The Populist Threat to Liberalism in Poland: Elite Strategies to Buy Mass Support

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Introduction

The dynamic between populism and the elite is centered on the possession of power. The individual or group that holds the most, or least, amount of power defines how something such as a revolution might begin or end. This power of the people within the constraints of populism is one that is unsustainable, because if it persists beyond whatever goal a group might have, that will effectively make the people, part of the elite. Thus, elites may strive to control populist movements or revolutions, so to obtain or remain in power, without undermining their existence within this dynamic. The Law and Justice party leaders exacerbated and amplified pre-existing grievances in society to create their platform for the 2015 elections and achieved political success through the use of top-down populism. Their efforts have resulted in the erosion of the judicial system, which poses an immense threat to the civil rights of Polish people. The utilization of the Law and Justice party platform, one which has grown in its conservatism, the rhetoric from the party, and the breakdown in the legitimacy of the courts are all key elements driving the contrived mass movement, that in actuality, is elite driven. Leaders' ability to sway a people that are predisposed to populism through incentivizing certain attitudes has enabled these elites to change the political process and the judicial system in ways that have led to the attrition of the rule of law in this country. This paper aims to display the rise of the Law and Justice party into a position of power during the 2015 elections, the specific environment that allowed their political success, as well as their time in power as a demonstration of the clientelism at the root of their actions. Additionally, a discussion of a veritable populist movement occurring in response to the PiS' actions, the Strajk Kobiet movement, furthers how the party and its success was never a result of organic populist action.

Populism in Context

Before delving into the situation of Poland specifically, it is important to define populism generally and identify its key components. At its core, populism is essentially a "democratic way of life built through popular engagement in politics" (Mudde 2017, 3). This engagement is one that is achieved through demonstrative forms of democracy, such as the inclusion of conflict or the mobilization of marginalized portions of society with the goal of disrupting the existing, perceived to be unfair, order of society. Essentially, populism manifests itself when the preexisting political structure is dysfunctional or unequal enough to prompt a large enough sector in society to seek political change through disruption.

As a concept, populism is a descriptor that is very rarely utilized to self-describe an individual or movement. It is more often than not something that is ascribed by others and usually with a negative connotation. Populism can be seen as an ideational approach as well as one put into practice, and when it is employed as a political strategy, it involves a specific type of leadership. This leadership emerges with a powerful and charismatic figure, essential to maintaining a "direct connection with the masses" (Mudde 2017, 4). This attachment can be present in both the rise and fall of populism. By definition, it is seemingly impossible for populism to persist over time, as the movement is no longer a revolution from below once the leaders gain power and the movement then reaches office and has to adhere to some form of structure and bureaucracy. These constraints will eventually be deemed unfair and disrupted by the next iteration of populism or another political challenge.

To merge these two ideas regarding populism, there always exists some kind of appeal to "the people", highlighting the excluded sectors of society; and there will always be some form of fulmination of "the elite" (Mudde 2017, 5). The appraisal and criticism of an establishment, followed by the celebration and validation of the people, means that populism cannot endure as a mobilizing idea once the people or the movement obtain power, influence, and the change they seek, they essentially become the elite themselves. Then these people or groups in power become repositioned as the bane of some other marginalized group; the cycle then repeats. Moreover, populism alone cannot offer "complex nor comprehensive" solutions to the political problems or questions in modern society, so a leader must emerge, and if successful, that leader becomes part of the elite, thus removing them from the identity of the common people (Mudde 2017, 6). This pattern shows the complexity of populism, and how its existence is contingent on the environment in which it exists. Populism does not have a clear middle ground, it either fails or succeeds and morphs into something beyond itself. That fluidity is why it can be a relevant ideology in certain moments or with specific actors / situations, but quickly transforms into something else, like an authoritarian leadership or liberal democracy. Populism exists in reaction, in opposition to something. Because of its status as an ideology that must be in opposition, it struggles to keep momentum once the problem it sought to address is remedied.

The three most important actors in populism are the people, the elite, and the general will, all of which serve as the key mobilizers in movements, parties, and leadership, with the commonality of a "carefully crafted image of the vox populi" (Mudde 2021, 20).

The people are the interpretation of a constructed body within a given environment that drives populism. Populism in turn can frame the people in a way that benefits a myriad of constituencies and their interests. Most centrally, the people are the establishment of a shared

identity between any number of groups that fosters the support for a common cause (Mudde 2021, 9). The people are bestowed with the power to create a movement, as well as drive it, as they hold the power and thus the strength of a revolution against a political establishment. This collective body often describes itself to be "common" (the common people), which "vindicates the dignity and knowledge" of the groups who might be excluded from obtaining and/or holding power based on any one of their social statuses (Mudde 2021, 10). Essentially, the ability of the people to unite and mobilize is what makes populism more than just an ideology, the unifying property of the people against whatever or whomever comprises the elite is the driving and tangible effort of populism in practice.

