

# Intuition or grand plan? Explaining Andrzej Duda's rise to prominence during the war in Ukraine

*Polish President Andrzej Duda was already trying to become more assertive and independent when the Russian invasion of Ukraine gave him an opportunity to carve out a new role as a key regional player and unifying force in domestic politics, writes Aleks Szczerbiak. But he remains a loyal, if somewhat more autonomous, member of Poland's governing camp, and much of the time is acting intuitively rather than on the basis of a coherent plan for remodelling the presidency.*

Polish President Andrzej Duda – who is backed by the right-wing Law and Justice (PiS) grouping, Poland's ruling party since autumn 2015 – has previously been criticised by the country's opposition for his alleged passivity. They have accused him of being marginalised in key state policy decisions and simply acting as the government's 'notary'. Except for a few rare occasions, such as in July 2017 when he vetoed two of the government's flagship judicial reform laws, Duda had, until recently, not really made any serious attempts to carve out an independent role for himself.

In many ways, this was not surprising. The President's most significant constitutional power was a negative one: a legislative veto that requires a two-thirds parliamentary majority (which Law and Justice lacks) to overturn. Duda largely agreed with the ruling party's critique of the alleged shortcomings of the post-communist state and its core institutions and was elected on the same governing programme, so it would have been unusual if he had blocked key elements of it.

His disagreements were generally over how radical reforms should be and the best means of achieving them. Moreover, most Poles appeared to generally accept Duda's model of the presidency; in a closely-fought contest, he was re-elected for a second term in July 2020. More broadly, however, Duda's critics argued that his presidency lacked a clear defining concept and that he had failed to develop the strong intellectual and political support base required to carry forward independent initiatives, preferring to surround himself with technocrats rather than experienced operators.

## More assertive and independent

After his re-election, Duda initially kept a low profile once again and confined himself to presidential routine. However, even before the Russian invasion of Ukraine he was already making efforts to rebuild his image and become a more assertive and independent political figure.

For example, last December Duda vetoed a controversial government-backed media ownership law. A key driver of this was his wish to improve Poland's hitherto rather frosty relations with the US Biden administration at a time when the prospect of Russian aggression was increasing tensions across the region. The United States felt that the media reforms threatened the commercial interests of the American-owned Polish TVN broadcaster, which takes a strongly anti-Law and Justice editorial line.

Both the President and Law and Justice enjoyed very strong ties with Biden's predecessor Donald Trump, whom they came to see as a conservative ideological soulmate. During the 2020 US election, Biden mentioned Poland as a country where democracy was endangered, and Duda initially delayed acknowledging him as the new President until the results were officially ratified. Nonetheless, for some time Duda's staff has been working hard to rebuild links with Washington.

Moreover, to further strengthen Poland's ties with the western international community, Duda also made a concerted attempt to deescalate Law and Justice's ongoing dispute with the EU political establishment over the government's controversial judicial reforms. The EU institutions agreed with Poland's legal establishment and most opposition parties that the reforms undermined the 'rule of law' and threatened the key democratic principle of the constitutional separation of powers.

For its part, Law and Justice rejected the opposition's critique arguing that, following Poland's flawed transition to democracy in 1989, the judiciary, like many key Polish institutions, was expropriated by and represented the interests of an extremely well-entrenched, and often deeply corrupt, post-communist elite. Nonetheless, the European Commission withheld the first tranche of billions of euros due to Poland from the Union's Covid-19 recovery fund until Warsaw implemented a July 2021 EU Court of Justice ruling that it disband a newly created supreme court disciplinary chamber.

In February, Duda submitted a draft law reforming the chamber which he hoped would meet the Commission's concerns. However, the President's draft is currently bogged down in a parliamentary committee due to opposition from 'Solidaristic Poland' (SP), Law and Justice's junior governing partner led by justice minister Zbigniew Ziobro, on whom it relies for its legislative majority. Ziobro, who has introduced many of the government's most controversial policies including the judicial reforms, has been staking out a series of hard-line right-wing conservative policy positions and criticising the government for being excessively compromising and ideologically timid.

### **A key regional player**

The Russian invasion has also provided Duda with an opportunity to carve out a role for himself as a key regional player. Poland's geographical location as the most important frontline state, together with the fact that it is NATO's largest member and top defence spender in the region, mean that Warsaw has played a pivotal diplomatic and military role in the alliance's security relationship with Moscow. Poland has also been one of the main hubs for channelling military and humanitarian aid to Ukraine, and a prime destination for refugees fleeing from the conflict with more than three million people crossing its eastern border.

Although foreign and defence policy lie primarily within the government's domain, Duda appears comfortable in these fields and aware that the Constitution gives him a number of broad prerogatives (he is, for example, commander-in-chief of the armed forces) together with an informal oversight and co-ordinating role. For a long time, Duda and Law and Justice warned about the international threat posed by what they saw as Russian President Vladimir Putin's neo-imperialist destabilisation of the region. Since Russia's invasion, Poland has been one of Ukraine's staunchest allies and at the forefront of efforts to persuade the western international community to develop a robust response and ensure that sanctions on Moscow are maintained and extended.

