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The Polish Paradox: From a Fight for Democracy to the Political Radicalization and Social Exclusion

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Abstract: Poland has gone through a series of remarkable political transformations over the last 30 years. It has changed from a communist state in the Soviet sphere of influence to an autonomic prosperous democracy and proud member of the EU. Paradoxically, since 2015, Poland seems to be heading rapidly in the opposite direction. It was the Polish Solidarity movement that started the peaceful revolution that subsequently triggered important democratic changes on a worldwide scale, including the demolition of the Berlin Wall, the collapse of Communism and the end of Cold War. Fighting for freedom and independence is an important part of Polish national identity, sealed with the blood of generations dying in numerous uprisings. However, participation in the democratic process is curiously limited in Poland. The right-wing, populist Law and Justice Party (PiS) won elections in Poland in 2015. Since then, Poles have given up more and more freedoms in exchange for promises of protection from different imaginary enemies, including Muslim refugees and the gay and lesbian community. More and more social groups are being marginalized and deprived of their civil rights. The COVID-19 pandemic has given the ruling party a reason to further limit the right of assembly and protest. Polish society is sinking into deeper and deeper divisions.



Citation: Kinowska-Mazaraki, Zofia. 2021. The Polish Paradox: From a Fight for Democracy to the Political Radicalization and Social Exclusion. *Social Sciences* 10: 112. <https://doi.org/10.3390/socsci10030112>

Academic Editors: Linda Briskman and Lucy Fiske

Received: 5 January 2021
Accepted: 18 March 2021
Published: 23 March 2021

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Keywords: Poland; political transformation; democracy crisis; social polarization; minority's displacement

1. Introduction. Poland in 2020: On the Path to Reverse Democratic Changes

Poland has gone through a remarkable transformation over the last 30 years. It has changed from a communist state in the Soviet sphere of influence to an autonomous, prosperous democracy and proud member of the EU. Paradoxically, since 2015, Poland seems to be heading rapidly in the opposite direction.

In 2015, the Law and Justice Party (Prawo i Sprawiedliwość, PiS) won both presidential and parliamentary elections with a slim majority. This victory has been a turning point in recent Polish history.

PiS won the mandate to rule but had an insufficient majority in both houses to change the constitution. However, that did not prevent the PiS government from changing the whole political system towards an authoritarian regime. It was “free and fair elections with unfair consequences,” as Radosław Markowski put it (Markowski 2017, p. 5).

The paper focuses on two aspects of social exclusion taking place in Poland since 2015. The first covers potential opposition to the governing party. This includes representatives of independent institutions, especially judiciary, public administration, media and civic society organizations (see Section 2). The second concerns minority groups, including Muslim refugees and the gay and lesbian community (see Section 3).

Radical restructuring of the justice system was one of the first reforms introduced by PiS (see Section 2.1). The independence of the judiciary was effectively terminated and judges made subordinate to political control. This dismantling of the rule of law led to human rights abuse. Access to impartial judiciary is now questionable.

This was followed by systematic replacing of elites on an unprecedented scale, taking over a number of state institutions, including public media, cultural institutions, state-

owned companies and other public bodies (see Section 2.2). At the same time, PiS policy in sphere of the civil society strengthened organizations with a conservative profile, right-wing ideology and those affiliated with the Church or with Catholic values. These organisations are now receiving disproportional state support (see Section 2.3).

To justify all those measures, PiS stirred prejudice, fear of and aversion to particular social groups, casting them as public enemies. Two obvious forms of displacement took place, one from outside the border and one within. In 2015, the main threat to Polish welfare and values, as claimed by PiS, was seen in the Muslim refugees (see Section 3.1). In the following electoral campaigns in 2019 and 2020, the ruling party presented “LGBTQ ideology” as the new public enemy, allegedly threatening Poles, Polish national identity and Polish interests (see Section 3.2).

The PiS’s policy, especially regarding the rule of law crisis and minorities discrimination, is highly controversial. One of the most important Polish achievements since 1989, membership in European Union and identification with its values, become questionable. The EU has expressed concerns regarding judicial independence and the rule of law, as well as issue of minority rights in Poland. These warnings have been ignored by Polish authorities for the last five years as a “lack of respect for Polish sovereignty” and “groundless interference in Poland’s internal affairs.” The European Parliament, in April 2019, issued a directive, which linked the receipt of EU funds to the maintenance of democratic standards (EU Directive 2018). EU funds were to be conditioned on the rule of law. Poland is the largest beneficiary of EU assistance, so the cost of losing EU funds would be very high.

The social tension caused by the government policies escalated when the second wave of COVID-19 came in the autumn of 2020, bringing more chaos and uncertainty. New restrictions on the abortion law introduced in the middle of the pandemic triggered mass protests across Poland and led to the formation of the new social movement called Women’s Strike. The government reacted with restrictions and violence, denying the right to protest due to the pandemic (see Section 4).

The PiS’s narrative presents those who protest against its policy as national enemies, allegedly threatening Polish interests. The similar label of representing foreign, anti-Polish interests was put on all protests against government policy, including reducing the independence of the judiciary, discrimination towards LGBTQ communities and, lately, changing the abortion law. The PiS’s narrative associates “Polishness” with supporting Polish national interest, as defined by PiS, and with conservative, traditional values, including Catholicism, itself (PiS 2019, p. 14). In other words, if you are not Catholic and do not support the ruling party, your “Polishness” is questionable. Such definition of being “authentic” Pole excludes PiS’s political opponents from the national community. This antagonistic policy of the PiS resulted in discrimination and displacement of more and more social groups. On the other hand, it resulted in growing political polarization, wider social resistance and an increase in civil participation.

