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# Perspectives for German-Polish Relations in the EU-27<sup>1</sup>

## Abstract

*In recent years the seemingly firm historical ties between Warsaw and Berlin have become increasingly strained. This results from a growing political asymmetry between the two countries. Germany moved into a semi-hegemonial position under the conditions of the triple crisis of banking, economy and sovereign debt in the eurozone. Consequently, German chancellor Angela Merkel was in a strong enough position to implement ordoliberal reforms of the eurozone's governance architecture, which were promoted as an approach without alternatives. Merkel maintained her uncompromising stance during the migration crisis in the summer of 2015, when she demanded implementation of compulsory migrant distribution quotas across the EU. Poland and the Visegrád countries had initially strongly supported German leadership in resolving the eurozone crisis. The alienation from Germany's European agenda however became significant under the conditions of the migration crisis. Here the firm opposition of Poland and the rest of the Visegrád Group towards Germany's preferences shows a strategic mismatch between the EU's liberal core, which is spearheaded by Germany, and the concept of the "illiberal" state, which Poland has embraced under the PiS government. The willingness to resolve these differences will be crucial in determining the future shape of Polish-German relations.*

**Key words:** Poland, Germany, European Union, Visegrád, Weimar Triangle, Core-Periphery Relations, Brexit.

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<sup>1</sup> This article considers the state of German-Polish relations as of 20 December 2020.

## Introduction: The Long Shadows of the *Ostpolitik*

Relations between Germany and Poland have not been easy since the end of the Second World War. The long shadows of the atrocities committed by Nazi Germany on Polish soil between 1939 and 1945 have been lingering on and are once again visible today. The signing of the bilateral Warsaw Treaty on December 7<sup>th</sup>, 1970, a day on which Poland had also witnessed the historic “knee fall” of West German chancellor Willy Brandt before the monument for the dead of the Warsaw Ghetto, offered a new starting point for West German-Polish relations. The principle of change through rapprochement exercised under Brandt’s *Ostpolitik* paved the way for a deepening of economic, cultural and ultimately also political ties between Bonn and Warsaw. The *Ostpolitik* had opened paths to overcome the strict divide of the Cold War ideological bipolarity and consequently prevented German-Polish relations to be restricted to the socialist alliance between Warsaw and East Berlin.

Poland played a significant role in enabling the two parts of divided Germany to peacefully reunite on October 3<sup>rd</sup>, 1990. In return the reunified Germany became a strong advocate of integrating Poland and other countries of the Central-Eastern Europe into NATO and the European Union. In 1991 the West German foreign minister Hans-Dietrich Genscher initiated the Weimar Triangle initiative jointly with his French and Polish counterparts, Roland Dumas and Krzysztof Skubiszewski, to ensure the establishment of a permanent dialogue between Berlin, Paris and Warsaw on strategic European issues. Most of all the Weimar Triangle was supposed to ensure the firm integration of Poland into the West, particularly the EU. For a while it seemed as if the Weimar cooperation could offer the potential for Poland as the leader in the Central-Eastern European region to form a strategic leadership triangle with Germany and France. The Weimar Triangle was supposed to establish a permanent and deepening intergovernmental cooperation between the three countries, which would be accompanied by deepening cultural exchanges (Sender 2017, 143). Particularly Germany had been very focused on maintaining the cooperation until 2015, when Poland faced a fundamental political change from the progressive pro-European Civic Platform government under Donald Tusk to the right-wing populist eurosceptic Law and Justice (PiS) government of Andrzej Duda. Constantly changing prime ministers, PiS has cemented its leading role in Polish politics, always under the strong influence of Jaroslaw Kaczynski, who has been the leader of PiS since 2003 and also served as Polish prime minister between 2006 and 2007, currently occupying the role of deputy prime minister under Mateusz Morawiecki. The Weimar cooperation was strongly

supported by most German foreign ministers since Genscher. Particularly Social Democratic foreign minister Frank-Walter Steinmeier (2005–2009 and 2013–2017) and his liberal successor Guido Westerwelle (2009–2013) were firmly committed to the cooperation. Westerwelle spoke of the potential to turn the Franco-German engine into a Franco-German-Polish engine, which could substantially advance the European Union (Westerwelle 2009). At the – to this date – last meeting of the Weimar Triangle foreign ministers in August 2016, the German foreign minister issued a joint declaration with his French colleague Jean-Marc Ayrault and Polish colleague Witold Waszczykowski, emphasising that:

