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When everyone is your enemy

So far, PiS has had a clear lead in the polls. But the Polish ruling party crossed a red line by drafting a law that targets opposition leader Tusk

'We've had enough! We will win!' echoed across the Castle Square in Warsaw's Old Town on 4 June. A large demonstration of the united opposition strode through the streets, protesting against a law passed by the ruling Law and Justice (PiS) party. In doing so, the opposition demonstrated its combined strength and kicked off the campaign for the parliamentary elections in mid-October, which promise to be a close race.

PiS' anti-European attitude

Jarosław Kaczyński's national conservative PiS has been in power in Poland since 2015. Its core objective is a self-determined and sovereign Poland, free from 'harmful external influences' – including the European Union. Following this spirit, the party has turned against the European legal order and has taken on the EU institutions in a dispute over the supremacy of European law and the reform of the Polish judicial system. This eventually led to the freezing of billions of euros in EU funds earmarked for Poland, as well as various penalties for the country. At the same time, the Polish population's support for the EU is stronger than in almost any other member state. For this reason, the PiS likes to live out its anti-European attitude in the form of anti-German resentment instead.

The European rule of law case against Poland, the argument goes, is in essence nothing more than a German-led attack on Poland. While these statements only appeal to certain groups, the PiS succeeded in scoring points far beyond the pro-nationalist audience with the introduction of a child benefit of 500 zloty (approx. €110), thus helping to spread prosperity in Poland to broader sections of the population. The previous government under Donald Tusk, leader of the Civic Platform PO, had continuously denied Poles these kinds of socio-political instruments — always under the motto: 'first, the economy must grow'. Yet, the PO remains the biggest opponent to Kaczyński's PiS in the upcoming

election campaign.

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Both parties emerged from the *Solidarność* movement of the 1980s. While the PiS interprets the struggle of *Solidarność* in a rather national-conservative way as the liberation from foreign domination and socialism, the PO places the emphasis on a liberal economic and social policy. Despite these common roots – or perhaps precisely because of them – the two parties are at odds, unable to form a coalition.

The campaign for the October elections will most likely turn into a mobilisation battle. While the PiS's socio-political handouts were eaten up by an inflation of up to 20 per cent, it continued to advocate its anti-German course. In Germany, many are rubbing their eyes when they are told that the real danger apparently doesn't come from Putin's imperialist Russia, but from their own country. Just in time for German Unity Day, Warsaw handed over a note to Berlin, demanding reparations and compensation for the damage caused during the Second World War to an almost astronomical amount. In doing so, the PiS may indeed be pleasing its voters, but it is failing to mobilise broader sections of the population. As a countermeasure, in May, the government promised to again increase child benefits to 800 zloty (approx. €178) and to abolish motorway tolls.

The race is still open

The opposition, on the other hand, has had problems setting its priorities. Instead of concentrating on alternative policy approaches and simple messages, it seems to be preoccupied with the question of the formation in which it should run in the elections. While Tusk would have liked to lead a united opposition list, the social democrats of the New Left ('*Nowa Lewica*') weren't willing to do so. *Nowa Lewica* includes the old SLD ('Democratic Left Alliance'), which only returned to the Polish Parliament, the *Sejm*, in 2019. In 2021, the party united with Robert Biedron's civil rights movement *Wiosna* (meaning 'spring') to form the New Left. As a result, the party gained new strength, rejuvenated its electorate and now actually has a good chance of re-entering parliament and the potential of being needed to form a coalition with the PiS. The third opposition force is the 'Third Way', an unusual combination of Szymon Hołownia's liberal 'Polska 2050' and the long-standing agrarian party PSL.

Looking at the polls, the PiS with 36.4 per cent, together with the neo-

liberal and right-wing populist *Konfederacja* (10.9 per cent), are facing the opposition bloc of the PO (28.1 per cent), *Nowa Lewica* (9.8 per cent) and the Third Way (13.7 per cent). According to a projection by the analysis portal *Polityka Insight*, this would give the opposition exactly 230 out of 460 seats in parliament. The upcoming election campaign is therefore an open race.

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The Russian war of aggression against Ukraine does not play a significant role in the political debate of the parties in Poland due to the unbreakable consensus of full solidarity and military support for Ukraine. And so, Poles took in more than 1.5 million Ukrainian refugees.

After the energy supply crisis that many had feared failed to materialise in the winter of 2022-23, it initially looked as if PiS had a clear advantage until the end of May. But its social policy promises did not have the desired effect. And the party crossed a red line with the law establishing a state commission to investigate Russian influence on Poland's internal security between 2007 and 2022. The law blatantly targets the leader of the PO, Donald Tusk, who could thus face the suspension of all political offices. For in its initially adopted form, the law provides that the commission is both plaintiff and judge – without the possibility of appeal.

A shot in their own foot

PiS certainly expected an outcry from its European partners against this attack on the democratic rules of the game, but the fact that the US – a far more important partner in the party's eyes – also protested caused an uproar. On the very evening of the signing of the law, the US ambassador in Warsaw commented on the action, calling it a threat to the holding of free and fair elections. Only shortly after, President Andrzej Duda backed down in an official statement and has since been trying to take the edge off the so-called ‘Lex Tusk’.

But the cat was already out of the bag. Not only was there a great international outcry, there was also a lot of criticism coming from within Poland. Journalist Basil Kerski talked of a ‘nationalist revolutionary tribunal’ as a result of the ‘Lex Tusk’ and the united opposition invited people to march in protest on 4 June. Hence, PiS has given the opposition a visible and audible starting boost in the mobilisation battle of the Polish election campaign — visible and audible throughout the country, as well as far beyond. Although the 500,000 participants

mentioned by the organisers of the protest march are certainly on the upper limit of the actual number of participants, the sea of Polish and EU flags shows the strength and willingness of the democratic opposition forces to fight against the PiS party.

It was particularly fortunate for the opposition that the demonstration on 4 June was opened not only by Tusk and Warsaw Mayor Rafał Trzaskowski, but also by Lech Wałęsa, head of *Solidarność*, Nobel Peace Prize winner and President of Poland from 1990-1995. This should allow the protest to radiate far beyond the sworn anti-PiS camp and mobilise many Poles for the opposition. Nevertheless, there is still a long way to go before election day in October.



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