Poland, at the end of 2020, seems to be at the crossroads. Since the 1989 transition, Poland achieved unprecedented progress. It has transformed from a poor communist country into prosperous democracy, an integrated part of modern Europe. Paradoxically, since 2015, Poland seems to be on the path to reverse democratic changes. The country known for Solidarity movement that started the peaceful revolution that subsequently triggered important democratic changes on a worldwide scale is deeply divided. Polish society now lacks solidarity. It is polarized and sinking into deeper and deeper divisions.

It is difficult to understand the paradox of modern Poland without some historical background.

1.1. Historical Background

In short, the last 200 years of Polish history have been dominated by suffering and oppression from more powerful neighbours and constant fighting for freedom. Poland was partitioned by Russia, Prussia and Austria in 1772, losing autonomy for almost 150 years, during which Poles unsuccessfully fought for freedom in a number of uprisings.

After the First World War, Poland at last won independence, and some 20 years of freedom followed. The Second World War started with Nazi–German invasion of Poland on the 1st of September 1939, immediately followed by the Soviet–Russian invasion of Poland on the 17th of that month. Poles contributed significantly to the Allied effort throughout the war. However, after the war, as a result of the Yalta agreement, Poland became a part of Soviet Bloc. This was a bitter disappointment and boosted the already existing national victimhood syndrome. Polish national identity, pride and mythology have their roots in this long, often heroic and usually tragic fight for freedom.

A major shift of fortune came about in February 1989, when the broad social resistance and mass protest against Communist domination led to starting the Round Table Talks between the Communist establishment and leaders of the Solidarity movement. A peaceful and gradual transition followed, from a Communist dictatorship to a liberal democracy. The Round Table Talks led to limited free elections in June 1989, and in September 1989, the new government was formed, and systemic transformation commenced. Monopolistic party rule, oppression, invigilation, centrally planned economy and censorship of culture all came to an end. Poles were united in an anticommunist majority. All agreed to build a democracy based on rule of law, checks and balances and a free market.

During the first 25 years after the 1989 transition, Poland achieved unprecedented progress. The basis of the transformation was the establishment of democratic principles, together with the modernization of the economy and society. The economy and culture aligned with the West, and Poland subsequently joined NATO in 1999 and the European Union in 2004 thus becoming an integrated part of modern Europe. It appeared to be a great success story.

The dismantling of the Communist Party and its regime led to the end of Solidarity as a national movement. With no common enemy, the cohesion of the prodemocratic establishment turned out to be an illusion. The movement fragmented. Solidarity leaders, previously united, launched a number of new political parties, all claiming Solidarity's legacy but with different views of the past, including a very different assessment of the Round Table Talks. Importantly, they had very different ideas for the future. Since then, Poland has witnessed a near-total lack of cooperation between political parties and a growing inability to compromise and reach agreement.

Today, some three decades after the demise of communism, the leaders of the two main political forces in Poland, the ruling Law and Justice Party (Prawo i Sprawiedliwość, PiS) and its rival, the Civic Coalition (Koalicja Obywatelska, KO), seem unable to agree on anything, although they were both participants representing Solidarity in the original Round Table Talks.

1.2. Paradox of Social Apathy

The 1989 breakthrough was the people's victory. It was a result of great civic mobilisation. Paradoxically, after gaining the main goal—freedom, which had been desired for generations—Polish society has demobilised and sank into political apathy. This is clearly seen by the low participation in elections at all levels of government. On average, around half of eligible voters participate in elections at any level of government.

Contemporary Poles are far from being participatory citizens. Participation in political life in Poland remains low as civil society engagement and in general (Jacobsson and Korolczuk 2017). A feeling of political powerlessness is dominant among Poles and leads to electoral passivity. Social capital remains low. More than 80 percent of Poles feel they have no influence on government (Zick et al. 2011). The level of social trust is improving but is still low, and the majority (76%) of Poles lack trust in people in general (CBOS 2020, Report 43/2020).

Scholars see in this the burden of Polish history. Anticivic mentality was shaped as Poland was repeatedly partitioned (1772–1918) and then reinforced by almost 50 years of the Communist regime (1945–1989). This is evidenced by the deficiency of social trust, seeing the government as an enemy, and, not surprisingly, there is a lack of civic

tradition. Communism created the *homo sovieticus* mentality—powerless, passive member of a collective society (Tischner 1990). With centralised power, independence and initiative were consequently limited. The citizen feels responsible for the state in a democratic system, endeavouring to align it with his or her aspirations. By contrast, the citizen in a communist state becomes an opportunist, abrogating his or her civic rights in exchange for relative social safety and privileges. The past is also responsible for the “sociological vacuum” phenomena—the lack of identification with groups at the mezzo-level situated between the level of primary groups and that of the national community (Nowak 1980). Poles identify strongly with small primary groups (families and circles of friends) and with the Polish nation as a whole. The Solidarity movement, as a number of uprisings before, was built around a strong, unifying national affection, and this national identity element was crucial for its success. The process of consolidation of democracy and the development of social capital and civil society is a different story. It is a long process, and it is far from finished.

In contrast with the involvement in Solidarity activities prior to 1989, the withdrawal of large groups of people from public involvement after 1989 was also explained as a reaction to the trauma of rapid post-1989 change (Sztompka 2000). The economic transformation in the 1990s was rapid, radical and brutal. It left parts of society disadvantaged and marginalised. The transformation process, itself, dictated centrally, reinforced an attitude of passivity and apathy. The state and the political elites played a decisive role in the political transformation. This effectively marginalised social participation, rendering most as passive recipients in the process (Miszalska 1996). Despite the opportunities offered by the new democracy and associated enthusiasm, it was perhaps over-optimistic to expect that the mentality shaped by years under communism would disappear automatically with a change of the political system.