Given the unprecedented challenges facing Europe, we believe there is a need to intensify cooperation and to give it fresh impetus, and it is in this light that we view the Summit of the Heads of State and Government of our countries planned for this year (German Foreign Office 2016).

Since 2015 the Weimar Triangle has become gradually dormant. This reflects the growing divide between Poland and the EU core, represented by Germany and France. The PiS administrations have openly confronted the EU by backtracking on the basic foundations of liberal democracy and by challenging the German approach towards managing the migration crisis in the summer of 2015 and subsequently challenging migration from third countries. In 2011 the Civic Platform Polish foreign minister Radosław Sikorski still called on Germany to take on a leading role in resolving the eurozone crisis when he visited Berlin (Sikorski 2011). His widely reported key quote from the speech “I fear German power less than I am beginning to fear German inactivity” was made in the context of the ambition of the Civic Platform government under the leadership of prime minister Donald Tusk to adopt a leading role for Poland in the EU: “Poland also brings Europe a willingness to make compromises – even to pool sovereignty with others – in return for a fair role in a stronger Europe” (Sikorski 2011). The Civic Platform was consequently strongly committed towards working closely with Berlin on European issues. Tusk had even aspired to lead Poland into the eurozone, in spite of persistent scepticism amongst the Polish public towards the euro. In 2008, when the eurozone crisis began to emerge, Tusk and his ministers announced that it was their aim to lead Poland into the eurozone by 2012. At the same time, they showed their intention to tie Poland closely to the new coordinative mechanisms in the eurozone and demanded that the euro outsiders should be closely involved in discussions of the euro group countries (Tusk 2011). By the time the global financial crisis had caused a triple crisis of banking, economy and sovereign

debt in many eurozone countries, Poland remained the only country in the EU that did not fall into recession during the crisis and consequently seemed to be on a course of adopting a self-confident role as a leading player in the EU.

## From the Weimar Triangle to ‘big, bad’ Visegrád

Since 2015 the governments led by PiS have essentially abandoned the goal to join the eurozone, shown little commitment towards the Weimar cooperation and practically no ambition to adopt a leading role. Instead, Poland has focused on the cooperation with its partners in the region. Parallel to the Weimar initiative Poland engaged as the regional leader in the emerging Visegrád cooperation with the Czech Republic, Hungary and Slovakia. Visegrád was initiated in February 1991 and initially acted as an intermittent, loose intergovernmental forum for the coordination of the domestic transformation processes in the countries involved in preparation for joining the EU (Toro, Butler and Gruber 2014). Since the refugee crisis of 2015 Poland has increasingly focused on Visegrád as a means to challenge the German agenda in the EU. On the issue of migration, Poland has stood firm with the other Visegrád countries in rejecting the proposals for a permanent distribution system of refugees in the EU. At their joint summit in Prague in February 2016, the Visegrád countries reiterated their firm opposition towards “automatic permanent relocation mechanisms” and emphasised the need to develop effective mechanisms to protect the EU’s external borders. This profoundly contradicted the stance of the German government. German chancellor Angela Merkel spoke of a ‘moral imperative’ to adopt a liberal stance on migration and to ensure that the EU would remain a safe haven for refugees and asylum seekers (Streeck 2016). More than anything else the migration issue illustrates the growing divide between Berlin and the CEE periphery, which no longer seems to be willing to remain in a passive policy-taker position. Instead, the Visegrád Group is now considering itself as a forum to raise the national interests of the Central-Eastern EU member states. From the perspective of the EU-15 it has consequently been transformed into an alliance of like-minded countries, which challenge the liberal constitutional foundation and value system of the EU, as a “big, bad Visegrád” (The Economist 2016).

