

Elections in Poland 2001: Party Chaos and Electoral Manipulation

Frances Millard

University of Essex

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Poland's fourth fully democratic parliamentary elections of the post-communist period took place on 23 September 2001. These were 'normal' elections following the expiry of the full parliamentary term. Jerzy Buzek of Solidarity Election Action (*Akcja Wyborcza Solidarność*, AWS) had become the first post-communist prime minister to remain in office throughout the four-year period - albeit as head of a minority government from June 2000. However, the electoral system used for the lower house (*Sejm*) changed for this election, as it had done twice before. Opponents of the Alliance of the Democratic Left (SLD) altered the electoral law in an effort to prevent a majority social democratic government, as well as to enhance their own chances of electoral success.

Initially there were three reasons for amending the electoral law. The first arose from the 1997 Constitution's requirement that only political parties and groups of voters could submit candidates for parliament. This removed the previous right of social organizations, including trades unions, to field candidates. Secondly, the 1999 reform of the country's provincial boundaries, and the introduction of a third, county (*powiat*) tier of local government, also required the adaptation of parliamentary constituencies to the new administrative structure. Thirdly, increasing preoccupation with corruption, arising from intense public concerns buttressed by pressure from the European Union, placed the question of party finance on the political agenda. The *Sejm* agreed to radical limits on party fundraising, state funding of political parties, and stricter financial controls.

The initial draft electoral laws emanating from the political parties in 1999 were quite conservative, though the two significant smaller parties, the Freedom Union (UW) and the Polish Peasant Party (PSL) preferred larger constituencies and a Sainte-Laguë formula.¹ However, it appeared that the broad consensus between the largest element of AWS, its Social Movement (RS, *Ruch*

Spoleczny, linked to the Solidarity trade union) and the SLD, would preserve the existing system largely intact. In fact, the impetus to more substantial change gained force in parallel with the increasingly tumultuous political situation. Following the 2000 presidential elections, with the return of incumbent president Aleksander Kwaśniewski (former leader of the SLD) AWS continued to lose popularity, and as it began a prolonged implosion, it altered its view of the electoral law. AWS, the UW, and the PSL joined forces with the avowed intent to weaken the SLD.

The new electoral law retained the basic system of open-list proportional representation. Moves to introduce closed lists were abandoned in the face of hostile public reaction, with electors reluctant to cede their individual choice to party hierarchs. However, the law embodied a number of mechanisms intended to reverse the benefits to larger parties, introduced after the extreme political fragmentation of the 1991 *Sejm*. Thus the law of 2001 adopted the modified Sainte Laguë highest-average formula with its initial divisor of 1.4, followed by 3, 5, 7.... This is rather kinder to medium-sized parties than the d'Hondt formula which it replaced (with successive divisors of 1,2,3,4...). Increased district magnitude, with forty-one constituencies instead of 52, was also intended to benefit smaller and medium-sized parties. The new law also removed the second-tier national list, whose seven per cent threshold also worked against the representation of smaller parties. The election, then, represented a fairly blatant attempt at manipulation of the result.

The Significance of the Election

The 2001 election campaign itself was muted, but the outcome was dramatic. First, Polish politics ceased to reflect or embody the historic division between the heirs of communism and the heirs of Solidarity that had dominated political life since 1989. The divide between the communist successor party, the SLD, and various emanations from the mass opposition movement of the 1980s had been maintained in rhetoric, in programmatic differences, and in popular support in the first part of the decade. It had remained crucial in the 1997 election, with strong polarization of the two forces. But both the presidential election of 2000 and the parliamentary elections of 2001 now showed the feeble relevance of

anti-communism and reemphasised the broad democratic legitimacy of the SLD.

Secondly, the margin of victory of the social democrats, allied with another small left-wing party, was impressive; but it was insufficient to form a majority government. Polish coalitions had proved difficult to construct and highly unstable in 1991-3. The social democrat-peasant coalition of 1993-7 was reconstituted three times under successive prime ministers, and for the first two years it faced an openly hostile president in former Solidarity leader Lech Wałęsa. Relations between the two coalition partners were often ill tempered and difficult, undermining the cohesion of government and preventing much needed administrative reform altogether. The situation was even worse after 1997, when the governing parties Solidarity AWS and the Freedom Union (UW) clashed openly, parliamentary discipline was woefully lacking, ministers defied their own government, and political leadership was notable by its absence.²

Thirdly, in the 2001 election neither Prime Minister Buzek's party nor his erstwhile coalition partner, the Freedom Union, gained representation in the *Sejm*. Incumbents have generally tended to do badly in post-communist elections. However, there was no previous case in which two governing parties had been dealt such a savage blow by the electorate. Romania, where the Democratic Convention failed to cross the electoral threshold in 2000, offered the closest parallel.

Fourthly, the composition of parliament was radically changed by the entry of three new political formations and the success of a hitherto marginalised one. Contrary to many expectations, the party system had not become institutionalized over the decade. Instead, political parties continued to fragment and less often to merge; and political entrepreneurs continued to risk new brands in the political marketplace. Moreover, radical populist forces now entered parliament for the first time, with uncertain commitments to democracy and a determination to fracture the reform consensus which, for all its vagaries, had characterized Polish politics since the Solidarity opposition movement entered parliament in 1989. All these factors had implications for the working of parliament, the cohesion of government, and for the practice of democracy itself.

