

Populist Foreign Policy and its Consequences: The Case of Poland Under the Rule of The Law and Justice Party*

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Abstract

The rise of populism makes it necessary to study its influence on international relations. This concerns in particular the new members of the EU and NATO in Central Europe, which have witnessed a “democratic backsliding” since 2010. The analysis of Polish foreign policy under the rule of Law and Justice brings important insights into that issue. Polish authorities have critically assessed the achievements of Polish diplomacy since 1989 and Polish diplomats, have been considered to be elitist and cosmopolite. Polish foreign policy looks for enemies, rather than for partners – both at state (Russia, Germany) and non-state level (immigrant-refugee threat). Polish authorities are critical in particular towards the EU, which is considered to act in favour of Germany and France and against Poland’s sovereignty. A growing isolation of Poland is to be counterbalanced by a reliance on politically irrelevant (Hungary) or distantly remote partners (United States under Donald Trump). The foreign policy of Law and Justice is largely ineffective: relations with most European partners have deteriorated, because of its isolation and deterioration of democratic standards Poland has become more vulnerable to Russian pressure and finally since the electoral victory of Joe Biden, Poland cannot count any more on the support of the US.

Keywords

Poland, European Union, Law and Justice, Populism, Foreign policy

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Introduction

The rise of populism makes it necessary to study its influence on international relations (Stengel, MacDonald & Nabers, 2019). This concerns in particular the new members of the EU and NATO in Central Europe, which have witnessed a “democratic backsliding” since 2010 (Cianetti, Dawson & Hanley, 2018). The analysis of the foreign policy of Poland under the rule of the Law and Justice party brings important insights into that issue.

Law and Justice¹ won both the presidential and parliamentary elections in 2015 and again in 2019 – 2020. Its victory may be considered a cultural backlash against “long-term ongoing social change”. Since coming to power, Law and Justice has drawn on its parliamentary majority to dismantle democratic checks and balances – this concerned in particular the independence of the justice system (Sadurski, 2019). Law and Justice has built its popularity in particular on anti-elitism, nationalistic discourse, social spending and intense propaganda in state media (Krekó, Molnár, Juhász, Kucharczyk & Pazderski, 2018). Its policies have also led to intensifying xenophobia, aggressive nationalism, and unprecedented polarization that have engendered deep splits within Polish society (Fomina & Kucharczyk, 2016). The president of the ruling party Jarosław Kaczyński, since 2020 the deputy prime minister responsible for the security sector, has become the strongman of the country (Sata & Karolewski 2020). Poland is one of very few EU states which have governments solemnly formed by the populist parties (Timbro, 2019). According to research conducted by the Swedish V-Dem Institute, a think-tank based at the University of Gothenburg, the Law and Justice party is currently one of the most populist and anti-liberal (anti-democratic) political forces among the ruling parties in the Western world (Lührmann, et al., 2020; Stanley & Cześniak, 2019).

The Law and Justice party has also considerably reshaped Poland’s foreign policy. The aim of this paper is to analyse the main features of the Law and Justice foreign policy, as well as their consequences for Poland and its main partners. This task will be largely realised through the lenses of the existing literature on the foreign policies of populist regimes.

Analytical framework

Populism is a “political program or movement that champions, or claims to champion, the common person, usually by favourable contrast with a real or perceived elite or establishment”, combining the left and the right. It can designate either democratic or authoritarian movements, the latter form being more popular in our times (Britannica, n.d.). The mainstream form of populism is embodied by strong male leaders (Juan Perón – Argentina, Silvio Berlusconi – Italy, Donald Trump – United States) (Mudde & Kaltwasser, 2017).

