doing so, Mr Tusk attempted to position himself as a consensual political figure in contrast to the apparently partisan and conflictual incumbent. The Presidential election was, thus, expected to be culmination of a three-year tussle between the two dominant figures in Polish politics, which Mr Tusk would win easily. However, at the end of January, Mr Tusk surprised most observers when he announced that he had decided not to take part in the presidential race, even though opinion polls had made him the firm favourite to win, and preferred to continue as prime minister instead. Then the April Smolensk tragedy meant that the election had to be brought forward and abruptly ended both Mr Kaczyński's presidency and future candidacy. As will be discussed in greater detail below, the Smolensk tragedy also over-shadowed and changed the dynamics of the election campaign, making it very different from all of its predecessors.

For the last five years, the Polish political scene was dominated by two large, and initially fairly evenly matched, centre-right political parties: Civic Platform and the right-wing conservative Law and Justice party (PiS), the main opposition grouping. Law and Justice were led by Mr Tusk's predecessor as prime minister and the late President's twin brother, Jarosław Kaczyński. However, since the 2007 election, and before the Smolensk tragedy, Civic Platform very much had the upper hand, enjoying a commanding lead over Law and Justice in the polls. Although Mr Tusk was one of Poland's most popular politicians, this was not due to any particular enthusiasm for the government or its policies; indeed, even Civic Platform's supporters were critical of its lack of ambition and failure to introduce reforms. Rather, the party's continued popularity reflected the public's aversion to the turbulent and confrontational style of politics that most Poles associated with the 2005-7 Law and Justice-led governments and Jarosław Kaczyński.

This was encapsulated in the notion of rejecting the so-called 'Fourth Republic', a programme based on a radical critique of post-1989 Poland as corrupt and requiring far-reaching moral and political reform. Originally an idea that enjoyed quite broad

---

<sup>1</sup> See: Aleks Szczerbiak, 'Europe and the September/October 2005 Polish Presidential and Parliamentary Election,' *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).

political support, the 'Fourth Republic' came to be used increasingly by Civic Platform as a pejorative term to characterise the programme and practices of the Law and Justice-led governments and tool for mobilising the majority of voters who rejected Mr Kaczyński's party. This strategy proved a great success in the 2007 parliamentary election, which Mr Tusk's party turned it into a referendum on the 'Fourth Republic'.<sup>2</sup> The basis of Civic Platform's continuing high levels of popular support was, therefore, its ability to frame political debate in terms of a choice between support for and opposition to the 'Fourth Republic', and to position itself as, whatever its other shortcomings, the party best placed to prevent its return.

In opposition, Law and Justice found it increasingly (and frustratingly) difficult to break this logic as it saw support for Civic Platform holding up at around 45-50% and its own poll ratings stuck at between 20-25%. This was in spite of the government's failure to implement many of its election promises, the global economic crisis, and corruption scandals surrounding the gambling industry that involved senior Civic Platform ministers and party leaders. Law and Justice's various attempts to present a more conciliatory image and focus more on the economy and modernising Poland pushing 'Fourth Republic' issues - such as fighting crime and corruption, and making a more fundamental break with the communist past - into the background, had little noticeable impact on the party's fortunes.

At the same time, although frustrating in terms of trying to implement the government's programme, the presence of Lech Kaczyński as President, was, in many ways, a perfect way of reminding voters of the apparent disruptiveness of the Law and Justice-led governments. Rather than being seen as above party politics, Mr Kaczyński was a controversial and unpopular figure for most of his term of office, and damaged his public standing by engaging in frequent tussles with Mr Tusk, in which he generally come off worse. Fairly or unfairly, he was widely perceived as a 'partisan President' supporting the interests of Law and Justice. This is something that Poles do not like in their President, whom they prefer to at least give the impression of being above the day-to-day political fray. Mr Kaczyński's presence was also a good excuse for the government's failure to introduce meaningful reforms. The President appeared to use his office - including his power of legislative veto, which the government lacked the three-fifths parliamentary majority required to over-turn - to block key elements of its legislative programme.

On the eve of the Smolensk tragedy, therefore, Civic Platform and Law and Justice had an apparent 'lock' on the Polish electorate and, within that duopoly, Mr Tusk's party seemed to have an in-built majority. Law and Justice was, in many ways, a 'perfect' political opponent: a sufficiently credible danger to act as a focus of negative counter-mobilisation, but never really strong enough to mount a serious electoral challenge. This was the backdrop to the 2010 Presidential election and nothing appeared able to break this logic. Indeed, all the polls conducted prior to the Smolensk crash indicated that Mr Kaczyński would have struggled to win a second term and Mr Komorowski, who was selected as Civic Platform's presidential candidate in a ballot of party members shortly before the tragedy, was heading for an easy victory. Voters looked set, once again, to reject the 'Fourth Republic'.

