

Pre-election battle at the top of Czech politics

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Last week the electoral campaigns ahead of the parliamentary elections and next January's presidential election escalated into a serious clash between the three most important politicians in the country: the prime minister and chairman of the Czech Social Democratic Party (ČSSD), Bohuslav Sobotka; the deputy prime minister, finance minister and leader of the ANO movement, Andrej Babiš; and President Miloš Zeman. This clash led to a series of chaotic moves by the prime minister on the resignation of the government, and a constitutional dispute between prime minister and president.

The key duel in the autumn elections is being played out between the ČSSD and ANO, which are ruling the country together in a coalition. The political scene has been divided into two camps: the anti-Babiš group led by Prime Minister Sobotka, created by the Social Democrats and supported by the coalition's Christian Democratic party and the right-wing opposition; and the anti-Sobotka group, which is led by ANO under Babiš, as well as President Miloš Zeman. The goal of the former camp is to discredit Andrej Babiš, whose party is the clear favourite for the upcoming general elections. Meanwhile, the camp of Sobotka's opponents, by supporting opposition within the ČSSD, is working to weaken the party and replace its leader with someone more favourable to Babiš and Zeman. This polarisation of the political scene primarily serves the interests of Babiš and Zeman, who have consistently adopted the position of representatives of the "honest citizens against the unfair elites." We should thus expect this severe political conflict to continue up until January's presidential elections in the Czech Republic.

The Prime Minister's chaotic moves

On 2 May, Prime Minister Bohuslav Sobotka announced that he would resign, without consulting either his party or the government. Three days later, however, he announced that he would not resign, but would instead send the President a request to dismiss Andrej Babiš, the deputy prime minister and finance minister. The reason for this sudden change of course was a dispute between the head of government and the President about the interpretation of the constitution. Contrary to current practice, the President accepted that the Prime Minister's resignation does not entail the automatic resignation of the government. Meanwhile, the main reason Sobotka submitted his resignation was his desire to get Andrej Babiš out of the government by sacking the entire cabinet. In accordance with the Prime Minister's plan, the current government would have been replaced by a new one based on the current coalition, but without the leader of ANO. Meanwhile Zeman, acting in the interests of his political ally Babiš, intended to reconstruct the current cabinet by

replacing Sobotka with another ČSSD politician. By doing so, Zeman and Babiš would have removed their main enemy from the government; they hoped that this would have deepened the internal split within the ČSSD, whose current leadership is in conflict with the President's supporters within the party.

The Prime Minister's main aim in the current dispute is to weaken the electoral chances of ANO by persuading voters that for many reasons, Andrej Babiš is unable to serve in the government. The list of allegations Sobotka has made against him is long: starting from doubts as to the sources of his wealth, via immoral or illegal methods of tax evasion, and suspected fraud while applying for EU grants (this case is being examined by OLAF, the European Anti-Fraud Office), to the use of the media to fight his political opponents (including ministers in the coalition). All of the above allegations have been repeated for at least a year, and are rooted in the conflict of interest which Babiš has found himself in since 2014, as finance minister, the owner of the agro-chemical company Agrofert, and of a range of influential media outlets. It is true that in January Babiš's business assets were handed over to a trust fund; however, that trust fund is co-managed by the deputy prime minister's partner Monika, whom he is planning to marry in the coming weeks.

The election campaign heats up

Most likely Prime Minister Sobotka was fully aware of the risks associated with making Babiš deputy prime minister and finance minister; hence there is no doubt that the reasons he gave for dismissing the leader of ANO are just the first blows of the fight before the general elections to be held in October. The real reason for the ČSSD's attacks on Babiš is the current failure of their election campaign, and the growing gap between these parties in the opinion polls. Until the middle of last year, support for both the main coalition parties was close, holding steady at around 25-30% each. However, recent polls have shown a clear decline in the ČSSD's popularity (16% in April according to CVVM), while support for ANO remains high (33.5% in the same poll). These results should be linked to Prime Minister Sobotka's failure to fight the election on the issues. At the beginning of the year, the party leader spoke of his vision of the Czech Republic in 20 years, his support for the most vulnerable groups in society, and progressive tax reforms. However, these themes received little attention in the media, where they were usually drowned out by Babiš's election rhetoric. Unlike Sobotka, the leader of ANO displays a great facility for presenting simple solutions to each issue, which are understandable to the voters. At the same time he consistently perpetuates the myth of himself as an honest businessman, who entered politics to clean up the system and fight against corruption, and who is being targeted by the traditional political parties for this reason.