1.3. The 2015 Election: A Radical Change of Direction

Poland had two important elections in 2015, the presidential election in May and the parliamentary election in October. The Law and Justice Party (Prawo i Sprawiedliwość, PiS) won both with a slim majority.

Less than 51% of eligible voters (50.92%) voted in the Polish Parliamentary elections in the fall of 2015. The ruling PiS won the elections with 51% support, although only 18.6% of eligible voters (5.7 million citizens) voted in their favour. That was enough to win a slim majority of seats in both houses of the Parliament, in the lower house (Sejm) 235/460 and in the upper house (Senat) 61/100. The subsequent election in 2019 saw PiS repeat the success. This time, PiS in coalition with right-wing parties, won the same number of mandates in the lower house (Sejm); however, it lost its majority in the Senat, winning only 48 of the 100 seats.

Social apathy and low voter turnout made possible PiS's victory. New government leads Poland to reverse the democratic changes, contrary to EU values to which Poland previously aspired.

2. The Policy of Excluding Potential Enemies

The main theme espoused by PiS in the last election campaigns was an absolute rejection of the transformation process in Poland (PiS 2014, 2019). PiS claimed in its narrative, that the whole period after 1989 was established by corrupt elites. The entire 27 years of modernization and building of liberal democracy was claimed to be a failure. Poland post-1989, in the PiS perspective, was claimed to be under influence of a shady post-Communist network. This alliance was claimed to include former security operatives, Communist Party members and liberal post-Solidarity forces, who were said to be controlling political, economic and cultural activity. “Post-Communist Poland” was said to be ruled by corrupt “pseudo-elite.” The transformation was said to disadvantage a large part of the population and created a privileged class. The ruling “pseudo-elites” favoured foreign interests. PiS held this as disloyalty and called it “post-colonisation” (PiS 2014, p. 26). PiS claimed the “pseudo-elite” did not support traditional Polish values associated with

the Catholic Church, which in PiS interpretation is the core of “Polishness.” Instead, the “post-Communist establishment” was claimed to include unfamiliar, decadent Western liberal values and its liberal cultural agenda (PiS 2014, p. 17; PiS 2019, p. 25). Ordinary “authentic” Poles and Polish interests were said to have been betrayed (Markowski 2019; Bill and Stanley 2020).

National interest and a traditional concept of national unity are prominent in PiS’s narrative. The definition of “Polishness” is narrow and inexplicably connected with Catholicism (PiS 2019, p. 14). PiS holds the state engaged with religion, and the Catholic Church holds a privileged position. According to the party’s 2019 program:

Status of Catholic Church in people’s and state life is exceptionally important; we want to support it and hold that any unjust attacks at the Church and attempts to damage it are dangerous to the shape of social life. (PiS 2019, p. 15)

The election of 2015 saw PiS campaign about bringing about in Poland a so-called “good change” (“Dobra Zmiana”); in 2019, PiS promised the continuation of this “good change.” The “good change” program planned to dismantle post-Communist arrangements (the post-Communist order) and to reform government institutions so that they would better serve Poles, especially those, who were discriminated against or excluded from the benefits of the transition.

PiS introduced the social program, providing financial help for all families with children. It is called “500+,” as it grants PLN 500 for each child, monthly. It became the PiS’s flagship project and contributed significantly to PiS’s success and popularity. The party’s narrative presents it as a support for the traditional institution of the family and response to unjust post-Communism transformation, which, allegedly, left most ordinary people disadvantaged. On the other hand, part of the “good change” program included replacing so called “post-Communist establishment” or “pseudo-elite” by new elites, who—as the PiS narrative goes—care about the interests of the “true Poles” and Poland. The key to identifying membership of post-Communist elite is simple. It is all those who do not support Poland’s interest as understood by the ruling PiS party and opponents of PiS’s policies.

2.1. Subordinating the Justice System to Political Control

The “good change” program included thorough reform of judiciary, which, in PiS’s view, was burdened with post-Communist heritage and its many pathologies (PiS 2014, pp. 37, 66; PiS 2019, p. 36).

The radical restructuring of the justice system was initiated quickly after the elections, in December 2015. As in other departments of state it was based on the radical replacement of cadre in key positions, including the President of the Constitutional Tribunal and the First President of the Supreme Court.

The justice system reforms started with the changes in the Constitutional Tribunal (Trybunał Konstytucyjny, TK). Legally elected judges were replaced with the party loyalists, called by the opposition “quasi-judges,” so that the government could establish working control of the Courts. As a result, constitutional control over the government’s actions was removed. The Constitutional Tribunal, as Sadurski put it, became a defender and protector of the legislative majority (Sadurski 2019, p. 82). Importantly, the absence of a constitutional majority was not an obstacle anymore for changing constitutional order and the consolidation of power.

Next, in order to establish control over the judiciary, PiS initiated restructuring of the ordinary courts, the National Council of the Judiciary (Krajowa Rada Sądownicza, KRS) and the Supreme Court (Sąd Najwyższy, SN). The new KRS has the power to control almost all appointments to the body responsible for appointing and disciplining judges. A new Disciplinary Chamber of the Supreme Court was created. Both these institutions are controlled by the executive and can be another tool to exert control over the judiciary disciplining of judges, including their dismissal. Judges whose verdicts contradicted government policy had to be prepared for possible adverse consequences. At this point,

the prosecution service was already under the government's control. The function of the prosecutor general was linked with that of the Minister of Justice.

All of those changes were unconstitutional, but, at the time, there was no longer an independent Constitutional Tribunal to question them. PiS's actions undermining judicial independence from political control caused some domestic resistance. Numerous demonstrations supporting the independence of the judiciary took place in various Polish cities and towns but were ignored by the Polish authorities. The EU has frequently criticised these changes in Poland.

