

# Key Actors, Institutions and Decision-making in Poland's Security Policy

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## Abstract

*The article describes constitutional changes influencing key actors and relationships – post-1989 changes in the Polish political system, especially the changing role of the President and civilian control and oversight over the military, intelligence and law enforcement apparatus. Other reforms are also discussed, related to NATO and EU accession, along with major activities such as participation in military operations in Iraq and Afghanistan. Regarding stakeholders, the chapter shows the role of key actors: the President (and the National Security Bureau as well as the National Security Council), the Prime Minister, and the following ministers: defence, international relations and internal affairs as well as Parliament (with special regard to four parliamentary committees (national defence, justice and internal affairs, international affairs and intelligence services oversight) of the lower chamber of Parliament (Sejm). The role of other stakeholders with special regard to special interest groups (in security policy in Poland there are two important kinds of actors in this respect: industry and their lobbyists, and, to a lesser extent, NGOs) is also considered.*

## Introduction

This chapter describes the role of key actors – especially executive bodies, legislative and other stakeholders in the decision-making process in the Polish foreign and security policy. The first part shows the evolution of the contemporary political system, the second is devoted to the description of major stakeholders and formal and informal rules governing their actions. Finally, the third one shows how this system works using two selected cases as examples.

## Historical overview

Contemporary Polish foreign relations and security policy is a result of the evolution of the said policy after the fall of communism. That evolution was twofold. On the one hand,

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there was the process of creating a new internal political system, which generated new institutions. On the other hand, there was also the process of changing orientation in terms of foreign policy and military alliances.

Poland in January 1989 was a typical authoritarian country, where actual political decisions were not made by formal bodies like Parliament or government, but by high-ranking members of the ruling party – the Polish United Workers Party (PUWP).<sup>2</sup> The *de facto* head of the state<sup>3</sup> was the First Secretary of the Central Committee of the PUWP and the main collective body – a kind of “super government” – was the Political Bureau of the PUWP. Members of this body usually held other offices or were members of parliament, but those functions were less important than their position in the party.

In 1989, due to the Round Table Agreements, several changes were introduced. The Parliament, which until then had one chamber was extended and the Senate was created. The executive was reformed, too, and the office of the President, elected by the joint chambers of Parliament, was created.

In the 1989 parliamentary elections, 65% of the seats in the Sejm were reserved for PUWP and its allies, while the rest was subject to free election and were ultimately won by the united list of the anti-communist opposition. The Senate was to be elected in fully free elections and the opposition won this election by a landslide, no candidate from PUWP was elected there. To balance the situation, the First Secretary of the PUWP, General Wojciech Jaruzelski was elected to the office of President. As such, he was given wide prerogative powers, including those related to military and foreign policy (DUDEK 2018, 26–67). This situation lasted only a year. After that, two satellite parties of the PUWP, the United People's Party and the Alliance of Democrats changed alliances and supported the candidate of the opposition, Tadeusz Mazowiecki for Prime Minister. As a result, the new cabinet dominated by this new coalition was formed, however, with the participation of PUWP members, including ministers of defence and internal affairs. With the fast collapse of Communism in Poland and Europe, Jaruzelski resigned and free presidential elections in 1990 were held. Lech Wałęsa won these elections.

A year later fully free parliamentary elections were held. The former opposition was no longer forming a united coalition. This resulted in a highly fragmented Parliament, with frequent no-confidence votes towards ministers and the entire cabinet. This made the position of the president even stronger.

In 1992, provisional constitutional rules called the “Small Constitution” were adopted implementing basic rules of parliamentary control over the cabinet, but the President remained a strong actor. For example, he was granted powers to dissolve Parliament. In foreign and security policy, the President had a unique privilege, because in the process of forming the cabinet, candidates for three positions, i.e. the Minister of Defence, Minister of Foreign Affairs and Minister of Internal Affairs, were to be “consulted” with the President. That rule, combined with the personality and leadership style of Lech Wałęsa who interpreted this rule as a permission to appoint his own candidates, led to the emergence of “Presidential

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<sup>2</sup> Smaller and less important satellite parties existed, but until 1989, they were not politically relevant.