The elite are also a complex actor in populism. The major theme is that they hold power either unfairly over others, or simply refuse to concede that power or redistribute it. This power is frequently political, economic, or cultural, but can exist in a myriad of forms. It prompts the elites to a higher social status than others in a society to the point where the outgroup, or the (common) people, feel inclined to critique in demonstrative ways these elite individuals or bodies. Because of this "fundamental anti-establishment position" of populism, as populists cannot sustain themselves in places of power, for that renders them elites (Mudde 2021, 12). An essential distinction between the people and the elite is the lack of remorse in having or pursuing this unfair level of power, whereas populists based on the situational parameters, are resourceful, not unethical, in their pursuit of power. Expanding on this, the populist view of power is that the pursuit of it is one of rectitude, not greed. Hence, it is fundamentally different from the type of power that elites seek or withhold. Moreover, the populist perspective implies that this lack of morality of the elites is manifested in their lack of care for the interests of the common people, and their blatant efforts to work against the interests of society.

The general will is essentially the product of the first two actors. The distinction between the good of the common people and the corruption of the elite reinforces the existence of the general will, and shows that it is essentially a sum of "particular interests at a specific moment in time" (Mudde 2021, 16). The unity aspect of populism is the tangible manifestation of a general will existing within a society. The reaction that grows out of that unity, in the pursuit of change, is the mobilization or aspect of populism that makes it an ideology of movements and revolutions. Populism is the criticism of elites and the establishments, which fails to take into account the will of the people, and results in the people rising up. An outcome of this dissonance between the common people and the elites is the "strategic promotion" of institutions that might "enable the construction of the presumed general will" (Mudde 2021, 17). This is a key component of the type of populism occurring in Poland, as the emphasis on construction within a movement to be in the hands of not just the people, but the elites, exemplifies the top-down populism model. In essence, the general will within the confines of populism is portrayed as absolute, and thus has the capacity to legitimize problematic political practices such as authoritarianism or "illiberal attacks on anyone who threatens the homogeneity of the people" (Mudde 2021, 18). This is also connected to the focus of this paper, namely the misdirection or manipulation of a democratizing force such as populism for the benefit of another malicious actor.

Populism enables the formation of a "popular subject" with a "strong identity", this being the people, who intend on "challenging the status quo", the elite; and the interaction as a whole is possible through appeals to the general will (Mudde 2021, 18). The interconnected nature of these elements is necessary for populism to arise. In this paper, Poland serves as an example of how this ideology of populism and its respective interactions can go awry.

The Ascent of Law and Justice

This dynamic of the top-down populism that has been occurring in Poland has set off a democratic backsliding ever since the 2015 elections. The results of this election were numerous wins for the right-wing, national-conservative political party called Law and Justice party, PiS, or the *Prawo i Sprawiedliwość*. This development is a departure from the economic and sociopolitical strides Poland had made since 1989, and prompted questions about the general population; did a majority of Polish people hold these seemingly extreme populist nationalist views? Did this party capture a public sentiment so contradictory to the outward progress Poland as a country was making as a liberal democracy and EU member? Or was the PiS' electoral success something contrived and entirely elite driven?

In the years leading up to the elections, surveys were conducted that showed high levels of happiness and satisfaction with life amongst the Polish general population. They also demonstrated a sizable preference for democracy over any other political system at 76%, and positive evaluations of Poland's relatively young democracy, at 59% (Tworzecki 2019, 99). Most importantly, there had been no detectable shift in public sentiment that would fully explain why a party with the beliefs and platform that the Law and Justice Party holds, would win by such large margins in an election (Tworzecki 2019, 99). These indicators of positive growth and overall prosperity from the Polish people, as well as economic leaps and bounds Poland was making during this time, with its GDP one of the highest in Europe, all suggest a society on a positive political and economic trajectory.

Despite this, the sitting coalition of the socially progressive but right-of-center Civic Platform, *Platforma Obywatelska* (PO), and the Agrarian Polish people's Party, *Polskie Stronnictwo Ludowe* (PSL), were defeated by the PiS party who won the majority of the seats in the lower chamber of parliament as well as the Senate in 2015. The Law and Justice party is critical of the liberal-democratic model of government that Poland maintained at the time and since the end of communism. Some of the PiS' platform ideals were strengthening the power of the presidency, weakening the checks and balances, undermining Poland's Constitutional Tribunal and its abilities to rule on whether legislation was constitutional or not, and eroding the power of the judiciary and Central Bank amongst other ideals. These envisioned goals for the party were in plain view. Was this the will of the majority of Polish people despite the outwardly progressive appearance of Poland as a country?

This notion of a landslide victory, one that emerged from populism and large-scale support from the Polish people, was pitched by the PiS as the reason for the electoral success; but that is not the full story. Law and Justice did win the majority of seats and thus sizable power in the government, but that was not due to a large-scale movement in support of the Party's beliefs. Considering that about half the population voted (and half did not), in addition to the fracturing of the vote amongst the coalition party and smaller additional parties, the PiS garnered about 38% of that vote, but not 38% of the entire Polish population (Wojtasik 2016).