The ČSSD's leader is playing a game of 'all or nothing', because only a good electoral result will allow him to keep his seat as chairman of the party. The prospect of a crushing defeat has led Sobotka to change his tactics and sideline his party's electoral manifesto. Instead, he has focused on combating the myth of Babiš as an 'honest businessman' by portraying him as a tax fraudster, whose thirst for power is threatening democracy. To this end, the ČSSD has drawn attention to some recently revealed records of phone taps indicating that Babiš was discussing attacks on his political opponents with a journalist. By sidelining its manifesto, the ČSSD is taking the risk that the voters will find it difficult to distinguish from

the right-wing groups, especially as ANO's leader has strongly argued that the left-wing ČSSD and the unpopular right-wing parties are the foundations of the 'corrupt system'.

Selling a negative image of Babiš to the voters is proving difficult for several reasons. In 2013, the Czechs voted for ANO despite knowing full well about the risks posed by its leader's conflicts of interest (Babiš already owned Agrofert and the leading media outlets, and was expanding his holdings in the health care sector). A large part of the voters probably did not choose Babiš as a figure above reproach, but supported him in the belief that as an effective businessman he would improve the operation of the state, and that as a billionaire 'he would not steal as much as the traditional politicians have done'. The strength of the Prime Minister's arguments has also been undermined by various scandals laid at his own door (principally the privatisation of the OKD mining company) as well as the multi-level corrupt past of politicians both from the ranks of the left, and of those parties which had formerly been part of right-wing governments.

Zeman's interests

The Czech president's ultimate goal is to be re-elected in January's elections. Because Zeman does not have a strong parliamentary base of his own (he has usually been supported by the Communists and individual MPs from the ČSSD), he has teamed up with Babiš, whose support is rising. This alliance between the two most popular politicians in the Czech Republic (Zeman is trusted by 53% and Babiš by 43% of respondents) most likely results from the calculation that the president will help ANO in forming a government (the head of state alone can appoint a prime minister and cabinet which can govern without a vote of confidence). In exchange for this, Babiš's party will not put forward a candidate in the presidential election, and will simply support Zeman. Proof that the President and the deputy prime minister are working together can be seen in the former's criticism of the amendment to the law on conflict of interest (the so-called 'Lex Babiš'); President Zeman has referred the regulations that forced the deputy prime minister to make over his property to a trust fund to the Constitutional Court.

Zeman did not hesitate to bring about a constitutional crisis in the name of cooperation with Babiš. Constitutional scholars claim that the President is obliged to accept the request for the resignation of the deputy prime minister and finance minister, which PM Sobotka made on 5 May, without undue delay. However, the President has postponed this decision, arguing that the request for Babiš's resignation is incompatible with the coalition agreement, and that no successor to Babiš as minister of finance has been nominated.

It is unlikely that Zeman will refuse to dismiss the leader of ANO, especially as the deputy prime minister himself is apparently resigned to the inevitable loss of his job. This has been demonstrated by announcements from other members of the government on behalf of ANO, which have shown that they will remain in their positions after Babiš departs. The ANO leader has openly stated that he has a specific successor in mind for the post of Finance Minister (the media has speculated that this refers to the current deputy minister). Prime Minister Sobotka is also ready to make a compromise in this respect, as he has announced that he wants the finance ministry to keep being run by a nominee of ANO, provided that such a person has the appropriate competencies and has no ties to Agrofert. President Zeman is unlikely to take a decision on Babiš's resignation before 18 May, when he returns

from a visit to China. Regardless of the eventual resolution to the current constitutional crisis, we should expect the power struggle between the President and the deputy prime minister and PM Sobotka to continue for months, and to deepen the polarisation on the Czech political scene.