12

Minority Governments in Poland

Governing after a Crisis with Ad Hoc Majorities

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This chapter examines why minority cabinets formed in Poland, how they governed, and with what success. The analysis focuses on the period of more than twenty years since the new constitution was adopted in 1997. Between October 1997 and the time of writing, five out of fifteen (33 percent) governments between 1997 and 2020 had a minority status, and such governments remained in office for more than one fifth of the time (see Table 12.1). Minority cabinets were particularly frequent between 1997 and 2007. During that time, five out of nine cabinets governed without having a majority in parliament, and did so for more than one third of the time.

To anticipate, I find that most Polish minority cabinets started life in the wake of major political crises when majority coalitions broke down and governments slipped into minority status. Many of such minority cabinets had a weak position in policy terms, leaving them vulnerable to alternative legislative majorities in parliament. I further find that a complex interplay of electoral, office, and policy motivations discouraged the formation of stable support arrangements, and minority cabinets typically governed by building ad hoc legislative coalitions. Finally, I show that Polish minority cabinets have had a mixed record in terms of legislative performance, with supported minority cabinets and unsupported cabinets formed by disciplined core parties demonstrating high effectiveness.

The Polish political system

Poland has a parliamentary political system with a directly elected president, a system that has been classified conventionally as semi-presidential (see e.g. Elgie and Moestrup 2008). It has a bicameral parliament, consisting of the *Sejm* and the *Senat*. The *Sejm* has 460 members who are elected every four years according to a proportional electoral system. The *Senat* is elected concurrently with the *Sejm*. Since 2011, senators have been elected from 100 single-member districts. The Polish president is elected every five years in a popular vote. While the president has important formal powers in the process of government formation and

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Table 12.1 Governments in Poland, 1997–2020

Cabinet	Start date †	Cabinet parties	Status	Minority type	Support	Duration
1997–2001						
Buzek I	31–10–1997	AWS, UW	Majority	—	—	0.66
Buzek II	08–06–2000	AWS	Minority	Unsupported	—	0.95
2001–2005						
Miller I	19–10–2001	SLD, UP, PSL	Majority	—	—	0.34
Miller II	03–03–2003	SLD, UP	Minority	Unsupported	—	0.44
Belka I	02–05–2004	SLD, UP	Minority	Unsupported	—	0.94
2005–2007						
Marcinkiewicz I	31–10–2005	PiS	Minority	Supported††	SO, LPR	0.12
Marcinkiewicz II	05–05–2006	PiS, LPR, SO	Majority	—	—	0.05
Kaczyński I	14–07–2006	PiS, LPR, SO	Majority	—	—	0.33
Kaczyński II	13–08–2007	PiS	Minority	Unsupported	—	0.09
2007–2011						
Tusk I	16–11–2007	PO, PSL	Majority	—	—	0.97
2011–2015						
Tusk II	18–11–2011	PO, PSL	Majority	—	—	0.70
Kopacz	22–09–2014	PO, PSL	Majority	—	—	0.92
2015–2019						
Szydło	16–11–2015	PiS	Majority	—	—	0.50
Morawiecki I	11–12–2017	PiS	Majority	—	—	0.95
2019–present						
Morawiecki II‡	15–11–2019	PiS	Majority	—	—	na
Share of Minority Governments in 1997–2020: 33%‡‡						

† The start date is (a) the date of appointment by the president following the previous cabinet resignation, or (b) the date of a ministerial reshuffle which modifies the governing coalition. Following resignation, a cabinet continues in office until the president appoints a new cabinet.
†† Since February 2006. ‡ The cabinet in office at the time of writing on 30 December 2020.
‡‡ Two Polish cabinets had a minority status between the first fully democratic elections in October 1991 and October 1997. The share of minority governments for 1991–2020 is 35 percent.
Source: Author's own compilation, except for the relative duration values until 2014 which are taken from Antoszewski and Kozierska (2019).

termination, Polish incumbents have only rarely played a significant role in this area. The presidency is furnished with extensive appointment powers and the right to veto legislation. Presidential veto can be overridden by the *Sejm* with a three-fifths majority. Polish presidents are expected to stand above party politics, but all incumbents since 1997 have had links to one of the major political parties. The non-concurrency of parliamentary and presidential elections has from time to time given rise to periods of cohabitation, during which the president came from a different party than the majority of the members of parliament.

Since 1997, the Polish party system has been characterized by a strong bipolarity, but the nature of the main cleavage has changed over time. Between 1997 and 2005, political competition was dominated by the SLD party on the left and AWS, and later PO and PiS, on the right. The left–right split was largely non-ideological and reflected a deep regime divide between a sizeable communist successor party and a more fragmented coalition of post-dissident forces (Grzymala-Busse 2001). This divide was rooted in the history of confrontation between the communist party and the Solidarity movement (see Grabowska 2005). This structure of party competition ended abruptly with the 2005 elections (Markowski 2006). The dramatic collapse of support for the SLD party following a series of unprecedented corruption scandals paved the way for a progressive polarization of the political arena between the liberal Civic Platform (PO) and the conservative Law and Justice party (PiS). Since 2005, these two parties have dominated Polish politics, competing along more ideological lines.