There were specific societal conditions at the time of these elections that afforded the PiS its political victories. The sentiment of favorable economic conditions benefiting incumbents resulted in a lack of concern and concentrated support at the polls for the sitting coalition. The breakdown of the Civic Platform's leadership led to the fracturing of its voter base that even felt compelled to vote. The Law and Justice Party made material promises to their supporters, and

capitalized on growing xenophobia and nativism, which were key issues then utilized to encourage its supporters to vote. This ultimately led to a population that was eager to vote and just big enough to make a difference. With a disorganized incumbent party, and an energized voting base, it was a perfect storm for the PiS' success.

As mentioned previously, at the time of the 2015 elections, Poland was in an era of economic prosperity. The country began the year reaching 65% of the Western European or eurozone level of income, which was the "highest absolute and relative level since 1500-1600 A.D" (Piatkowski 2015). Individual consumption rates, including public services subsidized by the government, were rising as well, as was the overall quality of life. Exports were also rising. Poland's growth was a product of entrepreneurship and brain power, not natural resources, and both public and private debt levels were far below European averages (Piatkowski 2015).

While the statistics paint a picture of society-wide security and success, there were a sizable number of Polish people who got left behind. The rural areas of Poland lacked jobs, and the short-term work available was without benefits. This rapid privatization process was key to Poland's economic stability and success but did not champion public workers nor their benefits, leaving many Poles feeling behind despite the rapid economic expansion and growth. These small, but evidently impactful groups within Polish society, such as the unemployed youth and rural working class, were pivotal constituencies that aided in the Law and Justice's success.

Indeed, the 24% rate of youth unemployment, a tax system that disproportionally hurt those less well off, and underfunded public services like health care, all existed in stark contrast to the outward success of Poland within the EU community (Easton 2015). The PiS and its leader, Andrzej Duda, used this frustration to acquire a new voter base beyond the religious and conservative supporters. The party made promises of raising salaries, doing away with the laws

that increased the retirement age, and pledging support for farmers and rural individuals, all while blaming the "political elites" (Easton 2015), for the unequal spread of success within Polish society. The party promised everything from an increase in the minimum wage to halting personal income taxation, as well as ensuring the vast increase in public spending would go to better public services. The PiS also continued to solidify its preexisting support base by restating firm beliefs in socially conservative values. Duda himself is a Roman Catholic who was passionate in his opposition to abortion and same-sex marriage throughout his campaign, which also appealed to the rural populations who are more religious and inclined to vote for those who echo the beliefs and morals of the Church. With an endorsement from the Roman Catholic Church, Duda was thus the favored candidate (Smith 2015). The majority of the population in Poland identifies as Catholic, but the influence of traditional conservative religious values in society was waning at that time. This became another point for the Law and Justice party to utilize as an important change only they could help make should they get into power, restoring Poland back to these morally significant values held by so many rural peoples.

In addition, the migration crisis that was occurring during this time was an impactful issue used by the PiS to garner support. An EU proposal for a quota system which would require each country to take in a certain number of migrants prompted the Law and Justice Party to fuel fears of job loss to refugees or migrants, as well as positioning these individuals as a threat to the Polish way of life, to Poland's religion and cultural identity, and even to public health. PiS leader Jarosław Kaczyński claimed during an election rally that migrants could contribute to the "shrinking of the white race" and used rhetoric evocative of what was used by Nazis referring to the refugees and migrants as a "biological threat" (Jaskułowski 2019). This xenophobia was also primarily directed at Muslim refugees, and the PiS used the entire situation to paint Poland and

the Polish people as the "victim" in the migration crisis. Due to the connection between the Catholic Church and the PiS party, an outlook of helping refugees "where they are", rather than welcoming them into the country was adopted. This managed to align with Christian principles of "mercy" but still supported the PiS voting base and its views on preserving Polish society which "rationalized" the xenophobia and "cultural racism" (Jaskułowski 2019). This traditionalist stand in Polish Catholicism was a tool for Law and Justice to strengthen and broaden their support by portraying the migration crisis to be far worse than it was for Polish society. This created or elevated the concern of migration for supporters of the PiS and prompted their political support on behalf of the party in the elections to come.