---

<sup>2</sup> See: Aleks Szczerbiak, 'Europe and the October 2007 Polish Parliamentary Election,' *European Parties Elections and Referendums Network Election Briefing No 37* at [http://www.sussex.ac.uk/sei/documents/epern\\_37\\_poland2007.pdf](http://www.sussex.ac.uk/sei/documents/epern_37_poland2007.pdf).

## **The First Round Campaign**

Although ten politicians were officially registered for the election, the campaign was dominated by the two front-runners: Mr Komorowski and Jarosław Kaczyński. The Law and Justice leader was personally shattered by his brother's death but nonetheless decided to stand in the election as the best way to honour his legacy, as well to rebuild his party's fortunes on the back of public sympathy engendered by the tragedy. The fact that it was a snap election meant that the campaign was much shorter than usual and, like many presidential elections in states where the prime minister is the main locus of executive power, dominated by personalities. Moreover, the fact that the election was fought under the shadow of the Smolensk tragedy during what was still a very sensitive period for the country changed the tone of political debate. The campaign was, initially at least, less confrontational than usual with candidates attempting to avoid criticising each other in an aggressive way. In particular, it took Mr Kaczyński a long time to get into his stride - and, until he did so, Mr Komorowski also tended to pull his punches - so campaigning only really started properly in the two weeks leading up to the first round of voting.

In fact, although questions of who was responsible for the Smolensk air crash and assessments of the late President's legacy formed an implicit backdrop to the campaign, these issues were rarely articulated explicitly and did not dominate the election in the way that it appeared that they might at one stage. This was partly because the Smolensk tragedy was somewhat over-shadowed by floods, the worst to hit Poland since 1997, that caused havoc in many parts of the country during much of May. The floods both shortened and changed the nature of the campaign, leading the candidates to re-think their tactics. Mr Kaczyński, for example, had to change a large rally that was meant to launch his presidential campaign into an event that was mostly a concert in aid of the flood victims. Indeed, Mr Kaczyński and other candidates from opposition parties even called upon the government to declare a state of emergency so that maximum effort could be put into fighting the floods, which would have delayed the election until the autumn. Mr Tusk was, however, extremely reluctant to do this - given that (as discussed below) by this stage Mr Komorowski's opinion poll lead was being chipped away - and argued that it would have little practical effect on the flood relief effort. Another reason why Smolensk did not play a more prominent role in the campaign was because, although Law and Justice certainly tried to capitalise on popular distrust of the current Russian-led investigation into the causes of the crash and criticised the government for failing to take control over the examination, the party also had to be careful about leaving itself open to accusations that it was trying to capitalise on the tragedy for partisan purposes.

As noted above, before the Smolensk tragedy Mr Komorowski had looked the clear favourite to win and began well ahead of Mr Kaczyński. However, the Civic Platform candidate ran a weak and ineffective campaign, certainly compared with Mr Kaczyński's well-conducted and much more polished effort. Although, as acting President, the Mr Komorowski enjoyed some of the advantages of an incumbent, he was criticised by Law and Justice for the way that he performed his duties following the disaster. During the period of national mourning, he appeared uncomfortable in the limelight and came across as rather stiff and unsympathetic; in contrast to Mr Tusk whose emotional appearances suggested that he was experiencing the tragedy

more authentically. Mr Komorowski was also criticised for pushing forward his party's agenda instead of acting as a unifying figure, in spite of the fact that he lacked a popular mandate. For example, he signed into the law a controversial bill re-organising the so-called Institute of National Remembrance (IPN), which oversees Poland's communist-era security service files, that the late President had intended to refer to the Constitutional Tribunal. He went on to reject the annual report (and, thereby, ended the term of office) of the National TV and Radio Council (KRRiTV), the body which regulates the Polish broadcasting media and appoints the supervisory councils of public TV and radio, and which was dominated by Law and Justice appointees. Mr Komorowski also moved swiftly to appoint replacements for some of the officials killed in the Smolensk crash; notably when, as part of an effort to woo left-leaning voters before the first round of voting, he nominated the former centre-left prime minister Marek Belka as President of the National Bank of Poland.

Moreover, Mr Komorowski's rather wooden and vacuous manner meant that he had difficulties constructing an inspiring vision of a modern Poland and often came across as lacklustre and gaffe-prone. The Civic Platform candidate had been expecting to run against Lech Kaczyński's record as an allegedly disruptive President and his electoral strategy was based on presenting himself as a calm, low key and dignified figure able to compromise and keep his distance from day-to-day political struggles. Running on the slogan 'Agreement Builds', Mr Komorowski promised to build dialogue and co-operation between the President and government, rather than aggravate political disputes that he claimed were the hallmark of the Kaczyński presidency. However, following the Smolensk tragedy, such a campaign was not in tune with the popular mood which seemed to prefer to focus on the more positive aspects of the Kaczyński presidency and Mr Komorowski was forced to modify his approach somewhat. At the same time, the atmosphere of mourning after the crash ensured that the presidential campaign had, initially at least, a much milder tone than was typical of Polish elections, which also made it difficult for Mr Komorowski to criticise the late President's brother too harshly.

