

NECE WORKSHOP

“Fragility and Resilience of Democracies in Europe. Where now for Citizenship Education and Civil Societies?”

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“Global and Local Sources of Law and Justice Party’s Popularity in Poland”

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The success of the right-wing Law and Justice Party (PiS) in 2015 could have been a matter of chance: relatively low outcome of voters, mechanisms of Poland's electoral law are most often named causes. It is worth reflecting, however, on why despite the subordinating of Constitutional Tribunal, and, partially, judiciary, to the executive, breaking the rule of law, the popularity of PiS remains stable around 40 percent, with a tendency for growth.

This phenomenon seems to be caused by a combination of causes, both typical for other Western, well established democracies, like UK or US, and specific for Poland's historical, cultural, and geopolitical context.

Among the first type of causes one should especially point at:

1. Kriesi and Grande, and Merkel (in their 2004 and 2018 studies) argued, we are witnessing *new type of cleavages in Western societies*, between “Cosmopolitanists” and “Communitarianists”. “Cosmopolitanists” are more in favour of globalization secular-rational values, like emancipation, progress or self-expression, whereas the “Communitarianists” are rather devoted to traditional values like nation, family, religion, hierarchy. In Poland, such cleavage could be drawn between the supporters of current opposition and the Law and Justice Party. PiS diagnosed correctly the worries and fears of Polish “Communitarianists”.
2. *Crisis of liberal democratic model of state*: Western democratic states in the past decades failed to meet the people's expectations, mostly connected with the labour market and caused their frustration by gradual excluding the voters from the decision system (Crouch, 2000). In Poland, reform of labour market, as well as a reform of judiciary, solving the problem with the so called reprivatisation scandal, and the like, were badly needed and have not been addressed by the former ruling party. PiS diagnosed correctly those needs.
3. *Crisis of liberal ideology and elites*: Liberal elites in Poland, UK, or US, did not lose because they had such strong opponents, but because they were weak, and underwent a political, strategic, and moral crisis. In Poland, the three main goals of democratic transition – democracy, free market economy, European Union and NATO integration – were roughly realized by 2014, but liberal elites failed to provide a vision of new goals or refreshment of the old ones. This created a vacuum which PiS could use.

Let us now focus on the specifically Polish causes of the rise of populism. The famous classic theorist of democracy Alexis de Tocqueville wrote about what he called “habits of the heart”, by which he understood certain societal customs, based on long-term repetition,

travelling somewhere between human passions and reason. A certain type of habits of the heart seems to be active when it comes to the current Polish society:

1. *The Round Table “out burned generation”* (Wigura, 2015). The democratic transition in Poland was an accomplishment of the generation of dissidents. The same generation, 28 years later, still has predominant symbolical and real influence on Poland’s politics, and the division in the former Solidarity – with conservative nationalists on one side, and liberal conservatives on the other – still has a decisive influence for Poland’s political scene. The current *de facto* leader of the country Jarosław Kaczyński and former leader of Solidarity as well as President Lech Wałęsa, today standing at opposite sides, belong to the same generation. Within the years the dispute between those two sides have become ever more radical, and personal. The former dissidents did embark the country on democratic trajectory, they are, however, unable to look into the future.
2. *The end of post-communist myth of the West* (Kuisz, 2016, 2017). After 1989 the Poland’s transformation was predominantly imitative. Since the collapse of communism in 1989, an almost absolutely uncritical attitude toward Western Europe and the United States, has dominated in Central and Eastern Europe. This was partly due to people trying to extract themselves from impoverishment with Western tools of economic transformation. And yet, Europeans emerging from behind the Iron Curtain were not motivated by simple material aims. Following the fall of communism, western states also represented a better world in a moral sense. This myth, however, for several reasons has come to an end. Poland has been, for a few years before 2015, in need of finding anew its identity, suitable from the point of view of tradition, history, and geopolitical location. Alas, such vision has not been delivered by the liberal elites, and this PiS filled this vacuum with its populist and hostile attitude to the West.
3. *Total opposition as a habit*. In 2016, the leaders of Poland’s opposition announced that because PiS is breaking the rule of law, there is a necessity of forming a “total opposition”. They meant that they would oppose literally every step of the government. The concept did not have much to do with the true state of the matters from the very beginning: as Radosław Zubek argues (2017), the Civil Platform Party (PO), being the biggest opposition party, has voted identically to PiS in 57 percent of all cases since 2015. “Total opposition” does exist in Poland, though, but in a form of a process. What we observe today is rather a next stadium of the process started much earlier. One can point at the years 1997-2001, when Leszek Miller and his Democratic Left Alliance party (SLD) invented this strategy. This is also, however, an echo of another habit of the heart, dividing the society between “us” and “them”. In the times of lack of sovereignty any government would be “them”. But in the lack of “them”, sent by USSR, car Russia etc., “them” become those who are currently at power.