Finally, the results demonstrated some inherent problems of attempting to manipulate the electoral system. Although the new mechanisms worked much as expected (see below), the main architects of the new electoral system did not themselves profit from discovering these tools of electoral manipulation, since (the now vestiges of) AWS and the UW failed to cross the threshold. They did indeed succeed in depriving the SLD of an overall majority, but they may well have done a disservice to the political system. In particular the Polish Peasant Party was a dual beneficiary of the changes. It enjoyed the greater number of seats accruing to smaller parties, and for the second time it entered government in coalition with the SLD.

Six contenders crossed the electoral thresholds of five (party) and eight per cent (electoral coalition), along with the German Minority, which had enjoyed special provision since 1991 (see Table 1). Of these, two - Law and Justice and the League of Polish Families - had been registered as parties for but a few months, and one, the Civic Platform, stood not as a party but a 'group of voters', albeit with the intention of becoming a party. In the Senate, elected by a plurality system, the SLD gained a super-majority, with 75 of 100 senators (see Table 2). Even the cooperation of PO, AWSP and UW in fielding joint candidates under the 'Senate Bloc' label did not dent the overwhelming victory of the social democrats. The SLD favoured abolishing the Senate altogether, but their dominant position and the opposition of the president and the PSL indicated that this would assume a low priority.

Table 1: Results of Main Contenders in the *Sejm* Elections of 23 September 2001

Party/coalition*	vote	%vote	seats	%seats
SLD-UP	5342519	41.04	216	46.96
PO	1651099	12.68	65	14.13
SO	1327624	10.20	53	11.52
PiS	1236787	9.50	44	9.56
PSL	1168659	8.98	42	9.13
LPR	1025148	7.87	38	8.26
MN	47230	0.02	2	0.43
AWSP	729207	5.60	0	n/a
UW	404074	3.10	0	n/a
Alternatywa	54266	0.42	0	n/a

Source: Państwowa Komisja Wyborcza

*

SLD-UP: Alliance of the Democratic Left-Labour Union (*Sojusz Lewicy Demokratycznej-Unia Pracy*)
PO: Civic Platform (*Platforma Obywatelska*)
SO: Self-Defence (*Samoobrona*)
PiS: Law and Justice (*Prawo i Sprawiedliwosc*)
PSL: Polish Peasant Party (*Polskie Stronnictwo Ludowe*)
LPR: League of Polish Families (*Liga Polskich Rodzin*)
MN: German Minority (*Mniejszosc Niemiecka*)
AWSP: Solidarity Election Action - the Right (*Akcja Wyborcza Solidarnosc - Prawica*)
UW: Freedom Union (*Unia Wolnosci*)
The Alternative (*Alternatywa*)

Table 2: Results of Elections to the Senate, 2001

Party/grouping	seats
SLD	75
Bloc 2001	15
PSL	4
LPR	2
SO	2
Independents	2

Source: Państwowa Komisja Wyborcza

The Shake-up of the Parties in 2001

The election contest was notable, then, not just for the substantial victory of the Left but also for the success of the new entrants into the *Sejm*, a result of the disarray of the self-styled right-wing of Polish politics following the disintegration of the 1997 victor, Solidarity Election Action (AWS). Of nine major contenders fielding candidates in all constituencies,³ four were new, along with a reconstituted AWS rump, Buzek's AWSP (Solidarity Election Action - the Right). The implosion of AWS followed the presidential elections of October 2000, when Kwaśniewski easily defeated his rivals, and AWS challenger Marian Krzaklewski came a sorry third to independent candidate Andrzej Olechowski. Krzaklewski was leader of the Solidarity trade union, the core of AWS, and was widely seen as the *de facto* power behind Buzek's government. President Kwaśniewski had resigned from the SLD on assuming office, but his left-wing sympathies remained clear and explicit. Following the presidential election the SLD continued to benefit directly from the manifold failures of the incumbents in government and indirectly from the fracturing of the latter's (always fragile) political alliance.

The SLD sought to capitalise on its core strength by a strategy of wide-ranging electoral alliances, to counter the effects of the new electoral system and win sufficient support for a majority government. Formally its electoral coalition was made up of the SLD and the Labour Union (UP), formed of Solidarity social democrats and those radical reform communists who had wished to break decisively with the communists and their successors in 1990. The UP remained in opposition to the SLD-PSL government (1993-7), then in 1997 it failed to cross the electoral threshold. Now, with the departure of most former Solidarity-oppositionists of the 1980s, its new leadership under Marek Pol was amenable to cooperation with the SLD. The parties offered a common electoral programme and worked out an amicable agreement for candidate selection and list-place ordering, with the UP determined to preserve its separate identity. The SLD could also count on the support of its close trade union ally, the OPZZ, and it reached agreement with the major pensioners' party (*Krajowa Partia Emerytów i Rencistów*, KPEiR), as well as a small rural party and the tiny, irrelevant but wealthy former satellite party, the Democratic Party (*Stronnictwo Demokratyczne*, SD).