<sup>3</sup> Until 1989, Poland had a collective head of state, in the form of the so-called Council of State of the Republic of Poland.

Ministers”. However, the relationship between the President and cabinets were stormy. One of the problems was that in the early 1990s, the cabinet was the weakest and most vulnerable political actor, due to frequent elections (1989, 1991, 1993) and unstable coalitions, composed, especially in the years 1991–1993 of small parties. After 1993, when parliament was starting to be dominated by more stable coalitions and parties became more consolidated, the position of the cabinet was further improved. 1993 is also notable, because those elections brought to power the post-communist Alliance of the Democratic Left, who entered into a government coalition with the agrarian Polish People’s Party.

Another problem was the evolution of the civilian oversight over the armed forces. Before 1989, there was no such thing as a minister of national defence; this position was held by an active-duty general and military officers in active duty were members of parliament. In Mazowiecki’s cabinet, that rule was kept until 1991, but there were conflicts between military elites (notably the Chief of the General Staff of the Armed Forces, the then highest-ranking military officer), the Ministry of Defence and the President. That led finally to the scandal called “Drawsko dinner” in 1994.

During his visit at the Drawsko military training area, Lech Wałęsa, who already had conflicts with the Minister of Defence, asked a group of high-ranking generals – including commanders of military districts<sup>4</sup> and the different branches of the armed forces – to take a vote of confidence against Minister of Defence Piotr Kołodziejczyk (who was then a retired admiral, appointed by Wałęsa, but later conflicted with him and with the Chief of the General Staff). During this (informal) vote, only two generals supported the minister, and based on this, Wałęsa dismissed him formally. That led to major political outrage, because it was seen as the use of the military to achieve political goals (DUDEK 2018, 304–305). Another scandal happened in 1995, after the Presidential elections were lost by Wałęsa to the candidate of the post-communist left, Aleksander Kwaśniewski. Just before Wałęsa stepped out of office, he accused Prime Minister Józef Oleksy (Alliance of Democratic Left) of being a Soviet and later a Russian intelligence agent, codenamed “Olin”. The information about “Olin” was gathered by high-ranking Polish intelligence officers, supporting Wałęsa. Oleksy resigned, even though there was no evidence published supporting the claims made against him, other than inconclusive intelligence reports, so this case never made it to a criminal court. The fact that Wałęsa made this accusation in public just before new President took oath is itself evidence that the security (intelligence) service was used again as a tool in political conflicts.

From a historical perspective: those events had one long-lasting effect on decision-making processes. The Armed Forces since 1995 have become a silent actor in politics. Any attempt to use the military in political conflicts, even in the softest form, and any attempt to influence political processes, became taboo. That was consistent with the process of joining NATO and later the European Union, which required the implementation of strict civilian oversight. Generals who were accustomed to participate in political activities or hoped for some stronger role of the military in society were quickly replaced by new officers, who often graduated from Western military academies.

In 1997, the new constitution was adopted; since this moment it can be said that at last Poland has finally fully reformed into a democratic system. Especially notable is the

<sup>4</sup> At that time, Poland had four military districts, which were the elements of the command structure of land forces.

position of the Prime Minister that can be described as dominant over the legislative body. This is due to the abolishment of the ordinary no-confidence vote – only a constructive one was from here on allowed.

The first new cabinet, led by Jerzy Buzek, formed after the elections in 1997, managed to last four years – its entire parliamentary term, which was earlier unheard of. New rules limited the power of the President, but as it shall be explained in the next section, the role of the head of the state in shaping security policy is still important.

This created a new environment for decision-making, with limits typical for a democratic state (ANTOSZEWSKI 2012, 51–57). Also in 1999, the process of joining NATO was finalised, and Poland chose to widely deploy troops as part of multinational forces in various missions. Main examples were in the Balkans (Bosnia and Kosovo, as part of NATO-led forces) and in Iraq and Afghanistan as part of the U.S.-led Global War on Terrorism. Those operations had a highly positive impact on the armed forces, especially in training and the professional education opportunities for the military personnel.

