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Re-democratization of Poland. Transition From Kaczyński's Authoritarian Populism To a Liberal Democracy

Redemocratização da Polônia. Transição do Populismo Autoritário de Kaczyński para uma Democracia Liberal

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*Democracies may die at the hands not of generals but of elected leaders –
presidents or prime ministers who subvert the very process that brought them to power.*

S. Levitsky, D. Ziblatt, *How Democracies Die*, p. 3.

ABSTRACT: The transition from populist authoritarianism to liberal democracy in Poland is proving to be a particularly difficult and gradual process. The main obstacle lies in the legal and institutional barriers established by the former populist government, which constrain democratic reforms. While populist actors frequently bypass the law to consolidate power, the democratic camp is bound to act strictly within constitutional and legal frameworks, slowing down the reversal of authoritarian measures. A further challenge is the need for broad political unity. In Poland, democratic governments are usually coalition-based, which complicates decision-making and often dilutes reform efforts. Moreover, effective democratization requires cooperation not only within the government but also between the executive branch and the presidency, especially since the president holds veto power. The election of Karol Nawrocki, backed by the Law and Justice (PiS) party, has significantly weakened the prospects for democratic consolidation, suggesting a possible resurgence of populism. If PiS were to return to power, possibly in coalition with the right-wing Confederation Party, Poland could face a prolonged departure from liberal democracy toward right-wing, Eurosceptic authoritarianism. This study combines participant observation with an analysis of academic and journalistic discourse to examine Poland's democratic trajectory. Research question: Can the new democratic government guide Poland's transition from the system built by Kaczyński toward a consolidated liberal democracy?

KEYWORDS: Right-Wing Populism; Liberal Democracy; Illiberal Democracy; Process of Re-democratization of Poland, Strategy of Contemporary Populist Parties, Polish Parliamentary Elections in 2023, Prospects for Poland As a Liberal Democracy.

RESUMO: A transição do autoritarismo populista para a democracia liberal na Polónia tem se revelado um processo complexo e lento. Essa dificuldade decorre de armadilhas legais e

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institucionais deixadas pelo governo populista anterior, que dificultam as reformas democráticas. Diferentemente dos populistas, o campo democrático deve atuar estritamente dentro da lei, o que retarda a reversão de mudanças autocráticas. Outro desafio é a necessidade de unidade política entre os reformadores e entre os poderes Executivo e Presidência, especialmente considerando o poder de veto do presidente polaco. A eleição de Karol Nawrocki, apoiado pelo PiS, reduziu significativamente as perspectivas de uma transição democrática bem-sucedida, sinalizando a possível retomada do populismo. Caso o PiS retorne ao poder, possivelmente em coligação com a Confederação, a Polónia pode se afastar da democracia liberal em direção a um autoritarismo populista de direita. O processo de democratização polaco evidencia a complexidade de superar a autocracia populista e destaca o papel crucial da vontade política, dos marcos legais e da unidade institucional na consolidação democrática. Este estudo baseia-se na observação participativa e na análise do discurso académico e jornalístico como componentes centrais do debate público. Parte da seguinte questão: Será o novo governo democrático polaco capaz de conduzir o país a uma democracia liberal?

PALAVRAS-CHAVE: Populismo de Direita; Democracia Liberal; Democracia Iliberal; Processo de Redemocratização da Polónia; Estratégias dos Partidos Populistas Contemporâneos; Eleições Parlamentares Polonesas de 2023; Perspetivas da Polónia Enquanto Democracia Liberal.

Objectives of the Analysis, Literature and Methodology

In the autumn of 2023, Poland became the focus of European public opinion due to parliamentary elections held after eight years of rule by Jarosław Kaczyński's *Law and Justice* party (PiS). The widespread question was whether it would be possible to remove from power – after two terms – a populist right-wing government that had carried out profound institutional and legal transformations, pushing Poland out of the community of liberal democracies. The answer to this question turned out to be affirmative. However, it leads to a second fundamental question, which serves as our research problem: Will the new democratic Polish government be able to lead the country through the process of transition from the system built by Kaczyński to a liberal democracy?