The Polish Peasant Party (PSL) was also a veteran of the political scene, though it had shed its associations as a satellite party of the communist regime far more quickly and more successfully than the SLD. The PSL had lost votes to AWS in 1997, and under its personable leader Jarosław Kalinowski it hoped to recoup them with a two-fold strategy. Its campaign themes stressed the importance of rural development but also took on a strongly anti-liberal cast as the PSL sought to broaden its appeal beyond the narrow class base of its natural rural constituency. It too gathered under its banner an eclectic combination of groups and individuals, from former Labour Union leader and Solidarity activist Ryszard Bugaj to wealthy conservative nationalist Dariusz Grabowski. The PSL's chief concern stemmed from the growing presence of its main rival, Self-Defence (SO), a populist party notorious for its style of confrontational direct action and radical rhetoric in defence of the 'poor and the disadvantaged'.

The birth of the Civic Platform (PO) under the 'three tenors', Andrzej Olechowski, Donald Tusk (UW) and speaker of the *Sejm* Maciej Płażyński (AWS), in January 2001 was both a cause and consequence of the reconfiguration of political parties following the presidential election. The UW had failed to field a presidential candidate and it had also refused to endorse Olechowski, an Independent candidate who shared many of its liberal economic values. The UW leader, Leszek Balcerowicz, who was indelibly associated with Poland's radical shock therapy of the early 1990s, departed to the National

Bank following the presidential election. Its new leader Bronisław Geremek responded coolly to overtures from Olechowski, despite the latter's impressive presidential campaign. But the rebuffing of Olechowski's appeal for a new unified political centre, coupled with Geremek's failure to ensure the inclusion of the liberal wing in the new UW leadership, provoked a split. The departure of many leading figures, especially those from its liberal wing,⁴ appeared to augur the inexorable decline of the UW, hitherto perceived as the most stable and most institutionalized of all the post-Solidarity parties. Its poll ratings had suffered since its withdrawal from government in June 2000; and it failed to rise to the challenge of the Civic Platform. The PO itself retained a rather uncertain profile, if with a clear liberal, free-market bias, as it glued together some disparate elements, including much of the SKL (the Conservative-People's Party), the most pro-market wing of AWS. It aimed to play on widespread frustration with politicians ('We are honest people...not sweaty blokes chasing after success', said Olechowski⁵) and entered the election as a 'group of voters', not a 'political party' and (for the most part) using primaries as its mechanism of candidate selection.

Not only the PO but also PiS and the LPR gained adherents from different components of AWS. In March 2001 Jarosław Kaczyński launched Law and Justice (PiS) and rapidly attracted elements of AWS, notably splinter groups from the SKL and the Christian nationalist ZChN (*Zjednoczenie Chrześcijańsko-Narodowe*). In June PiS registered as a political party after failed negotiations with prime minister Buzek and with former prime minister Jan Olszewski, head of a small anti-communist Christian grouping, ROP (*Ruch Odbudowy Polski*, the movement for Rebuilding Poland). Like PO, PiS was not entirely 'new'. Its foundation was the hard-core supporters of a defunct party, the Centre Accord or PC (*Porozumienie Centrum*) first established in 1990 to support Lech Wałęsa's presidential candidacy. The opportunity for renaissance came with Buzek's surprise appointment of Jarosław Kaczyński's twin brother Lech as Minister of Justice following the UW's departure from government. Lech Kaczyński's hard-line stance, with strong anti-corruption rhetoric and the promise of harsh penalties for criminal offenders, saw a massive growth in his personal popularity throughout (and beyond) his ten-month ministerial tenure.⁶

The League of Polish Families (LPR) was another motley grouping drawn from discontented and failed politicians of some ten or so nationalist and clerical formations under the patronage of Radio Maryja, the voice of Catholic obscurantism. It registered as a political party on 30 May 2001, with some

well-known leaders who had also gone through successive political incarnations, including Antoni Macierewicz, a former minister of the interior'; Jan Łopuszański, a (badly) failed presidential candidate and Catholic zealot; and Zygmunt Wrzodak, a former Solidarity local activist also known for his radical activism. In July Olszewski's ROP also joined.

Opportunism and expediency brought together the new electoral contenders far more than coherent ideology or common policy outlook. It was not until late spring 2001 that some semblance of incipient order could be detected on the political scene. For several months new groupings emerged from AWS as it suffered multiple fractures of each of its four major constituent elements and each new fragment explored various possibilities for electoral alliance. In May the Solidarity trade union withdrew its support for its political wing, Buzek's AWS-RS. Buzek had already lost Maciej Płazyński to the PO, and the pace of other individual defections quickened. After losing most of SKL to PO and some to PiS, the prime minister finally cobbled together AWSP from (much of) RS, most of the Christian Democrats (PPChD), remnants of the Christian Nationalists (ZChN), and, briefly, ROP. Despite the dispersal of individual members of all four to PO, PiS and LPR, these self-styled parties clung fiercely to their separate identities and AWSP suicidally entered the elections as a coalition, requiring a higher electoral threshold of eight per cent.

In addition to these eight contenders, a new formation known as the Alternative also ran a national campaign, along with some other smaller groups that fielded candidates in only a few constituencies. The Alternative was yet another hotchpotch of radical populists, arising in a series of incarnations from the now-defunct Confederation for Independent Poland to add yet another new label. Unsurprisingly, the public found it difficult to keep up with the political peregrinations of its leading politicians, many of whom were now changing their political allegiance for the fourth or fifth time.