Closely connected to this is the tendency towards backsliding on the post-communist democratisation process, which manifests itself in the weakening of constitutional foundations of a democratic state and in a “velvet dictatorship” regime, where those in government apply “soft power” methods by gradually taking

control of the independent media (Agh 2019, 176). Support for these new semi-autocratic hybrid regimes emerged on the basis of a feeling of “woundedness” and “victimisation” in the domestic transformation process, where compliance to external rules and passivity became the predominant feature. This facilitates the rhetoric of “metaphors of battle against hostile and foreign actors and interest constellations” (Farkas and Mate-Toth 2018, 37). These tendencies are particularly visible in Hungary and Poland. The PiS government has embraced the concept of illiberalism, described by the Hungarian prime minister Viktor Orban as a specific model of conservative Christian democracy in Central-Eastern Europe, which rejects Western cosmopolitan liberalism and shows sympathies for autocratic regimes with strong executive power (Orban 2020). The PiS leader has spoken of ‘social diseases’ in the context of the EU’s liberal value system, with reference to migration, same sex marriage and freedom of choice for women on abortion (EURACTIV 2018). PiS has not only challenged the independence of the Polish constitutional court by sending non-conformist judges into early retirement (Ziółkowski 2020), but also rolled out a conservative political agenda which undermines the principle of equality for all societal groups, particularly women and queer people (Przybylski 2018). The latest controversy on the ruling of the Polish Constitutional Court to implement a stricter abortion law, which would make abortions essentially illegal, even if the child is expected to be born with severe disabilities, has caused widespread public unrest in Poland. Ultimately it is a reflection of the uncompromising stance of the PiS government with respect to its domestic political agenda of illiberalism, which resembles Orban’s embrace of conservative Christian values (Wigura, Kuisz 2020). The mass protests against the ruling have caused the government to delay its implementation and show that Polish civil society is at least in part still functioning. This nevertheless does not mean that the ruling will ultimately not be implemented, based on PiS governing majority.

Similar to its domestic agenda PiS has not been reluctant to challenge the EU, and particularly Germany, in spite of its strong dependence on the German export economy. PiS party leader Kaczyński has regularly used anti-German vibes in his speeches. In 2017 he brought up the subject of German reparations for the occupation of Poland during the National Socialist government. In this context Kaczyński had accused Germany of trying to instil an inferiority complex into Poland, by not granting the Polish their rights “resulting from history”: “Accepting this fact as obvious is an element of this national inferiority complex that we were talked into. We have to reject it” (Shotter, Huber 2017). The PiS government has persistently maintained the demand of reparation payments towards Berlin. At the commemoration of the 80<sup>th</sup> anniversary of the beginning of WW2 in Gdansk Polish prime minister Mateusz

Morawiecki insisted that Germany should pay the compensation for the events of WW2, which was also echoed by Polish president Andrzej Duda (EURACTIV 2019). A commission of the Polish parliament determined the outstanding German reparations at a total sum of 840 billion euros. The German federal government has categorically rejected these demands. It argues that Poland did not raise the issue of reparations during the 2+4 negotiations, which determined the future status of the unified Germany in 1990 (Hagen, Höhne 2020).