This research question determines the aim of the present analysis, which is to examine the challenges involved in Poland's transition from authoritarian populism to liberal democracy. In order to shed clearer light on these challenges, it is essential to briefly characterize the goals and methods of contemporary populist parties. Therefore, our analysis is not limited to presenting a case study of Poland governed by the right-wing populist Law and Justice party from 2015 to 2023, and since December 2023 by the so-called October 15 Coalition (a coalition of democratic parties: the Civic Coalition, the Polish People's Party, Poland 2050, and the New Left). Our discussion aims to capture and present the methods of populist action in a more universal dimension –

not confined solely to the Polish context.

This approach seems justified because the pattern of consolidating power – gained in democratic states – by parties and politicians representing modern right-wing authoritarian populism has been increasingly well studied and described by political scientists and commentators. A highly influential work that systematized the term “democratic backsliding” and clarified its mechanisms is the article by Nancy Bermeo³. The author identifies six main mechanisms through which democracy is weakened: electoral manipulation, institutional capture, attacks on the media, judicial undermining, weakening accountability mechanisms, marginalization of opposition and civil society. One of the most significant works on the subject is Aziz Huq and Tom Ginsburg’s article *How to Lose a Constitutional Democracy*⁴. They argue that the primary threat to contemporary democracies is not the traditional coup d’état, but a more gradual process they term *constitutional retrogression*. This process entails the incremental erosion of three essential dimensions of democracy: free and fair elections, the protection of rights and liberties, and the rule of law. Unlike sudden ruptures, retrogression occurs through legally sanctioned mechanisms – such as electoral reforms favoring incumbents, curtailments of judicial independence, or restrictions on media freedom – making it harder to detect and resist. A key work on the erosion of democracy remains the article by Anna Lührmann and Staffan I. Lindberg *A Third Wave of Autocratization Is Here. What Is New About It?*⁵ An article *Is America Still Safe for Democracy?* in *Foreign Affairs* by Robert Mickey, Steven Levitsky and Lucan A. Way had a great impact at the time⁶. Naturally, a classic book in the field remains the work by Steven Levitsky and Daniel Ziblatt, cited in the epigraph to this article.⁷ The work of Nicholas Morieson is of considerable importance for the analysis presented

³ BERMEO, Nancy, On Democratic Backsliding. *Journal of Democracy*, 2016, January, vol. 27, no. 1. E-ISSN: 1086-3214. Available from: <https://doi.org/10.1353/jod.2016.0012>. Viewed 24.11.2024.

⁴ HUQ, Aziz and GINSBURG, Tom, How to Lose a Constitutional Democracy. *UCLA Law Review*, 2018, no. 65. ISSN: 0041-5650.

⁵ LÜHRMANN, Anna and LINDBERG, Staffan I., A Third Wave of Autocratization Is Here. What Is New About It?, *Democratization*, 2019, vol. 26, no. 7. ISSN: 1351-0347. Available from: <https://doi.org/10.1080/13510347.2019.1582029>. Viewed 25.11.2024.

⁶ MICKEY, Robert, LEVITSKY, Steven and WAY, Lucan A., Is America Still Safe for Democracy? Why the United States Is in Danger of Backsliding, *Foreign Affairs*, 2017, May-June, vol. 96, no. 3. ISSN: 00157120.

⁷ LEVITSKY, Steven and ZIBLATT, Daniel, *How Democracies Die*. New York: Broadway Books, An Imprint of the Crown Publishing Group, A Division of Penguin Random House LLC, 2019. ISBN-13: 978-1524762940.