Populism can be interpreted either as an ideology or worldview, either as an electoral strategy or a type of political discourse. Populists often refer to some nationalist ideas (the “nation” being assimilated with the “people”) or socialism (the “people” being those

1 The Law and Justice (PiS) headed by Jarosław Kaczyński is the dominant political party within the United Right alliance, which was established by PiS, United Poland of Zbigniew Ziobro and Agreement of Jarosław Gowin. The Agreement left the United Right in 2021.

who particularly need state help) (Moffitt, 2020). It shall not be however confused with related concepts, such as nationalism, nativism or Euroscepticism (Rooduijn, 2019). It is frequently interpreted as an answer to the weaknesses of the contemporary liberal democracy, as the rise of populism is fuelled by those who feel excluded, alienated from mainstream politics, and increasingly hostile towards minorities, immigrants and neoliberal economics (Eatwell & Goodwin, 2018). The 2008 recession played a key role in discrediting the neoliberal agenda, which explains the rise of populism during last decade (Judis, 2016).

While a large body of literature has focused on the effect of populism on national politics, less is known about the impact of populism on foreign policy. Populism is a “thin” ideology, so much depends on a larger ideological framework adopted by a particular populist regime (Mudde & Kaltwasser, 2017; Wehner & Thies, 2020). Some elements common to most populist foreign policies can however be defined.

Populist foreign policy does represent a substantive rupture with the international political orientations of traditional parties (Giurlando, 2020). Governing populists often prioritise domestic politics and often refer to “undiplomatic diplomacy” (Cadier, 2019): professional diplomatic service is being marginalised in favour of personal contacts and “diplomacy of microphones”, while diplomacy is defined in terms of support for the regime (Cooper, 2018). Moreover, under populist rule external policy becomes highly personalised, especially when it concerns the decision-making (Destradi, Plagemann, 2019). Donald Trump honed a highly personalised style of political communication, claiming, ‘I am the only one that matters’ (Löfflmann, 2019; Boucher & Thies, 2019).

Besides, under the populist rule, foreign policy is based on divisions, simplification and emotionalisation, frequently referring to the identity discourse of Self and other (Wojczewski, 2020). It is also often nationalist in character. Especially right-wing populism refers to nativism, opposition to immigration, focus on national sovereignty, and rejection of economic and cultural globalisation (Chryssogelos, 2017). Some populist forces like Five Stars Movement in Italy however do not refer to nationalist discourse (Verbeek, Zaslove, 2018). Many populist leaders are critical towards international and regional cooperation, especially integration projects such as the European Union (Balfour, et al., 2016). Such a situation is due to the fact that globalisation processes weaken the effectiveness of state authorities, which has contributed to the growing popularity of populists, who claim to be able to stop or reverse this process and to recover sovereignty (Stengel, MacDonald & Nabers, 2019).

Even if populism is often associated with nationalism and/or isolationism, in practice it is not always the case (Chryssogelos, 2017). The populist leaders seek cooperation with their fellows, as well as with great powers critical towards the US-dominated neoliberal order, such as Russia or China (Cooley & Nexon, 2020). A number of European right-wing parties are supported by the Russian Federation (Stengel, MacDonald & Nabers, 2019). Moreover, the populist claim they aim at defending their civilisation. The Turkish Justice and Development Party (AKP) argues that Islamic civilisation could resist the universalisation of Western norms with Turkey, the heir of the Ottoman Empire, seated at the centre of this civilisational reawakening (Hakkı, 2020).

Last but not least, the populist foreign policy tends to be ineffective, as words, emotions and leaders seem to count more than the realisation of the proclaimed aims (Kane & McCulloch, 2017).

Poland's foreign policy 1989 – 2015

Up to the end of the 1980s, Poland had been a member of the communist bloc and its structures: the Warsaw Pact and Council of Mutual Economic Assistance. From 1989-1991, the geopolitical situation changed fundamentally, as the Soviet bloc and later the USSR disappeared. In that context Poland aimed for the realisation of the four main goals in its foreign policy: sovereignty, security, prosperity and international position (Kuźniar, 2009).