In the context of decision-making, the main vector of change was Westernisation in terms of technical modernisation as well as personnel training. Poland adopted a military doctrine fashioned after a Western model, which puts emphasis on the quality of forces instead of quantity. The military was reformed to include light units (special operations forces, airmobile units) useful in military operations other than war, such as crisis response, peacekeeping and stability operations.

## Stakeholders in decision-making

From a legal standpoint, key actors in security policy and decision-making processes are defined by the Constitution of the Republic of Poland of the 2<sup>nd</sup> of April 1997. According to the constitutional rules, the head of the state is the President of the Republic of Poland. Article 126 of the Constitution declares the President to be the “supreme representative of the Republic of Poland and the guarantor of the continuity of State authority” and his most fundamental duties being to “ensure observance of the Constitution, safeguard the sovereignty and security of the State as well as the inviolability and integrity of its territory” (Constitution of Poland 1997).

Those words are not only a declaration, and the President is also, according to Article 134 of the Constitution, Supreme Commander of the Armed Forces of the Republic of Poland, who in peacetime exercises his power through the Minister of National Defence. The President’s powers in peacetime are therefore limited and detailed in statutes of parliament. The most important laws in this area are: *Act of 21 November 1967 on the common duty of defence of the Republic of Poland* (Dz.U. 1967 nr 44 poz. 220), *Act of 29 August 2002 on martial law and competences of the Commander-in-Chief of the Armed Forces and rules of his subordination of constitutional organs of the Republic of Poland* (Dz.U. 2002 nr 156 poz. 1301) and *Act of 17 December 1998 on rules governing the use or presence of the Armed Forces of the Republic of Poland outside of state borders* (Dz.U. 1998 nr 162 poz. 1117) (usually termed “foreign missions” in the Polish military jargon). According to these laws, the President is required to make the most important decisions regarding the military security of Poland, including approval of the National Security Strategy which is the funda-

mental legal document for all security-related planning processes, including the classified Political–Strategical Defence Directive, which is also issued by the President. The head of state declares the state of war (martial law), and is tasked with directing the defence of the state and issuing decisions about the use of the military outside of state borders<sup>5</sup> – albeit the law requires making those acts by request, or in cooperation with the Prime Minister of the Council of Ministers.

There are also advisory bodies to the President: the National Security Council, usually composed of the Prime Minister, ministers of defence, foreign affairs, internal affairs, the speakers of both chambers of parliament, and the leaders of the major parliamentary parties. The other is the National Security Bureau that serves as a kind of Presidential “think tank” in areas of security, especially military security.

Another prerogative of the President is related to personnel matters. The Presidents appoints the Chief of the General Staff and commanders of the branches of the Armed Forces, and, in a state of war, the Commander-in-Chief of the Armed Forces (by request of the Prime Minister).

The Minister of Defence is tasked with daily oversight of the Armed Forces, such as personnel policy, military education, managing of the budget, purchasing military equipment, oversight of defence-related activities (mostly defence preparedness), according to the *Act of 14 December 1996 on the Ministry of National Defence Office* (Dz.U. 1996 nr 10 poz. 56). Also, the General Staff of the Armed Forces is by law part of the MoD and is responsible especially for long-term military planning.

This division of tasks between the President and the Minister of Defence assumes mutual cooperation, regardless of political divisions and differences which is the reason why there are no solid rules governing cooperation between the two actors. In fact, various scenarios are possible. In case the President is not willing to participate in defence policy, the leading actor would be the MoD, with the President acting only as a kind of “notary” signing earlier-prepared documents. This scenario never occurred in real life. In case of a President who is an active actor in security policy and if there is positive cooperation with the MoD, the security policy at strategic level is formulated in active dialogue. However, when there is conflict, effective cooperation may be impossible.