Duda is also one of the governing camp's most consistently pro-Ukraine leaders and has developed a close personal relationship with his Ukrainian counterpart Volodymyr Zelenskyy. Moreover, following Duda's earlier efforts, Warsaw has become Washington's most important security partner in the region as the Biden administration has prioritised defence and security issues and put its political differences with Law and Justice firmly on the back-burner; exemplified by the US President's high profile March visit to Poland.

Since the war broke out, Duda has also made a concerted effort to act as a unifying force in domestic politics. In March, for example, he vetoed a controversial education reform law that the government said was designed to prevent radical left-wing organisations from gaining access to schools, but the opposition argued could have been used to ban any groupings that did not conform with Law and Justice's socially conservative values. Duda justified his veto on the grounds that, although he personally supported many of the law's provisions, Poland needed to avoid polarising political disputes at this time.

### **Looking to the future**

The fact this is Duda's final presidential term and that he does not need to worry about reelection gives him much greater room for manoeuvre. In this sense, although the Ukrainian conflict provided him with a historical opportunity to redefine his presidency, it has simply accelerated an already-existing process.

In part, Duda's increased diplomatic activity has made him more conscious of the international context and impacts of certain domestic political actions, such as the government's media reform law. To some extent, he is also thinking about his future legacy and prospects beyond the presidency. Duda appears to have become convinced that history will judge his presidency on the role that he plays in the current crisis, and that he is thus obliged to help maintain at least a minimal level of national political unity and consensus. Duda also knows that in order to secure a senior international post in the future he will need the support, or at least acquiescence, of the United States.

In terms of Polish domestic politics, Duda's relations with Law and Justice leader Jarosław Kaczyński remain very uneasy. Kaczyński – who, although he is only deputy prime minister, exercises a powerful influence in determining the government's programmatic and strategic priorities – has never forgiven the President for his 2017 veto of the judicial reforms (even though the subsequently approved legislation was very close to the original proposals).

However, as the international situation has built up Duda's standing, it has become more difficult for the Law and Justice leader to ignore him. Moreover, given that Kaczyński is expected to stand down as party leader in the next parliament, Duda and other key figures in the governing camp are already positioning themselves for future leadership scenarios. The President, therefore, has to assert his independence but in ways that will broaden his influence within, rather than alienate, the ruling party.

In fact, Duda remains both emotionally and intellectually committed to key elements of Law and Justice's radical state reform programme. So although, for example, he appears prepared to make quite far-reaching concessions to reach a compromise with Brussels, as the opposition has pointed out his draft law to reform the supreme court disciplinary system does not abandon the core principle at the heart of Law and Justice's judicial reform programme: that giving elected politicians a greater say in determining the composition of the key bodies that oversee the Polish courts is both necessary and in line with practices in other western democracies. In other words, Duda remains, in essence, a loyal member of the governing camp; albeit a somewhat more autonomous one.

Duda's relations with prime minister Mateusz Morawiecki are also felt to have improved since the outbreak of the Ukrainian conflict. The two politicians have not always enjoyed the closest of ties but, as the key figure in Law and Justice's 'modernising-technocratic' wing, Morawiecki is instinctively sympathetic to some of the President's pivots to the political centre. Indeed, some commentators have speculated that Duda and Law and Justice moderates could even be trying to reconfigure the governing camp and broker a new ruling coalition.

The objective here, it is argued, would be to draw in more centrist political groupings such as the agrarian Polish People's Party (PSL), either in the current parliament to jettison 'Solidaristic Poland', or after the next election if (as seems likely) Law and Justice loses its outright majority and needs to broker a deal with the radical right 'Confederation' (Konfederacja) to remain in office. However, Duda has never previously shown any signs that he is interested in, or capable of, such political manoeuvring, so there may be little point trying to find such hidden subtexts in his recent actions.

### **Intuition rather than a coherent plan?**

Most Poles appear to approve of the fact that, step-by-step, Duda is becoming an increasingly autonomous and significant actor on the political scene. According to an April survey conducted by the IBRIS agency for the 'Rzeczpospolita' newspaper, 76% of respondents, including 74% of opposition supporters, evaluated his activity since the outbreak of the war positively. However, arguably, rather than having a coherent and thought-through long term plan for remodelling his presidency, much of the time Duda is simply reacting intuitively to the changed political circumstances and, with the outbreak (and earlier threat) of a war on Poland's eastern border, felt obliged to become more assertive and proactive.

Indeed, the whole political situation could change radically for Duda if he has to 'cohabit' with a government led by the current opposition parties after the next parliamentary election, scheduled for autumn 2023, until his term of office ends in summer 2025. How Duda's presidency evolves over the next few months will provide some critical pointers as to how this possible future relationship may develop.

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*Note: This article originally appeared at Aleks Szczerbiak's [personal blog](#). It gives the views of the author, not the position of EUROPP – European Politics and Policy or the London School of Economics. Featured image credit: [European Council](#)*

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