here.⁸ In Poland, profound analyses of the subject have been provided by law professor Wojciech Sadurski.⁹ Of particular significance to the discussion are the contributions of Radosław Markowski¹⁰, as well as the article authored by the trio of scholars *Hollowed or Redefined? Changing Visions of Democracy in the Political Discourse of Law and Justice*.¹¹ A group of academics from the Warsaw University edited an interesting study *Democratic Backsliding in Poland*.¹² Rafał Zamecki is also co-editor of the interesting comparative study *The Democratization Process of Poland and Taiwan*¹³. Broadly speaking, the Polish case provides a valuable contribution to classical transitology literature (constituted by works of Dankwart A. Rustow¹⁴, Juan J. Linz¹⁵ Guillermo O'Donnell and Phillippe C. Schmitter¹⁶, Samuel P. Huntington¹⁷, Adam Przeworski¹⁸), as its historical trajectory encompasses not only the transition from communism to liberal democracy but also instances of democratic backsliding to populist authoritarianism, subsequent re-democratization, and, potentially, a recurrence of populist authoritarian governance following future electoral cycles. Naturally, a wealth of empirical material has been also provided by several South

⁸ MORIESON, Nicholas, Understanding Civilizational Populism in Europe and North America: The United States, France, and Poland, *Religions*, 2023, no. 14(2). ISSN/e-ISSN: 2077-1444. Available from: <https://doi.org/10.3390/rel14020154>. Viewed 23.04.2024.

⁹ SADUSKI, Wojciech, *Poland's Constitutional Breakdown*. Oxford: Oxford University Press, 2019, ISBN-10: 0-19-8840500. See also SADURSKI, Wojciech, *Demokracja na czarną godzinę: Publicystyka, eseje, mowy obrończe 2009-2022*, Kraków-Budapest-Syracuse: Austeria Publishing House, 2022. ISBN: 978-83-7866-426-0.

¹⁰ MARKOWSKI, Radosław, Creating Authoritarian Clientelism. Poland After 2015, *Hague Journal on the Rule of Law*, 2019, no. 11. E-ISSN: 1876-4053. Available from: <https://doi.org/10.1007/s40803-018-0082-5>. Viewed 11.04.2024.

¹¹ KWIATKOWSKA, Agnieszka, MULIAVKA, Viktoriia and PLISIECKI, Hubert, Hollowed or Redefined? Changing Visions of Democracy in the Political Discourse of Law and Justice. *Democratization*, 2023, vol. 30, no. 3. ISSN: 1351-0347. Available from: <https://doi.org/10.1080/13510347.2022.2152439>. Viewed 23.05.2023.

¹² MIENKOWSKA, Renata, SZYMAŃSKI, Adam and ZAMECKI, Łukasz (eds.), *Democratic Backsliding in Poland. Why Has Poland Gone to the Dark Side?* London: Lexington Books, 2023. ISBN-10: 1666944246.

¹³ CHEN-RABICH, Li-Jiuan, ZAMECKI, Łukasz (eds.), *The Democratization Process of Poland and Taiwan. Comparative Perspective*. Berlin: Peter Lang, 2023. ISBN (PDF): 9783631895627.

¹⁴ RUSTOW, Dankwart A., Transitions to Democracy. Towards a Dynamic Model. *Comparative Politics*, 1970 April, vol. 2, no. 3. ISSN: 1552-3829.

¹⁵ LINZ, Juan J., *The Breakdown of Democratic Regimes. Crisis, Breakdown, and Reequilibration*, Baltimore: The John Hopkins University Press, 1978, ISBN-10: 080182009X.

¹⁶ O'DONNELL, Guillermo, SCHMITTER, Phillippe C., *Transitions from Authoritarian Rule. Tentative Conclusions about Uncertain Democracies*, Baltimore: The John Hopkins University Press, 1986, ISBN-10: 1-4214-1013-3.

¹⁷ HUNTINGTON, Samuel P., Democracy's Third Wave. *Journal of Democracy*, 1991 Spring, vol. 2, no. 2. ISSN: 1086-3214. Available from: <https://www.ned.org/docs/Samuel-P-Huntington-Democracy-Third-Wave.pdf>. Viewed 15.04.2024.

¹⁸ PRZEWORSKI, Adam, *Democracy and the Market. Political and Economic Reforms in Eastern Europe and Latin America*, Cambridge: Cambridge University Press, 1991, ISBN-10: 052142335X.

American countries, Viktor Orbán's Hungary, and the United States during the first – and currently ongoing second – term of Donald Trump.