External pressure from the European Commission and the European Court of Justice so far has not produced the hoped-for effect. All recommendations of the European Commission regarding the systemic threat to the rule of law in Poland have been ignored. In response to EU concerns, Polish authorities repeatedly accused the EU of a "lack of respect for Polish sovereignty," "interferences into Poland's internal affairs" and claimed that changes recommended by the Commission are "politically motivated" and any criticism groundless. At this point in time (December 2020), the EU is considering implementing a new mechanism linking EU funds to the state of rule-of-law in member states. Already in February 2020, the board of the Norwegian Court Administration (NCA) decided to withdraw from its cooperation with Poland under the justice programme of the European Economic Area (EEA) and Norway Grants (around 70 million euros). The explanation of this published on the NCA website was that that the cooperation could not continue, since "basic European standards for legal security are no longer present" in Poland (Holmøyvik 2020).

2.2. Taking over Public Administration and the Media

It is not unusual for an incoming administration to introduce its people to some key administrative positions. It is done not only to reward trusted people for their work and support in the election campaign but also to achieve a better realisation of the party's program. However, a report documenting PiS's personnel policy during the first two years in government shows an unprecedented speed and scale of personnel exchange (Kopińska 2018). In the first six months, 96.9% of heads of state-owned companies were replaced, as well as managerial positions in public administration at both the national and local government levels. Almost simultaneously, top administrative personnel in government were replaced, including, amongst others, procurators, heads of judiciary, administrators of the education system and heads of divisions of the Social Insurance Institution (Zakład Ubezpieczeń Społecznych).

The manner in which PiS effected change has been arbitrary in character. PiS abolished public competition for managerial positions, as well as any consultation with the opposition or community regarding proposed changes. The purpose of this approach was to fill all key positions with personnel loyal to PiS. The main criteria for advancement are the loyalty to superior. Skill, experience or appropriate qualifications are clearly secondary requirements.

The independent press noted cases where PiS filled positions in state-owned companies with active politicians and their relatives with no business track record or experience. In some cases, where fast replacement of management was impossible within the framework of existing law, PiS changed the legislation to allow it. Examples include research institutes, Institute of National Remembrance (Instytut Pamięci Narodowej, IPN) and National Broadcasting Council (Krajowa Rada Radiofonii i Telewizji, KRRiT).

The legislative changes allowed the personnel changes. Many bills allowing the changes were so-called members bills rushed through the parliament without consultation. A dramatic illustration of this was the process used by PiS to control public media. The complete subjugation of the National Broadcasting Council (KRRiT) and all public media, including public radio, public television and Polish Press Agency (PAP), took PiS only eight-and-a-half months (Kopińska 2018, pp. 22–24). As journalist and Pulitzer Prize winner Anne Applebaum put it:

Law and Justice took over the state public broadcaster—also in violation of the constitution—firing popular presenters and experienced reporters. Their replacements, recruited from the far-right extremes of the online media, began running straightforward ruling-party propaganda, sprinkled with easily disprovable lies, at taxpayers' expense. (Applebaum 2020, p. 5)

2.3. *Managing Non Government Organizations and the Rise of the Far-Right*

PiS implemented policy to widen its influence and control over the independent civil society sphere. Stanley Bill describes in detail the way PiS applies a dual strategy of pressure and promotion to achieve this. Organisations perceived as politically or ideologically hostile to the ruling party and its values have been subjected to the withdrawal of state support and government-sponsored smear campaigns. By contrast, organisations that are politically or ideologically linked to PiS have found generous support in the form of public funds (including ministerial funds, state-owned companies and European funds controlled by the government) and other institutional assistance (Bill 2020, pp. 7–15). A large majority of promotion strategy beneficiaries are organisations politically, ideologically, or personally linked to PiS and its allies. Consequently, organisations of conservative profile, right-wing ideology and affiliated with the Church or with Catholic values receive disproportional support.

PiS holds that these activities are meant to eliminate inequalities and fix the lack of pluralism. Since 1989, the Polish civil society sector is supposedly overpowered by left-wing or liberal organizations that managed to monopolize funding opportunities, especially from foreign foundations, including the biggest EU and Norwegian funds. Local, weak organisations were discriminated against, and PiS's reforms are supposed to change this (Gliński 2017). In practice, as Bill describes it, PiS's policy in civil society "reinforces the party's political narratives through support of the broader right-wing cultural narratives that underpin them. On the other hand, financial support and promotion "of friendly organizations directly strengthens party structures by fostering the development of new political and administrative cadres" (Bill 2020, p. 3).

A good example of this is PiS's cooperation with Father Tadeusz Rydzyk, creator and owner of the ultraconservative Catholic media network. Rydzyk is an important ally, as his audience form an important group of the conservative electorate whose support is needed by PiS. After electoral victory in 2015, Kaczynski publicly acknowledged and thanked Rydzyk and his supporters for their contribution to PiS's success (Kaczyński 2015d). Fr. Rydzyk's relationship with PiS has flourished following PiS's electoral win. Rydzyk's various enterprises (multiple foundations, companies and school of journalism) are one of the top beneficiaries of PiS's policy. State support so far amounts to over PLN 200 million (about EUR 43.5 million), since PiS won power. In return, PiS gets the support of Rydzyk's media, which spread the PiS party's interpretation of social and political reality. PiS's and Rydzyk's ideologies are parallel. It is the same national-Catholic, antiliberal, anti-multiculture, anti-Muslim and homophobic rhetoric.