As this contentious issue lingers on and burdens German-Polish relations, Berlin and Warsaw have also been increasingly at odds over the issue of the rule of law. Particularly Merkel's Social Democratic coalition partner considers the refusal of Poland and Hungary to abide by the constitutional framework set out in the EU's Copenhagen membership criteria as an unacceptable breach of the essential democratic values of the Union. Particularly Martin Schulz, the former SPD president of the European Parliament and Katarina Barley, formerly a minister in the Merkel government and currently the vice-president of the European Parliament, have supported the enforcement of the EU rule of law framework against Poland and Hungary. In 2016 Schulz told the PiS prime minister Beata Szydło that "the rule of law, the questions of checks and balances, is not a question of procedure but one that is central to our European democracy and society" (European Parliament 2016). Barley has been heavily criticized by Polish deputy foreign minister Konrad Szymanski for supporting the proposed combination of the EU's rule of law mechanisms with the budget, which could result in Poland being cut off from the EU structural funds if it breaches the rule of law domestically. Szymanski called the proposal an "obvious breach against EU treaties" (Deutsche Welle 2020). The new German president of the European Commission, Ursula von der Leyen, herself a close confidant and former minister under Merkel, takes an equally uncompromising stance on breaches to the rule of law. In her first State of the Union address since taking office in December 2019, von der Leyen emphasised her unwavering intention to enforce the rule of law mechanism in connection with the EU budget:

The Commission attaches the highest importance to the rule of law. This is why we will ensure that money from our budget and NextGenerationEU is protected against any kind of fraud, corruption and conflict of interest. This is non-negotiable (European Commission 2020b).

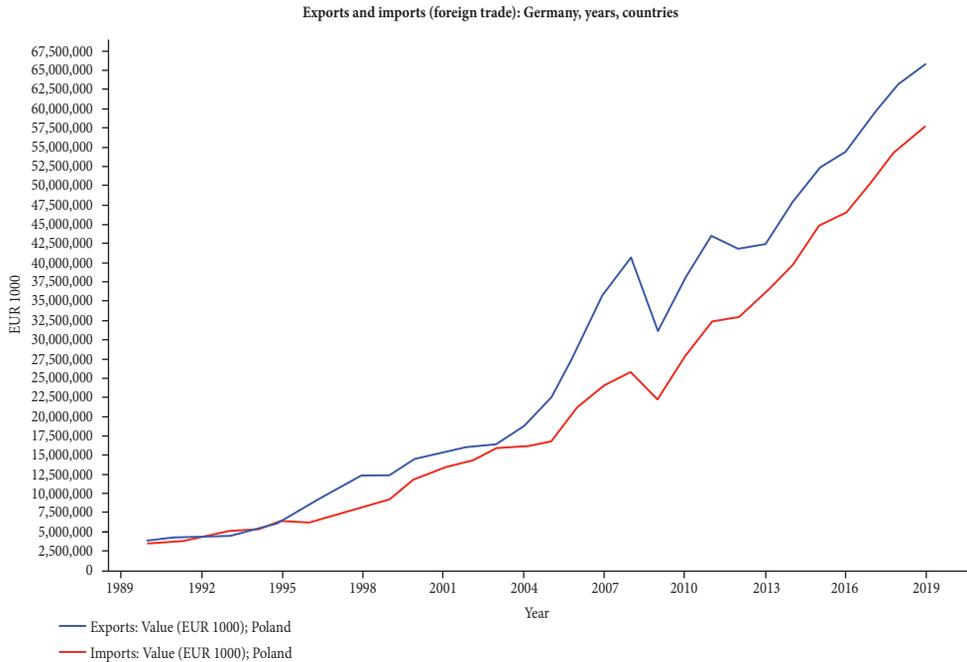
The Polish and Hungarian governments have responded by vetoing the implementation of the EU's 2021–2027 budget in an attempt to block the attachment