The described processes of departure from liberal democracy in Poland, followed by attempts to return to it, have been the subject of close attention and participant observation by the authors of this paper. This constitutes the first methodological pillar on which we base our work. Particularly noteworthy was the phenomenon of the long-lasting and unwavering support for *Law and Justice*, despite accumulating political scandals, environmental destruction, a high number of excess deaths during the pandemic, and, in general, serious abuses of power. Our journalistic explanation of the Kaczyński party's resistance to declining support was presented in the article *The Teflon Nature of PiS*¹⁹.

The second methodological pillar we employ is the analysis of academic and journalistic discourse²⁰ as important components of public discourse. Expanding this analysis beyond the Polish context allows for a greater objectivity in examining the issues at hand and facilitates the identification of common features that characterize contemporary populist authoritarian regimes.

Goals and Methods of Action of Contemporary Authoritarian Parties

The process of consolidating power by right-wing populist parties clearly serves the purpose of never relinquishing it. This is reminiscent of the era of communist rule in Poland, when Communist Party leader Władysław Gomułka declared in 1945: "We shall never give up power once it has been seized." Józef Cyrankiewicz – the prime minister of communist Poland – went even further, stating that "anyone who dares to raise a hand against the people's [i.e., communist] government should be certain that this hand will be cut off by that government"²¹.

Today's right-wing authoritarian populist parties, of course, aim to maintain power without resorting to the scale of violence employed by communist parties in the Eastern Bloc. "Whereas in the past," writes Maciej Gdula, "authoritarianism directly

¹⁹ KIMLA, Piotr, Teflonowość PiS-u. *Tygodnik Przegląd*, 2023, no. 21. ISSN: 15093115. Available from: <https://www.tygodnikprzeglad.pl/teflonowosc-pis/>. Viewed 12.06.2025.

²⁰ When it comes to journalistic discourse see for example HOLESCH, Adam, UNGUREANU, Camil, Poland's Democratic Comeback and the Spectre of National Populism. *CIDOB Opinion*, 2023 December, no. 783, E-ISSN: 20140843. MINDER, Raphael, Inside Donald Tusk's Divisive Campaign to Restore Polish Democracy. *Financial Times*, 2024, Feb 18. ISSN: 0307-1766. KUISZ, Jarosław, Poland's Left Lost Because of Tusk's Own Errors. *Financial Times*, 2025, June 2. ISSN: 0307-1766.

²¹ These words were spoken in a radio speech by Cyrankiewicz delivered on June 29, 1956.

opposed democratic governance and was intended as an antidote to degenerate parliamentarism, today's authoritarianism draws on democratic imagery and seeks legitimacy through mass mobilization and voting"²². Some populist parties (including PiS) refer to a concept that, in the nomenclature created by Ihsan Yilmaz and Nicolas Morieson, is called civilizational populism. In their approach, civilizational populism is "a group of ideas that together considers that politics should be an expression of the *volonté générale* (general will) of the people, and society to be ultimately separated into two homogenous and antagonistic groups, «the pure people» versus «the corrupt elite» who collaborate with the dangerous others belonging to other civilizations that are hostile and present a clear and present danger to the civilization and way of life of the pure people"²³. The concept of civilizational populism is an ideological tool designed to enable populists to govern without establishing political police, without official censorship, and without openly and violently violating civil rights. Metaphorically speaking, they want to guarantee continuous electoral victories through ballot boxes, not by the bayonets of the Red Army²⁴.

This is why the concept of illiberal democracy has proven so convenient for them — they reduce it to the assertion that as long as elections are held, the democratic system is intact. The fact that these elections are neither free nor fair is irrelevant to them. However, in a pluralistic society, a permanent victory of a single ideological vision or one party is not sustainably possible through a fair democratic process. Populist parties thus resort to extralegal and extraordinary measures – methods of applying pressure on citizens and breaking democratic norms – to ensure they do not lose elections and can stay in power. This activates a dangerous mechanism: if they fail to pacify or subjugate the majority of society during their legally won term in office, they must resort to illegal methods. The use of such methods increases the risk that

²² GDULA, Maciej, *Nowy autorytaryzm*, Warszawa: Krytyka Polityczna Publishing House, 2018, p. 81, ISBN: 978-83-65853-36-3.