Mr Kaczyński, other hand, used the presidential election as an opportunity to re-assert his leadership but also to soften his public image in order to reach out to more moderate voters. Before the Smolensk tragedy, Jarosław Kaczyński was one of the country's least trusted and most unpopular politicians, a legacy of his bitterly divisive two years in power from 2005-07, particularly the last year when he served as prime minister. Law and Justice also suffered a heavy blow as a result of the Smolensk crash with the death of many prominent party figures. However, the solemn atmosphere following the tragedy worked in Mr Kaczyński's favour, as he benefited from an enormous wave of sympathy for the late President's family and for his personal loss which swept all sectors of Polish society. Moreover, as well as leading to a public re-evaluation of the late President's record in a way that (as noted above) made it difficult for his Civic Platform opponents to criticise him, Smolensk also prompted a similar re-assessment of whether previous attacks on his twin brother and the Law and Justice party more generally had been fair. At the same time, Mr Kaczyński's critics in the liberal-left political and media establishment also lost some credibility when, having previously treated the late President as an embarrassment to the Polish nation, started to present him as a patriot and statesman after the tragedy. At the start of the campaign, therefore, Jarosław Kaczyński saw a substantial rise in his popularity ratings.

Mr Kaczyński also ran an extremely effective and sure-footed election campaign, directed by politicians from Law and Justice's moderate wing, during which he toned down his previous tough political style and aggressive language. In the early part of the campaign, Mr Kaczyński kept a low profile and avoided making public speeches and press conferences, leaving his supporters in the media, especially on Polish state TV, to take the lead in attacking the party's political opponents. Distancing himself from his radicalism as prime minister, the Law and Justice leader presented a new, gentler image and instead spoke of the need for greater compromise in society and ending the 'Polish-Polish war' that had divided politicians, commentators and the public over the last few years. Countering Mr Komorowski's claim that only he could co-operate with the government, Mr Kaczyński's key message was that, as President, he would act as a check to prevent Civic Platform from obtaining a monopoly of political power and controlling all the key offices of state. The Smolensk tragedy legitimised Mr Kaczyński's attempts to present himself as a 'changed' man and helped persuade many previously sceptical voters that he too could be a consensual and unifying figure. The fact that he had suffered such a huge personal loss was both a credible reason for him having 'changed' as well as making his opponents feel that they had to exercise some restraint in attacking him. More broadly, the Smolensk tragedy and presidential election finally gave Law and Justice the opportunity that it had been waiting for to present itself as a 'renewed', less aggressive party.

Although Mr Kaczyński received open support from local parish priests and more implicitly some (although by no means all) members of the Catholic Church hierarchy, throughout the campaign he also tried to both tone down his social conservatism and downplay his links with the controversial Catholic-nationalist broadcaster Radio Maryja, which was very influential among Poland's highly mobilised but relatively small 'religious right' electorate. Instead, Mr Kaczyński focused strongly on calling for the state to play an active role for the state in ensuring 'social solidarity' with poorer families<sup>3</sup> and the need for what he called 'balanced development' so that more backward regions in what was often referred to as 'Poland B' did not get left behind as 'Poland A' modernised. As part of this, Mr Kaczyński promised to veto legislation that he felt undermined Poland's welfare state, particularly Civic Platform's plans to commercialise the running of Polish hospitals which, he claimed, would be a precursor to health service privatisation. In doing so, the Law and Justice leader was attempting to revive the 'liberal versus solidaristic Poland' dichotomy that had proved so effective in helping his party and twin brother secure victory in the 2005 parliamentary and presidential elections.<sup>4</sup>

As the campaign progressed and polling day approached, Mr Kaczyński began, slowly but inexorably, to make up ground on Mr Komorowski and erode his opponent's, initially commanding, lead. In order to stem the tide, Mr Komorowski - who had wanted to restrict his campaigning to a minimum and concentrate more on his official duties - had to become more active (although his campaign team did not always appear sure about how best to do this). The Civic Platform candidate tried to get voters to take a closer look at Mr Kaczyński's change of behaviour, casting doubt on the sincerity of his apparent conversion to a more consensual style. His campaign

---

<sup>3</sup> Although, in fact, both of the main candidates ended up showering the voters with expensive public spending promises

<sup>4</sup> See: 'Europe and the September/October 2005 Polish Presidential and Parliamentary Election'.

team portrayed this as simply a tactical response to the current political situation, arguing that behind the mask lay the old, aggressive and confrontational leader who remained just as committed as ever to the ‘Fourth Republic’ project. As part of his campaign re-launch (and even more so during the second round campaign), Mr Komorowski also gave a more prominent role to the popular Mr Tusk. The prime minister warned that, however much Mr Kaczyński sought to avoid a confrontational approach during the election campaign, as President he would almost certainly use his various constitutional prerogatives, including the legislative veto, to block the government’s reforms, just as his twin brother had. However, Mr Komorowski’s attempts to bask in Mr Tusk’s reflected glory sometimes simply ended up highlighting his own lack of charisma, such as when the two of them went to visit areas affected by the floods.