Poland has a positive investiture procedure (see Zubek 2015 for details). Under the constitution the formal cabinet formation process is activated after new elections are held, and also during the legislative term in three situations: when the cabinet loses a vote of confidence; when the *Sejm* passes a no-confidence vote; or when the prime minister resigns from office. In all such cases, any new government that forms must survive an explicit investiture vote in the *Sejm*. In this vote, the new cabinet must secure a majority of votes in favor of its formation over the sum of votes against and abstentions, in the presence of at least half of all members.[1] The Polish positive investiture comes with an important nuance. Once a government has been invested, changes in the party composition of the government do not require the formal consent of the *Sejm* as long as the prime minister remains in office. This aspect of the Polish investiture rules allows cabinets to shift between majority and minority status without having to face an explicit investiture vote in parliament. Finally, once invested, Polish cabinets are hard to remove during the legislative term: an early cabinet termination can happen only if the *Sejm* passes a

[1] This majority requirement is lowered in the third round of the cabinet formation process to a simple majority of votes in favor of the government over the votes against, in the presence of at least half of all members, with abstentions being disregarded. See Zubek 2015 for details.

constructive no-confidence vote, two-thirds of all MPs support early elections, or the government loses a confidence vote it has called.

Two further elements of the Polish institutional framework hold particular relevance for minority cabinet governance and performance. First, legislative committees in the *Sejm* are furnished with extensive procedural privileges, including the powers to merge, split, and rewrite bills, to control their timetable, and to be consulted at various stages of the legislative process (see Zubek 2021). This procedural context facilitates policy bargaining not only within the executive coalition, but also between the government and opposition parties, especially under minority cabinets. Second, the Polish executive exercises a significant level of control over the legislative agenda through the speakership of the *Sejm* (Zubek 2011; Nalepa 2016). Since 1997, the speaker—who has invariably been a senior member of the prime minister's party—has had the power to set the *Sejm*'s agenda. While non-cabinet parties can submit proposals to the agenda, if the speaker rejects such proposals, a floor vote to confirm this decision can be delayed for several months. This ability to gate-keep proposals has been a powerful tool that Polish governing parties have increasingly used to fashion their legislative accomplishments (Nalepa 2016).

Why minority governments form

In studying the question of minority government formation, I focus on a combination of party political and institutional factors. Regarding the former I examine the patterns of winning coalitions and in particular the existence of a core party. As argued by Schofield (1993, 1996) and Schofield and Sened (2006), if a party occupies a core position in parliament, it is able to govern alone. In the absence of a core party, minority coalitions can also be formed by parties that border the cycle set if supported by one or more of the weaker players (Schofield 1993). I further consider the balance of policy and office motivations in shaping the behavior of parties. Much research has argued that where parties are motivated more by policy than by office considerations, minority governments are more likely to form (Strøm 1990; Bassi 2017). Regarding institutions, I examine the investiture vote procedure and its impact on minority government formation. As argued by Bergman (1993) "negative" investiture provisions can help minority governments to form (see also Cheibub, Martin, and Rasch 2019).

Using these theoretical lenses, I proceed by analyzing the formation of each of the five minority governments that formed in Poland between 1997 and 2020 (see Table 12.1). To anticipate, I find that since 1997 minority governments have formed in Poland both in situations when a core party was present and in those when it was absent. While governing as a minority cabinet may have been a rational choice for core parties, non-core parties found themselves leading a minority

government typically after a major political crisis ended the life of the immediately preceding majority coalition. This left such minority governments in a relatively weak position, vulnerable to alternative legislative majorities in parliament. I further find that a complex interplay of electoral, office, and policy motivations was responsible for leading some parties to stay in opposition and others to desire government office. Finally, I show that the acquisition of minority status by some cabinets has been facilitated by the constitutional provisions that allow for cabinet reshuffles to take place without a need for an explicit investiture. This said, positive investiture rules that are activated after new elections, or when the prime minister resigns, have not proved to be an insuperable barrier against minority cabinet formation.

The shift to minority under PM Buzek

In the 1997 election, no party won an overall majority. Figure 12.1(a) shows the policy positions of all parties on the economic and social policy dimensions using data from Savage (2014).[2] The pattern of winning coalitions is represented by median lines that divide the policy space so that coalition majorities lie on either side of the line (Schofield 1996).[3] There was no core party and at least in policy terms multiple winning coalitions were possible. The largest party, AWS, expected to form a government with ROP, but the latter's disappointing result forced it to revise its plans. A strong non-ideological divide between the AWS party and the post-communist parties prevented a coalition with PSL. The AWS–UW majority coalition that eventually formed was a second-best choice for AWS given the relatively large differences in policy positions (cf. Jednaka 2004: 182–197).

Besides substantial inter-party policy differences, the AWS–UW coalition suffered from a further handicap: AWS's internal fractiousness. AWS was an electoral coalition of the Solidarity trade union and several small parties, and soon after the 1997 elections, its parliamentary party started to lose MPs. By autumn 1998, its size had declined from 201 to 186. This changed the pattern of winning coalitions in parliament, as the AWS–PSL–ROP coalition was no longer possible. See Figure 12.1(b). Moreover, a group of around twenty AWS MPs began openly opposing cabinet proposals, in particular those made by UW ministers (Zubek 2001; Zakrzewski 2015: 220–232). This lack of discipline inside AWS undermined the viability of the AWS–UW coalition.