²³ YILMAZ Ihsan, MORIESON Nicholas, Civilizational Populism. Definition, Literature, Theory, and Practice. *Religions*, 2022, no. 13. ISSN: 2077-1444, p. 19. Available from: <https://doi.org/10.3390/rel13111026>. Viewed 10.03.2024.

²⁴ In the case of Poland, the element facilitating the achievement of continuous electoral victories of populists is the close relationship between *Law and Justice* party and the Catholic Church. On the nature of this relation see MAZURCZAK, Filip, How Catholic Is Poland's "Law and Justice" Party? *The Catholic World Report*, 2019, October 21. ISSN: 1058-8159. Available from: <https://www.catholicworldreport.com/2019/10/21/how-catholic-is-polands-law-and-justice-party/>. Viewed 01.06.2025. See also STANLEY, Ben, *Defenders of the Cross. Populist Politics and Religion in Post-Communist Poland*, in: MARZOUKI, Nadia, McDONNELL, Duncan and ROY, Olivier (eds.), *Saving the People. How Populists Hijack Religion*, London: Hurst & Company Publishers Ltd, 2016, ISBN: 9781849045209.

losing power will lead to criminal liability and imprisonment. Hence, their determination to retain power at all costs intensifies.

Understanding this mechanism explains why defeating populists is an extremely difficult task for democratic forces. In Poland, it was accomplished – but in Hungary, it was not. Of course, explaining the reasons behind this difference is a topic for another article. It must be emphasized, however, that removing Jarosław Kaczyński's party from power in Poland was particularly difficult due to the fact that Polish President Andrzej Duda originated from the same political background. There was a monopoly of power held by the *Law and Justice* party (PiS) in Poland – both the president and the prime minister represented the same right-wing populist party.

The president actively engaged in election campaigns on behalf of Kaczyński's party and, throughout his two five-year terms, remained a politician loyal to PiS, radically breaking with the notion of the president as a representative of all citizens. Similarly, the Law and Justice government under Prime Minister Mateusz Morawiecki, as well as Kaczyński himself, fought for Duda's re-election, employing the full apparatus of the state. They even risked public health by attempting to conduct an election via the Polish Postal Service during the COVID-19 pandemic. This attempt failed and resulted in significant public fund waste due to opposition from Kaczyński's coalition partner, Jarosław Gowin. Gowin paid a high price for this — he was pushed out of Polish politics by Kaczyński.

To fully grasp the difficulties in transitioning away from populist authoritarianism and restoring liberal democracy, one must analyze the methods populist leaders employ to secure continued power. The first one is control of public television. They seize control of state television and turn it into a propaganda tool. While television no longer plays the dominant communicative role it once did, it remains influential, especially among older voters — a reliable group that consistently votes in elections. The second one is attack on independent media. They attempt to intimidate or take over independent, including local, media outlets. A notable example in Poland was the acquisition of local press by the state-owned oil giant Orlen. The third one is undermining the legal system. They attack the judiciary, seizing control of the Supreme Court and Constitutional Tribunal, which could otherwise challenge their legality. In Poland, even the sitting president participated in dismantling the rule of law, violating the constitution multiple times, despite his duty to uphold it. Judges who resisted and maintained independence, alongside the EU's legal institutions, played a crucial role

in defending the legal system.

The overarching goal behind these attacks on the media and judiciary is the destruction of the Montesquieuan separation of powers and the elimination of democratic checks on government authority. Populist parties aim to monopolize power — but in more sophisticated ways than past totalitarian regimes like the Eastern Bloc’s communist parties, which outlawed all political competition. As Steven Levitsky and Daniel Ziblatt rightly observe: “Blatant dictatorship — in the form of fascism, communism, or military rule — has disappeared across much of the world. Military coups and other violent seizures of power are rare. Most countries hold regular elections. Democracies still die, but by different means. Since the end of the Cold War, most democratic breakdowns have been caused not by generals and soldiers but by elected governments themselves.”²⁵

Today, the aim is to create a system where democratic institutions appear to exist — opposition parties, independent media, free speech — but only as a façade. Parliamentary opposition exists but has no real chance of gaining power. There may be independent media, but only in appearance. The final result is classical tyranny, whose functioning Aristotle described in Book V of *Politics*, hidden beneath the smoke screen of what is still nominally called democracy.

