



## Stephen Bastos and Michał Kuź A “house divided” in a troubled Union – Poland and Covid-19

**The Covid-19 pandemic has hit Poland in a difficult period. The issue of postponing the presidential election, originally scheduled for 10 May, has led to significant tensions in an already deeply polarised political scene. While decision-makers were quick to introduce restrictive measures, they have questioned the efficacy of the solutions to the Covid-19 crisis proposed by the EU. However, in spite of the political rhetoric of self-sufficiency, Poland needs greater EU solidarity, especially when it comes to economic challenges.**

When evaluating the Polish response to Covid-19, the state of the healthcare service has to be considered as a prime factor. According to Eurostat data, healthcare expenditure in Poland accounts for around 5% of its GDP or roughly 750 euros per capita. In the EU, only Romania and Bulgaria spend less. Furthermore, healthcare professions in Poland have suffered from a severe brain-drain, which is leading to staffing problems in many hospitals and healthcare centres.

### Strict measures and a tedious recovery

When the first case of Covid-19 was reported on 4 March, alarming news from Italy was already reaching Poland. Against this backdrop, the Polish government decided to deploy drastic measures to limit the number of infections and thereby reduce the pressure on the healthcare system. Restrictions pertaining to public gatherings were introduced on 8 March, and the closure of schools, kindergartens, nurseries and universities followed soon after. In mid-March, as a

particularly controversial step taken by the government, the country's borders were effectively closed to foreign nationals, and Polish nationals travelling from abroad are subject to a 14-day quarantine. Stricter lockdown measures came into force, including a ban on travelling and leaving the house for reasons other than shopping or commuting to work. Public gatherings have likewise been prohibited, and non-essential stores and many small businesses have been shuttered.

These precautionary measures seem to have had some positive effects. The rate at which the virus is spreading has been slowed down, thus avoiding a drastic overburdening of hospitals. So far, the scope of the pandemic remains significantly smaller than in Spain, France or Italy. As a consequence, the government eased some restrictions in late April and early May.

Despite the immediate response of the Polish government to the Covid-19 challenge having positive effects from a medical point of view, the closing of borders with little European coordination has led to social, economic and political tensions. For instance, thousands of citizens living in Poland and working in Germany were adversely affected for over a month, among them many nurses and carers. Employees and students were allowed to commute across the border without a requirement to go into quarantine only as of 4 May.

In spite of these drastic restrictions, a majority of Polish citizens approve of the government's handling of the Covid-19 pandemic. Whether it will maintain such a level of popularity depends, however, on the effectiveness of the economic recovery after the crisis. The

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government has proposed a fiscal stimulus package to the tune of around 47 billion euros. This amounts to almost a tenth of the state budget and is the largest programme of this kind in recent Polish history. Its scope is nevertheless significantly smaller than similar programmes in France and Germany.

### The election dilemma

Politically speaking, the Covid-19 pandemic has hit Poland at a crucial moment and the country is facing a serious election dilemma. After the historic triumph of Jarosław Kaczyński's Law and Justice Party (PiS) in last year's parliamentary elections, this year's presidential elections, originally scheduled for 10 May, are considered to be of utmost importance for the future trajectory of Polish politics. They can either consolidate the internally divided opposition or cement the rule of PiS and its allies for years to come.

Given that the Polish government introduced quite drastic measures at an early stage, it might appear rather surprising that it tried to avoid postponing the presidential elections beyond May. The government officially referred to its constitutional obligation to hold elections in May and tabled a new electoral law for conducting the entire election process via postal voting. Three main arguments have been raised against this solution.

First, the Polish constitution prohibits any legal changes to the electoral system six months prior to the elections. Second, the Polish Electoral Commission (PKW) – an independent body overseeing the elections – would play a smaller role in organising the election and this means less transparent procedures. Third, fundamental democratic standards could be violated as there has been little scope for a free and fair electoral campaign under lockdown restrictions. Finally, some experts point out that elections conducted via postal

voting pose a health threat (for instance to around 250,000 members of electoral committees).