In case of conflict, the MoD as a part of the Council of Ministers is usually the stronger side. First of all, it is the MoD’s responsibility to plan the annual military budget and spend allocated funds. The majority of the administrative matters do not require formal participation of the President, so unless it is a very formal and strategic decision, the President may even be circumvented entirely. For example, in 2017, in the context of the conflict between Minister Macierewicz and President Duda, a doctrinal document, describing the security environment, including perceived threats and future trends in the development of the Polish Armed Forces – usually this would be outlined in the National Security Strategy – was published as *The Concept of Defence of the Republic of Poland* by the Ministry of Defence. *De facto* it was a strategic document and treated by the national security community as such (Defence Concept 2017).

<sup>5</sup> In Polish law any use of military force as a part of coalition peacekeeping, stability, counterterrorism, military assistance operation, even when it involves the use of large military formations is not considered war.

Because there are always exceptions to the general rule, there was at one time a different situation, during Bronisław Komorowski's term, when the National Security Bureau became an active participant in shaping the national security policy by conducting a large-scale review of the national security. As a result, among other decisions, a reform of the command structure of the armed forces was implemented – but mostly because the Ministers of Defence during this time chose to focus on daily management and administrative affairs, leaving long-term planning to the NSB in this case. Another factor in this was personal, as the then chief of the NSB was an ambitious retired general, who wanted to leave his mark, while the Ministers of Defence at the time (Bogdan Klich and Tomasz Siemoniak) were career politicians. In addition, they had to deal with the consequences of the Smolensk air disaster.

Regarding security policy, the role of the legislative is different. There are in both chambers standing committees (in the Polish nomenclature the word “commission” is used) on national defence affairs, as well as separate ones on internal affairs and intelligence oversight.

Despite the fact that the parliament has broad formal rights in the legislation process (including, of course, the right to make proposals for new acts of parliament), in the security policy domain, it plays only a supporting role. Because of the features of the political system described earlier, and the dominant position of the Council of Ministers, members of parliament of the governing coalition do not seek to alter the government's policy in the security domain.

Because representatives of government inform members of parliament about their intentions and decisions, the scope of information presented during the meetings of the standing committees (notably the Sejm commission on national defence) is itself an important source of public data on national defence, especially about the intentions of the Ministry of Defence regarding various aspects of defence policy. The role of the Senate commission is almost unnoticeable, which is consistent with the general role of this chamber of parliament, which plays hardly any noticeable role in Polish politics overall.

Poland's security forces, services and agencies can be divided into three main groups. The first one is the military, the second is the law enforcement apparatus, the third group is that of intelligence-gathering services.

The military is at present an all-volunteer force (the Polish nomenclature uses the word “professional”), although there are legal provisions permitting the reintroduction of the draft and also the retention of reservists (former draftees) who may be called in for active duty (in case of a crisis or for training).

The Polish Armed Forces are composed of five main services.<sup>6</sup> Most numerous are the Land Forces with two mechanised divisions and one armoured division (each has several mechanised or armoured brigades), an artillery regiment, an air defence regiment, airmobile forces in the strength of an airborne brigade, an air assault brigade and two bases (battalions) of assault and utility helicopters as well as three reconnaissance regiments and other units – including sappers, chemical defence and engineer regiments. Most of the weapon systems – such

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<sup>6</sup> More detailed information – actually the entire *order of battalions* of the Polish Armed Forces is available at <https://jednostki-wojskowe.pl/> webpage (Polish only).



as tanks, artillery and air defence systems and helicopters – are inherited from the Warsaw Pact period, or to some extent are direct modifications/upgrades of them. That includes almost all air defence systems and helicopters. To a lesser extent, new equipment was purchased, but only few types (including armoured personnel carriers and anti-tank missiles) are brand new, while others – e.g. German-manufactured Leopard 2 tanks – were purchased second-hand.

The Navy is composed of two flotillas. The 3<sup>rd</sup> Flotilla of Ships is considered an offensive force, with frigates (class Olivier Hazard Perry), a single corvette, three fast attack missile ships, submarines, reconnaissance (SIGINT) ships and a Coastal Missile Unit, equipped with mobile launching batteries for NSM cruise missiles. The 8<sup>th</sup> Coastal Defence Flotilla consists of two squadrons of mine-countermeasure vessels and one squadron of landing crafts. This unit is considered “defensive”, however, this distinction is blurred. Poland contributes ships on a regular basis to NATO standing naval groups, especially minehunters from the 13<sup>th</sup> Minesweepers Squadron of the 8<sup>th</sup> Coastal Defence Flotilla. An important part of naval forces is the Naval Aviation Brigade, who performs patrol, search and rescue and ASW (Anti-Submarine Warfare) functions in support of military forces and civilian authorities (especially search and rescue missions).