The fourth method is attack on universities. As centers of opposition to violations of pluralism and freedom of speech, universities become targets. Some institutions, like the Pedagogical University in Kraków, were politically captured. The fifth one is control of state-owned enterprises. These companies are filled with party loyalists and used as piggy banks to fund partisan political activity with taxpayer money. The sixth one is creation of loyal elites. Populist leaders promote individuals whose rise in the social hierarchy depends entirely on the party, ensuring their loyalty and dependence. This coincides with the destruction of pre-existing independent elites — a typical authoritarian tactic. The seventh method is appealing to base instincts. Populist parties exploit fears — of foreigners, migrants, religious minorities — to manipulate voters. Fear impairs perception and critical thinking, and increases tolerance for violence. It also excludes the possibility of educating the electorate, since doing so would imply they are lacking in some way. The eighth, final method is voter bribery. Populists distribute

²⁵ LEVITSKY, Steven and ZIBLATT, Daniel, *How Democracies Die*. New York: Broadway Books, An Imprint of the Crown Publishing Group, A Division of Penguin Random House LLC, 2019. ISBN-13: 978-1524762940. p. 5.

money through various social programs, which risks bankrupting the state. Over time, voters become accustomed to handouts and expect more, pushing the government to increase spending and fueling inflation. This occurred in Poland, where inflation reached 18.4% in February 2023, not solely due to the pandemic or the war in Ukraine.

This brief summary of populist strategy illustrates the immense difficulty of fighting such a party politically. However, populist politicians do make mistakes. The biggest one is their arrogant belief that they fully control the electorate and are guaranteed to stay in power. Arrogance and hubris – reflected, for example, in then-Prime Minister Beata Szydło's infamous claim that bonuses for her ministers were simply “deserved” – can be punished under favorable conditions. Such conditions emerged in Poland in 2023.

Before discussing them, it must be noted that PiS politicians tried to protect themselves against the loss of power by making institutional and legal changes, filling key positions with loyalists who could not be removed without the president's consent. President Duda remained loyal to PiS until the end of his term and made no gesture toward the institutional restoration of the Polish state after years of authoritarian populist rule.

The Reasons Behind the Ousting of *Law and Justice* (PiS) From Power in Poland

The remarkable success of removing Kaczyński's party from power was the result of a combination of factors.

First and foremost, voter turnout reached an exceptionally high level of over 74 percent (74.38%)²⁶, marking the highest participation in parliamentary elections in Poland since 1989. Young people turned out en masse, playing a decisive role in the defeat of *Law and Justice* (PiS). This vast civic mobilization reflected growing public concern over the increasing appropriation of the state and abuses of power. In Poland, for example, opposition figures were surveilled using Pegasus spyware, which was unlawfully purchased using funds from the Justice Fund – originally intended to support victims of crime.

Equally concerning were the highly strained relations between Poland under Kaczyński's rule and the European Union, which led to the suspension of EU funds

²⁶ Available from: <https://sejmsenat2023.pkw.gov.pl/sejmsenat2023/>. Viewed 04.07.2025.

from the Recovery Fund. Soaring inflation also played a critical role, as it significantly impoverished the population, especially the lower social strata. State television, headed by Jacek Kurski, provoked public resentment with its aggressive and partisan propaganda.

It must be noted, however, that Law and Justice received the largest number of votes and achieved the best result among all participating parties. This clearly shows that the party's supporters remain deaf to the many abuses committed while in power. Eight years of PiS rule, marked by a steady erosion of the rule of law and the construction of an increasingly authoritarian state, did not lead to critical reflection among its electorate²⁷. However, these years in power made it impossible for the party to form a coalition. No other party was willing to govern with Kaczyński's discredited formation, as doing so would have been tantamount to political suicide. Still, PiS continues to enjoy steady support of around 30 percent, largely thanks to its stronghold in rural areas and small towns. The victory of the October 15 coalition was made possible by the massive mobilization of citizens living in large and medium-sized cities. In one Wrocław district – Jagodno – voters stood in line until two in the morning to cast their ballots, due to a shortage of voting cards.