The Campaign

Aside from the turmoil of the political parties, the atmosphere surrounding the election was fairly miserable. By the start of the formal campaign in the summer the election was already well underway and the fundamental question had been apparent to all observers for many months, namely whether the SLD could indeed muster sufficient votes to gain a parliamentary majority. The SLD had consistently performed well in the polls since the 1997 elections; throughout 2001 its support had rarely dropped below 40 per cent; and by June the main polling agencies were registering the support of over half the

voting population.⁷ This was due not only to the perceived strength, unity and professionalism of the SLD itself but also to the obvious incompetence, discord, and lack of integrity of Buzek's government. In May a Demoskop survey recorded the lowest level of consumer confidence since June 1993, with fear of unemployment seen as a crucial dimension of this increased pessimism.⁸ Widespread flooding in the summer, revelations concerning the depth of the crisis in the public finances, and a series of corruption scandals brought no respite to the rudderless government.

Part of Buzek's problem stemmed from the association of members of his government with new political formations (he had also retained some UW personnel after that party's withdrawal from the coalition in June 2000). This not only meant that he could not count on their loyalty but it also magnified existing divisions between and within government ministries. Still, when to lose one minister during an election campaign might be thought careless, Buzek dismissed four in the summer of 2001, and one resigned in solidarity. Lech Kaczyński lost his post after a period of open conflict between his Procuracy and the state security services (and after he sent a highly offensive letter accusing Buzek of abrogating his constitutional duties⁹), taking with him the Minister of Culture. A cloud of corruption and patronage allegations hung over the Minister of Communications and the Deputy Minister of Defence; and Buzek sacked the Minister of Finance for 'undue delay' in advising the government of the gravity and scale of the budget deficit.

The election campaign was 'dull, numbing, gloomy'¹⁰, 'boring for the voters, hard graft for the politicians'¹¹ with 'not a shiver of excitement'¹². The media weighed the government's record and found it wanting. Moreover, such reports reminded voters of their hostility to Buzek's team, whose record included the perceived failure of major reforms of health, pensions, local government and education.¹³ It was the state's lamentable financial position that dominated until 11 September, when the campaign was overwhelmed by the shockwaves of international terrorism. The campaign virtually shut down, with domestic politics driven from the front pages of the newspapers and from the forefront of public concerns. Most parties cancelled all festive rallies and voluntarily resigned their paid advertising slots on radio and television.

Yet it was not the case, as sociologist Paweł Śpiewak claimed, that the campaign was 'a competition of populist declarations...'.¹⁴ With the exception of Self-Defence the programmatic fundamentals and political priorities of the major contenders were quite clear and often remarkably

specific. General concerns such as unemployment were shared by all parties, but their recipes for improvement were not necessarily the same.¹⁵ Few voters probably read the glossy brochures. But newspapers and journals provided charts summarising the parties' positions on various issues, drawing on their programmes or addressing specific questions to party spokespersons (should the death penalty be restored? should taxes rise to deal with the 'hole in the budget'? should the new health funds be abolished?...¹⁶). They analysed the voting records of parties and individual deputies, if only to prove a partisan point.¹⁷ Radio and television interviews tested the mettle of party leaders and provided opportunities for questioning by journalists and their opponents.

Of course politicians resorted to vacuous rhetoric. The slogans chosen to spearhead their campaigns were breathtakingly unimaginative, if not puerile. The free television broadcasts were excruciating. The PSL ('close to the things that matter') was notable only for the quality of its vocal accompaniments and Self-Defence ('It's time to unblock Poland', a reference to SO's frequent blockades of major roads) recorded the worst of all the ditties, losing nothing but the rhyme in translation: 'This home is ours and yours, we won't let Them smash our faces'. Yet voters with a modicum of political interest could tell that the League of Polish families revered the Catholic hierarchy, yet still opposed joining the European Union, and hated the 'reddish-pink communist-liberalism' of the SLD, PO and UD; that Law and Justice favoured a strong state, harsher criminal penalties and vigorous anti-corruption measures; that the Civic Platform endorsed a flat-rate tax; that the PSL wanted more money for peasants. Those with no interest in the issues could respond to impressions of the parties and their leaders. Self-Defence's Andrzej Lepper made an effective transition from streetwise thug to persuasive spokesman for the poor and alienated with the aid of a much-publicised image consultant. Leszek Miller looked like a potential prime minister for the SLD, and Andrzej Olechowski (though not himself a candidate) exuded suave elegance for the PO.

Whether despite or because of this muted campaign and long-assumed victory for the Left, the polls began to register movements of voters as SLD-UP ratings slipped somewhat, the LPR reached the five per cent threshold, and the SO recorded quite substantial gains. There was not a consistent pattern across the four main polling organisations,¹⁸ though it had been clear for some time that neither AWSP nor the UW were likely to cross their thresholds (8% and 5% respectively). A poll of 20 September saw the SLD-UP's support fall to 43 per cent with Self-Defence now on nine percent.¹⁹ The president

responded with a last minute appeal, in effect urging voters to support his former party. Yet the final outcome came as a considerable shock, not least because exit polls also indicated that Leszek Miller could (just) proceed to form a government.²⁰

The new political formations gave many voters the option of choosing between parties with similar outlooks and overlapping agendas: the Freedom Union (UW) and Civic Platform (PO); the Peasant Party (PSL) and Self-Defence (SO); Solidarity-Right (AWSP) and Law and Justice (PiS). Religious voters could stay with AWSP or move to Polish Families (LPR). This choice did not increase turnout; on the contrary Poland maintained its dismal record, with the turnout of 46.2 per cent only marginally less than that in 1997 (47.9%).

