

How is the European migration crisis affecting Polish politics?



The migration crisis has recently re-surfaced as a major issue in Poland, as its right-wing government came under pressure from the European Commission to comply with the EU's relocation scheme. [Aleks Szczerbiak](#) argues that most Poles are keen to avoid the problems they feel West European countries have experienced through admitting large numbers of migrants. With the opposition uncertain how to respond, the ruling party will continue to oppose migrant quotas vigorously and use the issue to mobilise support for the government.

Law and Justice rejects the EU relocation scheme

The migration crisis has rumbled on for the last two years since it developed as a major issue in Polish politics dividing the main parties in the run up to the most recent October 2015 parliamentary election. Along with the three other Central European 'Visegrad' countries – the Czech Republic, Hungary and Slovakia – the previous government, led by the centrist Civic Platform (PO) grouping, initially opposed the European Commission's proposal for mandatory re-distribution quotas for Middle Eastern and North African migrants located in Greece and Italy.

However, concerned that the country was coming across as one of the least sympathetic to the migrants' plight, the Polish government changed its approach following the summer 2015 migration wave. Civic Platform's EU strategy was based on trying to locate Poland within the so-called 'European mainstream' by presenting itself as a reliable and stable member state adopting a positive and constructive approach towards the main EU powers, so it was anxious to appear to be playing a positive role in helping alleviate the crisis. In the event, at the September 2015 EU summit Poland broke with its Central European allies and signed up to a burden-sharing plan which involved the country admitting 6,200 migrants as part of an EU-wide scheme to relocate 160,000 people in total by September 2017.

On the other hand, the right-wing Law and Justice (PiS) party, at the time the main opposition grouping, bitterly opposed the EU plan arguing that Poland should resist pressure to take in migrants. The party warned that there was a serious danger of making the same mistakes as many West European states with large Muslim communities, which could lead to admitting migrants who did not respect Polish laws and customs and tried to impose their way of life on the country. While it always supported Polish EU membership in principle, Law and Justice was a broadly anti-federalist (verging on Eurosceptic) party committed to defending Polish sovereignty, especially in the moral-cultural sphere where it rejected what it saw as a hegemonic EU liberal-left consensus that undermined Poland's traditional values and national identity. It viewed the migrant relocation scheme as part of this wider clash of cultures which also threatened the country's national security.



Protesters taking to the streets in Poland. Credits [Maciej Szczepańczyk](#) (CC BY-SA 4.0)

Not surprisingly, therefore, Law and Justice accused the outgoing Civic Platform government of betraying its Central European allies by taking decisions under EU pressure that undermined Polish culture and security. It argued that the figure of a few thousand migrants was unrealistic because family members would be able to join initial arrivals and that the quota would be used as a precedent to force Poland to take in additional migrants in the future. Following its October 2015 election victory, the new Law and Justice government agreed initially to implement the scheme approved by its predecessor and, as a start, accept 100 migrants. However, in April 2016 it suspended the process arguing that the verification procedures for the vetting of migrants were insufficient to guarantee Polish national security. Since then Poland (along with Hungary) has not accepted any migrants under the EU scheme.

The migration issue re-surfaces and escalates

The migration crisis re-surfaced as a major issue last month when, in a sharp escalation of its dispute with Warsaw, the European Commission decided to launch the first step of a so-called EU law infringement procedure case against Poland (together with the Czech Republic and Hungary) for its refusal to implement the relocation plan. Although the first stage of the process simply requires Poland to give a formal response to letters of notice by the middle of July, it also opens the way for prolonged legal wrangling. The case could take up to five years to resolve at the European Court of Justice and only at this point would Poland face any possible financial penalties.

However, the government's critics argue that there could still be short-term political consequences as the Commission's action further weakens the position of a Polish government which, they say, has become increasingly isolated within the EU since Law and Justice took office. The Law and Justice administration has, for example, been involved in an ongoing dispute with the Commission since the latter initiated a 'rule of law' procedure against Poland in January 2016 following the outbreak of a bitter, domestic political and legal row over the membership and competencies of the country's constitutional tribunal. The government's opponents say this could have a negative impact in the next EU budget round, of which Poland is currently the largest net beneficiary, and the negotiations for which are due to begin in a few months. Law and Justice argues that, as EU budgets require unanimity, Warsaw can prevent any attempts to develop such linkages, although its critics say there are ways that this veto can be by-passed.

Shortly after the Commission launched its legal probe, Law and Justice prime minister Beata Szydło also came under fire for a speech that she made at a ceremony to mark the seventy-seventh anniversary of the first Polish prisoners arriving at the Auschwitz German death camp. Mrs Szydło's comment that 'Auschwitz is a lesson showing that everything needs to be done to protect one's citizens' was interpreted by the government's critics as a dog-whistle defence of her government's opposition to the EU's migrant quota plan. Earlier, during a May parliamentary debate Mrs Szydło had denounced the 'madness' of the European elites for failing to stand up to terrorism and argued that the recent wave of Islamist attacks in Western Europe vindicated Warsaw's refusal to comply with the relocation scheme. However, accusing her critics of cynicism, Law and Justice denied that Mrs Szydło's remarks at the Auschwitz commemorations in any way referred to the issue of migration.