The defeat of Law and Justice was also made possible by Donald Tusk's return to Polish politics. Resuming leadership of the Civic Platform, he injected the party with renewed energy. Under its previous leader, Borys Budka, the party had proved weak and ineffectual in confronting Kaczyński's PiS. For example, when then-Prime Minister Beata Szydło ordered the removal of the European Union flag from the Prime Minister's Office, she later went on to become a Member of the European Parliament. Was this not a golden opportunity for Budka – the leader of the largest opposition party – to call out such staggering hypocrisy? And yet, Budka never seized it, although a shrewd politician might have ended every speech with a reminder of Szydło's actions – much

²⁷ It should be emphasized that even following the victorious parliamentary elections of 2023, the politicians of the coalition currently governing Poland have been unable to convey to the electorate of Law and Justice (PiS) the message concerning the abuses committed by PiS politicians during their time in office between 2015 and 2023. This segment of the electorate remains enclosed within its own informational bubble, which has proven resistant to disruption. This phenomenon signifies a marked departure from the patterns of political practice observed in Europe in earlier decades. At that time, those in power typically sought to conceal their own abuses; however, once they left office, the truth regarding their actions was brought to light, as it was revealed by the incoming governing authorities. In the present context, this mechanism has ceased to function. The electorate firmly aligned with Law and Justice refuses to acknowledge information concerning violations of the principles of the constitutional rule of law during that party's period in government. Any statements made on this subject by Prime Minister Tusk are instead dismissed as part of a so-called "Tusk conspiracy."

like Cato the Elder's repeated call to destroy Carthage.

In contrast, Tusk, despite his age, conducted an exceptionally vigorous campaign, traveling throughout the country. It's worth emphasizing that he was the most viciously attacked opposition politician by PiS. That remains the case today. State propaganda television "reported" daily that Tusk was serving German rather than Polish interests²⁸. The sheer volume of slander directed at the Civic Platform leader is hard to recount. All of this seems to have stemmed from Kaczyński's accurate assessment that Tusk was the only politician capable of taking power away from him. Without a doubt, the concentrated attacks on Tusk personally fueled a powerful determination in him to bring Kaczyński's rule to an end.

Of course, Prime Minister Tusk's government is a coalition, which inherently makes reconciling differing interests a major challenge. The coalition includes both the conservative *Polish People's Party* (PSL) and the *New Left*. Is it any wonder, then, that the left's call for legalizing same-sex marriages in Poland is, to put it mildly, not enthusiastically embraced by the agrarian party? The tensions and frictions within the governing coalition, and the ongoing need to manage them, certainly drain energy that could otherwise be used to more rapidly restore Poland's liberal democratic order.

The Process of Re-Democratization in Poland

The transition from an authoritarian state to a democratic one has so far proven to be an extremely difficult and slow process in Poland. The legal and institutional restoration of the Polish state and the return to a fully democratic system must take place in accordance with the existing law. Therefore, even if legal traps were set by the previous government and a parliament dominated by *Law and Justice* (PiS), they cannot simply be ignored but, unfortunately, must be respected. In the absence of cooperation from the President of Poland, this often creates a deadlock.

For example, the public media were taken over by the government of the October 15 Coalition, but the head of the National Broadcasting Council remains Maciej Świrski – appointed to the position by Law and Justice. Świrski calls himself a

²⁸ This largely explains Tusk's determination to regain control of public television in Poland from Law and Justice, which, employing all available means, had conducted a relentless campaign of attacks against him. The manner in which control over the broadcaster was assumed has raised concerns among legal experts both in Poland and abroad.

“Taliban” of that party. He is known, among other things, for blocking broadcasting licenses for the opposition TV station TVN, owned by American company Warner Bros. Discovery.