Rydzyk's media, together with public media, played an important role in spreading fears of threat to Polish identity by dangerous ideologies and promoting PiS as the authentic defender of Polish values.

3. The Policy of Excluding Imaginary Enemies

PiS electoral campaigns focused the public attention on two minority groups allegedly threatening Poles, Polish national identity and Polish interests. In 2015, the main threat to Polish welfare and values PiS saw was in the Muslim refugees. In 2019, Kaczynski and his party promised to defend Poland (Polish children and families, in particular) from the LGBTQ ideology.

Creating a feeling of danger, identifying an enemy and presenting oneself as the defender is a powerful strategy when building political capital. Fear makes people give away freedom for the sake of safety (Fromm 1995). Propaganda based on fear can be

successful, even if the enemy is imaginary, as long as it stirs up powerful emotions. To achieve this, the most appropriate strategy is to link the threat of danger with the most important values, such as family, health and safety. Sufficiently high levels of emotions render any rational argument powerless. The easiest way to achieve it is to build a climate of fear and hate towards some form of Otherness. Ethnic, religious and sexual minorities are easy goals, particularly in a homogeneous society where very few people had personal contact with them. These circumstances made it easier to demonise these groups. PiS skilfully and successfully applied this strategy in Poland in all recent election campaigns in 2015, 2019 and 2020 (Cywiński et al. 2019).

3.1. Election Campaign 2015: Building Fear of Muslim Refugees

The year 2015 was a time of refugee crisis in the EU. The magnitude of the inflow of refugees in Europe caused difficulties. According to Eurostat data, in 2015, in EU, some 1.2 million applications for refugee status were lodged, twice as many as in 2014 (536 thousand) (Eurostat 2015).

The Civic Platform party (Platforma Obywatelska, PO), then in power in Poland, agreed to receive migrants as part of the EU relocation scheme but was still negotiating the number of refugees to accept. PiS, then in opposition, argued against accepting any Muslim refugees and criticized the idea of EU quotas as the threat to Poland's traditional values, national identity and national security, as Muslim refugees present terrorist threat (Kotras 2016). That issue was exploited by PiS in presidential and parliamentary elections campaigns in 2015.

Statements made by Jarosław Kaczyński, Poland's de facto ruler, are a good illustration of PiS's narrative and a general tone of the discourse. At an electoral meeting, Kaczyński said that PO's (ruling party) decision to accept migrants as part of the relocation scheme was very dangerous for a number of reasons, including serious health issues:

There are already cases of very dangerous diseases not seen in Europe for a long time: cholera in Greek islands, dysentery in Vienna, some are talking about even worse diseases. There are also differences connected with geographical position—various parasites and monocultures which may not be harmful for them but deadly for us. It does not mean that we should be discriminatory, but it is necessary to check all possibilities. Therefore the Health Minister should state what the true situation is because as far as we know from our activists the current situation does not look good. (Kaczyński 2015c)

Kaczyński also frequently raised in the Parliament the subject of dangers associated with refugees:

primarily the number of foreigners rapidly grows, and then they declare that they will not obey our laws, our customs and, later or in parallel, they impose their sensitivity and their demands in many areas in the public forum. In Sweden, there are 54 districts where Sharia Law is mandatory and the state has no control. (Kaczyński 2015b)

Do you want us to cease being the masters of our own country, do you want this? Poles do not want it and neither does PiS. (Kaczyński 2015a)

The quoted examples are not unusual. They illustrate the standard of the public debate in Poland in 2015. Many similar quotations can be found (Cywiński et al. 2019; Narkowicz 2018). The same anti-Muslim rhetoric linking them to all kinds of threats, including crime, terrorism and diseases, remained in the official state rhetoric after the election victory.

Following this discussion and associated emotions, one could expect that a large number of refugees were involved. In fact, quotas proposed by the EU with respect to Poland, which has a population of some 38 million, amounted to 1200 persons. In the end, discussion was centred on accepting 100 persons. The greater the emotions, the harder it is to treat the situation rationally. Facts become irrelevant.

Contrary to the view of many Poles in 2015, Poland was not a desirable destination for immigrants, especially for those from Asia and Africa. There were 1.25 million asylum seekers or law protection applicants registered in the EU countries in 2015. The most popular destination was Germany, with 35% of applications, while Poland only received 0.8% of the total number of applications in the EU. Only 12,325 people requested asylum in Poland in 2015, and most of them came from Russia. Only 637 applications were granted refugee status or given legal protection. Between 1999 and 2015, some 111,600 immigrants applied for asylum in Poland, an insignificant number with a Polish population of 38 million. Twice this number applied for asylum in Germany in 2015, alone (Kotras 2016, p. 60). Nevertheless, the imaginary problem of “mass migrant invasion” to Poland became a central part of the presidential and parliamentary election campaigns and created a real problem of increased hate and prejudice towards ethnic minorities in Poland (Dudzińska and Kotnarowski 2019).

It is symptomatic that every fourth Pole was convinced that the foreigners make up more than 10% of the population. In reality, that percentage is less than 1% (Ipsos 2016). Poland does not have a large population of foreign settlers nor problems associated with their integration. The problem, if any, is exactly the opposite, namely a large emigration from Poland. It is estimated that, during the last decade, over 2 million Poles left the country. Poles nevertheless have mixed feelings with regard to migration (CBOS 2015b, CBOS Report 93/2015).