Mr Komorowski also tried to project himself as an active (albeit acting) head of state. As well as driving through Mr Belka’s nomination as head of the Polish central bank, he also invited the leaders of the four main parliamentary groupings to join a re-constituted National Security Council and used his constitutional right to convene a meeting of the cabinet to discuss relief for those areas affected by the floods. Towards the end of his campaign, Mr Komorowski also decided to sharpen his rhetoric somewhat. In part, his campaign team was hoping to provoke Mr Kaczyński into more open conflict. But they also wanted to draw a clearer distinction between the two main candidates in order to mobilise Civic Platform’s core supporters. The decision to take Mr Kaczyński campaign to a special election court over his accusations that Mr Komorowski was a supporter of health service privatisation was part of this effort to raise the emotional temperature of the campaign. In the event, the court ruled that Mr Kaczyński had to apologise for misrepresenting Mr Komorowski’s position. Mr Kaczyński appealed the verdict successfully, but then lost again and was instructed not to repeat his claims; although this also ensured that the health issue dominated the final stages of the first round and spilled over into the second round campaign.

## Results and the Second Round Campaign

**Table 1: June/July 2010 Polish Presidential Election Results**

	1st round	%	2nd round	%
Bronisław Komorowski (Civic Platform)	6,981,319	41.54	8,933,887	53.01
Jarosław Kaczyński (Law and Justice)	6,128,255	36.46	7,919,134	46.99
Grzegorz Napieralski (Democratic Left Alliance)	2,299,870	13.68		
Janusz Korwin-Mikke (Liberty and the Rule of Law)	416,898	2.48		
Waldemar Pawlak (Polish Peasant Party)	294,273	1.75		
Andrzej Olechowski (Independent)	242,439	1.44		
Andrzej Lepper (Self-Defence)	214,657	1.28		
Marek Jurek (Right-wing of the Republic)	177,315	1.06		
Bogusław Ziętek (Polish Labour Party)	29,546	0.18		
Kornel Morawiecki (Independent)	21,596	0.13		

Source: Polish State Electoral Commission (<http://pkw.org.pl>, Accessed 7 July 2010)

None of this, however, appeared to stop Mr Kaczyński’s upward momentum. As **Table 1** shows, Mr Komorowski, who won 41.5% of the votes, had a much narrower first round victory than he had hoped for (and that most polls predicted) over the Law

and Justice leader who managed to secure 36.5%. However, the biggest surprise of the first round was Grzegorz Napieralski, the leader of the Democratic Left Alliance (SLD), the smaller left-wing opposition party and organisational successor to the former ruling communist party, who came in third with a much better than expected 13.7% following an surprisingly vigorous campaign.

The Democratic Left Alliance had been in the doldrums since the 2005 parliamentary election when the party's support collapsed following its involvement in high level corruption scandals while in government in 2001-5. After the 2007 parliamentary election, with Civic Platform and Law Justice continuing to dominate the political scene, a number of commentators even predicted that the party was in terminal decline. Drawing analogies with Ireland and the USA, they argued that the Polish party system might settle into a pattern of bi-polar competition between the two major centre-right parties, which would provide both the core of the government and the main opposition, with the social democratic left relegated to the status of (at best) a marginal third force.

In 2008, Mr Napieralski won a close and divisive party leadership election with a pledge to re-build support for the Democratic Left Alliance by presenting it as a clear and unambiguously left-wing alternative to the Civic Platform-led government and arguing that the party had to play the dominant role in any revived left. However, the party remained weak and divided over political strategy with a number of its best-known leaders arguing that it needed to co-operate with the government against Law and Justice and join a broader centre-left bloc, which included parties of the liberal centre, on more equal terms. Many commentators and party activists also questioned Mr Napieralski's effectiveness, doubting whether he had the political skills to save the Alliance from electoral oblivion. Moreover, the polarisation of the Polish political scene around the Civic Platform-Law and Justice divide continued to drive many centre-left voters into supporting Mr Tusk's party as the best way of preventing the return of the 'Fourth Republic'.