The Constitutional Tribunal also cannot be reformed without the cooperation of President Duda. Although the term of the infamous President of the Tribunal, Julia Przyłębska, has ended, the Tribunal under her leadership still managed to rule that the President of the National Bank of Poland, Adam Glapiński, cannot be brought before the State Tribunal. The current ruling October 15 Coalition had planned to do so, as Glapiński had violated the legal principle of political neutrality. He openly supported the Morawiecki government financially through the National Bank of Poland during the pandemic. Przyłębska’s Tribunal also ruled that one of the parliamentary investigative committees established by the current coalition to investigate opposition surveillance was illegal. As a result, individuals linked to Law and Justice who were involved in the surveillance stopped appearing before the committee, citing the Tribunal’s ruling.

All the Coalition can do in such cases is delay publishing Tribunal rulings and refrain from appointing new judges. Even the end of Przyłębska’s term did not resolve the situation, as she was replaced by Bogdan Świączkowski – the closest associate of the infamous Minister of Justice, Zbigniew Ziobro.

These examples – and many others – led Prime Minister Tusk to adopt a strategy based on waiting out President Duda’s term and beginning a dynamic reform process after the election of a new president. This strategy was, of course, based on the assumption that Civic Coalition candidate Rafał Trzaskowski would become the new president. It also assumed that anti-PiS sentiment would persist among the majority of the public, despite unfulfilled campaign promises – including the promise to hold the previous authoritarian, populist government accountable.

This strategy turned out to be flawed. Some voters of the October 15 Coalition became discouraged and did not vote. The presidential election was won by the candidate put forward by Law and Justice, which casts serious doubt on the feasibility of a successful re-democratization process.

Prime Minister Tusk has announced that the process of holding former officials accountable will continue, although it is also difficult because the leader of the Civic Coalition wants it to be carried out according to the letter of the law, and not be perceived as political revenge. As he stated in his *exposé* on June 11, 2025: “We will do everything according to the law. We will pursue those responsible for

abuses, not political opponents. But there will be no mercy, no leniency for those who deserve punishment”.

Tusk also emphasized that *"The accountability process is unprecedented in Polish history and unprecedented among European countries."* On the day of his address, he revealed that charges had already been formulated against former PiS Prime Minister Mateusz Morawiecki and seven members of his cabinet. Parliamentary immunity had also been lifted for eleven MPs. Naturally, if the new President of Poland, Karol Nawrocki, wishes to protect the former Prime Minister Morawiecki and the accused parliamentarians, he has the power to do so through the right of pardon.

Conclusions

In light of the analysis presented, it becomes clear that the transition from populist authoritarianism to liberal democracy is an extremely complex process.

The first reason for this lies in the legal and institutional traps left behind by populist governments. While populist politicians tend to disregard existing legal frameworks – such as shortening the terms of office or outright dissolving institutions to install loyalists – democratic political actors must act strictly within the bounds of the law.

Secondly, the transition process requires a strong and decisive political will on the part of the reformers. However, democratic governments are highly likely to be coalition governments, as defeating populists with a single opposition party is extremely difficult. Achieving a parliamentary majority usually necessitates an alliance of several parties. Unfortunately, the interests of coalition partners often diverge significantly, which slows down or weakens the momentum for restoring legal and institutional order within the framework of liberal democracy.

Thirdly, in Poland's case, a successful return to a liberal democratic system requires unity of power in both the executive (government) and presidential branches. This is because the Polish president holds veto power. Since this condition has not been met – due to the presidential election victory of Karol Nawrocki, nominated by Jarosław Kaczyński – the chances for a successful democratic transformation have dropped significantly.

Moreover, it is quite possible that in the next parliamentary elections in Poland, scheduled to take place in two years (unless the term is shortened), Law and Justice

(PiS) will once again emerge victorious. Nawrocki's win may signal a broader trend of renewed support for populist forces, potentially initiated by Donald Trump's second presidential victory in the United States. If the scenario of Kaczyński's party returning to power – possibly in coalition with the far-right Confederation Party – materializes, it is highly likely to mark a permanent departure of Poland from liberal democratic governance and a deepening into Eurosceptic, right-wing, populist authoritarianism.

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