These points of societal discourse, such as identity, religion, and values, and the tendency of people to feel disenfranchised should the society they live in no longer promote their beliefs, foster an environment conducive to the rise of the PiS. The party used the small sections of society that did not receive the bounty of Poland's success as the voter base needed to grow its support. The PiS made promises to meet peoples' unfulfilled desires for the future of their country so to forge a connection to the common people. The Law and Justice Party embellished preexisting problems to a point of emergency for these individuals, the rural and/or working class, the unemployed youth, and the conservative Catholic Poles. It prompted them to support the PiS with fervor. Populism in itself is a reaction of the common people to unjust circumstances. It is comprised of a movement against an institution or a ruling body and realized in practice through engagement in democracy. This is not to say that the mobilization of people around the causes mentioned above is not similar to various traits of a populist movement from below. The difference is that this was not an organization of these groups, finding one another and alignment in their values, so to dismantle the existing regime. This was a political party

amplifying and exaggerating these issues, in accompaniment with harmful attributes such as xenophobia or nationalism, all while pledging to fulfill the wishes of the various groups that had come to support them, in order to secure their vote. Moreover, the PiS and the strategic process they went through to acquire support was essentially clientelism, exploitative of people's real struggles with promises of change, that would later go unfulfilled, as a means of obtaining their political support at the polls. It was not an organic populist movement against a corrupt regime.

Conditions for Success

The weakness of existing social cleavages was also used to the advantage of the PiS because it could simply create cleavages namely by highlighting common grievances and creating new fears, such as dramatizing the threat of migrants and refugees. These fears may have existed in Polish society prior to these elections and the rise to prominence of the PiS, but societal sentiments do not necessarily form social cleavages in this situation. Instead, the PiS made these concerns salient, and put them all under the umbrella of far-right conservatism, thus forming a constructed cleavage in support of the party. Elites have the influence and power to choose which issues in society rise to remarkability, thus controlling what causes guide the movement of support for a platform. Duda and the party could find their way to power through positioning themselves as the advocates for these concerns, the only one truly hearing and willing to help with unfairness in society. They then took real concerns and inequalities and amplified them to a new dire level. The Law and Justice party is not brand new; it was formed in 2001 and began as a center-right party amongst many similar platforms in the Polish political foray (Mazzini 2017).

The success of the PiS was not entirely due to this passionate voting base though, as mentioned above, they won with 38% of the vote. The downfall of the sitting party was the other essential factor that played into the Law and Justice's success and supports that their rise to power was not a naturally occurring and society-wide populist movement, but rather a product of a very specific environment.

An element that aided in the PiS' success in these elections was a failure on the part of the incumbents to run a campaign that captured the attention of their base or really any Polish voters in the 2015 elections. The absence of a "convincing and attractive" platform on "key social issues", a lack of dynamic promises of great change that would inspire people to be passionate about voting, and no "convincing figurehead" were key elements to the PO's failure in these elections (Szczerbiak 2019). This lack of clarity in message prompted a significant fall in active support. The unfurling of a once steady leadership, Donald Tusk, leaving a year before the election to become the President of the European Council, left the coalition without a clear person at the helm of the party, let alone a dynamic individual that encouraged Poles to go out and vote.

Populism as a form of political engagement is one driven by the people, but frequently with a central leader or leaders that propel the cause forward. Andrzej Duda ran an immensely successful campaign in terms of communication and identifying potential constituents and their desires. His calls to actions and dynamic speaking ability garnered him significant support, not necessarily drawing masses of voters away from the PO or other third parties, just motivating the population that did support him to go out and vote, especially in the parliamentary elections where there was a 72.6% turnout rate amongst his supporters (Wojtasik 2016). This does point to a population that felt as though the PiS and its leadership offered a political platform that aligned

with their beliefs and desires for the nation, however, it does not demonstrate a large-scale right-wing populist movement in Poland. It instead indicates that the lack of a strong and cohesive alternative in the 2015 elections created a power vacuum that Duda and the PiS capitalized on with great success.

The strategic exacerbation of pre-existing social sentiments into a platform for the PiS was instrumental to its success, and this demonstrates that a creation of this far-right cleavage was orchestrated, and not an organic process. The PiS handpicked its base through the issues its members expressed for the sitting administration and used that as their platform. The party framed its arguments to mobilize supporters through "moral crusades", and the promise to defend "moral-cultural values" such as national identity and religion, and assurance of a "prosperous state" for all Poles in generous social welfare spending pledges (Szczerbiak 2019). These pillars painted a future of stability, social order, and a desire for the common good. The PiS also identified threat to be defeated or overcome, namely the incumbent party, or the elites. However, populism dictates that the elites are those in places of authority and since the PiS was a party long before these elections, not a people-driven movement, they still deserve that elite title. The PiS only used populistic tactics to frame its rise to prominence as different than other parties, as a means of garnering votes. The Poles who voted for the Law and Justice in 2015 did not create the party nor its values. The PiS used these individuals to build a platform where just enough disaffected people could see themselves and their individual grievances validated as the fault of others, the elites, sociocultural progressivism, and immigrants.

This construction demonstrates that an absence of cleavages left room for the construction of one: a far-right political umbrella that attracted just enough support to win in a unique political environment. Without pre-existing social cleavages to define groups of Poles

and their values more concretely, political elite such as the PiS can create what shared beliefs these individuals might have based on something like fear or perceived injustice. These situational factors transformed what would normally have been small-scale success, into a rise the highest ranks of political power in Poland. This was not a movement from the people, it was one that used the people. The PiS winning in 2015 was an elite driven maneuvering that took advantage of an imbalanced political party power dynamic and disenfranchised Poles to get into office.

