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Leaders of Polish Political Parties and Their Scope of Power in Party Structures

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LEADERS OF POLISH POLITICAL PARTIES AND THEIR SCOPE OF POWER IN PARTY STRUCTURES

Abstract:

The purpose of this article is to present the scope of authority of party leaders in selected Polish political parties. The study included the following parties: Civic Platform (PO), Law and Justice (PiS) party, the Democratic Left Alliance (SLD), Polish Peasants' Party (PSL), Your Movement (TR), Right Wing of the Republic Polish (PR), the New Right (NP) and the Greens.

The article addresses the problem of electing a leader of party. The importance of exclusive competence (the powers that belong only to a leader) of the leaders of the Polish party is analyzed. The leader of party may on their grounds decide in certain areas of action of the party. This applies in particular to internal structure, staffing party, the nomination of candidates for election as well as disciplining party members.

In most of the subjected parties the leaders have a broad range of rights including the exclusive character. According to the author, some of these powers undermine democratic nature of the party structure.

Key words:

Polish party system, political party, leader of party, democracy

Neither every politician nor every policy maker is a leader. Leadership means guardianship and management which can be achieved if a condition of having an influence on others makes one capable to impose their will on the rest [Przeor-Pastuszek 2005: 298]. There are often used interchangeably two terms in the literature: the leader of the party and party leader. For clarity of the considerations these two concepts must be separated. The leader of the party is one or two in the case of leadership based on a parity and he/she stands at the head of the party. On the contrary to party leaders, whom

may be a large number. They only build their position among party members and beyond this circle. Party leaders do not make any strategic decisions [Hartliński 2012: 146].

The purpose of this article is to examine the scope of authority of leaders of party in selected Polish political parties. The study included the following parties: Platforma Obywatelska (*the Polish Civic Platform* - PO), Prawo i Sprawiedliwość (*Law and Justice* -PiS), Sojusz Lewicy Demokratycznej (*the Democratic Left Alliance* - SLD), Polskie Stronnictwo Ludowe (*Polish Peasants' Party* - PSL), Twój Ruch (*Your Movement* - TR), Prawica Rzeczypospolitej Polskiej (*Right Wing of the Republic of Poland* - PRP), Kongres Nowej Prawicy (*Congress of the New Right* - KNP) and Zieloni (*the Greens*).

There are addressed following research questions: How an election of a leader of party is being made? Is there an actual competition for a leadership in a party? What is the range of formal competences of leaders in a party structure? Has the leader exclusive competence? What kind of possibilities do the leaders have to influence the structure of the party and its members?

An issue of concern of this publication is only a party leader. There are many classifications of political leadership, but not every includes party leadership. Robert Elgie, having considered political leadership in respect of the location and type, distinguished leadership of political party next to political, cabinet, legislative, opinion, bureaucratic, judicial and governor [Elgie 1995. 4]. James M. Burns chose two forms of transformational and transactional leadership and the leadership of the party has defined as a subtype of the transactional leadership. He proceeded from the assumption that the first parties in the United States or Europe rose due to leaders emergence. The political leaders obtained a status of leaders of parties as a result of the public support and by identification with a party and its slogans [Zuba 2005: 11].

The leader of the party is usually a very popular person, exposed to and in the media, often identified with the party. Statutory authorization of this function is therefore particularly important, because the public image of the character combination that allows the percept the leader as the most important person in the party hierarchy combined with strong formal rights boils down to the basic idea of the leadership of governance.

Analyzing statutes, a position of a leader of the party can be distinguished among other authorities or bodies in party structures. This position is designated as the most within the horizontal party organization [Bichta 2010: 14]. In a horizontal structure the party is formed by bodies occurring at the same level of organization, in this case within the area of interests are high or national authorities or bodies.

In the studied parties of the leaders of these parties are called “chairmen” in the PO, SLD, TW and the Greens and “presidents” in the PiS, PSL and KNP. The PRP uses the two terms interchangeably. Leadership of party in Polish parliamentary parties is diverse by a form. Party leaders have different positions in the structure, therefore it is not possible to compare directly their character and effectiveness. However, in the Polish politics the party identity is often determined not only by ideology or program but also by the person who is standing at its head [Sobolewska-Myślik, Kosowska-Gąstoł, Borowiec 2008: 114]. Often, the name of a leader is added to determine the formation. Thus, the role of leaders of parties in shaping the image of the party and their positions in terms of holding competences within the parties are crucial.