In the mid 2000s, when AWS took hostile, if minor, steps against UW over a local government issue, the UW leaders took a serious look at the balance of

[2] This and the other figures are produced based on graphical outputs from the Cybersenate software.

[3] With 460 seats, a majority is 231. The political heart of a parliament is marked with dashed lines. In this spatial analysis and those that follow below, I assume that independent MPs and small MP groups whose positions cannot be estimated vote to retain the status quo.

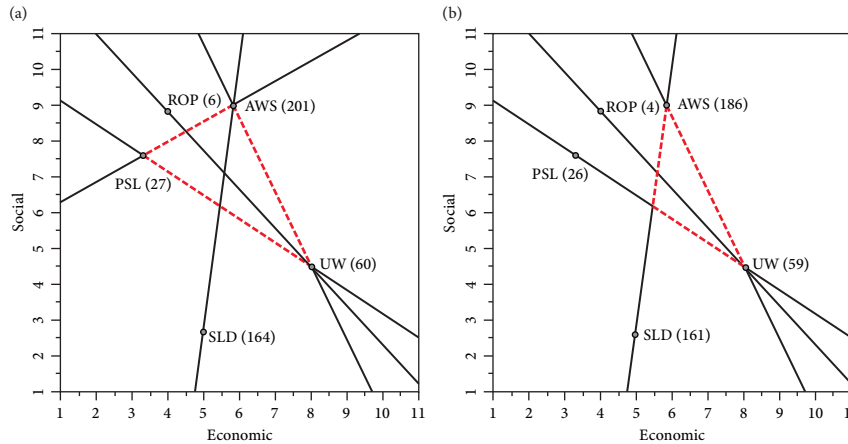

Fig. 12.1 Winning coalitions in the 1997–2001 parliament, Poland

benefits from the coalition. Policy payoffs were low and uncertain given that a small but decisive group within AWS opposed UW's proposals. Moreover, since early 1999, the government's popularity had started to decline rapidly because of major blunders in the implementation of important healthcare and educational reforms. The fast-declining popularity of the coalition cabinet threatened UW's electoral prospects in 2001 and its future access to office. Given this balance of payoffs, the UW party decided to cut its losses and to join the opposition, offering its support to the AWS party on a case-by-case basis. This move left the AWS-led minority cabinet in a relatively weak position: AWS's position in parliament was not at the core and it had to seek support for its proposals in a setting where alternative majorities could form that excluded AWS.

The acquisition of minority status by the Buzek cabinets can be said to have been facilitated by constitutional provisions regarding investiture. As explained in the previous section, the Polish constitution allows cabinet reshuffles to take place with no need for an explicit investiture vote as long as the prime minister continues in office. The prime minister submits requests for the dismissal and appointment of ministers directly to the president who has to accept them. This is exactly what happened in this case. When UW ministers resigned, Prime Minister Buzek asked the president to dismiss them and to appoint AWS nominees. There was no need to seek the formal consent of parliament.

The shift to minority under PM Miller

No party won an overall majority in the 2001 elections, though the SLD–UP electoral coalition came close by winning 216 out of 460 seats. Figure 12.2(a) shows the

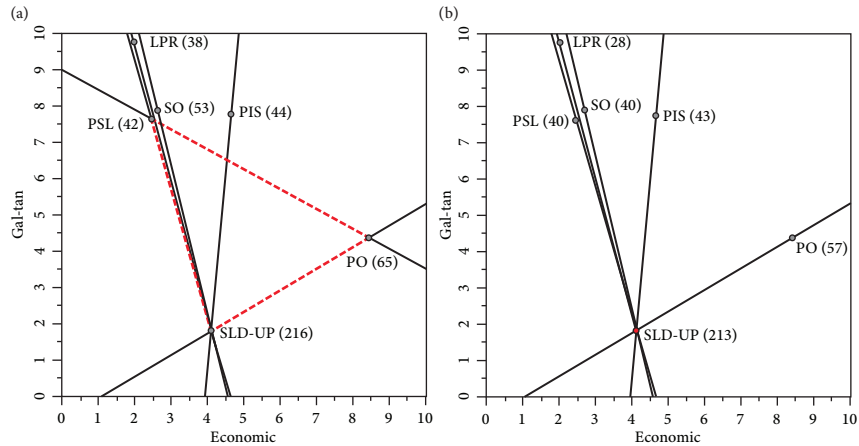

Fig. 12.2 Winning coalitions in the 2001–2005 parliament, Poland

positions of parties on the economic and libertarian-traditional (galtan) dimensions using data from the Chapel Hill survey (Bakker et al. 2015).[4] The pattern of winning coalitions is shown using median lines. In parallel to the situation in 1997, there was no core party and multiple coalitions were viable. The non-ideological divide between post-communist and post-dissident parties prevented the formation of a coalition of SLD–UP and the Civic Platform (PO) (Jednaka 2004: 197–200). A minority coalition of PO and PSL, supported by SO, PiS, and LPR, was also out of bounds. The government that actually formed was a majority coalition of SLD–UP and PSL, and was dominated by two post-communist successor parties.