The lack of direct support for the PO also meant that many of their normal constituents voted for outside parties or protest parties instead. Without a driver, the general population either did not feel inclined to vote, or certain groups, such as the youth who were facing the highest rates of unemployment, voted for individuals like Paweł Kukiz, a former rock star and "charismatic social activist" (Szczerbiak 2015). His "anti-system" views and background as an advocacy for socially conservative or "patriotic" causes took on a nationalistic tone with his emphasis on Polish national independence, something associated with nationalist groupings, and public opposition of LGBTQ people and events like pride marches (Szczerbiak 2015). His views were a seemingly contradictory blend of supporting low taxes yet receiving funding from trade union activists and leaders, and he was a fierce supporter of single member constituencies and the abolition of state party funding. The point of this is, despite his eccentric views and persona, he garnered enough support to come in third behind the PO and PiS, and his voters were largely made up of those who had previously voted for Civic Platform as well as youth voters. The dissatisfaction of people for the PO in the wake of no clear leadership or specific platform values meant that their votes got redirected to various smaller parties, often regardless of the party's beliefs. That resulted in just enough spread to leave the PiS as a winner.

The parties mentioned centrally in this paper fall on the scale of center-right and far right, leaving the notable absence of a strong left-wing coalition or party during this election in Poland. The Polish people who are socially left and economically left occupy two very different groups in society, and the progressive wing was unable to find commonality and alignment on their beliefs. Moreover, the socially progressive beliefs such as the "moral-cultural" issues like reducing the power of the Catholic Church in Polish life were utilized by the Civic Platform coalition as opposition to the PiS' call for the return of traditional values (Szczerbiak 2015). A platform with the power and influence that the PO has meant that they can better attract these voters since as people are more inclined to support the incumbent, the left-wing parties did not get their votes. Economically left Poles are usually older and more "culturally conservative" and seek parties who reflect job security and "guaranteed social minimum" that is evocative of "former communist regimes", so they are more inclined to support right wing parties such as the PiS (Szczerbiak 2015). The left-wing parties of Poland essentially had nothing to offer that other, more powerful parties which also had established and prominent leaders, were not also providing. Essentially, the progressive or left-wing side of Polish politics did not offer an identity or cause to rally behind, nor could they fully encompass the desires of people. They did not offer a platform that Poles were willing to compromise on other beliefs for. This is not to say they did not have the opportunity to do so, on the opposite end of the spectrum the PiS successfully cultivated a supporter base by elevating concerns of the people and assuring generous benefits should they win. Clientelism is not the only way to achieve success, but in the specific political climate in 2015 for Poland, it was an effective tactic to attract supporters, and the mistakes made by the incumbent resulted in the exact environment needed for the PiS' to claim victory.

The Law and Justice party was not the society-wide favorite, nor was its success indicative of a country-wide sentiment of conservative beliefs, strong enough to prompt a populist movement. The quintessential combination of a devolving incumbent party, a society with just enough people who felt they did not reap the rewards of an otherwise prospering nation, those who felt their values were not echoed in their country's leadership, and the use of these sentiments by the PiS elites to foster fears strongly enough to garner increased support at the polls are what prompted the outcome of the 2015 elections. Neoconservative and neoliberal parties have the ability to capitalize on "mass disenfranchisement of peoples" as well as "dismiss forces on both sides of the political spectrum as radicals" as to boost their legitimacy amongst their supporters and achieve the political power they seek (Dymek 2016, 123). This top-down populism, one that is created by elites like Duda and Kaczinsky in the PiS, acted as a means of legitimizing the party's rise to power to their constituents. It shielded the contrived nature of the rhetoric used and promises made to get that support through its success. The statistics demonstrating that their election win was not a mass-movement of the people also furthers the importance of the specific political and social environment within Poland at this time which allowed for this to happen. Countries and/or regions undergoing immense and rapid political and economic changes or transitions can foster inequalities and imbalances of power. These can manifest in the form of contrived movements as way to obtain power, such as the exemplified top-down populism. This in turn can drastically shape the contemporary politics within these countries, as these inherited dynamics of past elections continue to shape the current state of the nation.

Clientelism Rising

With the electoral success the PiS had, the Law and Justice party achieved a level of power it had sought since its formation. It also used big promises of change and reform based on the concerns of disaffected Poles to craft a supporter base motivated enough to vote them into office. The supporters that the PiS cultivated in 2015 had enough motivation from the party's platform that their votes, along with the specific political environment at the time, afforded the party a victory. Hence, it was in Law and Justice's best interest to maintain this base. Populism is not something that can last in office. As presented in this paper thus far, the "movement" that carried the PiS to office was not mass-driven populism, but rather a top-down populism or clientelism that was entirely constructed by the elites within the PiS in pursuit of political power.