The general view of the size of the Muslim community in Poland is grossly exaggerated and far removed from reality. The migration crisis and the raging debate on the subject did not improve the knowledge of the facts. Overestimation of the number of Muslims was observed in all the EU societies, although on a lesser scale than in Poland. (Ipsos 2016). Poland is one of the most ethnically and religiously homogenous countries in Europe. Around 90% of the Polish population declare themselves as Catholics. The Muslim community in Poland constitutes less than 0.1% of the total population. However, Poles are convinced that 7% of the country’s population is Muslim; that is 70 times more than in reality. Analysis by Konrad Pędziwiatr suggests that this exaggeration of the size of the Muslim community in Poland is linked to the perception of Islam as a threat. The research indicates that Poles who have no exposure to Muslims are one of the European nations most afraid of Islam and its followers (Pędziwiatr 2017).

Polish attitude towards people forced to leave their country was much friendlier prior to PiS’s aggressive rhetoric painting migrants as a threat. Even in May 2015, only 21% of Polish people were against accepting refugees from countries engulfed in war (CBOS 2015a, CBOS Report 81/2015). After only a few months of an electoral campaign filled with anti-immigration narrative and an Islamophobic attitude, long-term change has been seen. Polls now indicate an increased number of those opposing acceptance of refugees from countries engaged in armed conflict. In 2016, it was 52% (CBOS 2017a, CBOS Report 01/2017), and in the case of refugees from the Middle East and Africa, 74% (CBOS 2017b, CBOS Report 44/2017). The mid-2017 polls show the effectiveness of the anti-immigration campaign and durability of the mindset. The researchers asked the question as to what is regarded as threat in Poland. Refugees were considered second to terrorist attacks. The same poll indicated that the threat of loss of employment or poverty in old age was regarded as unlikely and unimportant in comparison. Authors of the report about fear management show this departure from reality as typical in the communities subjected to this sort of fear-driven campaign (Cywiński et al. 2019, p. 8).

Hate-filled and xenophobic public discourse flourished during the election campaign, and new government policy reinforced feelings of danger and hostility towards immigrants, particularly Muslims. Right-wing media, closely aligned with the ruling party, frequently ran with cover stories portraying Muslims as invaders and dangerous criminals (Narkowicz 2018). This not only caused an increase in hate feelings but also encouraged acts of hate. Whilst the number of Muslims has not increased, as Law and Justice refused to accept the Muslim refugees allocated through EU quota system, dislike and its manifestations directed

towards Muslims has increased. More hate crimes, and, in particular, those anti-Muslim in character, were noted in 2016 (Pędziwiatr 2017). The newly elected government did not address the problem, but instead they started dismantling support services for ethnic and religious minorities. The support of NGOs engaged in this area was withdrawn by the PiS government. However, the Centre of Defence for Christian Rights (Centrum Ochrony Praw Chrześcijan), formed by Rydzyk's Lux Veritatis Foundation, received support amounting to multimillions. The centre's objective is fighting hate crimes against Christians in Poland (Klauziński 2020). The only government body committed particularly to tackling racial discrimination, The Council against Racial Discrimination and Xenophobia, was dissolved in May 2016, when hate crimes against minorities were on the rise. This was supposed to be absorbed by the Advisor on Civil Society and Equal Treatment.

Konrad Pędziwiatr notes the change in attitude towards this type of crime by the key ministries as responsible, after the assumption of power by PiS in 2015. The Ombudsman (Rzecznik Praw Obywatelskich) and representatives of various civil organizations appealed to the government, seeking reaction to the growing racist and xenophobic attacks but to no avail. The Ministers responsible ignored these events and treated them as simple hooliganism (Pędziwiatr 2017).

3.2. Election Campaigns 2019 and 2020, Fighting Mysterious LGBT Ideology

The 2019 and 2020 electoral campaigns saw PiS create the new national enemy: "LGBT+ ideology." The imaginary enemy was new, but the strategy was the same. Again, it was about stirring violent emotions, particularly to do with the fear of threat towards the most important values. This time, the welfare of Polish children and the traditional family were presented as threatened the most. "Hands off our children," thundered Jarosław Kaczyński at the PiS convention on 16 March 2019 (Kaczyński 2019a).

PiS's candidates for elections to the EU Parliament and the Polish Parliament in October 2019 and presidential in 2020 promised that they will defend the Christian family and Polish children from the dangerous and demoralizing "gender" and LGBT "ideologies," in particular. In the ruling party's narrative, the LGBT+ movement was imported into Poland, and it threatens Polish identity, nation and state. PiS put itself as the only protector of "the nation" from this ideological plan that destroys Polish values, culture, religion and even the biological continuation of the nation (Kaczyński 2019b).

PiS again succeeded in stirring up powerful social emotions, and the LGBT+ issues dominated public discourse. Government-controlled public media made it easy to join the public campaign against LGBT+. For example, a national weekly, *Gazeta Polska*, printed "LGBT-Free Zone" stickers for its readers to put on their doors, windows or cars. It marked the beginning of wider action by some Polish local authorities, who have declared themselves "free from LGBT ideology." This met a strong reaction from the EU. The European Parliament adopted a resolution condemning all public acts of discrimination and hate speech against LGBT+ people and, in particular, the development of "LGBT-free areas" in Poland. It also called on the European Commission to ensure that EU funds are not "being used for discriminatory purposes" (European Parliament 2019). Adam Bodnar, the Ombudsman, also intervened. He referred to court the local government declarations of being "LGBT-free zones." Bodnar indicated that these are openly discriminatory acts against human rights and freedom, which was against the law in Poland and Europe.

Homophobic propaganda also flowed from the state television. In October 2019, just a few days before the parliamentary elections, state television presented a documentary entitled *Invasion* about the foreign-backed secret LGBT plan to undermine Poland (TVP Info 2019).

The Polish Catholic Church appeared as PiS's ally in fighting the LGBT+ ideology. The homily by Marek Jędraszewski, the archbishop of Kraków, described homosexuals as a "rainbow-colored plague" that had replaced the "red plague" of Communism, who "want to rule our souls, hearts and minds," and widely resonated in the community (TVN 24 2019).