The first aim was basically realised at the beginning of 1990s. In June – July 1991 the Comecon and the Warsaw Pact were disbanded in particular under the pressure of Poland and other Visegrad countries. Poland also signed friendship and cooperation treaties confirming the existing borders with all its old and new neighbours: Germany (which became quickly its main European partner)², the Czech Republic, Slovakia, Ukraine, Belarus, Russia and Lithuania (Marczuk, 2019). In September 1993 the last Russian (formerly Soviet) troops left Poland, which confirmed that Poland was a fully sovereign country.

The first official declarations of Poland's desire to accede to NATO were formulated in 1992. The prospect of expanding NATO eastward was initially evaluated unfavourably by NATO member states, particularly because of a strong objection from Russia. The alliance looked for an alternative solution. In 1994, it launched its Partnership for a Peace program, which Poland joined in the same year. Attitudes towards the aspirations of Central European states changed in the mid-1990s, especially in the United States. In 1997, Poland, the Czech Republic and Hungary were all invited to join NATO and became members two years later. Since then, NATO has been perceived as a key instrument of Poland's security policy. It should be emphasised that the guarantees resulting from the Washington Treaty are relatively weak, since they do not provide for an obligation to provide military assistance; each NATO member state decides for itself what form of assistance is necessary. There is no certainty as to how NATO would react to a conflict of low intensity (a "hybrid war") on the pattern of that Russia has waged against Ukraine. In order to meet that challenge, Poland has been making efforts to reinforce the guarantees of its allies, in particular to strengthen ties with the US.

In 1991, Poland signed an association agreement with the European Communities that established a free trade zone between the signatories and recognised Community membership as a goal of Polish policy. That agreement entered into force in 1994. In the same year, Poland submitted a formal application on accession to the EU. In 1997, the European Commission proposed that negotiations be commenced with the most promising candidate countries, including Poland. Talks began a year later and concluded successfully in 2002 at a summit of the European Council in Copenhagen. This process demanded considerable efforts from Poland. The adoption of the *acquis communautaire*

2 In case of Germany two separate agreements were signed: the border treaty (1990) and the friendship and cooperation treaty (1991).

(20,000 laws, decisions and regulations spanning nearly 80,000 pages) was one of the clearly stated conditions of accession (Zielonka, 2009). In 2004 Poland along with nine other Central and Southern European countries officially joined the EU. Accession to European Union was perceived as confirmation of Poland's successful transformation and of its status as a European country and part of the West. Seventeen years after joining the EU, Poland remains one of the poorest member states: Poland's per capita GDP is just 46% of the EU average (Eurostat, n.d.). Because of its demographic potential and economic condition, Poland is the largest recipient of EU financial aid. From 2014-2019 the difference between its contributions to the EU budget and the transfers it received was 49 billion euros (European Commission, n.d.). Financial transfers from the EU have considerably contributed to the development and modernisation of Poland.

If the quest for sovereignty, security and prosperity proved to be relatively successful, the strengthening of Poland's international position has been much more difficult to achieve. Such a situation was due to the lack of both a clear road map and a political consensus among the main political forces on how to do it. The Democratic Left Alliance (SLD) which ruled the country from 1993 to 1997 and again from 2001 to 2005 opted in particular for a close cooperation with the United States. This band-wagoning strategy led to Polish support for the American led intervention in Iraq in 2003 (Kuźniar, Szeptycki, 2005). The Civic Platform (PO) in power from 2007 to 2015 believed in the need for strengthening ties with the main EU partners such as France and Germany. This policy bore fruit both on a state and personal level: Poland became an active player within the EU (Eastern Partnership initiative) and in 2014 the leader of the Civic Platform prime minister Donald Tusk became the president of the European Council. He was the first (and the only until today) representative of the new member states to occupy one of the key posts within the EU.