Indeed, Mr Napieralski was a reluctant presidential candidate and only stood after the party's original choice, Sejm deputy speaker and former defence minister Jerzy Szmajdziński, died in the Smolensk air crash. He started the campaign virtually unknown to the Polish public with only 2-3% support and many commentators wrote him off as a serious challenger. His party opponents also hoped that a poor election result would provide a pretext for a leadership challenge. However, Mr Napieralski ran a lively and imaginative campaign based on reaching out to those voters who wanted a generational change in Polish politics by promoting himself as the youthful new leader of the left. As well as staging campaign stunts that demonstrated his energy and enthusiasm, such as handing out apples to factory workers arriving for the morning shift, Mr Napieralski attempted to reach out to younger voters. For example, for his campaign theme song he released a pop video called 'There are millions of us' recorded by the '2Sisters' girl band where, in a modified version of their entry for the Polish finals of the Eurovision song contest, the feisty young twins sang in praise of the Democratic Left Alliance leader. 36 year-old Mr Napieralski also tried to distance himself from his party's communist-era origins by pointing out that he was the only one of the ten presidential candidates who was too young to submit a 'lustration declaration' stating whether or not he had collaborated with the communist security services. Although he focused primarily on socio-economic issues, there were also

distinctive anti-clerical elements in his campaign which appealed to the significant proportion of the Polish electorate who believed that the Catholic Church played too prominent a role in public life. Mr Napieralski even managed to survive a heavy blow when Włodzimierz Cimoszewicz, a former Democratic Left Alliance prime minister and one of Poland's most popular left-wing politicians, publicly endorsed Mr Komorowski a few days before the first round. The limited impact of this endorsement on the result suggested that the ability of this older generation of 'technocratic' left-wing leaders to sway Polish voters was much more limited than many commentators suggested.

As **Table 1** shows, Waldemar Pawak - the leader of the Polish Peasant Party (PSL), Civic Platform's junior coalition partner in government, who held the offices of deputy prime minister and economy minister - achieved a very poor result finishing fifth with only 1.75% of the votes. He was chosen as the party's candidate at the last minute on the grounds that it had little time to prepare for the elections and he was its best known leader. However, Mr Pawlak ran an extremely weak campaign and even finished behind Janusz Korwin-Mikke, the economic libertarian-social conservative candidate of the Liberty and the Rule of Law (WiP) party and a veteran eccentric of the Polish political scene, who secured 2.48%. On the other hand, it is worth bearing in mind that the Peasant Party has generally performed relatively badly in Polish presidential elections. Its 2005 candidate, Jarosław Kalinowski, won only 1.8% of the votes on a lower turnout (49.7% compared to 54.9% in 2010), but this did not prevent the party from crossing the 5% threshold required to secure re-election to parliament a couple of weeks earlier and then returning to government in 2007.

As no candidate received more than 50% of the votes a second round run off was required. Although no clear themes emerged during the two weeks of the second round campaign, both Mr Komorowski and Mr Kaczyński attempted to win over Mr Napieralski's first round voters. Mr Komorowski stressed his support for European integration (see below) and his (relative) social liberalism on issues such as in-vitro fertilisation and quotas for women election candidates. In order to attract anti-Law and Justice voters, Mr Komorowski also tried, once again, to frame the election as a plebiscite on the 'Fourth Republic'. For example, he secured the endorsement of Henryk Blida, the husband of Barbara Blida, a minister in the Democratic Left Alliance-led governments of the 1990s who committed suicide in May 2007 while security services were searching her house in connection with corruption allegations. The Democratic Left Alliance argued that Mrs Blida was a victim of the political atmosphere created by the then Law and Justice-led government. Mr Kaczyński, on the other hand, continued to play down his (relative) social conservatism and, once again, drew attention to his support for 'solidaristic' socio-economic policies. The Law and Justice leader even tried to attract the Democratic Left Alliance's core voters by stressing that, following the Smolensk tragedy, he would no longer refer to the party's supporters as 'post-communists' but simply as 'left-wingers'. However, although Mr Kaczyński's campaign was generally more coherent than Mr Komorowski's, during the final, chaotic fortnight, he did make a few panicky and questionable moves. These included praising Poland's 1970s communist dictator Edward Gierek as a relatively liberal and 'patriotic' communist which, given Mr Kaczyński long-held anti-communist views, came across as opportunistic and inauthentic. In the end, Mr Napieralski failed to endorse either of the candidates.

One particular concern for Mr Komorowski was the question of turnout, which was usually higher in Polish presidential elections where citizens were faced with a simple choice of one candidate rather than, as in parliamentary polls, a lengthy and complex party list. Mr Komorowski's camp was worried because the second round vote was held at a time when many Poles were on vacation. They feared that this would affect their candidate disproportionately as a large part of Mr Komorowski's electorate comprised younger, wealthier and urban voters who were more likely to be on holiday in early July than Mr Kaczyński's supporters who tended to be older, less affluent and live in rural areas.<sup>5</sup> At one stage, some commentators even warned that the second round turnout could fall below 30%.