The subjected parties are dominated by single leaderships. Today, only two of the party formations used double leadership based on the principle of gender parity. There are always two leaders of the party - woman and man. The Greens have used this kind of leadership from their beginning - since 2003. Such a form of leadership has been adopted in June 2015 year also by Twój Ruch.

The party leader election

The election of the authorities, including party leaders, most often occurs in the form of indirect elections. It is a choice from among an unlimited number of candidates, but there is only an obligation to choose from at least two candidates in the PSL. The most often election and dismissal of party leaders in the subjected formations is the responsibility of the main national collegiate body. This body, most commonly called the congress, convened every few years - frequency depends on the party statutes terms. On the contrary to the more frequently used in the world direct elections by party members, in the election made by the congresses the regional structures of the party leaders play greater role [Sobolewska-Myślik, Kosowska-Gąstoł, Borowiec 2010: 154]. When choosing party leaders often not the substantive arguments militate in favor of a certain candidate but the ability to enlist the support of the delegates and, more specifically, to organize a support group for the candidate. “Abrasion” of the various groups of interests in the Polish parties in their lower levels is common, but not always at the central level. Here more important is the position of the current leaders both in terms of the support provided by members as well as defined in the statute competence. The way of establishing the electing body is also crucial. In Polish parties, in most cases, only part of the congress participants is elected by lower-level collective bodies. Most of the party delegates to the congress are the members from the national level of a party authority, parliamentarians and leaders of regional structures. It can decide on the

course of the competition and its outcome. Potential candidates must obtain the support not only among party members but more from the delegates to the congress. Here, the differences between leading parties are considerable.

It is important, who has the right to stand as a candidate, who selects and approves candidates and at what level one selects when choosing a party leader [Rahan, Hazan 2001: 298]. Choosing a leader in a direct way is regarded as the last stage of the process of democratization. Here, moving away from its exclusiveness at elections only by a parliamentary group in the direction of inclusion in the electoral process the broad masses of the members even supporters of the party [LeDuc 2001: 324 - 326]. There are two contrary methods of electing a leader of party. First method in which one or small group of persons shall appoint the leader, the other when it is elected by all party supporters in the popular vote [Cross, Blais 2012: 129].

The first party which introduced a direct party leader election was Socjaldemokracja Polska (*the Polish Social Democracy* - SdPI) in 2004. The possibility of such a mode was introduced in 2012 by SLD and in 2013 by PO. The difference between these parties is in the fact that the PO leader can only be selected directly while in the SLD the procedure of electing the leader is set by the most important body which operates between congresses the national council of the party.

Does democratic competition for leadership actually occur in the parties, whether it comes to disputes between the candidates? It is possible to separate in practice parties which such competition have experienced, and those in which this has not happened. Sometimes the rivalry was merely apparent, and despite a larger number of candidates it was obvious who would score the required majority. The SLD went down to the actual competition in 2004, 2008 and 2012, the PSL in 1990, 1991, 1997, 2004 and 2012. In the PO came to compete once but the loser candidate left the party after the elections. In contrast, there was practically no such event in the PiS, the PRP and the TR. The leadership in two parties with the highest support: PiS and PO function quite a long period without changing the leader, which is characteristic. The leaders' competition phenomenon has not occurred in these parties for a long time despite electoral defeats [Hartliński 2011: 296 - 297]. These parties have gained the highest support in the elections for the last 10 years. In the case of the PiS the leader has not been changed since 2003. The PO leader, Donald Tusk was the leader of the party from 2003 to 2014.