All major political forces (both SLD, PO and Law and Justice, when it was in power from 2005 to 2007) attached importance to the relations with Eastern European states, in particular Ukraine. Poland aimed at strengthening the ties between Ukraine (and in a lesser way other post-Soviet states) and the EU and NATO, believing this would speed up the process of reforms in the region, stabilise the post-Soviet space, contributing positively to the security of Poland, and finally weaken the influence of Russia over the post-Soviet space (Szeptycki, 2019). Relations with the Russian Federation were always conflictual, even if attempts were made to improve them, as in 2010 after the crash of the presidential plane with President Lech Kaczyński onboard near Smolensk in Russia. Since the beginning of the Russian aggression against Ukraine in 2014, Russia was perceived as an important challenge for Poland (*National Security of the Republic of Poland*, 2014).

A “new” foreign policy

The Law and Justice critically assessed the foreign policy of its predecessors, especially the Civic Platform. Its political program from 2014 claimed that “the basic problem that affects Poland today in the sphere of international politics is the loss, through the fault of the rulers, of the tools for an independent realisation of national interests (...).” (*Program Prawa i Sprawiedliwości*, 2014). Law and Justice argued that Poland freely subjugated itself to the main EU players. It accused the previous government in particular of

clientelism towards Germany and failed reset policy towards the Russian Federation. That is why it proposed changes within the foreign policy area: a new law on the instruments guaranteeing Poland's sovereignty, in particular within the EU, organisational changes within Polish diplomatic service and a new concept of foreign and security policy.

The Polish diplomatic service indeed underwent major changes. Law and Justice did not trust professional diplomats, believing they had been too close to the previous governments – both before and after the fall of the communism. That is why after 2015 key posts in the diplomatic service went either to people supporting Law and Justice (Andrzej Przyłębski, since 2016 the ambassador to Germany, in private, the husband of Julia Przyłębska, put by Law and Justice at the head of the no more independent Constitutional Court) or activists and scholars who knew the countries they were being sent to, but had little diplomatic experience (Włodzimierz Marciniak, a professor of political science, the ambassador to Russia in 2016 – 2020). Loyalty towards Law and Justice has become an important criterion of assessment of the new diplomats (Barcz, et al., 2018). This was only one of the elements of the “elite replacement”: the purging of the individuals and networks associated with the before 2015 period and their replacement with an alternative, more authentic and legitimate elite, whose actions can be influenced and steered and can be trusted to serve the ruling party agenda (Stanley & Cześniak, 2019). According to the new law on the diplomatic service, diplomats will be political appointees, probably from outside the Ministry of Foreign Affairs (Wiejski, 2021).

At the same time, the role of the MFA has progressively decreased. The first foreign minister nominated by Law and Justice Witold Waszczykowski (2015 – 2018) was both a prominent party member and a former diplomat – ambassador in Iran (1999 – 2002), deputy foreign minister (2005 – 2008). His successor Jacek Czaputowicz (2018 – 2020) was a professor of international relations and a former head of the well-known National School of Public Administration; he was also for some years an employee of the Polish MFA, mainly in the Department of Strategy and Analyses. Jarosław Kaczyński called his nomination “an experiment”. Czaputowicz was replaced by Zbigniew Rau, a professor of law specialising in political doctrines and liberal theories, and a secondary rank politician of Law and Justice with no international relations related experience (Traczyk, 2020). The competences of the Ministry of Foreign Affairs were also formally and informally reduced. In 2019 the European (EU) section of the MFA was transferred to the Prime Minister's Office (Polska Agencja Prasowa, 2019). Since 2017 when he became the prime minister, it has been Mateusz Morawiecki who has run the European policy, while the president Andrzej Duda has largely been responsible for relations with the US. Besides several major political initiatives having implications for foreign relations (like the amendment of the law on the Institute of National Remembrance) were taken out of the MFA, in particular at the Ministry of Justice. The Ministry of Foreign Affairs has had little influence on these issues, even if it has had to manage their often-negative consequences.