The PSL party was divided on whether to form a coalition with SLD–UP (Michalak and Winclawska 2006). To enter cabinet, the party had to make important policy concessions which could prove costly at a time when it had to fend off a strong competition for rural votes from Samoobrona (SO), a new populist protest party. The final stages of EU accession negotiations in 2001–02 created further tensions for PSL which championed the interests of Polish farmers. In effect, the PSL party was often split on important votes in parliament. These internal tensions came to a head in early 2003 when the president (a former SLD member) vetoed a PSL-championed eco-fuel bill and, in retaliation, PSL voted to reject a flagship UP initiative introducing a new road toll system. In March 2003, Prime Minister Miller decided to dismiss PSL ministers from cabinet and to carry on as a minority cabinet.

The March 2003 crisis provided a trigger for the coalition to break down, but other reasons may have prompted Miller to try his luck at leading a minority

[4] The position of SLD–UP is calculated as a seat-weighted mean of the position of each party.

government. One such important consideration was a gradual strengthening of SLD–UP's position within parliament. This was due to numerous splits within the other parties that won seats in 2001. By early 2003, there were thirty-nine independent MPs and small splinter groups, making up 8 percent of all MPs. A key consequence of this development was that SLD–UP came to occupy a core party position in policy terms (see Figure 12.2(b)). From a policy perspective, it could now effectively govern by forming issue-by-issue legislative coalitions with other parties. By ejecting PSL from the coalition, Miller was thus able to achieve substantial gains in both policy and office terms.

In the same fashion as with the Buzek II cabinet, the constitutional provisions regarding investiture can be argued to have facilitated the formation of the Miller II government. Prime Minister Miller simply asked the president to dismiss PSL ministers and the government continued as a minority cabinet. There was no need to seek the formal consent of parliament.[5]

From Miller to Belka minority cabinets

The Miller minority cabinet, while occupying a strong position in parliament, was shaken by a series of corruption scandals in 2003 and 2004. The most serious—the Rywin affair—implicated the prime minister and his closest collaborators. Moreover, an internal rift opened up within SLD over an ambitious fiscal adjustment plan championed by the economics minister (Zubek 2008). Miller's political standing weakened, but despite increasing pressure to resign, he refused to step down. It was only when a group of thirty-five MPs left SLD and set up a new party, SdPL, that Miller agreed to tender his resignation. The prime minister's departure activated a formal cabinet formation process and according to the constitutional framework a new prime minister and the government had to be confirmed through an explicit vote of investiture in the lower chamber.

Despite its reduced size, SLD–UP continued to occupy a pivotal role in parliament and there was no viable government that could form without its participation (Rydlewski 2006). None of the opposition parties were willing to enter a coalition with SLD–UP, not least because the cost of sharing government with parties tainted by corruption was considerable. There were two feasible options: a renewed SLD–UP minority cabinet or early elections. The positions of the breakaway SdPL party and of the numerous unaffiliated MPs were critical in this regard. Initially, SdPL pressed for new elections and the Belka cabinet lost its first investiture vote in May 2004. But only a few weeks later SdPL achieved a poor result in the

[5] But note that a few months later, in June 2003, PM Miller voluntarily requested a confidence vote which he won—see Zubek (2015: 174). This further confirms that SLD held a core position in that parliament.

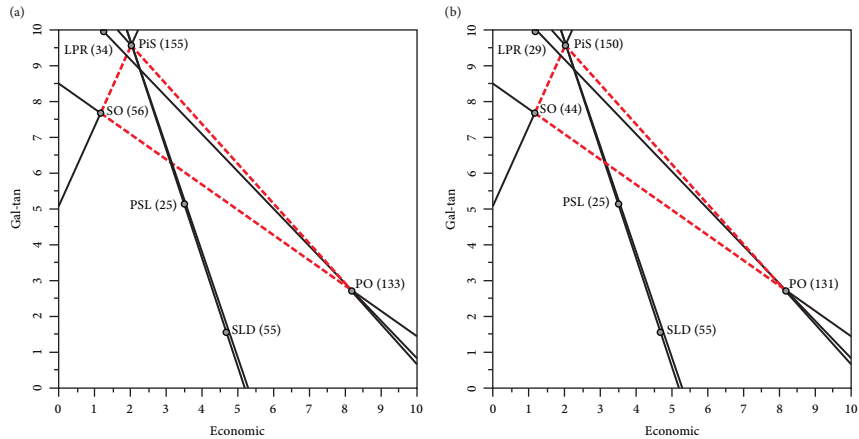

Fig. 12.3 Winning coalitions in the 2005–2007 parliament, Poland

European elections and changed its mind. Helped by numerous unaffiliated MPs who preferred to keep their seats, the Belka government won an absolute majority in June 2004.