The economic growth and prosperity that Law and Justice supporters felt left out of continued to bolster the nation's economy, and the party delivered on the subsidies and pension payments that the party had promised. Ironically, this economic success and austerity reforms that prompted much chagrin from the PiS' base, put in place by the previous party, the PO, were the key economic elements that allowed for the generous subsides and social programs given to families for each child (Kalan 2019).

This high social spending was the clientelism between the PiS and its voters, an exchange of huge subsidies and far-right ultra conservative ideologies for the ability to run the Polish government as it pleased. The party's ability to create a narrative of protection and preservation for those who aligned with their values creates a dynamic of dependency on a regime. Those who supported the PiS prior to its success saw the fruition of the promised financial assistance and the reflection of its sociomoral values in executive offices. Those who had potentially not participated in the election saw the economic benefit from this party in office, and either

accepted, ignored, or started to embrace the very conservative beliefs that came along with these material benefits. This blend of core beliefs and their paired actions gave the rural populations of Poland a "sense of dignity" and "identity", it validated their "old-fashioned values" and remade them as an "integral part of Poland" (Kalan 2019). The power in this clientelism is its ability to contrive a situation where it seems that all injustices have been remedied simply through an exchange of some kind that offers tangible compensation for the effort of voting; the promise of economic incentives can be extremely powerful. More than that, there was a population just dissatisfied enough with the political environment in Poland to accept and/or identify with the brewing "hatred" in the PiS party. From the rhetoric and restrictions on reproductive and LGBTQ rights, to the growth in discrimination and xenophobia within Polish society, people were willing to overlook these characteristics synonymous with the Law and Justice party for the sake of the future benefits that the party had pledged. The PiS created the perception that under any other party, Poles would be "forced to accept things" they no longer accept (Kalan 2019).

The Promise vs. The Intention

The social and economic branches of the Law and Justice Party's clientelism are tangible methods to maintain their voter base through fulfilling the promises made on the campaign trail. However, they also exemplify the party's true intentions for their power. Economically, the PiS' chosen model of "state capitalism" is essentially a high amount of state control within a state-centered capitalist economy, as well as "other spheres of social life" such as "social policy, housing, civil society, local government, or media", all closely controlled by the elites of the central government (Jasiecki 2018, 140). This statism or "economic nationalism" prompts a

unitary state with central authorities that can mitigate "horizontal coordination amongst economic actors" (Jaisecki 2018, 140). By doing this, the PiS centralized control over an economy that previously was diversifying into other international industries and ventures. The social promise of the PiS, the protection of Polish way of life and growing nativism, bleeds into these policies by reducing any kind of "peripheral dependence" on "western countries" (Jaisecki 2018, 143). This bolsters a sense of national strength and prosperity. Moreover, it also works to shrink outside influence and ideas that can come with more open and diverse economic pursuits in countries with values that do not align with the ultra-conservative beliefs of the PiS.

The government-backed incentive programs are not just clientelism but also a means of maintaining control over a crafted "movement of people" to maintain support. Policies like these help boost spending, consumption, and foster optimism amongst the general public; these transfers literally buy public support. While they do help the individuals who may have been left out in Poland's economic growth during this time, a state centric economy that shuts out foreign innovation and economic dealings also shuns innovation and new ideas; that is intentional (Jasiecki 2018, 142). The Law and Justice leaders utilize economic incentives to appease the general public and frame their economic decisions as a rejection of "market liberalism", it assumes that the "Polish road to modernization" is one that requires a concentration of political and economic power into the hands of the ruling elite, reinforcing top-down populism (Jasiecki 2018, 146). Populism is a cycle of movement, mobilization, and ephemeral power before a new movement starts again. The PiS maintains its power by controlling what the Polish people struggle "against", but never struggle "for", as the party provides what the people desire, and crafts a narrative about

what or who is behind their hardships (Jasiecki 2018, 135). The PiS weakens the ability of Polish society to develop toward horizontal coordination of "economic, civil, and political actors" alongside "social partners", such as unions, in the regulation and formation of labor markets and conditions (Jasiecki 2018, 146). This breaks down what would be normal societal functions and the trajectory that Poland was on developmentally. Instead, the PiS sought to maintain its power and control through a financially incentivized population and the creation of "clientelistic networks" and patronage" (Jasiecki 2018, 146). A PiS voting base that is made to feel validated in seeing their values reflected in the country's highest political offices, and monetarily supported by this government is a people that will vote for the party in the next election. This deepened clientelism furthers the absence of true populism. This exemplifies how the PiS is far more concerned with keeping its place at the precipice of political power and serving its own interests, than maintaining the economic development and stature of Poland within the EU, which in the big picture, served to actually benefit the people.