In fact, second round turnout held up well, increasing slightly from 54.9% in the first round to 55.3%; which was actually higher than the 2005 second round turnout of 51%. In the event, as **Table 1** shows, Mr Komorowski overcame Mr Kaczyński's unexpectedly robust challenge and defeated the Law and Justice candidate by 53% to 47%. In spite of his numerous gaffes, Mr Komorowski was still able to tap into the over-riding concerns of a majority of voters that a victory for Mr Kaczyński could lead to a return to the combative and turbulent style of politics that they associated with the Law and Justice-led governments. Indeed, nearly 70% of Mr Napieralski's first round voters ended up backing the Civic Platform candidate's apparently more consensual approach.

## **The impact of Europe**

Given that foreign policy was one of the main areas of presidential competencies and - and one where the Civic Platform-led government and late President had clashed most bitterly, particularly over European policy - one might have expected European issues to have played a fairly prominent role in this campaign. Lech Kaczyński and Mr Tusk's government certainly had a number of high-profile disputes over Poland's EU policy during the two-and-a-half years when they 'cohabited', notably over: the ratification of the Lisbon treaty, which the President delayed signing for over a year; and the timing of Polish accession to the Euro zone, where the Mr Kaczyński opposed the government's target date of 2012 and refused to support the constitutional amendments required to facilitate entry, without a prior referendum. One of the most memorable disagreements occurred in October 2008 when Mr Kaczyński and the government clashed bitterly over who had the right to determine the composition of the Polish delegation at that month's EU summit meeting in Brussels. This ended as a major political embarrassment for Poland as Mr Kaczyński attended the summit against the government's wishes. Mr Tusk acknowledged subsequently that the row - particularly the decision to refuse Mr Kaczyński use of the official government aircraft, forcing the President to charter a private jet to Brussels - had been one of his greatest political mistakes as prime minister.

---

<sup>5</sup> In fact, it was possible to over-state the differences in the two candidates' demographic bases of support. To give two examples: as Polish political scientist Jarosław Flis pointed out, four out of every nine Komorowski voters lived in regions won by Mr Kaczyński (and vice versa); while Mr Komorowski actually won more votes among the over-65s than Mr Kaczyński. Arguably, it was also possible to over-state the programmatic differences between the two groupings, particularly when one looked beyond campaign rhetoric and examined the actual policies that they pursued in government.

In spite of this, European policy was not a major theme during the 2010 campaign; although it was not completely ignored by the candidates either and, on a couple of occasions, moved to the centre of political debate. When he did address the issue of Polish-EU relations, Mr Komorowski implied that he had a better sense of the subtleties of EU politics than Mr Kaczyński and stressed that he would continue the Civic Platform-led government's policy of trying to strengthen co-operation with Brussels and Poland's EU partners. Building on his core campaign message that he would work constructively with the government, Mr Komorowski argued that, by making it easier for Poland to present a more coherent position within the EU and on the international stage more generally, his election would give the country greater scope to pursue a more active European policy and take the lead in EU affairs.

For his part Mr Kaczyński tried to downplay, or at least qualify, Law and Justice's traditional message that Poland should adopt an assertive approach towards EU relations. In particular, he was keen to stress that, under his presidency, Poland would be a predictable and consensual foreign policy actor - particularly in its relations with Germany and Russia, with whom the late President and Law and Justice-led government had clashed bitterly. This dovetailed with Mr Kaczyński's broader message that both he and his party had 'changed' and were pursuing a much less combative approach to politics. However, one specific European issue that Mr Kaczyński did highlight - as part of his pitch for rural voters, particularly those working in the agricultural sector - was his pledge that, as President, he would make ensuring that Polish farmers received the same level of agricultural subsidies as their Western counterparts one of the country's priorities when it took over the EU's rotating presidency in the second half of 2011 (although, under the terms of Poland's accession treaty, this was something that was due to happen anyway in 2013).

European issues became somewhat more prominent during the second round campaign. Mr Napieralski made signing up to the EU's charter of fundamental rights (from which the Law and Justice-led government had negotiated an opt-out for Poland during the 2007 Lisbon treaty negotiations) one of issues that would determine which of the two candidates he would support in the second round.<sup>6</sup> Although Mr Komorowski supported this, as noted above, Mr Napieralski actually failed to endorse either candidate. Mr Komorowski also used the first of the two televised presidential debates held in the week before the second round of voting to attack Mr Kaczyński for an interview that he gave to the 'European Voice' magazine when he was prime minister in 2006. In the interview, Mr Kaczyński allegedly argued that the EU should phase out agricultural subsidies in order to concentrate more on external affairs and developing a European army. Mr Kaczyński responded that the 'European Voice' had misrepresented his views and that he only supported restructuring the EU budget in this way if the Union decided (hypothetically) to 'nationalise' agricultural subsidies.