of the rule of law mechanism to the budget. In response von der Leyen had asked Poland and Hungary to take their case to the European Court of Justice to obtain a ruling on the compatibility of the proposed mechanism with the EU's existing treaties. The Polish justice minister Zbigniew Ziobro subsequently accused von der Leyen of demagoguery and of malicious behaviour towards Poland (Die Zeit 2020). It is obvious that the PiS administration initiated the standoff with the EU over the proposed new budgetary mechanisms with the purpose of presenting itself domestically as the unwavering defender of Poland's national sovereignty. In this respect it has started to copy the standard comparison of the EU with the Soviet Union, which Hungary's prime minister Orbán has made on a number of occasions. Polish prime minister Mateusz Morawiecki has accused the EU of resembling the behaviour of Poland's communist regime during the Cold War (Notes from Poland 2020a). This was echoed by the justice minister Ziobro, who accused the EU of trying to "enslave" Poland in a rule-of-law regime (Notes from Poland 2020b). Fortunately, intense efforts by the German chancellor to reach a compromise have borne fruit. The compromise reached on December 9 determined that the new rule of law mechanism will only apply for the 2021-2027 budget and not apply with immediate effect. It was also agreed that the implementation of the new mechanism would be subject to a positive ruling of the ECJ before it could be implemented (Zalan 2020). The compromise has unlocked the new budget, which includes the "Next Generation EU" temporary recovery package, comprising of €750 billion. The package is divided into a recovery and resilience facility, which supports domestic investment and reform packages, the regional recovery assistance and support for existing EU programmes, most prominently Horizon Europe, Invest EU, Rural Development and the Just Transition Fund (JTF). In addition, the EU has initiated a new EU4Health programme in support of national healthcare systems, supports lending activity in the financial sector for businesses with €1 billion and adds €100 billion to combat unemployment and further support for the tourism and culture, as well as the agriculture and fisheries sectors (European Commission 2020c).

These political divisions have surfaced against the background of the profound economic dependency of Poland on Germany's export-orientated economy. Poland became the prime example for the strong Central-Eastern dependency on the German manufacturing chain, particularly in the automobile sector. Poland hence adopted an externally financed growth model as part of its post-communist economic transformation, which attracts foreign direct investment predominantly from the neighbouring countries Germany and Austria, based on low wages which allow companies from these countries to operate a cost effective supply chain for the export

products (Farkas 2018: 61). As Figure 1 shows, the value of export from Germany to Poland and the reciprocal imports from Poland back to Germany has grown steadily since 1990 (German Federal Statistics Office 2020). In 2019 German exports to Poland stood at 65.8 million euros, and imports at 57.6 million.

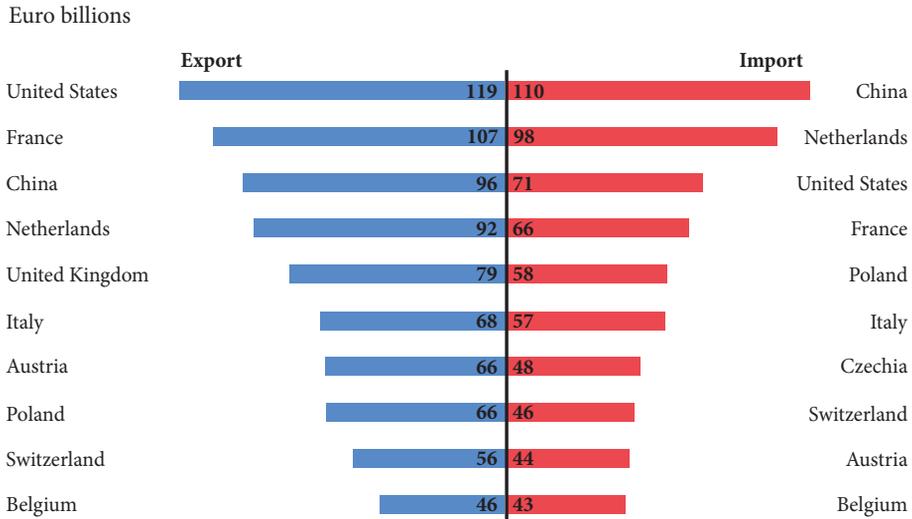
**Figure 1: Foreign trade Germany**



Source: <https://www-genesis.destatis.de/genesis//online?operation=table&code=51000-0003&bypass=true&levelindex=1&levelid=1610705502367>

Figure 2 shows that Poland ranked as the fifth most important trading partner for Germany in terms of imports and as the eighth most important trading partner for exports of German goods. The particular importance of Poland in terms of imports stems from the fact that Poland is an important part of the German manufacturing supply chain, especially in the automobile sector.