The Outcome

The results were almost uniformly disappointing for all but Self-Defence and the Polish Families. The SLD-UP alliance had done extraordinarily well, with over 41 per cent of the vote. The SLD retained the support of some 88% of its 1997 voters, with 64% of UP voters also remaining loyal.²¹ The coalition had attracted many new voters; but it had aimed for a parliamentary majority and now it needed a second coalition partner. Some attributed its apparent late slippage to comments made by prospective Finance Minister Marek Belka on possible measures to deal with the budgetary crisis;²² but this is difficult to judge: certainly Polish voters are not well informed about the arcane mechanisms of state finance. More likely, some potential new SLD voters saw its certain victory as providing the opportunity for a protest vote, especially for Self-Defence. Differential turnout may also have been a factor, with rural turnout up slightly from 1997 and urban turnout slightly down.

The Civic Platform was visibly displeased with its second-place status. Counting on some 17-20 per cent, it in fact gained fewer votes (12.7%) than Olechowski himself had done in the presidential elections (17.3%). The PSL remained the party of the countryside. It gained fewer votes than and lost votes to Self-Defence, with SO also making inroads into the towns. SO became a national party in 2001. The Centre for Regional Studies found that counties with the highest increase in turnout compared with 1997 also showed the highest increases in support for SO.²³ LPR again demonstrated the mobilisation potential of Radio Maryja for traditional believers. It performed best in the traditional religious strongholds of the southeast and among older voters, especially women.

Observers used terms like 'lost', 'frightened', 'frustrated', and 'alienated' to explain the late surge in

support for the two radical groups, Self-Defence and the League of Polish Families, which had remained well below the electoral threshold in summer opinion polls. President Kwaśniewski linked the xenophobic isolationism of both parties (opposed to the European Union and in particular the sale of Polish land to foreigners) to the events of 11 September.²⁴

The UW, the home of the cream of the dissident intelligentsia, had been at the heart of Polish politics since 1990 and was now out of parliament altogether; only 27 per cent of its 1997 voters remained with their party and 39 per cent had shifted to the PO. The UW paid a high price for its loss of direction in the late 1990s, not reversed under Geremek's new leadership from December 2000. With so many of its own leaders abandoning it, it was not surprising that its voters did too. Moreover, it ran a poor campaign, with the unappealing slogan 'A strong middle class is a chance for everyone'. As the president himself noted later, the middle class was firmly located elsewhere '...in the Civic Platform, in the SLD, even in the PSL...the Freedom Union is not the party of the middle class; it is an honest, patriotic, in part anti-communist party of the traditional Polish intelligentsia...'.²⁵ Geremek resigned as leader immediately following the election, to be replaced by former Solidarity union activist Władysław Frasyniuk. The UW continued to lose members, and it was beset by debts incurred for the election campaign. Its prospects for revival appeared grim, and the shape of the political centre remained unclear.

AWSP retained the support of just 16 per cent of those who had voted for AWS in 1997. It lost voters to PO, PiS and the LPR. It would still have scraped into parliament as a party, but the jealous rivalries perennially besetting the Polish Right had asserted themselves once again. In 1993 almost all small parties of the right failed to enter parliament. After the unity of AWS in 1997 generated electoral success, that hydra-headed electoral alliance then failed to reinvent itself as a united party. Now the leaders of its mini-version displayed the same failure to appreciate the need for unity, the more pressing in light of its disastrous loss of standing with the electorate. In one of his apt turns of phrase President Kwaśniewski observed, 'If the defeat of the Freedom Union is reminiscent of a Shakespearean drama, that of AWSP came from the pen of Molière.'²⁶ AWSP vanished into the political ether, as its constituent elements began to negotiate new alliances, including overtures to SKL, whose allegiance to PO was far from assured.

The consequences of such large voter swings were considerable, both for the composition of

parliament and for the process of government formation. Most important, 62 per cent of deputies lacked parliamentary experience (see Table 3) Previous parliaments had provided considerable continuity and increasing expertise, much of which was now lost. Moreover, the lack of familiarity with the workings of parliament was greatest among the two populist groupings least committed to democratic practices, LPR and SO.

Table 3: New deputies by party

Party	total deputies	new deputies	%new
SLD	216	112	51.9
PO	67	45	67.2
SO	53	52	98.1
PiS	44	30	68.2
PSL	42	19	45.2
LPR	38	29	76.3
MN	2	0	0.0
Total	460	287	62.4

Source: author's calculations

Self-Defence in particular included several deputies, including its leader Andrzej Lepper, who now claimed parliamentary immunity²⁷ for illegal actions and suspect activities. Lepper had been variously accused of planned assassination, assault, lies, extortion, tax evasion, public order offences, and bribe-taking; the procuracy had undertaken some hundred investigations of his past or current activities by the time of the election. Not surprisingly, SO's presence raised real anxieties about the extent to which it would accommodate the demands of rational, peaceful parliamentary debate. However, those who felt that Lepper would be socialized and 'civilized' also welcomed the representation of a broader range of views in parliament. The LPR was venomously hostile to the European Union, and SO - though formally committed to European integration - was in practice at best Eurosceptic.