The sociocultural aspects of the PiS' platform, the religious and conservative views that are meshed with a return to traditional Polish values, are also a top-down means of control for the party. That is not to say that these beliefs are not held by Poles, the PiS certainly had supporters prior to its 2015 success. Rural Poles are also more likely to hold those views, as they are a more religious population, so it makes sense that the values of the Catholic Church are echoed in the party's positions. Law and Justice presents itself as both "the protector of the Catholic Church and the defender of national identity" (Prange 2017), but neither of those pieces of Poland were under attack. This furthers the power of constructing a narrative that maintains the purpose and motivation within the PiS voting

base, by creating an enemy or obstacle that only the party and its leaders can help overcome. The PiS' commitment to its promise of reinstating these traditional values went hand in hand with one of the key elements that is aiding in their erosion of Poland's liberal democracy: enacting sweeping changes to the Polish Supreme Court system and the civil liberties of the Polish people.

Judicial Erosion

The support for the Law and Justice party while boosted by the economic factors, lies more with the socio-cultural appeals. The religiosity of the party's message, rather than something like income or a position in a labor market, is what solidified and drove the PiS supporters to vote and advocate for the party long after the elections (Markwoski 2019, 114). Clientelism also correlates strongly with the "social consequences" of "religious dogmas among those who were raised in nationalist, authoritarian, or catholic traditions", the very situation in Poland with the PiS party (Markowski 2019, 118). The Law and Justice party had the ability to maintain its power and reach in the nation by sustaining the above social factors that comprised its top-down populism. In order to ensure that its sizable, but not full control over the Polish political system was effective, the court system needed to be eroded, and needed to be rerouted to the executive. Through this, legislation could be passed swiftly and without objection, especially laws that supported these beliefs.

The PiS made reforms to the Constitutional Tribunal in packing it with PiS supporting judges and threatened "disciplinary sanctions" to anyone who would not

recognize the "legitimacy" of a newly constructed tribunal (Koncewicz 2017). With this, a disciplinary chamber was created to bring proceedings against judges for questioning the ruling party's platform; any form of speaking out against legislation or questioning the appointment of new justices could warrant a slash in salary or termination. In reaching power, Law and Justice was able to make these reforms to a system that was not inherently new (disciplinary proceedings against judges) and transformed it into a process that served to benefit the party breakdown the effectiveness and legitimacy of the justice system. Clientelism is an exchange, and the PiS is obligated to fulfill its promises to its base to maintain its support, thus keeping its power.

With curbed independence in the courts and unobstructed ability for PiS judges to pass the legislation most beneficial to the party, conservative beliefs such as heavily restricting or banning abortions became a national conversation. Prior to the PiS, no major party in Poland advocated for liberalizing abortion, as Poland's laws surrounding abortions were not widely enforced and it was not a point of contention (Santora and Berendt 2018). However, using the same approach that helped the party cultivate its supporter base, the elevation of moral causes such as a return to traditional values or rather, the erosion of those values in Polish culture, fostered these discussions. Law and Justice's leader Jaroslaw Kaczynski actually stated that his goal was to "strive to make cases of even very difficult pregnancies, when the child is doomed to die because it is severely deformed, finish with birth, so that the child can be baptized, buried, given a name" (Santora and Berendt 2018). The control of the courts, and a dynamic leadership of a clientelism based party gave magnitude and power to statements like this from PiS leaders to its supporters. This rhetoric combined with the unobstructed political power also had an impact on all Poles, especially women

with the sweeping restrictions placed on reproductive rights, such as the reforms passed in 2020. These sociomoral issues got the PiS the support needed to win in the unique election conditions. By taking these moral causes to such a politically public dialogue, in addition to the party's strategic removal of judicial barriers to interrupt any forward motion, the party can push forward despite the widespread public outcry.

This key piece to the Law and Justice platform, constructing a country with its society in a position of religious and moral decay, and raising that to a level of direness to justify its rhetoric and legislative actions, are efforts that have prompted protests and condemnation from Polish people and the EU. But that does not impact a top-down populism and clientelism dynamic. As long as the PiS makes good on its leaders' promise to supporters, where these conservative beliefs are echoed and emboldened, fulfilling its duties to their supporters. In exchange, the party stays in power, get to adjust the system to suit their political power and pursuits, and do so without restriction. The support for the PiS was built on enmeshing the beliefs of many into one platform that capitalized on sentiments of exclusion and concern. The PiS leaders contrived a voter base on fear and the perceived breakdown in these individuals' perceived moral statue and religious prominence of Polish society in its entirety and used this as their personal and controlled "movement' to obtain power. This top-down populism model pales in comparison to the true populism that has emerged in response to the Law and Justice party and their actions, most notably from Polish Women and the Strajk Kobiet or "Women's Strike" movement.