**Figure 2: Germany’s major trading partners, 2019**



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Source: [https://www.destatis.de/EN/Themes/Economy/Foreign-Trade/\\_Graphic/\\_Static/trading-partners.png?\\_\\_blob=poster](https://www.destatis.de/EN/Themes/Economy/Foreign-Trade/_Graphic/_Static/trading-partners.png?__blob=poster)

The figures illustrate an ongoing dependence of the Polish economy on the “German supply chain”, which has substantially contributed to Poland’s own export-based GDP growth (Orenstein 2013: 25). Poland managed to combine its close ties with the German economy with the benefits of EU membership by channelling structural funds into infrastructure, education and training, which put it in an exceptional position to remain the only green island in the EU which avoided recession during the global financial crisis 2007–2009 (Drodowicz-Biec 2011). The benefits of the EU membership and dependence on trade with neighbouring countries, particularly Germany, is consequently a major factor which indicates that Poland will not turn its back on the European vocation. This is also supported by the high levels of support amongst the Polish public for maintaining EU membership, which currently stands at 83 per cent (European Commission 2020a, 14).

## Conclusions: An Ever-deepening German-Polish Rift?

Overall, it seems as if in autumn of 2020 the relations between Poland and Germany had hit rock bottom. There are, however, glimmers of hope that the gradual deterioration of bilateral relations between Berlin and Warsaw in the past five years will remain a prolonged episode and does not become a new status quo. In this respect it is important to note that the current grand coalition government in Germany has continued to put bilateral relations with Poland at the heart of its European policy agenda. The 2018 CDU/CSU-SPD coalition agreement emphasises that the government wants to expand cooperation with Poland and “intensify cooperation with France and Poland in the Weimar Triangle” (Bundesregierung 2018, 9).

In spite of these adverse circumstances, the current German grand coalition government, which was established in 2017 and has enabled Angela Merkel to govern for a fourth term as chancellor until 2021, continues to emphasise the importance the Weimar Triangle as a priority for Germany’s European policy. SPD foreign minister Heiko Maas has offered Poland a closer relationship with Germany in the wake of the UK’s exit from the EU. In this context he spoke of the need to adopt a joint responsibility to “tear down the remaining walls, which still exist in some heads and also jointly ensure that there will be no new trenches” (German Foreign Office 2019). The determination to rescue bilateral relations with Warsaw could be seen in Merkel’s recent offer to Poland and Hungary to compromise on the inclusion of the rule of law mechanism into the budget. In her capacity as the acting head of the German EU Council presidency Merkel called on the EU and both Warsaw and Budapest to compromise over the issue to resolve the current stalemate over the budget:

(...) without a compromise, this will not work – and by that I mean [a compromise] from all sides. And that’s why I believe that, because this is a truly central project, we must all be prepared to compromise to some extent (von der Burchard 2020).

The fact that the Polish and Hungarian governments immediately held bilateral consultations to discuss Merkel’s compromise offer to change the wording of the rule of law clause in the budget indicates that both countries are also willing to compromise. The Polish government indicated this willingness by stating that they would be open to considering the new proposals (Scisclowska 2020). The fact that a compromise has been found shows that the latest clash, which has brought the EU to a temporary standstill, may still turn out to be a turning point in future relations

between Berlin and Warsaw. Even if currently things still look bleak, both sides may come to realise that they cannot afford to part ways in the post-Brexit EU, and that they both depend on one another more than ever. Poland needs Germany not just in economic terms, but also as a political ally and advocate of Central-Eastern European interests in the EU. Germany is in an urgent need of finding new partners to develop a more inclusive political agenda for the EU, which reflects the variety of national interests in the EU-27, including those of the member states who are reluctant to pool their sovereignty. In summary, Germany needs partners, Poland needs “strong allies as protection” (Lemmen 2017, 154). If Berlin and Warsaw want to rebuild their bilateral relations on a viable base, they should start by realising that these common interests bind them closely together. Whether or not they manage to do so will determine if the EU remains in a permanent state of disunion, or if it finds the resolve to reunite the core with the Central-Eastern and South-Eastern peripheries.

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