Minority cabinet formation after the 2005 elections

The 2005 elections marked the eclipse of the non-ideological cleavage between post-communist and post-dissident parties. Electoral support for the main successor party, SLD, collapsed in the wake of the Miller-era scandals and the party's splintering in 2004. SLD's strength fell from 201 to only 55 seats. The new parliament came to be dominated by PiS and PO, two parties with a post-dissident lineage. The 2005 elections were also exceptional because they were held almost concurrently with presidential elections. After the SLD candidate withdrew unexpectedly, the presidential contest pitted Donald Tusk, PO leader, against Lech Kaczynski, a senior PiS politician. This paved the way for the polarization of electoral competition around the two competing visions offered by PO and PiS.

Figure 12.3(a) shows the positions of all parties after the 2005 elections in the economic and libertarian-traditional (galtan) dimensions using data from the Chapel Hill survey (Bakker et al. 2015). The pattern of winning coalitions is shown using median lines. In the same way as the situation after the elections of 1997 and 2001, there was no core party and multiple winning coalitions were possible. PiS was the largest party in parliament and, by formateur convention, was asked by the president to lead government formation talks. Having been defeated narrowly in both legislative and presidential elections, PO ruled out forming a coalition with PiS and

decided to stay in opposition. This left PiS with two viable coalition options: a PiS–SO–LPR majority coalition or a PiS–SO minority cabinet supported by LPR.

In the end, PiS opted to lead a single-party minority government. This was a somewhat surprising decision given that the party did not occupy a core position in parliament and its ability to govern alone was limited. A key factor militating against forming a coalition with SO and LPR was the strong populist and radical profile of these two parties. Both of the parties showed a willingness to join the government, but PiS was reluctant to coalesce with them. Their votes were necessary, however, as the formation of the new government was taking place after new elections and, in line with the constitutional framework, an explicit vote of investiture was required in the lower chamber in which the government had to win an absolute majority of votes. When offered as an alternative to the outgoing SLD–UP government, the PiS-led minority cabinet was clearly preferable for both SO and LPR, and possibly for PSL. After a surprisingly successful election, both SO and LPR also saw an opportunity to trade their votes for senior parliamentary posts, including committee chairs. After LPR and SO publicly pledged their support, PiS put a single-party government to an investiture vote. Four parties supported the motion—PiS, SO, LPR, and PSL—and the Marcinkiewicz I minority cabinet was confirmed in office.

The shift to minority under PM Kaczynski

In the course of 2005–06, the PiS minority government acquired a majority status after SO and LPR had taken seats in cabinet when the minority formula became unsustainable (see the next section for details). In July 2006, Marcinkiewicz was also replaced by Kaczynski as prime minister. Only minimal changes had occurred in the parliamentary strength of individual parties since the 2005 elections. Figure 12.3(b) shows the pattern of winning coalitions in mid 2007. The PiS–SO–LPR governing coalition combined left-wing economic policies with a conservative social policy stance. No party occupied a core position in parliament.

While fairly cohesive in pure policy terms, the PiS–SO–LPR coalition under Kaczynski was dogged by fierce infighting. More often than not, the struggle was over office spoils. It was SO in particular that made extensive demands in this area, and PiS retaliated by trying to break up its partner (Zakrzewski 2015). The tensions were so high that the SO leader was briefly expelled from cabinet in the autumn of 2006. What finally broke the government were corruption, graft, and sex scandals that implicated senior SO politicians. The SO leader was dismissed from cabinet in early July 2007, though his party formally remained in the coalition. As the crisis escalated, PiS had three options: terminate the coalition and

support early elections, continue as a minority government, or form a new majority coalition. In August 2007, PiS decided to choose the first of these options, SO and LPR ministers were dismissed from government and PiS supported early dissolution.

Why did PiS not decide to govern as a single-party minority cabinet? One key consideration is that PiS's position continued to be weak. In mid 2007, the pattern of winning coalitions in parliament was virtually identical to that at the start of parliament two years earlier (see Figures 12.3(a) and 12.3(b)). Without the support of SO and LPR, a single-party minority cabinet led by PiS was not viable, as it would have been vulnerable to be defeated by a PO–SO coalition supported by PSL and SLD.[6] PiS's ability to form another majority coalition was also limited. A coalition with PO was not possible, as the latter definitely ruled out coalescing with PiS after the presidential election had pitted the two parties against each other. Therefore new elections probably offered the best outcome that PiS could achieve under these circumstances.

Minority governments in office

How did Polish minority cabinets govern while in office? In examining this question, I rely on a standard distinction between unsupported and supported minority governments (Herman and Pope 1973; Strøm 1990). The former govern by forming ad hoc legislative coalitions with opposition parties, while the latter operate based on stable arrangements with one or more support parties that remain outside the cabinet. When discussing Polish experiences with minority support arrangements, I focus on the nature of agreements that existed between cabinet and non-cabinet parties. As shown by Bale and Bergman (2006) and Boston and Bullock (2012), support arrangements may range from implicit understandings of support on important votes, through more robust confidence and supply contracts, to explicit written agreements committing parties to longer-term cooperation. I further consider the motivations that opposition parties may have to support a minority government. As argued by Strøm (1990), these may vary from pure policy-seeking to more instrumental motives.