Mr Komorowski's campaign returned to this issue when Mr Kaczyński visited British Conservative prime minister David Cameron, in order to enhance his credentials as a European leader. Since 2009, Law and Justice and the Conservatives have been members of the European Conservatives and Reformists (ECR) European Parliament

---

<sup>6</sup> Others included: rapid withdrawal of Polish troops from Afghanistan; state funding for IVF treatment; quotas for women candidates in elections; and increasing the minimum wage, pensions and welfare benefits.

grouping. However, Mr Komorowski used the London visit as an opportunity to highlight the fact that the Mr Kaczyński's European allies were in favour of scrapping EU agricultural subsidies, from which Polish farmers were major beneficiaries. He also attacked the Law and Justice leader for failing to raise the question of Britain's EU budget rebate, to which Poland had to contribute, during his meeting with Mr Cameron.

However, while EU relations did certainly feature in the campaign, as in previous Polish elections, the main candidates once again focused mainly on domestic issues. The European issue was viewed as, essentially, a debate over which of the candidates would defend and strengthen Poland's position within the EU most effectively, rather than offering different visions of what Poland's stance should be on the future trajectory of the European integration project. The only real exceptions to this were two minor Eurosceptic candidates: Mr Korwin-Mikke and Marek Jurek - the leader of the Right-wing of the Republic (PR), a conservative Catholic breakaway from Law and Justice - both of whom had originally opposed Polish EU accession. Mr Korwin-Mikke criticised the EU from an economically libertarian perspective and called for Poland to withdraw from the Union in protest against the country's involvement in the bail-out of the Greek economy. Although, in the past, Mr Jurek had criticised the EU as a secularising, anti-Christian project, during this campaign he focused on campaigning against Poland joining the Euro zone on 'practical' rather than 'ideological' grounds, arguing that retaining a national currency had protected Poland against the worst effects of the global economic crisis. The major candidates also adopted distinctive positions on Polish accession to the Euro zone: Mr Napieralski argued for the country to join as quickly as possible; Mr Komorowski indicated that this should happen in 2014 or 2015; and Mr Kaczyński said that Poland should not be in any hurry to adopt the single currency, using 'practical' arguments similar to those employed by Mr Jurek, although making it clearer that he supported Euro zone accession in principle.

## **Conclusion/Future Prospects**

On the face of it, Mr Komorowski's victory was a great success for Civic Platform, leaving the party in control of virtually all the levers of state power. However, his failure to win the election with the large majority that appeared initially to be well within his grasp suggested that the party's grip on the Polish political scene was not as strong as it once seemed. Indeed, in some ways, the result was actually quite disappointing, and potentially problematic, for the governing party as it faced the prospect of a parliamentary election that has to be held before autumn 2011. Firstly, the Civic Platform-led government - which was, as noted above, heavily criticised even by its own supporters for its lack of ambition - had repeatedly cited the late President's use, or threatened use, of the veto as an excuse for failing to deliver reforming legislation. With Mr Komorowski in the presidential palace, that obstacle was finally removed and there would now be mounting pressure to move ahead quickly with its much promised reform programme. Secondly, Mr Pawlak's very poor performance was bound to increase tensions within the governing coalition. The Peasant Party's record in previous governments showed that it could behave unpredictably when it felt that it needed to differentiate itself from the main governing party. While the current coalition appeared to be more stable and cohesive than most of its predecessors, the number of clashes between the two governing

parties was likely to increase and the Peasant Party could act as a block on reforms, particularly any attempt by Civic Platform to radically overhaul Poland's generous but extremely costly state-funded social security system for farmers, the Peasant Party's core constituency. Thirdly, although his generally low key approach meant that Mr Komorowski was likely to favour a fairly passive model of the presidency, his very strong personal electorate mandate gave him a great deal of scope to try and carve out a more independent role for himself. Moreover, without President Kaczyński as a common enemy to maintain unity, infighting could break out within the governing party, with the Presidential Chancellery acting as a possible alternative power centre for Mr Tusk's internal opponents or party figures with whom the Civic Platform leader had fallen out.