Homophobic propaganda supported by the government resulted in an increase in cases of discrimination and aggression against representatives of the LGBT+ community (*Biuletyn Rzecznika Praw Obywatelskich* 2019). In response to the accusations of spreading hate against LGBT+ persons, PiS activists held that they are not against gay men and lesbians as individuals, but they instead oppose those imported from abroad LGBT+ communities and the ideology they promote. Government officials adopted a language of dehumanization. Joachim Brudziński (the deputy head of PiS and its MP to European Parliament) posted on Twitter that, “Poland without LGBT is most beautiful” (*Brudziński* 2020). Responding to the outcry, he later explained that he meant ideology not people. President Andrzej Duda, during his re-election campaign, repeatedly accused the LGBT rights movement of promoting a viewpoint “more harmful than communism,” he said. “They are trying to convince us that they are people, but this is an ideology” (*Duda* 2020).

Authors of the report about fear management as a political strategy note that a vague identification of the element that is to be feared best helps in building the political capital. It is easier to demonise a nondescript “ideology” than real people (*Cywiński et al.* 2019, p. 18). Therefore, as in the case of the Muslim refugees in a country with almost no Islamic immigrants, the enemy was both mysterious and demonic. The majority of Polish people have no idea what the abbreviation LGBT+ means. Among those interviewed, only one in four had some idea of the meaning. Those included descriptions such as: “something to do with gay people.” The most common association was that LGBT was something to do with paedophilia, demoralisation of children and profanation of religion and advertising of sexual preferences (*Mierzyńska* 2019).

Poles are divided as to the rights of not-heterosexual persons. A total of 49% agree with the idea that sexual minorities should enjoy the same rights as heterosexuals, while 45% completely reject this position and 6% have no opinion; 46% of respondents in Poland consider there is nothing wrong with sexual relations between members of the same sex, while 44% absolutely disagree with this view. In the whole of the EU, 72% of respondents accepts such relations, and 24% are against (*Eurobarometer on Discrimination* 2019).

4. Growing Social Tensions during the COVID-19 Pandemic

Chaos, uncertainty and a growing social tension are features of Poland in December 2020. The second wave of COVID-19 hit Europe in the autumn of 2020 and seems to be much more devastating than the first.

A total of 49,312 people died in Poland in the year ended October 2020. While deaths in the previous year totalled only between 33- and 34 thousand people, official statistics indicate that the COVID-19 death rate in November was some 600 persons a day, placing the Polish death rate as one of the worst in the world (See more: Poland COVID-19 stats—Realtime coronavirus statistics with charts (epidemic-stats.com): <https://covidstatistics.org/cases/Poland> (accessed on 19 December 2020)).

Poland’s health system cannot cope with treating all the sick. The hospitals are full, and testing is inadequate. The state is having great problems coping with the economic damage caused by the pandemic. Conflicting and chaotic government regulations, as well as an array of notices being issued at the last moment, add to social confusion and frustration. The government is being accused of having prioritized the success of the election campaign for their presidential candidate in the months preceding the second wave over preparation of healthcare system for the expected return of the infection. This caused premature easing of antipandemic restrictions, mass disregard for any restrictions and lack of preparations for the second wave of the virus (among other mistakes, an insufficient amount of flu vaccine and respirators were secured, and there was limited medical personnel training or preparation of the healthcare system for the increased number of Covid-infected patients). Chaotic restrictions and a lack of state support for the failing businesses has caused dissatisfaction and resistance. The number of protesting social groups is growing (e.g., business owners, doctors and farmers).

Polish conflict with the European Union is also a significant and growing driver of the social tensions. The EU is currently getting ready for the 2021–2027 budget debate, and, importantly, this involves the COVID-19 recovery fund. Since 2016, the Polish government continues to ignore EU concerns regarding judicial independence and the rule of law, as well as minority rights issues in Poland. This time is different. In April 2019, the European Parliament finally accepted a directive, which links the receipt of EU funds to the maintenance of democratic standards in order to protect EU core values ([EU Directive 2018](#)). EU funds will be conditioned on the rule of law.

Poland and Hungary have vetoed the next EU budget and the COVID-19 recovery fund because of this linking of financial matters with following of the rules of law. The ruling party officials argue that such conditional mechanisms threaten sovereignty and are not supported by the binding EU agreements. This puts Poland on the best path to being cut off from EU funds in the name of defence for its policies. The political and economic costs of this approach would be very high.

Poland is the largest beneficiary of EU assistance. Over the 2004–2020 period, Poland has received EUR 188.9 billion, Polish contribution to the EU amounted to EUR 61 billion ([funduszeuropejskie.gov.pl](#), accessed on 19 December 2020). With the COVID-19 crisis, Poland will need assistance more than ever. Polish people are aware of this, and the support for staying in the EU remains high. It has been growing since 2004 and never fell below 80% ([CBOS 2019](#), Report 59/2019).

In this atmosphere, PiS decided to open Pandora's box by proposing to dismantle the so-called "abortion compromise" that has been in force in Poland since 1993. Restrictions on abortion in Poland have already been among the tightest in Europe. Abortion is totally banned in Poland, with three exceptions: if the mother's life is in danger, in case the pregnancy is the result of rape or incest and in cases of severe and irreversible foetal defects. PiS wanted to eliminate the last of these three conditions. To change the abortion law, the governing coalition proposed a bill in Parliament in 2016. It triggered mass women's protests across Poland (in over 200 cities and towns), called the "black protest" as all participants wore black. PiS backed off under the pressure.