It is understandable that the leader under whose leadership the party has been successful is re-elected several times to this function. However, the leaders whose formations experience defeats also maintain their position. This does not provoke any personnel changes and even attempts to such changes. Of course

the party could leave the former leader, however it has neither provoke any leadership competition. What then could be the reason? There are often no internal opponents to the present leader. Here, the cause may be the leader's statutory scope of authority in the party. The rivalry with the leader involves a risk of loss of influence in the party structure. A potential rival has to mind that the fact once he/she loses, they may not be able to achieve other party position if their recruiting depends on the competence of the leader. This is the case in most of the parties. During the election of the party leader not always and not only do the substantive arguments militate in favor of a certain candidate but the ability to enlist the support of delegates and organizing advocacy groups for the candidate. Leadership lasts "as long as the leader receives support from his followers" [Żukiewicz 2012: 25]. This essential support can be received for variety of reasons also by ensuring their followers with positions in the party or places on electoral lists. The scope of formal authority of a leader may have an influence on the shape and the decisions of the party, which elects them. It may take place as long as the leader is given by the party statute the right to decide on the recruitment party positions or set of candidates in the election.

Exclusive right to make decisions by leader of party

Analyzing the impact of a leader on the party one should note their formal scope of authority. The broad range of authority would enable them to impose their decision, the limited would force them to negotiate with other authorities or communities of the party. There are three groups of the party. The first one characterizes with no or a restricted scope of authority of a leader. Here their role is to represent and holding of meetings of collegial authorities. In the second, the leaders may be a body themselves, represent authority or is an integral part of the party authorities, have their own remit, limited though. In the third, the leader is one of the national authorities with broad competences.

Crucial are these competences which give the possibility to influence on the other authorities or members of the party. This is in particular when it comes to the exclusive competence. In the case of a broad leadership – the statute is not only an obligatory document which addresses general rules within the party structure, but also is an important tool of exercising the power.

The exclusive competences are those which belong only to the leaders and make the leader the only decision-maker in certain areas.

The only subjected party in which a leader has no competency for exclusive decision-making because of the collegiality of leadership is the Greens. Other parties can be divided into those in which the leader has this right, however limited and into those in which the request of the leader is needed

in key decisions of a party. The first group includes the PSL and the SLD, in which the leader is only entitled to exclusivity inference candidate for party secretary. The second group includes all other subjected formations.

Exclusive competence of leaders can be divided into four groups. The first relates to their effect on the recruitment of positions in the party – a leader has an exclusive right to propose candidates. The second includes the right to submit proposals for changes in the structure of the party in the dissolution of organizational units. In the third group, one can put those parties which leaders can propose the nomination of candidates in general elections and make changes to the electoral lists. In the fourth group there are the competences which relate to the possibility of disciplining party members.

In addition to these, there are other competences belonging only to a party leader. For example, changing the statute of Prawica RP (*the Right RP*) can be implemented during the congress at the request of a leader. The relative majority is needed then. In other case is needed qualified 2/3 [Statute of the Right RP: Art. 42]. Likewise, in Your Movement (*TR*) chairman possess exclusive to submit a draft statute and amendments to the statute [Statute of Your Movement, § 28 paragraph. 8]. The SLD chairman “in the event of major interest party may suspend the execution of resolutions of organs of the party until the hearing of the case by the National Board of the SLD” [Statute of SLD: Art. 27 e].

Exclusive right to decide on the nominations of a candidate for the position takes place in all the parties excluding the Greens. It often applies to the most important, considering the structure of the party, positions. In all examined parties, with the exception of the Democratic Left Alliance (SLD), at the request of the leaders of the party vice-presidents are selected. This same procedure is taken selecting secretaries of the party. With the exception of the SLD, the PO and the Polish Right at the request of the leaders of the party a treasurer is selected.

In the PO at the request of the leader the National Council (Rada Krajowa) elects vice-presidents of PO, General Secretary and Treasurer. A leader must claim for some changes in the structure like forming and declining additional functions in the party, praising their procedure principles.

President of the Law and Justice (PiS) has the exclusive right to submit proposals for the selection, appointment and dismissal of members of the PiS. Many of the competencies of the Political Council (Rada Polityczna), which is the highest authority to adopt resolutions Law and Justice in the periods between meetings of Congress, are made at the request of the President such as the appointment and dismissal of Secretary of the board, vice-presidents of Justice, Chairman of the Executive Committee, Treasurer of the Law and Justice, members of the Political Committee, Chairman of the Ethics Law and Justice and its members as well as adopting regulations or guidelines for other

bodies of the party. Many of the competence of the PiS Political Committee is also performed at the request of the President i.e. appointing and dismissing the Disciplinary Law and Justice and his two deputies, Law and Justice Spokesperson, Financial Representative Election Fund and the Plenipotentiary Representative Election and Election Finance Law and Justice Committee.