The main directions were partially redefined. Under Law and Justice Poland was no longer an engine of European integration, nor did it seem to value its relationships with Germany and France (Zwolnski, 2017). However, it recognized Russia as “the most serious threat”, because of its neoimperialism, pursued also by means of military force (*National*

Security of the Republic of Poland, 2020). It also remained attached to the alliance with the US.

Another peculiar feature of the Law and Justice foreign policy is the fact it did not become highly personalised like in some other countries ruled by populist regimes. Such a situation was due to three reasons. Firstly, until 2020 Jarosław Kaczyński held no formal position within the executive branch of power, so he had limited opportunities to deal with foreign relations (he met however, more than once, the Hungarian prime minister Viktor Orbán (Foy & Buckley, 2016)). Secondly, he has little foreign experience (Wall Street Journal, 2007), which seems to be one of the reasons why he is distrustful towards other countries. Thirdly, the leader of the Law and Justice is not a typical alpha male like some other contemporary populist leaders (Rutland, 2016) – he seeks power, but not necessarily glory. Since 2015 Poland’s foreign policy has been realised mainly by the prime minister – Beata Szydło, later Mateusz Morawiecki and the president Andrzej Duda, even if the key decisions have been certainly consulted and accepted by Kaczyński.

Self and Other

The Law and Justice uses identitarian discourse, which is based on the fear of enemies, traitors and threats, such as the LGBT community, migrants or international organisations. It creates the image of a Manichean world that justifies the concentration of power in the hands of the ruler, portrayed as the bastion of the nation (Sata & Karolewski, 2020). It also stresses the importance of Poland’s sovereignty and wants its foreign partners to respect it (Nyssönen, 2018).

Such an approach is visible in particular in relations with the EU. According to the Chapel Hill Expert Survey, the Law and Justice is opposed or somehow opposed to the European integration (Bakker, et al., 2020). The EU is claimed to act against the notion of popular sovereignty; it is equated with “the corrupt elite” that stands in conflict with “the pure people”, the Poles (Csehi & Zgut, 2021); the aim of this elite is supposedly to create a “unified Europe”, to impose a left-wing social model, i.e. to get rid of tradition, historical consciousness, patriotism, belief in God and a normal family between a man and a woman (Sata, Karolewski, 2020). Law and Justice ideologists opt for a radical reform which would guarantee the primacy of intergovernmentalism in the EU (Balcer, 2019). Since 2015 Poland has clashed with the European Union on some major issues, such as the refugee crisis, the rule of law, the new green order or the EU budget. Since the refugee crisis in 2015, Poland has consistently rejected the proposals of the mandatory relocation of asylum seekers from Southern Europe (Brzozowski, 2020). Despite criticism from the EU institutions, the Law and Justice party progressively has put the Polish justice system under its control, taking over in particular the Constitutional Court, the Supreme Court, as well as the National Council of Judiciary (Kovács & Scheppele, 2020). Being heavily reliant on coal, Poland did not join the European Council (2019) agreement on achieving a climate-neutral EU by 2050, even if it softened its position on that issue in 2020 (Simon, 2020). Finally, Poland threatened to veto the EU budget for 2021 – 2027 and the post-pandemic recovery plan if access to the European funds was to be conditioned by respect for the rule of law (Wanat, 2020).

Germany is especially often the target of Law and Justice discourse. The critique of Germany focuses on four main topics. Firstly, on the difficult history of the two countries

(Cadier & Szulecki, 2020), especially the period of the Second World War; PiS claims that despite huge losses during that period Poland never received war reparations from Germany (Kostrzewa-Zorbas, 2018). Secondly, on its supposed collusion with Russia, which is embodied by the Nord Stream 2 project (Fritz, 2020). Thirdly, on its policy within the EU. According to the Law and Justice party, Germany is actually following its national interests but “masquerading” them as “European” ones and seeking to stop other countries from following their own national interests (Varga & Buzogány, 2020). Fourthly, on the role of the German-owned media in Poland, in particular on their criticism towards the Polish government, which – in the opinion of the latter – is politically motivated (The Economist, 2020).