The Air Forces are responsible for control of the air space and providing support to other branches of the armed forces. Their main elements are four air wings: two tactical air wings, an air transport wing (which includes a special operations helicopter squadron) and one training wing. Also, there are two brigades: one operating the radar network, and a second composed of surface-to-air missile squadrons. There are also intelligence-gathering and support elements.

The Special Forces were created as a separate branch in 2006, and they are responsible for conducting full-spectrum special operations, including counter-terrorism roles. They are a small element of the Polish military, with five battalion-sized units of various specialisation areas (counterterrorism, unconventional warfare, maritime operations, etc). They are the most modern and best-equipped branch of the military in comparison to others, and almost all of their equipment and weapons have been purchased after 2005. As they are the smallest of all branches, this makes modernisation and the purchasing processes very easy for them in comparison with the Air Forces or the Navy (Special Ops 2013).

Territorial Defence Forces, created in 2016, are the youngest element of the Polish military and still in the process of formation. Their role is described as support and defence of local communities in case of war as well as non-military crisis situations (e.g. floods).

There are yet other elements of the Polish military, including the Military Police, responsible for law enforcement in military structures, or the Support Inspectorate, responsible for logistical support.

The Polish military at present has no single central command for the entire armed forces, and there are no such commands for either the Land Forces, the Air Forces or the Navy. All divisions, brigades, wings and flotillas are in peacetime subordinated to the Armed Forces General Command, responsible for training and preparing military forces to be used (“force provider”). In case of a crisis, or a foreign deployment, the units that are to be used are transferred to the Operational Commander of the Armed Forces. Only the Special Forces and Territorial Defence Forces have their own commanders, who are “force providers” and “force users” at the same time. The General Staff of the Polish Armed Forces has no superior role over any of these commands – they are all equal in their formal position and subordinated to the MoD.

The main law enforcement agencies are: *Policja* (Police) – responsible for protection of the general public order, having wide jurisdiction over various crimes and misdemeanours. It is a nationwide, centralised and organised in the fashion of a paramilitary agency, with a number of specialised units, including helicopter units, a criminal intelligence-gathering unit, counterterrorism (SWAT) units and a Central Bureau of Investigations, the latter investigating organised crime groups. The Border Guard, responsible for protection of the state borders and international airports has powers to investigate border-related crimes.<sup>7</sup> The Border Guard has its own aviation elements and specialised maritime branch. Those agencies have full police powers (to apprehend persons, conduct searches and seizures, interrogate persons, use confidential informants, wiretaps, etc.). Similar powers are also granted to two intelligence-gathering services: the Anti-Corruption Bureau and the Internal Security Agency (ISA, *Agencja Bezpieczeństwa Wewnętrznego*). ISA is the leading counterintelligence and counterterrorism agency in Poland. Other intelligence-gathering services include the Intelligence Agency, the Military Intelligence Service and the Military Counterintelligence Service. These have lesser roles. In addition, intelligence agencies are restricted from gathering domestic intelligence.

Those branches, services and agencies are themselves important stakeholders and interest groups in the decision-making process. Due to budget limitations, all are competitors for funding and formal as well as informal status, i.e. prestige and reputation that translates into access to financial resources.

Another powerful interest group are suppliers of military equipment. This group includes domestic manufacturers (including state-owned companies), arms traders and foreign manufacturers offering their products. Because many weapon systems are obsolete and require replacements, competition is high and lobbying is aggressive, involving the use of various methods, including media campaigns that also include paid activity in the social media.