The Law and Justice government has responded by vowing to fight the Commission's infringement action all the way. It argued that the EU scheme was pushed through using a qualified majority vote on very weak legal foundations; Hungary and Slovakia have challenged it in a separate action which the Court of Justice is expected to give an initial ruling on within the next month. Law and Justice denounced the Commission's move as an instance of double standards, pointing out that, although Poland and Hungary were the only countries not to have taken in any migrants under the programme, no other EU member state had so far fulfilled its commitments. The party argued that Warsaw had shown solidarity by helping to protect the EU's external borders and allocating funds to aid victims of conflicts locally; although less than other countries, according to its critics. It also pointed out that Poland had taken in over one million migrants from war-torn Ukraine, thus easing migrant pressures on other EU countries; although the government's critics said that these were virtually all economic migrants rather than refugees.

Different civilisational choices?

In fact, most Poles are strongly opposed to the EU migrant quota scheme. A May 2017 survey conducted by the CBOS polling agency, for example, found that 70% were against accepting refugees from Muslim countries and only 25% in favour; with 65% still opposed even if Poland was threatened with financial penalties. Poland is an overwhelmingly Catholic country with very few ethnic minorities which has had little experience of the modern migrations that have transformed Western Europe. Poles are keen to avoid the kind of cultural and security problems that many of them feel West European countries have experienced through admitting large numbers of Muslim migrants who are seen as difficult to assimilate and embedding violent extremists within their communities. Not surprisingly, therefore, Law and Justice has made the European migration crisis one of the most important issues legitimising its government. Indeed, last month ruling party-backed President Andrzej Duda proposed holding a national referendum on the issue, possibly timed to coincide with the next autumn 2019 parliamentary election.

This is important because a key motivation for Poles voting overwhelmingly to join the EU in the country's 2003 accession referendum, especially among the older generations, was the idea that the European integration process represented a symbolic re-uniting of Poland with a Western international community of shared values that they had always considered themselves to be part of culturally and spiritually. This notion of EU membership as a natural and obvious historical and civilisational choice has, however, come under strain in recent years due to an increasing sense of cultural distinctiveness that many Poles feel towards Western Europe. This was particularly evident in the sphere of moral-cultural values where Polish attachment to traditional morality and national identity stands in stark contrast to the socially liberal, cosmopolitan consensus that predominates among West European cultural and political elites. The contrasting reaction of Poles (and other Central Europeans) to the European migration crisis highlighted this and raised questions about whether they actually wanted to make the same civilizational choices as West Europeans.

Opposition uncertain how to respond

At the same time, the migration crisis has left Poland's liberal-centrist opposition uncertain how to respond. Civic Platform, which is now the main opposition party, has undertaken dramatic political contortions on the issue trying to strike a balance between competing domestic and international pressures. On the one hand, party leader Grzegorz Schetyna was concerned to be seen to be responding to popular anxieties, so in May told a reporter that Civic Platform was against Poland accepting any refugees. Then, as it came under pressure from the strongly pro-EU liberal-left media and cultural establishment, Civic Platform rowed back saying that it was only against 'illegal migrants'. Moreover, accusing Law and Justice of being anti-European and promoting xenophobia, Mr Schetyna's party said that it favoured accepting a few dozen refugees as long as they were mostly women and children who were genuinely escaping armed conflict and had been vetted on security grounds.

However, one problem for Law and Justice is that a number of senior clergymen from Poland's influential Catholic Church appear to disagree with the government's approach towards the migration issue. This is awkward for the ruling party which presents itself as a staunch defender of Christian values and enjoys a great deal of sympathy among Catholic bishops, clergymen and Church-linked civil society organisations. One suggestion made by the Church Episcopate has been to establish so-called 'humanitarian corridors' for the medical treatment in Poland of a few hundred carefully selected refugees. However, although the government appears to be broadly sympathetic to this idea, it has also expressed concerns about the practicalities, specifically whether effective security controls can be implemented to vet these refugees, and has argued that it is easier to open hospitals on-site in refugee camps where more people could be treated.

Smoothing Law and Justice's path to re-election?

Poland's Law and Justice government has, therefore, taken an increasingly hard line against the EU's migrant redistribution programme and appears ready for a lengthy legal battle with the Commission over the issue. The ruling party considers the migration crisis to be of huge political and symbolic importance going well beyond the numbers involved and raising vital concerns about national sovereignty, identity and security. Knowing that the vast majority of Poles are strongly opposed to the EU scheme, and that the liberal-centrist opposition is uncertain how to respond, Law and Justice will continue to use the issue to mobilise public support and thereby, it hopes, smooth the ruling party's path to re-election in 2019.

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Note: A version of this article appears at Aleks Szczerbiak's [personal blog](#). The article gives the views of the author, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics.

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