Moreover, and even more worryingly for Civic Platform, Mr Komorowski's relatively narrow victory also suggested that the party faced a deeper, more structural problem that went beyond the undoubted strategic and tactical errors made by his campaign staff and his personal weaknesses as a candidate. The ruling party's ability to mobilise voters successfully on the basis of rejecting the 'Fourth Republic' and fear of Law and Justice returning to office appeared to be losing its effectiveness, with the Smolensk tragedy having apparently accelerated this process. Smolensk finally allowed Mr Kaczyński to re-fashion both his own and his party's image. It also led to a public re-evaluation of whether previous criticisms of Law and Justice and its leader had been fair. By appearing to move on from the 'Fourth Republic' project and positioning itself as less aggressive towards its political rivals, Law and Justice seemed to change the balance of support between the two centre-right blocs, apparently ending Civic Platform's hopes of continuing political dominance. Crucially in terms of scenarios after the next parliamentary election, this also went some way towards making Law and Justice a potentially acceptable coalition partner for other parties.

At the same time, although Mr Kaczyński lost the election, in many ways a narrow but respectable second-round defeat was probably the best outcome for him. He was not especially interested in becoming President, only agreeing to run because of his twin brother's untimely death, and his real priority was always to win the next parliamentary election. Mr Kaczyński's relatively good result prevented the emergence of centrifugal forces within the party which could have followed his brother's (likely) heavy electoral defeat. As well as giving Mr Kaczyński an opportunity to change his own public image and re-position Law and Justice, the election strengthened his leadership and unified the party giving it a renewed sense of purpose. Victory, on the other hand, would have forced Mr Kaczyński to resign as Law and Justice leader, plunging his party into a divisive contest to choose his successor.

However, almost as soon as the election results were announced, Mr Kaczyński appeared to abandon the moderate tone that had attracted millions of votes and retreated to his earlier harsh and aggressive rhetoric. The Law and Justice leader unleashed a series of bitter attacks against Mr Komorowski and the ruling party: raising questions about the government's responsibility for the Smolensk air crash in a highly emotive way, failing to attend the new President's inauguration ceremony, and questioning the legitimacy of his election by describing it as a 'misunderstanding'. Mr Kaczyński and his party also appeared to endorse the self-proclaimed 'defenders of the cross': a radical fringe movement that claimed to be acting to preserve the late

President's memory (some of whom were convinced that he had fallen victim to a plot) by rallying around a wooden cross which had been erected outside the presidential palace by Polish scouting organisations during the Smolensk tragedy mourning period. This cross was intended as a temporary commemoration of Mr Kaczyński and the other crash victims until a monument could be erected in its place. However, in one of his first interviews after the presidential election, Mr Komorowski suggested that it should be moved to another location, provoking an angry response from Law and Justice party stalwarts. Apart from the negative impact of all of this on the party's standing among centrist voters who had supported Mr Kaczyński; as even commentators sympathetic to the Law and Justice party pointed out, their leader's inflammatory post-election rhetoric and tactics risked squandering the political capital that he accumulated during the presidential election. Indeed, the dissonance between the moderate tone that Mr Kaczyński adopted in the presidential campaign and the subsequent return to his hallmark aggressive style, appeared to confirm the arguments of the party's opponents: that his apparent 'conversion' to a more moderate and consensual style of politics was simply a tactical ruse.

The decline of the 'Fourth Republic' as a salient issue for many centrist Polish voters also opened up the possibility for other political forces, particularly the Democratic Left Alliance on the centre-left, to emerge as serious challengers to the Civic Platform-Law and Justice duopoly. Previously, counter-mobilisation against the 'Fourth Republic' idea had driven many of their potential centre-left voters into supporting Civic Platform. For sure, the 2010 presidential election was once again dominated by the two centre-right parties and, in the short term at least, they were likely to continue to make the running on the political scene. Moreover, Mr Napieralski's 'success' in this election actually had a lot to do with expectations, particularly the fact that he started with such low levels of support and so many commentators (and, indeed, members of his own party) expected his campaign to fail. In fact, Mr Napieralski's vote was only slightly better than the 13.2% share achieved by the Left and Democrats (LiD) electoral coalition, of which the Democratic Left Alliance was the main component, in the 2007 parliamentary election.

However, by exceeding expectations, Mr Napieralski's relative success both confirmed that any revival on the left would have to be based on the Democratic Left Alliance and entrenched his own position as the clear and unquestioned leader of the Polish left. Although, it was still too early to talk of a real electoral breakthrough, which would have required the Democratic Left Alliance achieving at least 20% support, declining fear of the 'Fourth Republic' and Mr Napieralski's strong showing opened up the possibility of the party re-emerging as a major force in Polish politics. Moreover, the weak nature of their links with voters, together with continuing low electoral turnout and high levels of electoral volatility in Poland, suggested that neither of the two big centre-right parties had really succeeded in rooting themselves solidly in the Polish electorate. In the short term, the key to determining whether Poland's (apparently) emerging two-party system would be un-blocked was, therefore, whether Mr Napieralski could use the political capital that he obtained in this election to carve out a strong independent role for the Democratic Left Alliance.

**Published: 26 August 2010**

*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>.*