Close to lobbyists in this arena are NGOs and the media. There are a number of security-oriented media outlets in Poland as well as NGOs and think tanks. Their influence on the decision-making processes is most visible in the context of decisions about purchasing military equipment. Their activity on other issues – such as military-related social problems, e.g. veteran affairs or personnel policy – is much less visible. Last but not least, there is always an important international context to the above-mentioned decisions, which will be discussed in next section.

## Selected cases

The first case discussed here is Poland's involvement in the Iraq War from 2003 onwards. This decision was made in the context of a strongly U.S.-oriented foreign and security policy, formulated after 1990, which became only stronger in the aftermath of the September 11 attacks. A decision was made in October 2001 to deploy troops to support the U.S.-led Operation "Enduring Freedom"; however, it turned out to be at the beginning difficult to accomplish. The Polish Armed Forces managed to deploy in March 2002 to Afghanistan

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<sup>7</sup> There is also a separate customs and tax service, which also has limited law enforcement roles.



only a small element – a mixed company, tasked mostly with engineering support and the demining of the Bagram Air Force Base. Another element was deployed to the Persian Gulf in the form of the Navy logistical support ship ORP “Xawery Czernicki”, supporting Allied naval activities there, including special operations. It was not frontline activity and their propaganda dimension was far larger than the actual military effort, especially given that for a country with a large military (with about 150,000 personnel in 2001), it took six months to send one company to help its allies in maintaining an airfield. That created an obvious prestige problem for military leaders and politicians (PIEKARSKI 2014, 79–100).

The political decision regarding the Polish participation in the operation against Saddam Hussein’s regime was made public in January 2003. During his visit to the United States on 12–14 January, President Aleksander Kwaśniewski declared to George W. Bush strong support for military action against the Iraqi regime (LASOŃ 2010, 115–137). This support was later confirmed at home when Minister of Foreign Affairs, Włodzimierz Cimoszewicz (from the post-communist Alliance of the Democratic Left) declared in an official statement to the Sejm that Poland is ready to support a “steadfast response” to violations of UN Security Council Resolution 1441, regarding the Iraqi weapons of mass destruction program (Informacja Rządu 2003). The majority of the members of parliament supported this, including not only the Alliance of the Democratic Left and its coalition partner, the agrarian Polish People’s Party, but also the major opposition parties: the liberal Civic Platform and the conservative Law and Justice. Only two parties – the conservative League of Polish Families and populist agrarian Self-Defence – opposed. Those voices had no actual influence on the decision, because according to the above-mentioned legal regulations, the decision was made by the executive powers, and the legislative was only to be informed.

Also in January, Prime Minister Leszek Miller signed the letter by eight leaders of European countries (the U.K., Spain, Portugal, Italy, the Czech Republic, Poland, Hungary and Denmark), supporting American plans regarding Iraq (AZNAR et al. 2003). The support from countries of Central Europe that were not yet members of the European Union was criticised by politicians from those EU countries, who opposed the military option. Most notably, Jacques Chirac reacted with strong words saying that “they missed a good opportunity to keep quiet”, and he went on to question the loyalty of these countries to the EU, accusing them that they “acted frivolously because entry into the European Union implies a minimum of understanding for the others” (CNN 2003).

The formal decision was signed by Aleksander Kwaśniewski on 17 March 2003, but it was only the final step in the process. Only after Operation Iraqi Freedom had started on 26 March was a debate in parliament held. Again, the majority of the members of the Sejm supported this decision by voting on accepting the government’s communication of the decision to the parliament, which again was only a symbolic gesture, without legal consequences.

From a military perspective, executive decisions were made before the formal decision. Forces committed were composed of elements already present in the Persian Gulf – such as the ORP “Xawery Czernicki”, and also the 56-strong special forces company (from the GROM special unit). The only element that was really deployed after the formal decision had been signed was the small chemical defence platoon, deployed to Jordan, which was to be used with a U.S. chemical defence company in case Saddam Hussein’s regime chose to use chemical weapons. That element was never used in its role, and later deployed to Iraq to prepare bases for the incoming large stabilisation force. Other elements – naval and

special forces – were used in the opening days of the invasion phase in the coastal area around Basra. The GROM company was also used in direct action deep in Iraqi territory, cooperating with U.S. special forces.