Yet with SO now poised to make gains in local government elections in spring 2002, the temptation for continued radicalism was very great. Lepper was elected deputy marshal of the *Sejm* in accordance with SO's third-place election result; but it was not long before he committed further blatant public order offences outside parliament. He also used his new position to indulge in libellous attacks on

fellow politicians, including the Minister of Foreign Affairs. Yet his rapid removal from the deputy speakership also furthered his anti-elitist credentials and did not bode well for the smooth functioning of parliament. The early debates of the new parliament regarding the progress of EU negotiations could hardly be regarded as an exchange of diverse views. Instead, they provided a public venue for political invective and ill-informed sloganeering by both SO and the LPR.

Secondly, and partly because of the inexperience of so many deputies, the new parliament offered little hope of cohesive, disciplined political parties. Three new entrants, PO, PiS and LPR, were heterogeneous collectives that displayed early tendencies to fray at the edges. The PO parliamentary contingent included twenty or so members of SKL and about twenty former UW members, as well as a group of political neophytes. Several members of the SKL left the PO parliamentary club, and plans to create a PO political party left the question of SKL autonomy unresolved, while SKL's aspirations to mobilise a broader Christian democratic centre-right movement risked foundering on the rock of liberal secularism represented by Donald Tusk and other liberals who had left the UW. Olechowski's own withdrawal into public silence - he had remained PO's patron but had not stood for parliament, and now he did not join the new party - also left the PO without its most charismatic figure.

The LPR was also a disparate grouping whose leading elements were known for their populist rhetoric and history of opportunistic alliances. Former Interior Minister Antoni Macierewicz (1992) was associated with relentless anti-communism and Jan Łopuszański with extreme Catholic fundamentalism. Zygmunt Wrzodak was a trade union activist notorious for direct-action tactics, anti-Semitic outbursts and the vitriol of his loathing for the UW's 'Comrade Balcerowicz' and the 'dangerous mason' Geremek. Former Minister of Agriculture Gabriel Janowski had recently been in the public eye with his occupation of the office of the Treasury Minister in February 2001. Former prime minister Jan Olszewski (1992) and his small band of personal followers joined the LPR in late July 2001 and departed almost immediately after the election for reasons of 'programmatic irreconcilability'.

PiS was essentially another group which sang only one tune in harmony, its harsh penal policies. It aimed to form the nucleus of a resurgent right-wing, but its immediate prospects seemed fairly bleak, despite its new found attractions for the ZChN (some Christian nationalists, including former leaders, had already made that move). From 1990 Jarosław Kaczyński had aimed to construct a right-wing party capable of emulating the success of the German Christian Democrats. He proved himself a vigorous but

totally ineffective politician with a penchant for conspiracy theories and the ability to alienate all but a few close colleagues.

If prospects for an effective, united opposition looked dim, the picture for the victors was not rosy either. The SLD-UP was assuming power in circumstances of serious fiscal crisis, a slowing of economic growth, and rapidly rising unemployment. Hard political choices needed to be made. Neither PiS nor LPR was a potential coalition partner for the SLD-UP. Some PO voices were raised in favour of coalition,²⁸ but its leaders too firmly excluded such a possibility. In effect only the PSL was a realistic partner, though a minority government was also mooted. The PSL was in some measure a known devil. It had been in coalition with the SLD from 1993 to 1997. Initially the PSL was adamant that nominee Finance Minister Marek Belka was totally unacceptable. However, the attractions of power proved great; and a coalition agreement was announced on 10 October.²⁹ The coalition was troubled from the outset, and the new government got off to a rocky start, especially over tax and budgetary changes and a more conciliatory approach to EU negotiations.

The Role of the Electoral System

As in 1991, the surprising results of the election were attributed in considerable measure to the electoral system and as in 1991, this was at best an oversimplification. Criticism came both from winners and losers, and prescriptions varied accordingly. Despite the SLD's overwhelming victory in the Senate on the basis of first-past-the-post, advocates of a majoritarian system saw it as the best recipe for party consolidation: if a majoritarian law had been adopted, we 'would have 2-3 stable, deeply rooted parties'... The (proportional) electoral law is to blame for tearing (*oderwaniu*) the political parties from society, and this led in turn to the fact that half of our political scene lies in rubble'.³⁰ It should not need stating that the ability of the electoral system to shape politics is hardly automatic. The electoral system did not cause voters to swing massively away from AWSP and UW, nor did it create an upsurge of support for SO and LPR. Despite the uncertain logic of this view, a mechanical link between the electoral system and the number of parties was echoed frequently; indeed the PO had supported majoritarianism in its election manifesto. The SLD too saw its relative defeat as a product of the new electoral law, but it had supported proportional representation since 1990 and did not change its position with victory. Leszek Miller stated immediately that he would seek to reverse the changes of the 2001 law.³¹

Just what were the effects of the new law? Miller was certainly correct in attributing the specific results to the new law. Although we cannot take account of the changes in district magnitude at this stage, we can see clearly the impact of the new modified Ste. Laguë formula in Table 4. Miller and his colleagues would have benefited greatly from the continued use of d’Hondt. The SLD-UP electoral coalition would have achieved a comfortable absolute majority of seats, and except for the PO, all other parties would have seen their number of seats substantially reduced. Although modified Ste. Laguë is generally seen as favouring medium-sized parties, this was not the case here. The smallest gains accrued to the medium-sized PO and the biggest gains went to the smallest party, the League of Polish Families. The LPR certainly benefited from the way in which its vote was concentrated in particular regions of the country, as well as increased district magnitude.