Law and Justice political discourse is also directed against immigrants, especially those from Northern Africa and the Middle East. The migration crisis in 2015 and the massive arrival of asylum seekers from these regions was presented by party officials and party affiliated media as a “raid”, a “conquest” and “penetration”. Jarosław Kaczyński argued that “various parasites and protozoa in the bodies of those people [refugees], safe for them, can be dangerous to us” (Sata, Karolewski, 2020). Such a situation led to a kind of Islamophobia without Muslims (Goździak & Márton, 2018).

Poland had been traditionally weary of Russia. The Law and Justice party however developed and modified the anti-Russian narrative. It criticised the aggressive policy of the Russian Federation (Duda, 2017). At the same time, it continued to draw a link between Russia and its internal political opponents. Before coming to power, it had developed a narrative of betrayal which insinuated collusion between the Civic Platform government and the Russian authorities in concealing the “truth about Smolensk” and even at times implied that both sides had conspired in Lech Kaczyński’s assassination (Stanley, Cześniak, 2019). Some intellectuals close to the state authorities also claimed that the Polish state had been penetrated by “grey networks” of former communist security services and the public protests against PiS could be seen as a form of hybrid war Russia allegedly was leading against Poland (Sata, Karolewski, 2020).

Under Law and Justice Poland continued to support Ukraine. It lobbied in favour of sanctions against the Russian Federation imposed in particular by the EU after the illegal annexation of Crimea and the beginning of the war in Donbas. It also supported the development of ties between Ukraine and the EU, as well as the process of internal reforms in that country. Polish-Ukrainian relations were however considerably hampered by the historical policies of both countries. Poland argued that it could support Ukraine, only if the latter recognised the “historical truth”, i.e., the interpretation of the common past which would conform to scientifically established facts and Polish historiography. In 2016 the lower house of the Polish parliament (*Sejm*) recognised the ethnic cleansing perpetrated by the Ukrainian underground in Volhynia and Eastern Galicia (currently Western Ukraine) in 1943 – 1944 on the local Polish population as genocide. Polish-Ukrainian relations have improved since 2019 when Volodymyr Zelenski replaced Petro Poroshenko as the president of Ukraine (Szeptycki, 2019).

In search of allies

Despite its Manichean vision of the world, Poland needs partners, in particular within the EU. In this context a special place goes to Hungary. Since 2010 when Viktor Orbán

came back to power in Hungary as prime minister and embarked on a radical set of reforms that departed significantly from liberal-democratic norms, his policies have become an example for the Law and Justice. In 2011 Jarosław Kaczyński declared that “Budapest-on-the-Vistula” would emerge, and he has basically kept his promise (Stanley, Cześniak, 2020). Poland and Hungary need each other to face criticism from the EU institutions. The leaders of the two countries have stressed more than once the “friendship” uniting Poland and Hungary, both in the 19th – 20th century and in present times (Nyyssönen, 2018). The Polish government has backed Hungary in its anti-refugee politics since 2015, even if Poland was not located on the Balkan migration route (Sata & Karolewski, 2020). Both countries have also been opposed to linking access to the disbursement of EU funds to compliance with the rule of law. However, in December 2020 they have agreed for this solution on the condition that it would not be triggered until the European Court of Justice had ruled on the legality of this mechanism (Zalan, 2020). Nevertheless, Poland and Hungary do not agree on all the major issues. Firstly, they disagree on relations with Russia: Law and Justice perceives it as a threat, and the Hungarian Fidesz regards cooperation with the Russian Federation as a counterbalance to deteriorating relations with the EU (Varga & Buzogány, 2020). Secondly, in 2017 Orbán did not back the Polish authorities when they tried to prevent the reelection of Donald Tusk to the post of the president of the European Council. In consequence Poland was the only member state to oppose this candidature (The Economist, 2017).