In what follows, I find that almost all Polish minority cabinets governed by building ad hoc alliances with opposition parties. Opposition parties had both policy and office motivations for offering support, with the exact nature of payoffs showing considerable variation by party and government. While talks about securing more stable support were normally held after the formation of minority

[6] Indeed, in September 2007, PO threatened PiS with such an alternative majority when it submitted no-confidence motions against *all* ministers in the cabinet. It is likely that this attempt would have been successful, had Kaczynski not used a constitutional trick by dismissing and then re-appointing his ministers.

cabinets, they were rarely successful. Unwilling to share responsibility, and often wary of openly supporting governments tainted by corruption scandals lest they be punished by association, non-cabinet parties preferred to offer support only on a case-by-case basis, and with minimum commitment. Only one Polish minority cabinet concluded a formal public support agreement. However, this arrangement proved to be short-lived, not least because it was viewed by the support parties as a mere stepping stone to a formal executive coalition.

Governing with ad hoc coalitions

Four of the five minority cabinets that have formed since 1997 governed by relying on ad hoc legislative coalitions. In the several weeks following the breakdown of the AWS–UW majority coalition, AWS and its prime minister held talks with various opposition parties, including its former partner UW, to test the water for the viability of securing stable support for the government agenda. UW and PSL signaled they would be willing to offer support but only on specific initiatives, while SLD showed less interest in supporting the government (Zakrzewski 2015: 226). In the end, no formal arrangements were concluded, and the Buzek II cabinet had to seek support for its initiatives case by case. In a similar fashion, when the Miller cabinet lost its majority, SLD–UP held informal talks with PSL and other parties to secure firmer backing for its agenda, but opposition parties were largely non-committal on future support (Zakrzewski 2015: 235). In the final stages of its life, the Miller II cabinet moved to establish a more structured alliance with a new opposition group, FKP, but this attempt was cut short by Miller's resignation. The Belka I cabinet relied on the support of SLD's splinter group, SdPL, but this arrangement was not formalized. Finally, after the PiS–LPR–SO coalition had terminated, the Kaczynski minority government did not seek stable support arrangements in the knowledge that new elections were imminent.

This pattern of minority cabinet governance is confirmed by data on legislative voting. Table 12.2 shows the numbers of final passage votes on which parties other than the prime minister's party supported government bills under the Buzek, Miller, Belka, and Kaczynski governments.[7] These figures demonstrate two things. First, the level of voting support from opposition parties increased after governments lost their majority status. SLD voted for almost 90 percent of bills proposed by the AWS minority cabinets up from just above 70 percent under the AWS–UW majority government. Similar increases can also be observed for PO under the Miller and Kaczynski minority governments. Second, with a partial exception of

[7] A final vote is defined as the vote at the end of the third reading. A single vote could be taken on a package of two or more government bills. A party supports a bill if the majority of its MPs vote for the bill.

Table 12.2 Party support on government bill votes, Poland

Non-PM party	Supported (number)	Supported (percent)	Total votes
Buzek I (Majority)			
UW	218	98.6	221
PSL	176	79.6	221
ROP	165	76.7	215
SLD	161	72.9	221
Buzek II (Minority)			
UW	229	96.2	238
SLD	211	88.7	238
PSL	206	86.6	238
ROP	166	86.5	192
Miller I (Majority)			
PSL	238	97.9	243
PO	179	73.7	243
SO	176	72.4	243
PiS	145	59.7	243
LPR	92	37.9	243
Miller II (Minority)			
PO	245	89.1	275
PSL	243	88.4	275
SO	233	84.7	275
PiS	214	77.8	275
LPR	152	55.3	275
Belka I (Minority)			
PSL	211	92.5	228
PO	202	88.6	228
SO	200	87.7	228
PiS	194	85.1	228
LPR	158	69.3	228
Kaczynski I (Majority)			
SO	170	100.0	170
LPR	169	99.4	170
PSL	154	90.6	170
SLD	141	82.9	170
PO	140	82.4	170
Kaczynski II (Minority)			
PSL	22	100.0	22
SO	21	95.5	22
SLD	21	95.5	22
PO	21	95.5	22
LPR	20	90.9	22

Source: Author's own calculations based on raw data obtained from *www.sejm.gov.pl*.

the UW party, the level of support for government bills by former coalition partners declined markedly after governments acquired minority status. This was the case when PSL was forced out of government, and also when PiS ejected SO and LPR.

There is evidence that non-cabinet parties were motivated by policy payoffs when supporting proposals by minority governments. Many of the government bills proposed by the AWS minority government were ones which the UW party was in charge of developing when it was in government, and after UW had moved into opposition, AWS showed a willingness to offer further policy concessions during the parliamentary law-making process (Sobolewska-Myslik and Kasprowicz 2012). In a similar vein, the SLD–UP minority government adjusted the shape of its proposals to secure support from PSL and other opposition parties (Simlat 2012). Many of the bills proposed by the Kaczynski cabinet also resonated with the policy priorities of oppositon parties (Forys 2012). Strong committees, and in particular the less transparent but very influential system of sectoral sub-committees, facilitated policy bargaining among government and opposition parties. Office motivations were equally important, especially under the Buzek and Miller minority governments. The UW party traded its votes for the 2001 budget bill for the AWS's agreement to support the UW leader's appointment as the central bank governor (Jednaka 2004: 262). The SLD–UP government notoriously wooed opposition MPs with office payoffs, ranging from positions in state-owned enterprises, through parliamentary posts, to administrative posts at local level (Paradowska 2003).