In the end, the new electoral law was rejected by the upper chamber of the parliament, the Senate, where the opposition holds a narrow majority. In the subsequent final parliamentary vote, the PiS government risked losing its majority in the lower chamber, the Sejm, necessary to overrule the Senate's veto. A small coalition party of PiS, Porozumienie (Alliance), threatened to withdraw its support for the new electoral law. Eventually, however, a compromise between the leaders of PiS (Jarosław Kaczyński) and Porozumienie (Jarosław Gowin) was forged, stipulating that a postal vote will be conducted, presumably in mid-July, with greater transparency and under the stewardship of the PKW.

On 11 May, the PKW declared the entirety of the elections on 10 May to be null and void. This complete nullification has an additional implication. It potentially opens the door for new candidates to enter the presidential race. This is important especially for the opposition given the low support for an ineffective campaign of Małgorzata Kidawa-Błońska, the current candidate of the opposition's main block (Koalicja Obywatelska – Civic Coalition). Commentators have already pointed out that she could be replaced by figures such as Donald Tusk or Rafał Trzaskowski, the current Mayor of Warsaw.

In short, it will be a great political challenge for both the governing and the opposition parties to find a common way out of the current crisis in order to organise fair and transparent elections and at times rein in their political appetites. This task will be especially difficult in an increasingly polarised political landscape, where mutual trust is scarce and where constitutional provisions and basic legal electoral procedures are subject to power games driven by narrowly defined party political calculations. The Sejm, even during the pandemic, has been the scene of

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particularly fractious and often inconclusive debates. This was exemplified recently by a heated discussion of a bill brought forward by a citizens' initiative regarding a ban on abortion, which took place in mid-April and eventually wound up entrusting the project to the committee for an indefinite period of time.

### Traditional EU scepticism and the need for solidarity

While consolidating its power in domestic politics, at the EU level the Polish ruling party is actively seeking to promote its concept of a Europe based on strong nation states. Both President Duda and Prime Minister Mateusz Morawiecki have claimed that Poland is primarily fighting for itself and should not expect much help from the EU. Similar to previous EU crises, the political discourse of the governing camp is sceptical of the effectiveness of potential common EU solutions. Public television pins the blame on the EU for “helplessly throwing up its hands” and for putting “the burden of fighting coronavirus on the member states”.

PiS party leader Kaczyński has accused the EU of having failed in the crisis. Moreover, he called for a comprehensive overhaul of the EU in an interview with the national conservative weekly *Gazeta Polska*, taking the current crisis as an opportunity to come up with proposals that reflect his long-standing approach towards the Union, i.e. reducing the role of EU institutions, strengthening the role of member states and limiting EU competences mainly to economic issues.

The more Brussels-savvy Polish Secretary of State for European Affairs Konrad Szymański also accused the EU of having failed to show much-needed solidarity. As for the recovery plans, according to the Polish Ministry of Finance, “Poland supports actions that are accessible to all member states”, which would entail a bigger EU budget. The call for solidarity was reiterated by Deputy

Prime Minister Marek Sasin, who also voiced support for Ursula von der Leyen's decision to protect strategic assets and technology from hostile takeovers by foreign capital.

Thus Polish politicians, particularly those from the governing party, seem to be in two minds about the Covid-19 crisis and the EU's role in handling it. On the one hand, there is some sympathy for criticism of the EU coming from countries such as Italy and Spain. On the other, Poland as a non-eurozone member has to be very cautious when it comes to solutions that are accessible mainly to the eurozone countries, which are favoured by southern states and France (e.g. so-called “corona bonds”).

At the same time, the country cannot match the recovery programmes of EU heavyweights with its own budget. Poland needs greater European solidarity, but it must also come up with more constructive European policy proposals of its own. This is, however, hard to achieve given that the Polish political class is becoming increasingly engrossed in domestic political machinations, of which the controversies surrounding the presidential elections, which are threatening to undermine the credibility of Poland's political system, are a key example. Finally, given the tensions caused by unilateral border restrictions, there is an urgent need for more efficient mechanisms of cross-border crisis management and improved communication between Poland and its neighbours.

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