In the post-invasion phase, Poland was offered control of one of the occupation zones, and this offer was accepted. The Polish-led Multinational Division Central–South controlled five provinces (Babil, Wasit, An-Nadżaf, Al-Kadisijja and Karbala) and was initially composed of Polish, Spanish and Ukrainian brigades, as well as smaller elements from other countries. Albeit the size of the Polish contingent was gradually reduced, Polish troops remained in Iraq as stabilisation forces until 2008, and until today there is a limited military presence there (advisors from special forces and four F-16 fighter planes, used only for imagery/intelligence data-gathering).

Major actors in making that decision, with long lasting effects, were elements of the executive branch – the President and members of government. The fact that support for the military option was first declared abroad, to the President of the United States, and only later to the parliament, which had no possibility to vote in any form other than giving a symbolic opinion, illustrates the deep imbalance in security policy decision-making. Parliamentary control on major political decisions, like sending troops in “foreign missions” – *de facto* war operations – was non-existent. The same principle applied to other strategic decisions.

The case of Operation “Iraqi Freedom” illustrates another factor in the decision-making process. All major actors, who controlled the executive in 2003 and onwards, agreed to the fundamental directions of the national security policy. No matter if the governing party was post-communist, conservative or liberal – all of them supported this decision, so Polish involvement in the Iraqi war was different than, for example, Spain, where it could end after a change of the governing party.

Another important factor was the international context, related to strong support for the United States, perceived then by Polish politicians as the most important foreign partner in the security area. There were hopes for the permanent basing of U.S. forces in Poland (to be moved there from Germany), a recurring theme was having Poland accepted to be part of the U.S. Visa Waiver Program, allowing Poland to access to Iraqi oil fields and hopes for contracts for supplying military equipment to the new Iraqi armed forces. These ambitions never materialised, and this had influence on later, more pro-European decisions in foreign policy.

The second case is one of those made later, already in the context of EU membership, and it is a case reflecting the failure to modernise the Polish armed forces – known locally as the “Caracal case”.

On 29 March 2012, the Ministry of Defence formally announced its intention to purchase twenty-six medium-size helicopters, including sixteen cargo ones, three of the land SAR (Search and Rescue) variant, three of the maritime SAR variant and four of the ASW (Anti-Submarine Warfare) variant in order to replace old Soviet-era Mi-8 and Mi-14 helicopters. All helicopters were to be based on a common platform – i.e. one manufacturer was to be selected. A year later it was announced that forty-eight helicopters were to be of the tactical transport variant for the Land Forces, ten of the Combat SAR variant for the Air Forces and twelve for the Navy, including six in a C/SAR (Combat and Search and Rescue) and six in an ASW role (Raport 2015). The fact that the purchasing intent was changed from a small “stop-gap” measure to a large modernisation program is seemingly

coincident with the results of the earlier mentioned review of national security conducted by the National Security Bureau.

This was, at the time, one of the biggest such purchases in Europe, and the winner would be given an extremely strong position on the local market, looking ahead to prospective decades of delivering support (spare parts, major maintenance works, mid-life upgrades, etc.) and in case the Polish Armed Forces were to make a decision to purchase more helicopters, the winner would be already in an advantageous position. As one could expect, lobbying was very strong, even in the early phases. In October 2014, one of the would-be competitors, the consortium of Sikorsky Helicopters and the Polish-based PZL-Mielec (owned by Sikorsky) demanded a change of the requirements, claiming that they are impossible to fulfil, which was interpreted in a Polish media outlet as an attempt to win a better position for the consortium's helicopter, the S-70 Black Hawk (Altair 2014a). Sikorsky's demands were countered by another company, Airbus Helicopters, in a letter protesting any attempts to change the rules or the deadlines (Altair 2014b).