Governing with external support

During 1997–2020, the Marcinkiewicz I cabinet was the only Polish government which governed with formal external support. In the initial months of this cabinet's life, the PiS party hoped to leverage its central position on the economic dimension by changing alliances depending on whether it wanted to move policy left or right (Dudek 2016: 598). But this plan turned out to be fraught with difficulties. First, the PiS party's hand was weak: the median position on the traditional-libertarian dimension belonged to PSL, and there existed winning coalitions that excluded PiS (see Figure 12.3(a)). Moreover, SO and LPR—two populist, office-seeking parties that supported the cabinet on the investiture—repeatedly raised the price for their legislative support. Both demanded seats on boards of state-owned enterprises and jobs for party activists in public agencies. At the same time, neither party had any qualms about entering into issue-specific alliances with other non-cabinet parties. Meanwhile, the largest opposition party, PO, was set on undermining the PiS party, and showed little interest in wining policy payoffs (Dudek 2016: 599).

Table 12.3 Party support on government bill votes, Marcinkiewicz I & II, Poland

Non-PM party	Supported (number)	Supported (percent)	Total votes
Marcinkiewicz I (Minority)			
SO	75	100.0	75
LPR	75	100.0	75
PSL	71	94.7	75
SLD	69	92.0	75
PO	67	89.3	75
Marcinkiewicz II (Majority)			
SO	29	100.0	29
LPR	29	100.0	29
PSL	28	96.6	29
PO	27	93.1	29
SLD	26	89.7	29

Source: Author's own calculations based on raw data obtained from *www.sejm.gov.pl*.

It was thus not long before PiS had to change its strategy. It proposed to conclude a "stabilization pact" with SO and LPR, and the final agreement was signed in February 2006 at a press conference with its contents being made public. The contract was intended to last for one year during which SO and LPR committed to support specific government bills and not to support other parties' bills or attempts to make changes in the cabinet or parliamentary leadership. The support agreement further envisaged opportunities for PiS and its support parties to collaborate on joint legislative proposals. In the end, this external support arrangement proved to be unsustainable, as it soon became clear that SO and LPR would not be satisfied unless they were offered seats in cabinet. As early as in April 2006, the pact was superseded by a formal coalition agreement between PiS, SO, and LPR.

Table 12.3 presents the numbers of final passage votes on which parties other than the PM's party supported government bills under the Marcinkiewicz minority and majority governments. The data make it possible to compare the patterns of legislative coalitions during the time when the PiS minority cabinet had external support from SO and LPR and the time when SO and LPR participated in the executive coalition. Two patterns are evident. First, SO and LPR voted with PiS on all final passage votes on government bills, and this pattern can be seen in both periods. This suggests that SO and LPR operated "as if" they were already in cabinet during the time when they provided external support to the PiS cabinet. Second, other opposition parties supported government bills on 90–95 percent of all final votes, and this pattern has not changed between the two periods. This suggests that cabinet proposals attracted support from beyond SO and LPR, especially in the early stages of the majority coalition.

Minority government performance

In this final section, I analyze the performance of Polish minority cabinets, with a special focus on legislative success. There is much consensus in comparative government research that, if political and institutional conditions are right, cabinets with a minority status can perform as well as majority governments (Strøm 1990; Artés 2011; Field 2016; Klüver and Zubek 2018; Potrafke 2019). Existing work has linked the ability of minority cabinets to be effective in policy terms to the presence of a core party (Schofield 1996). If no core party is present, multiple winning coalitions are possible, and there is a risk of policy cycling. For a minority cabinet to be effective in these circumstances, it must be formed by parties bordering the cycle set, with the support of one or more weaker parties (Schofield 1993, 1996; Schofield and Sened 2006). Even strong, centrally located parties may struggle when heading a minority cabinet if opposition parties prioritize non-policy payoffs (see e.g. Ganghof and Bräuninger 2006).

Poland has had three types of minority cabinets since 1997: (a) unsupported cabinets formed by a core party, (b) cabinets formed by non-core parties with external support, and (c) unsupported cabinets formed by non-core parties. Existing theories would expect cabinets in the first and second group to outperform those in the third group and also to perform on a level comparable with that shown by majority governments. Are these expectations borne out by the Polish case? To check this, I analyze the patterns of rolls and defeats on final passage votes.[8] Rolls are defined as votes on which the majority of the PM's party votes against a bill but the bill passes; defeats are defined as votes on which the majority of the PM's party votes in support of a bill, but the bill is rejected (see Jenkins and Monroe 2016). Numerous rolls and defeats signal the legislative weakness of the party leading a minority government. Conversely, a low number of rolls and defeats as a proportion of all votes can be viewed as being indicative of strong legislative performance.