In the KNP and the SLD leader has only one exclusive competence in the field of staffing. And so in the KNP president immediately after his election, shall appoint two members of the Central Council. However, in the SLD leader has the exclusive right to determine the candidate for the post of party secretary. The KNP President has the exclusive right to dismiss a regional president from his post if he fails to convene a convention region within a specified period of time or lack of confidence or discharge *Votua*. At the request of leaders there are made decisions on co-opting new members to the party in a collegial government in the PiS and the *Prawica RP*. For example, the PiS Political Council at the sole request of the President has the right to coopt others.

In some parties leaders have exclusive competence in matters relating to lower-level party structures. In the PO, PiS, Right (*Prawica*), at the request of the leaders certain party officials may decide to liquidate the territorial structures in the area. Obviously not the leader takes a decision but without their approval it is not to be taken.

For example, the National Board of the PO, which manages the current activities of the party, at the sole request of the leader has the right to appoint and dissolve associations, district and regional party structures. In the event of termination regional structure, at the request of the leader the National Management Board shall appoint a commissioner who is responsible for leading the party in the region until a new government is selected.

Out of the subjected parties stand out extensive competences of the PiS leader. Among the others, the resolution of political council only signed by the President of the Law and Justice are valid, has the power to take decisions “on matters of urgency”, assigned to the competence of the political committee. These decisions are subject to approval at the next meeting, but it is the president who shall convene a meeting of both the political council and a political committee. President of the Law and Justice is part of the meeting of the Political Council which is convened and chaired by them. The PiS Political Committee, which is the main executive body of the party, has the right at request of the President to intervene in the activities of regional party structures as, for example, convene meetings and management meetings vertebrate party or regional councils. The president also has the power to solve and create a regional organization, constituency or off-road and suspension of their authorities, setting them organizational regulations, as well as provide the appointment

and dismissal of the heads of these units and structures. Decisions on the appointment and termination of the associations of local, county and regional structures of the party shall state management at the sole request of the PiS president. The PiS Political Committee, at the request of the President shall bind interpretation of statutes. President of the PiS directs the work of parliamentary club “through” its chairman.

The remit of the leaders is mainly important for the realization of the rights of members and principles of internal democracy. In all parties the members have right to elect and to be elected to the position of the party or to the authorities. Often equal rights to all members are guaranteed. At the same time indicating the candidacy depends on the exclusive decision of the leader.

In Poland, these democratic principles according to which parties should work, are listed in the Act. These include ensuring the transparency of party structure, the appointment of party organs through elections and the adoption of resolutions by majority vote. Not only democratic elections are the basis of democracy, but also the freedom and equality that provide real participation. It should be emphasized that important is the external control and rules, which would guarantee a balance between the authorities and competition between different interest groups should be introduced. An indicator of internal party democracy is primarily the manner of appointing authorities, who should be selected and controlled by members of [Sobolewski 1974: 280]. The selection procedures of the authorities of different levels, are in the statutes of the democratic assumption, however, often general and imprecise. In practice, at the same elections, voting or form secrecy is affected by the current arrangements, habits and past experience of party members.

The leader of the party and its members

Both the admission of any member and the loss of membership should be consistent with the principles of democracy [Bichta 2010: 75-76]. There are different punishments against members of the party from warnings to exclusion for violations of the statutes principles. Any form of punishment should be constructed allowing a party member to respond to any penalty imposed or appeal to another authority in the party, if they consider that the penalty is unjust. Particularly important are the regulation of these penalties, which lead to the elimination of a person from the party.

The main reason for punishing members is a violation of the statute. However, the principles are often vague, ambiguous, allowing for a broad interpretations such as “acting against the party.” It is therefore important which body interprets the provisions of the statute. In some parties, such competences

are entrusted to the national courts of the party (Democratic Left Alliance, the Greens) but in other they are in collegiate national enforcement authorities (PO, PiS, movement) or self-government body (PSL PRP). It is noteworthy, that the composition of these authorities may be established by leader in most of the parties.