Table 4: Election results by d’Hondt and Ste. Laguë

Party	SLD-UP	PO	SO	PiS	PSL	LPR	MN
d’Hondt seats (simulation)	245	62	47	37	36	31	2
Ste. Laguë seats (actual)	216	65	53	44	42	38	2
difference	-29	+3	+6	+7	+6	+7	0
difference (%)	-11.8	4.8	12.8	18.9	16.6	22.6	0

Source: author’s calculations

We can also assess the impact of the removal of the national list. If the parliamentary commission’s version had been accepted (as laid out in Druk Sejmowy 2599), fifty national list seats would have been allocated on the basis of the modified Sainte Laguë formula, while constituency district magnitudes would have been altered accordingly. The SLD-UP coalition would have gained 21 of these seats (see Table 5). At the same time

Table 5: Impact of the National List

Party	SLD-UP	PO	SO	PiS	PSL	LPR
National list seats (simulation, St. Laguë)	21	7	6	6	5	5
Constituency seats (simulation, d’Hondt)						
Total NL and constituency (simulation)						
Ste. Laguë seats (actual)	216	65	53	44	42	38

Source: author's calculations based on district magnitudes of Druk Sejmowy 2599.

It is always unclear in the abstract just how far the representative element of parliament needs to be traded against facility of government formation. However, it seems inherently plausible that a majority government of two close allies would not only facilitate inter-governmental communication and decision-making. It would also enhance the accountability of government, making it clear where responsibility lay. Using d'Hondt would have retained the six-party composition of the *Sejm* (plus the German Minority) without much loss of opposition capacity to counter arbitrary government actions. The president and the Constitutional Tribunal also provide additional safeguards against the abuse of power. The search for short-term partisan advantage does not seem to have generated benefits for the functioning of the political system as a whole.

Conclusion

The SLD won the 2001 election because it was seen as a stable, professional party with high quality leadership whose identity as a party of the left was maintained and whose governing capacity had already been tested. The government lost the election because it was viewed as inept, confused, and morally suspect. The various component elements of AWS never came to terms with the demands of unity, while the SLD developed throughout the previous decade as an efficient and unified party machine able to keep its internal divisions from public view.

At the same time a general dissatisfaction with political parties and their overt clientelism, the slowing of economic growth, and deep-seated, continuing transition anxieties provided an opening for new political formations. Even the rather staid and conventional leaders of the Civic Platform chose an 'anti-party' gloss for their attempted appropriation of the centre ground of politics. Law and Justice clearly struck a chord among those disenchanted by the atmosphere of continuing lawlessness and corruption. Self-Defence for its part had a demonstrable anti-establishment record, targeting the 'losers' of transition with a programme offering simple solutions to complex problems. SO achieved what the PSL had long failed to do, namely to attract voters from urban areas as well as the beleaguered

countryside. The League of Polish Families mobilised the national-clerical constituency previously embraced by the Christian nationalists and AWS.

Both AWS and the UW suffered from their own political *hubris*, as their support ebbed away in the year preceding the election and both suffered decomposition and splits. When the presidential elections augured badly for its future support, AWS deputies sought refuge in electoral manipulation, seeking an electoral system that would not penalize its waning attractions and would simultaneously curb its arch-enemy the SLD. Along with the UW and PSL they endorsed an array of changes to support medium-sized parties and reduce the victor's premium.

The outcome of the election was far from that envisaged, however. The winners lost seats from the new arrangements, but the parties that gained most were the hitherto outsiders, the populists of SO and the LPR. The historic Solidarity-SLD divide came to an end with the disappearance from parliament of the two major parties of Solidarity provenance. Parliament became a more faithful reflection of the will of the voters, but the high rate of turnover of deputies, the inexperience of so many, and the lack of party cohesion did not bode well for its efficient working. At the same time the operation of government was made more difficult by the effective availability of only one party, the PSL, for the required coalition. Electoral manipulation demonstrated partial success, but the short-term calculations of partisan interest did not necessarily prove positive for Polish democracy.

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Notes

¹For a full discussion of the development of Polish electoral law after 1989 see Sarah Birch, Frances Millard, Marina Popescu and Kieran Williams, *Embodying Democracy*, Basingstoke: Palgrave, forthcoming 2002, chapter 2.

²On the vagaries of Polish coalition experience see Grzegorz Rydlewski, *Rządzenie koalicyjne w Polsce*, Warsaw: Elipsa, 2000.

³The LPR fielded candidates in 40 of 41.

⁴The UW had been formed in April 1994 as a merger of the Democratic Union (UD) and the Liberal-Democratic Congress (KLD).