Table 12.4 presents the patterns of rolls and defeats for the PM's party for all Polish cabinets between 1997 and 2011. The first thing to note is that PM parties, leading both majority and minority governments, are very rarely rolled or defeated on final passage votes. Over the ten cabinets during the fourteen years between 1997 and 2011, the PM's party was rolled only on seventeen (0.6 percent) and defeated on twenty-seven (0.9 percent) final passage votes. This indicates a high level of overall legislative performance similar to that found in other parliamentary democracies (cf. Cox and McCubbins 2011). What most likely lies behind this successful record are extensive agenda control powers exercised by the speaker of the lower chamber, an office invariably held by a senior leader of the PM's party. As discussed earlier in this chapter, a key prerogative in this area is the ability by

[8] See also the patterns of bill approval reported in the Appendix.

Table 12.4 Rolls and defeats on final passage votes, Poland

Cabinet	Status	Votes	Rolls	Percent	Defeats	Percent	Combined	Percent
1997–2001								
Buzek I	Majority	359	5	1.4	6	1.7	11	3.1
Buzek II	Minority	335	6	1.8	5	1.5	11	3.3
2001–2005								
Miller I	Majority	294	0	0.0	1	0.3	1	0.3
Miller II	Minority	310	0	0.0	1	0.3	1	0.3
Belka I	Minority	310	3	1.0	9	2.9	12	3.9
2005–2007								
Marcinkiewicz I	Minority	86	0	0.0	0	0.0	0	0.0
Marcinkiewicz II	Majority	38	0	0.0	0	0.0	0	0.0
Kaczynski I	Majority	236	0	0.0	2	0.9	2	0.9
Kaczynski II	Minority	32	0	0.0	1	3.1	1	3.1
2007–2011								
Tusk I	Majority	965	3	0.3	2	0.2	5	0.5

Source: Author's own calculations based on raw data obtained from *www.sejm.gov.pl*.

the speaker to delay motions to place bills on the agenda for several months, and PM parties in Poland have increasingly resorted to the strategic use of this power to shape their legislative accomplishment (Nalepa 2016).

These data also show some variation in the rate of rolls and defeats across cabinets. Two patterns are especially interesting for present purposes. First, while majority governments outperform minority cabinets overall by a small margin, in particular by having a slightly lower defeat rate, some minority governments perform on a par with those having a majority status. The minority cabinet under PM Miller has exactly the same record as the preceding majority government under the same prime minister. Similarly, Marcinkiewicz's majority cabinet performed as well as his immediately preceding minority cabinet. Second, there is some evidence that minority cabinets formed by a core party and those formed by non-core parties with external support perform better than unsupported cabinets formed by non-core parties. This is especially visible when one compares the legislative record of Miller I and Marcinkiewicz I with the performance of the Buzek II and Kaczynski II cabinets. This said, the Belka I cabinet does not conform to this pattern: although formed by a core party, it was rolled and defeated relatively frequently. One reasonable explanation is that this government presided over an unprecedented decomposition of the SLD party which undermined its ability to legislate effectively (Rydlewski 2006).[9]

[9] In spring 2005, even PM Belka left SLD to join another party while continuing as prime minister.

Conclusion

The Polish case holds at least four interesting lessons for research on the formation, governance, and performance of minority governments. First, minority cabinets were often formed by non-core parties and without stable external support. Such cabinets typically emerged in the wake of a major political crisis that broke the life of the immediately preceding majority government. Thus, at least in the Polish case, minority governments were not always a rational bargaining solution. Second, the acquisition of minority status by Polish cabinets can be said to have been facilitated by constitutional provisions that allow cabinet reshuffles to occur without an explicit investiture vote. This said, positive investiture rules that were activated after new elections, or when the prime minister resigned, did not prove to be a significant obstacle to minority cabinet formation. Third, Polish parties had both office- and policy-related motives to support minority governments. The exact balance of the different types of payoffs varied by issue, party, and cabinet. This chapter also confirms that office payoffs beyond cabinet seats can act as an important inducement for parties to support a minority government. In the Polish case, this was particularly true of new populist and radical parties that sought office spoils as a means to reward supporters and expand their party networks. Finally, though minority and majority governments demonstrated comparable legislative performance, cabinets formed by non-core parties without external support were rolled and defeated more often. At the same time, being positioned at the core did not guarantee high performance by the PM's party if it was internally divided and lacked discipline.

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Appendix

Table 12.1A Government bills and approval rates, Poland

Cabinet	Bills	Approved[†]	Percent
1997–2001 Parliament			
Buzek I	356	302	84.8
Buzek II	196	143	73.0
2001–2005 Parliament			
Miller I	316	305	96.5
Miller II	273	253	92.7
Belka I	217	176	81.1
2005–2007 Parliament			
Marcinkiewicz I	91	88	96.7
Marcinkiewicz II	42	35	83.3
Kaczynski I	192	143	74.5
Kaczynski II	28	7	25.0
2007–2011 Parliament			
Tusk I	644	623	96.7

[†] calculated based on approval by the end of legislative term.
Source: Author's own calculations based on raw data obtained from www.sejm.gov.pl.