In October 2020, in the middle of the pandemic, PiS came back to this issue, this time bypassing the parliamentary procedure. Instead, the PiS government referred the matter to the Constitutional Tribunal (TK) to rule on whether abortion in cases of foetal defects is compatible with the Polish constitution. On 22 October 2020, TK ruled that it is against the Polish constitution and by this verdict restricted the right to abortion. The law will take effect as soon as the tribunal's verdict is published. In the reaction to the verdict and in spite of pandemic restrictions, hundreds of thousands of people took part in mass protests in all big cities and hundreds of small towns (with less than 50,000 residents). This protest is referred to as the Women's Strike, although it was not only women who took part. The scale and extent of the protests was staggering. PiS again broke the law, this time by not publishing the verdict of the Constitutional Tribunal by the date required. The fact that, by doing so, PiS did not implement the verdict of the TK did not stop the protests. They have continued widely in various forms (marches, protests, pickets and acts of civil disobedience) ever since.

Abortion is a highly controversial issue in Poland. Inability to agree on a satisfactory solution to vary the 1993 "abortion compromise" is the reason why it has remained for so long. It was inevitable that any change to the existing compromise would cause a storm of protests. However, the wave of the Women's Strike protests is more than a reaction to just the change of the law controlling abortions in Poland. It addresses other issues and demands the return to the rule of law, the separation of the church and state and the dismissal of the Government among other matters ([Strajk Kobiet 2020](#)). The Women's Strike is a new, powerful, widespread social movement demanding the return of liberal democracy in Poland.

This concentration of power in the face of a serious crisis is not as convenient as it would be in good times. PiS is trying to pass the responsibility for the growth of the

pandemic onto the people protesting in the streets, having first provoked them. Jarosław Kaczyński, in his address to the nation, condemned the protests that followed the TK verdict as serious criminal acts: “we have a serious state of Covid epidemic . . . all gatherings of more than five persons are forbidden . . . these demonstrations will cause the loss of many lives. Those who organise and take part in the protests commit a serious crime.”

In this address, Kaczyński identified a new enemy of the Polish Nation: the demonstrators protesting against PiS are in Kaczyński’s narration the enemies of Poland. He referred to the incidents when the demonstrators entered churches holding various slogans or wrote their slogans on the church walls, such as, “attacks on the Church unprecedented in Polish history” and “evidence of nihilism.” He ended his address with an appeal to all supporters of the government to fight in the defence of the Church *at any cost*. He explained that an “attack at the Church is an attack which will destroy Poland, it will bring about the triumph of the forces which will end the history of the nation . . . a nation we have in our minds and hearts which is the subject of Polish patriotism; let us defend the Polish Patriotism and show our courage and determination. Only then we can win this war started by our opponents” (Kaczyński 2020). This declaration brought about a spate of attacks towards the peaceful protestors, as well as police brutality using pepper spray, tear gas and telescopic truncheons. Notably, this did not change the scale of protests.

5. Conclusions

The antagonistic policy of the PiS has resulted in the exclusion of more and more social groups from the national community (“not real Poles”). Overt discrimination against minorities and deprivation of their civil rights has followed the major crisis for the rule of law. The lack of control of the raging pandemic and the threat of the loss of the EU funds has compounded the social resistance and an increase in civil participation.

This can be seen in the electoral mobilisation and increased participation in the elections in 2019 and 2020 (Table 1). Scholars explain this to be “related to growing political polarization, increasing competitiveness of elections, and growing party identification of voters” (Czeńnik et al. 2020, p. 91). The increased political participation seen in the significantly higher voter turnout seems to be good news for democracy in Poland. However, severe polarization, which is one of its primary causes, is not. Polarization makes compromise and the tolerance of otherness and political rivalries more difficult. The influence of ideology increases with polarisation, and it feeds conflict, which makes agreement harder (Czeńnik et al. 2020, p. 97).

Table 1. Voter turnout in Polish elections 1989–2020.

Voter turnout in Parliamentary Elections		Voter Turnout in Local Elections		Voter Turnout in President Elections	
1989	62.7%	1990	42.2%	1990	60.6%
1991	43.2%	1994	33.7%	1995	64.7%
1993	52.1%	1998	45.4%	2000	61.1%
1997	47.9%	2002	44.2%	2005	49.7%
2001	46.2%	2006	45.9%	2010	54.9%
2005	40.5%	2010	47.3%	2015	48.9%
2007	53.8%	2014	47.4%	2020	64.5%
2011	48.9%	2018	54.9%		
2015	50.9%				
2019	61.7%				

Source: Central Election Commission (Państwowa Komisja Wyborcza), <https://pkw.gov.pl/>, accessed on 19 December 2020.

The increase of social resistance and civil participation can be also seen in the appearance of new civic initiatives and new social movements, e.g., Women’s Strike, Szymon Hołownia’s “Poland 2050” and The Committee for the Defence of Democracy (Komitet Obrony Demokracji). They all share the common objective of returning the democratic order to Poland. Social movements drive social change (Sztompka 2005, pp. 255–78), and those directed against the PiS government are becoming more and more numerous. Perhaps the tragedy of the COVID-19 pandemic will accelerate the change.

The last 200 years of Polish history is the story of fighting for freedom and independence with powerful neighbours. Paradoxically, this time, there is no external enemy, and Poland is on the path to reverse democratic changes. Deeply divided, Poles must negotiate and decide for themselves the direction they take. Is Poland going to be an inclusive liberal democracy and a member of the EU or another authoritarian regime?

Funding: Not applicable.

Institutional Review Board Statement: Not applicable.

Informed Consent Statement: Not applicable.

Data Availability Statement: Not applicable.

Conflicts of Interest: The author declares no conflict of interest.

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