Poland and Hungary are both members of the Visegrad Group. To a certain extent this forum plays a similar role in Poland’s policy like Hungary or at least Poland would like it to be so. The Czech Republic and Slovakia have faced similar challenges like Poland and Hungary (populism, deterioration of democracy) albeit to a more limited degree (Pakulski, 2016). All four countries opposed the imposed quota mechanism to relocate refugees (Schmidt, 2016), which has contributed to the strengthening of the subregional identity (Braun, 2020).

In 2015 Poland and Croatia initiated the creation of the Three Seas Initiative, which brings together 11 post-communist members of the EU and also Austria (Górka, 2018). It focuses on energy projects as well as transport and digital infrastructure (Zbińkowski, 2019). This initiative is an expression of Poland’s desire to attain the great power position in the region and to counterbalance the Western European states (Zięba, 2019). It also has been often presented by the right-wing intellectuals as the realisation of the Polish between the war project of *Intermarum* (Varga & Buzogány, 2020).

Under the Law and Justice party, Poland has adopted an unanimously pro-American foreign policy. Basically, such an attitude hasn’t differed much from the pre-2015 one, however the context has changed considerably because of the deterioration of the transatlantic relations under the presidency of Donald Trump. Such a policy has been explained by both strategic (fear of Russia) (Lanoszka, 2020) and internal reasons (real and supposed similarities between Law and Justice and Trump administration (Kowal, 2019)). This policy led Poland in particular to propose the creation of a permanent American military base on its territory, which would be called Fort Trump (Cowell, 2018), but this proposal was not accepted by the United States.

Limited effectiveness

The foreign policy of the Law and Justice party has achieved some achievements. According to the decisions of the North Atlantic Warsaw summit in July 2016, NATO has considerably strengthened its presence in Poland. In 2019 Poland hosted some 3300 allied soldiers (The International Institute for Strategic Studies, 2020). Such a situation was due however rather to the evolution of the Alliance since the beginning of the Russian aggression against Ukraine (Friis, 2017) than to the efficiency of Law and Justice's diplomacy. The Three Seas Initiative remains the only major international project launched by Poland since 2015. Nevertheless, its value should not be overestimated, especially taking into account the fact that it does not include Poland's Eastern neighbours, in particular Ukraine (Szeptycki, 2019).

The overall assessment of the Law and Justice foreign policy is more critical. The internal situation in Poland, in particular the disrespect for the rule of law and growing control over the media, led to conflict with the EU institutions and the US. It also had a negative influence on Poland's image and position within the Union. From 2015 to 2020 its ranking in the World Press Freedom Index worsened from 18th to 62nd place out of 180 countries analysed (Reporters without Borders, n.d.). In the past, Poland actively co-shaped EU politics, the Eastern Partnership (Korosteleva, 2014) – The EU program towards six post-Soviet neighbours (Ukraine, Belarus, Moldova, Georgia, Armenia, Azerbaijan) launched on the initiative of Poland and Sweden in 2009 – being the best example. In 2017 it became the first EU country to be targeted by the Treaty of the European Union article 7 procedure which may lead to the suspension of certain rights of a member state in the case of a serious and persistent violation of EU values (Moberg, 2020).

The growing amateurism of Polish diplomacy and its realisation out of the Ministry of Foreign Affairs has led to major crises in relations with foreign partners. In 2018, on the initiative of the Ministry of Justice, the Polish parliament amended the law on the Institute of National Remembrance. The amendment penalised public speech which attributed responsibility for the Holocaust to Poland or the Polish nation and the members of the Ukrainian underground were compared to Nazis and communist criminals (Grzebyk, 2017). These changes were negatively received in the US, Israel and in Ukraine which forced Poland to step back – the controversial amendment was partially changed by the parliament and partially recognised as contrary to the constitution – and thus not valid - by the Polish Constitutional Court (Hackmann, 2018).