⁵*Rzeczpospolita*, 25 January 2001.

⁶From May to June 2001 Lech Kaczyński was the most popular member of the government, with ratings of over 70%, and the second most popular political figure after the President; see CBOS data in Janina Paradowska, 'W trybie doraźnym', *Polityka*, 14 July 2001.

⁷CBOS registered 48%, *Rzeczpospolita*, 9-10 June 2001; PBS results, *Rzeczpospolita*, 15 June 2001; OBOP results, *Rzeczpospolita*, 21 June 2001.

⁸*Rzeczpospolita*, 26-27 May 2001.

⁹See Paradowska, 'W trybie doraźnym'.

¹⁰*Zycie Warszawy*, 21 September 2001.

¹¹*Zycie*, 20 September 2001.

¹²*Rzeczpospolita*, 18 September 2001.

¹³In June a CBOS survey found that perceptions of deterioration had increased; for example 74% of respondents now viewed health care as 'worse' after its reform, compared to 62% in January; *Rzeczpospolita*, 31 July 2001.

¹⁴M. Subotić, 'Politycy chowają głowy w piasek' (Interview with Paweł Śpiewak), *Rzeczpospolita*, 19 September 2001.

¹⁵See for example Bernadeta Waszkielewicz, 'Wyborów i pracy', *Rzeczpospolita*, 1 August 2001.

¹⁶See, for example, 'Komu głos?', *Super Express*, 17 September 2001.

¹⁷For example, *Nasz Dziennik* focused on issues of concern to its religious readership such as lustration, abortion, pornography; the 'giving up of sovereignty'; see the daily editions of *Nasz Dziennik* 17-21 September 200. See also *Gazeta Wyborcza*, 19 September 2001.

¹⁸The press published polls from different organisations, not always including the survey date or sample size; see *Zycie Warszawy*, 15-16 September 2001 (data from OBOP); *Zycie*, 17 September 2001 (PBS, OBW); *Zycie* 18 September 2001 (OBOP); *Zycie Warszawy*, 19 September 2001 (Demoskop); *Rzeczpospolita* 20 September 2001 (CBOS); *Rzeczpospolita*, 21 September 2001 (PBS); *Gazeta Wyborcza*, 21 September 2001 (OBOP). For a rather more coherent picture see www.obop.com.pl/wybory2001.html.

¹⁹This was the OBOP poll reported in *Gazeta Wyborcza*, 21 September 2001.

²⁰PBS and OBOP polls in *Gazeta Wyborcza*, 24 September 2001. The sociologist Tomasz Żukowski noted a tendency to dishonest responses found by CBOS in an earlier report; reluctance was greatest for supporters of right-wing and populist parties; Tomasz Żukowski, 'Sondaze w krzywym obiektywie', *Rzeczpospolita*, 28 September 2001.

²¹These and subsequent comparative data are based on the PBS exit surveys and should be treated with some caution; the survey results are in *Rzeczpospolita*, 24 September 2001 and *Rzeczpospolita*, 25 September 2001.

²²Among others, SLD leader Leszek Miller offered this as a reason, along with the low turnout and the Bishops' veiled but clear injunction not to vote for the SLD; see his interview with Eliza Orczyk, Krzysztof Gottesman and Jan Skórzyński, 'Nie podejmuję akcji samobójczych', *Rzeczpospolita*, 29-30 September 2001. President Kwaśniewski also considered Belka's intervention to have been a factor; see his interview with Eliza Orczyk, Krzysztof Gottesman and Jan Skórzyński, 'Sukcesy i porażki są wspólne', *Rzeczpospolita*, 20-21 October 2001.

²³Wisła Surażska, 'Populistyczna mobilizacja', *Rzeczpospolita*, 11 December 2001.

²⁴Orczyk, Gottesman and Skórzyński, 'Sukcesy i porażki są wspólne' (Interview with Aleksander Kwaśniewski), *Rzeczpospolita*, 20-21 October 2001.

²⁵Jerzy Baczyński and Wiesław Władysław, 'Mniejsza wi_kszo__' (Interview with Aleksander Kwaśniewski), *Polityka*, no. 39, 29 September 2001.

²⁶Baczyński and Władysław, 'Mniejsza wi_kszo__' (Interview with Aleksander Kwaśniewski), *Polityka*, 29 September 2001.

²⁷The issue of immunity was a complex one, but hopes of immunity were not well founded. The Ombudsman questioned the constitutionality of the Law on the Functions of Deputy and Senator, and the Constitutional Tribunal effectively ruled that immunity applied only to actions carried out after the election. See the summary of its judgement in *Rzeczpospolita*, 29 November 2001.

²⁸Wisła Surażska, 'Klucz do pokonania kryzysu', *Rzeczpospolita*, 2 October 2001.

²⁹A summary of the agreement appeared in *Rzeczpospolita*, 10 October 2001.

³⁰Rafał Ziemkiewicz, 'Mandat do zmian dla SLD', *Rzeczpospolita*, 24 September 2001. See also the similar views of Czesław Bielecki, quoted in Janina Paradowska, 'Rozmowy na _ciemniku', *Polityka* no. 45, 10 November 2001.

³¹Interview with Orczyk, Gottesman and Skórzyński.