The suspension of membership rights may be by virtue of decision of a party leader. The period of suspension can be specified, but it happens that it is indefinite. For example, the PiS President may suspend a party member “in connection with reasonable grounds to believe that he offended the good name or acted to the detriment of Law and Justice” [Statute of Law and Justice: Art. 7]. The suspension in the PiS may last “until the party court proceedings” or “to clarify the matter causing the suspension” [Ibidem]. At the request of the President the Political Committee of the PiS could “in the case of gross breach of statutory duties of the PiS preventing or threatening the objectives of the program or the political line of the PiS (...) adopt a resolution to expel a member from the Law and Justice or to ban perform his functions in the governing Law and Justice for the period from 6 months to 2 years “, such a person may appeal to the Disciplinary Committee Disciplinary Court, whose decision is final [Statute of Law and Justice: Art. 41, par. 2 and 4].

The remit of the leaders is mainly important for the realization of the rights of members and the principles of internal democracy. In parts of all members of the right to elect and to be elected to the position of the party or to the authorities. For example, the Law and Justice party member has the right to “elect and be elected, is appointed or co-opted members of authorities Justice” [Statute of Law and Justice: Art. 9 pts. 1 paragraph. 1]. Active and passive voting rights statutes provide members of the PO, Ruch, PRP [Statute of Your Movement: § 6; Right Statute RP: § 9 points. 1 a); PORP Statute: § 6, paragraphs 2 and 3]. Often it guarantees equal rights to members. At the same time indicating the exclusive decision on the candidacy makes it right from the will of a leader. Such is often the most important positions. This solution raises doubts in terms of democratic forms of organizational structures of the party. Restricts the right of party members to run for party functions.

Important is to influence on shape of electoral lists by leaders. Approval of electoral lists is the responsibility of the highest collective bodies operating between congresses or meetings convened for this purpose convention. The method of nomination of candidates is regulated differently depending on the type of elections. Possibilities to submit proposals of candidates hold lower-level structures or members. However, whether they will be on the lists depends on the internal decisions of the executive (managing) bodies at that level. Such a list is not subject to popular vote of members, but is finally approved

by the collegial body of the party at the organizational level. Only in situations of acute conflict it comes to an open discussion on the shape of a list or specific candidates. The PO and Ruch leader has the exclusive right to apply to the national board for amendment on electoral lists. In the PiS it is president of the committee who shall submit for approval of political candidates to the election. President of the Law and Justice is entitled to provide “authorization to represent the PiS in organizations or structures resulting from agreements concluded by the PiS, including an election” [Statute of Law and Justice: Art. 15].

Conclusion

In the Polish parties can be observed an evolution in the direction of strengthening, centralizing of leadership, in order to focus power in the hands of a leader or a small group of executives. Position of leader and their range of formal competence may affect on the democratic conduct of the procedures, and especially, the change of leadership in the party.

The competence of the leaders of Polish political parties are broad and the range of exclusive competence in certain parties constitutes their exceptionally strong position. Attributing party leaders with many important competences as their exclusive rights may hinder the act of pretenders to this office. The occurrence against the leader involves risks, as for instance the selection or appointment for a specific position often depends on the will of the leader. The occurrence against the leader may have the effect that in case of defeat such an opponent will not have a chance to obtain other important positions in the party.

Out of the subjected parties only the Greens leader does not have exclusivity to apply. In some parts at the request of the leaders of certain party officials, they may decide to liquidate the territorial structures in the area, city, municipality, district or province. Obviously not the leader take such a decision but without his will can not be taken.

It can be observed that the parties differ in their scope of competence granted to the leader of the party depending on the position in the division between left and right. In parties from the left leaders either do not have rights or their role is limited to conducting the meetings of collegiate bodies (the Greens), or their powers are limited (the SLD). In parts of the right-wing leaders hold broad competences including many exclusive.

Limiting the leaders’ competences by the parties seems unlikely. However, one could make some changes in applicable law that would dictate specific solutions for creating documents regulating the internal structure of the party. It is necessary to eliminate these provisions in the statutes which interfere with the rights of party members and the principles of internal democracy.

For example, the removal of the leaders' exclusive rights. This is important in particular while nominating the candidates for election and party functions. Such a right should be provided to every member of the party. This can reduce the current broad range of leaders' power. The parties would not decide to propose candidates on electoral lists only because of leader's decision. Lack of democratic principles, the superiority of the power of the individual over the power collegial, would be too visible.

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