The role of personal relations, visible in particular in its policy towards the US, brought also some undesirable effects. Polish authorities adopted a policy unanimously favourable to Donald Trump and they bet on his reelection in 2020. President Andrzej Duda congratulated Joe Biden on his victory only after the Electoral College officially elected him to the post of the president of the US, i.e., more than a month after the elections in the United States (Polskie Radio, 2020). Such an attitude had a negative influence on Polish-American relations, especially taking into account the fact that the Biden administration is more sensitive to democracy and rule of law than its predecessors. However, the US will probably remain a key partner of Poland, in particular because both Biden and the Law and Justice party are distrustful towards Russia (Buras, 2020).

Polish policy towards the Russian Federation is an example of another weakness. Poland perceives Russia as a major threat and seeks its partners support on that issue. Several EU members are in favour of more pragmatic cooperation with Russia, but this is not the key problem. Firstly, if Poland asks for European solidarity in relations with the Russian Federation, it rejects a similar approach in relations to the asylum seekers influx, which makes its Eastern policy less credible. Secondly, the deterioration of relations between Poland and the EU weakens the European Union, which serves the interests of Russia.

Finally, it should be noted, that the Law and Justice party does not propose any larger “civilisational” project. Its criticism towards the European Union is “value-based”, at least on the discourse level. Poland confronts EU institutions with the Christian heritage of the continent and criticises the EU for not reflecting this heritage (Varga & Buzogány, 2019). In this context Poland is presented as a harbour of true Western (European) values. This approach however does not translate into any concrete project aiming at defending Western civilisation or bringing it a spiritual revival. The policy of Polish authorities largely focuses on defending Poland against the “illness” which has struck several countries in the West (Balcer, 2019). The Law and Justice has aimed at bringing together the Eurosceptic forces within the EU (French National Rally, Spanish Vox, Hungarian Fidesz etc.), but for the moment this policy has not brought any tangible fruit.

Conclusions

The analysis of the external policy of Law and Justice confirms the basic scientific assumptions related to populist diplomacy, such as the rejection of the foreign policy of traditional parties, identitarian discourse of Self and Other, need of alliances with other populists and enemies of the neoliberal order and finally the limited efficiency of populist foreign policy.

Some specific features of the Polish foreign policy under Law and Justice however are to be noted. Firstly, the ruling party in Poland sticks to some priorities of Polish foreign policy from before 2015 (alliance with the US) even if they are understood/realised in a different way. Secondly, Polish foreign policy is not being fully defined and realised by the strongman Jarosław Kaczyński, even if he is being consulted on the key issues.

The analysis of the foreign policy of the Law and Justice party brings also some important insights into populism in the European Union. As European integration is being realised largely through the approximation of legal systems, the field of law, especially the question of the rule of law, has become one of the major subjects of discord between the Polish authorities and the EU institutions. The latter proved ineffective in enforcing the rule of law principle in Poland or Hungary (Ágh, 2018). The rise of populism in the region is a major challenge for the European Union, deepening longstanding divides and harming the support citizens of the region give to the EU (Balcer, 2019). This concern in particular in the case of Poland, which is the only “big” country among the new member states and one of the few which successfully coped with the international economic crisis in 2008 and later (Ágh, 2018).

Poland’s anti-European turn can be explained by its struggle for a greater status and recognition as a “middle power” (Nyyssönen, 2018). It is also another aspect of the

previously mentioned backlash against long-term ongoing social change, represented in particular by membership of the EU. The West, Ivan Krastev and Stephen Holmes noted, believed it could change “the East” like Bernard Shaw’s Pygmalion; instead, it acted like Doctor Frankenstein “assembling replicas of human body parts into a humanoid body”, which has turned against its creator (Krastev, Holmes, 2019).

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