On 30 December 2014, three offers were submitted to the Ministry of Defence, from Sikorsky Helicopters (the S-70 helicopter), Airbus Helicopters (offering the EC-725 "Caracal") and AgustaWestland (with the AW-149). All of the companies offered final assembly and maintenance in Poland. In the case of Sikorsky and AgustaWestland, their respective factories in Mielec and Swidnik (former state-owned Polish aircraft factories) were to be the bases for these operations, while Airbus offered assembly and aircraft maintenance in a plant in Łódź (Altair 2014c). In 2015, Airbus Helicopters was selected. It is notable that the decision was announced by President Komorowski, not the Minister of Defence. Subsequent military trials were conducted with positive results (Altair 2015). An important factor here was the fact that the Caracal was best fit for the Polish needs, due to its size being similar to the helicopters that were to be replaced, and because the other competitors offered smaller and less capable types.

The contract was not signed before the parliamentary elections, and politicians of the main opposition party – Law and Justice – heavily criticised the decision of the Ministry of Defence. Antoni Macierewicz, the Law and Justice leader in defence-related affairs even declared that if Law and Justice wins elections, the contract will be cancelled and divided orders will be placed favouring Mielec and Swidnik (MIŁOSZ 2015). Noticeable is the fact that after 2015, when Komorowski was replaced by Andrzej Duda (supported by Law and Justice), the role of the President changed, and the main decisions were made from thereon by members of the cabinet.

After the elections, the new government did not sign the contract and finally cancelled the deal in October 2016. Since then, despite multiple assurances from government officials, no new helicopters have been delivered to the Polish Armed Forces from any other supplier.

The decision-making process in this case was, as illustrated by the facts, complicated, and finally the result was actually no decision at all. It seems that there were two main reasons for this, linked to different stakeholders. One was the different vision of foreign and security policy: Civic Platform took a more pro-EU stance and favoured the choice of a helicopter manufactured by a company based in the "hard core" of the EU (France and Germany). The choice of a U.S.-based company, on the other hand, or even a company based in Italy and the United Kingdom, may have been seen from a political perspective an act of Euroscepticism, especially in the eyes of officials of the Law and Justice party who hoped for better and deeper relations with the U.S. and the U.K.

Another factor was internal politics and lobbying. Airbus offered placing the assembly and maintenance facility in Łódź, in a city in central Poland where support (counted in terms of votes) for the Civic Platform was high. Mielec and Swidnik are located in eastern Poland, where support for the conservatives is so strong that this area is sometimes called the “conservative belt”. Labour union Solidarity also opposed the choice of the Airbus offer, citing a possible reduction of jobs in the Swidnik and Mielec plants (WPolityce.pl 2015), and these factors were also visible in the media, including the social media, newspapers, and other news outlets. Contrary to 2003, when public opinion had no role, this time winning the support of a part of the public opinion (PiS electorate) was visible. It can be safely said, that the decision-making process was disturbed by an active political and media campaign, and the formal decision-makers on the political level were not able to conduct similar activities in order to shape the political arena to win support for the contract with Airbus and secure its fulfilment despite the change of government. Or, perhaps, it was assumed that the Civic Platform would win the elections and with this, there would have been no obstacle to signing the contract. Yet another, slightly different explanation could be that in that term, the Ministry of Defence was the more passive actor in creating security policy, but the more active side – the President and the NSB – was not able to make things happen because of limited resources and political capital. The only fully committed and engaged actor was the Armed Forces who needed the helicopters, but they cannot shape or alter politics; it is practically beyond them.

All in all, the lesson from the case is that a key decision was made with a view to factors other than considerations of national security. The Armed Forces with their needs were only one among a number of stakeholders with varying interests – and seemingly the weakest actor among all. The other actors – political parties, labour unions, the helicopter manufacturers and their lobbyists – all had more effective leverage over the process.

## **Conclusion**

The evolution of the Polish political system and decision-making process shows peculiar traits regarding the role of the key stakeholders. The role of parliament is limited, while the key decision-making is conducted in the executive branch, usually in the Council of Ministers and the Ministry of Defence. Notable is also the role of the President, which is different than in other European countries, where the majority of decisions are made on the level of the cabinet, and not by the head of state. However, the role of the President here is “pivotal”, and outcomes depend on the state of the relationship with the cabinet’s members.

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