Strajk Kobiet

True populism rises from the people. Whether it exists as a large-scale movement, a protest, or a revolution, it is always something that stems from the masses within a society. The response to the PiS' immense restrictions on reproductive rights is an example of populism in its truest form. Women across Poland took to the streets in late 2020 after the near-complete ban on abortions was passed by the PiS, and their protests continued through the start of 2021 (BBC Staff 2021). The PiS' changes to Polish law and abortion through the Constitutional Court essentially rendered abortions entirely illegal, even in "cases of fetuses with congenital defects", and "severe" cases where there is no chance of survival (Gera 2021). Poland's Human Rights Commissioner, Adam Bodnar, denounced these restrictions, calling the legislative changes "a tragedy for women", and essentially "condemning them to torture", which aligned with the outcry Polish women themselves were expressing (Gera 2021). In a country where 98% of all legal abortions were performed on the grounds of fetal malformations, the changes the PiS pushed through their eroded court system serve no purpose other than maintain their close connection to the Catholic Church and to fulfill the clientelist promises of a return to extreme conservatism that garnered the party voters back in 2015.

The Law and Justice Party exacerbated the concerns of their base to a severe level, which aligns with the top-down populism model that they utilized to get to power. The situation facing Polish women in the wake of the new abortion legislation was in actuality an extremely dire situation facing reproductive rights, and the future of women's overall autonomy in Poland. The Strajk Kobiet movement of Poland is depicted as a "backlash against" a "patriarchal" and "fundamentalist religious state" by one of the leaders of the movement, Marta Lempart (Plucinska and Ptak 2020).

These demonstrations and this movement in its entirety are at a scale not seen before in the history of Polish women's protests. The size of the protests, and the timing in the midst of the Covid-19 pandemic show that the protestors were willing to risk their lives for the sake of expressing their rage and frustration at the near prohibition of abortion (Kabata and Krulišová 2021, 2). The Women's Strike of Poland is a movement of the masses, against the PiS elite, and the pursuit of bodily autonomy for women against draconian legislation toward abortion by the current administration. Most importantly, it shows the existence of a general will. The true populist elements of Strajk Kobiet, such as the role of the common people, the corrupt elite, and the mass-scale protests, highlight how far from an organic movement the PiS' rise to power was.

Law and Justice came to power through an entirely top-down process that was carefully orchestrated to achieve political success, and only helped by the outside elements such as a disorganized incumbent party. This is not to say that the Poles who felt aligned with the far-right conservatism or nativism of the PiS were inconsequential; they certainly voted for and continue to vote for the party. But these people were not a "movement" of any kind prior to the PiS creating their platform to encompass the grievances expressed by the people who felt left behind in Poland's success or regretted the Catholic Church's wanning power in society. Their support for the PiS was not a natural occurrence, it was prompted by the party bringing supporters together through political promises and an intentionally self-reflective platform for these individuals' concerns. Strajk Kobiet has a strong identity and intention in its message, the condemnation of the PiS and its oppressive restrictions on reproductive rights and women's rights. There were protests occurring across Poland, leaders from the Civic Platform and Green Party voicing their support and "solidarity" for the protestors (Karminski, Mortensen, Smith-Spark 2021). Most importantly though, the drive to speak up and speak against the political elite

and their establishment's decisions stemmed organically from the people and was then echoed by the leadership instead of the other way around. The outcry from Polish women and those who advocated for them, and the country-wide show of support, even in the wake of the PiS leader and Prime Minister Kaczyński calling the protestors "criminals", show the vastness and power of this movement (Karminski, Mortensen, Smith-Spark 2021). Moreover, that type of rhetoric coming from the sitting party only solidifies the PiS' position as the elite, and not a product of true populism, as the platform ideologies that aided in their electoral success are not sustained by the majority of Poles, clearly now more than ever with the expanse of the public rage toward their legislation.

Conclusion

Throughout this paper, the rise to power of the Law and Justice party is explored not as a case study of populism within Polish society, but instead an example of top-down faux populism that occurred within a specific political environment. Elite strategies were the reasons for the party's success, not a widespread movement of Poles that sustain the far-right, ultra-conservative beliefs that the party maintains. The erosion of the court system by the PiS in order to pass harsh and far-reaching legislation, and the public outcry in reaction to this seen with the Strajk Kobiet movement demonstrate the clientelism, the party used to reach office and continue to rely on to maintain their power. The PiS utilized groups like the conservative Catholics and rural Poles who felt they had been left behind amidst the country's rapid growth and modernization and compounded these sentiments into their party platform. The PiS created the scapegoats behind the inequalities in society, immigrants, western Europe, and those who opposed the Catholic

church. The party leaders used that narrative, along with economic benefits, to embolden their voting base. Even with this growth in support, the party statistically did not have a majority of the vote in the 2015 election. The PiS won because most Polish people were just split amongst a myriad of parties or did not vote. The reaction from the bulk of the population to the party's legislative decisions and changes to Polish government from Poles themselves and from the EU, solidifies that their success was in no way a product of people-driven populism. To call the Law and Justice party's political success a populist movement is incomplete. The PiS' rise was a contrived and strategic top-down, clientelist process. Its oppressive beliefs toward women and reproductive rights are not reflective of the majority of Poland's population. Law and Justice's actions are evoking movements, protests, and uproar within the country that will likely bring forth the change through revolution so synonymous with true populism.

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