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Determinants of the Presidential Veto in a Semi-presidential System: Empirical Insights from Poland

Determinanty weta prezydenckiego w systemie półprezydenckim: empiryczne spostrzeżenia z Polski

Abstract

The primary objective of this paper is to investigate the determinants influencing the use of presidential vetoes in Poland, with a particular focus on the role of the anti-pluralist attitude of government and intra-executive identity differences, i.e. how different the president's political views are from the views of the prime minister. We propose an empirical framework to investigate the significant determinants impacting the probability of veto usage. Our paper is based on the theoretical and empirical framework introduced by Köker (2017). The dataset comprises 319 monthly observations spanning from October 1997 to July 2024. The empirical results emphasize the role of cohabitation and ideological differences between the president and the governing party. We argue that these findings contribute to the discourse on the effectiveness of the presidential veto as a mechanism of checks and balances, highlighting that veto decisions may result from various pressures related not only to the individual characteristics of the president or the content of the bill, but also to the current political landscape.

Keywords: Poland, constitutional economics, president, veto, checks and balances.

JEL: D02, D72, K19

Streszczenie

Głównym celem tego artykułu jest zbadanie determinantów wpływających na użycie weta prezydenckiego w Polsce, ze szczególnym uwzględnieniem roli antypluralistycznej postawy rządu oraz różnic tożsamościowych wewnątrz władzy wykonawczej, tj. w jakim stopniu poglądy polityczne prezydenta różnią się od poglądów premiera. Proponujemy ramy empiryczne do zbadania istotnych determinant wpływających na prawdopodobieństwo użycia weta. Nasza praca opiera się na teoretycznych i empirycznych ramach zaprezentowanych przez Kökera (2017). Nasz zbiór danych obejmuje 319 miesięcznych obserwacji, obejmujących okres od października 1997 roku do lipca 2024 roku. Wyniki empiryczne podkreślają rolę współistnienia (koabitacji) oraz różnic ideologicznych między prezydentem a rządzącą partią. Uważamy, że wyniki te stanowią wkład do dyskusji na temat skuteczności weta prezydenckiego jako mechanizmu kontroli i równowagi, podkreślając, że decyzje o weto mogą wynikać z różnych nacisków związanych nie tylko z indywidualnymi cechami prezydenta czy treścią etowanej ustawy, ale także z bieżącej sytuacji politycznej.

Słowa kluczowe: Polska, ekonomia konstytucyjna, weto, prezydent, checks & balances.

JEL: D02, D72, K19



1. Introduction

The presidential veto is a cornerstone, constitutionally granted prerogative of the head of state that wields profound influence over legislative dynamics and steers the course of governmental policy. In our paper, we focus on the Polish case and contribute to the debate on the practice of using a presidential veto in semi-presidential systems by exploring the underlying determinants driving its deployment.

In this study, we have specifically focused on the case of Poland, which is an example of a semi-presidential regime. Our work follows the definition proposed by Elgie (1999), which describes semi-presidentialism as a system where a president chosen in popular elections for a fixed term exists alongside the government responsible to parliament. The late 1980s marked the onset of a transformative period in Poland's political and economic landscape – the transition from a communist regime to a democracy and from a centrally planned economy to a free-market system. The analysis of the presidential veto within the Polish context offers insight into the evolution of this institution since its inception into the constitutional framework in 1989. A pivotal moment arrived in 1997 with the adoption of a new constitution, grounded in the principles of the rule of law and containing an extensive catalogue of rights and freedoms. Our study focuses on the veto practices based on the provisions of the current Polish Constitution, which came into effect on April 2, 1997.

Our study is explanatory – we investigate the correlation between the frequency of presidential veto usage and various factors related to the constitutional framework and political environment. In particular, drawing from Polish political experience, we focus on the presence of a government with anti-pluralist attitudes, and attempt to proxy various aspects of intra-executive conflict underlying the presidential veto usage. The outcome of our analysis entails policy implications related to the effectiveness of the presidential veto as a mechanism of checks and balances.

The paper begins with a review of politico-economic theories surrounding presidential veto mechanisms (Section 2). In Section 3, we focus on the Polish perspective—we explain the constitutional framework governing presidential veto powers and investigate the evolution of veto practices over the past quarter-century. Section 4 presents a detailed description of data sources, the variables under consideration, and our empirical methodologies, as well as a discussion of the model results. The paper concludes with a synthesis of our findings, policy implications, and suggestions for further development.

2. The politico-economic theory of the presidential veto

2.1. The framework of the presidential veto

The presidential veto serves as an integral component of the framework of constitutional checks and balances. This fundamental mechanism is designed to regulate the actions of elected officials (Baron & Ferejohn, 1989; McCulloch & Vandeginste,

2019). These officials are often seen as representatives of the electorate entrusted with the authority to make political decisions. However, their exercise of power is subject to oversight through various means, including electoral processes, the separation of powers, and supplementary mechanisms such as the presidential veto (Acemoglu et al., 2013).

The primary goal of veto power is to enable the president to affect the content of legislation. Under the most common veto rule, the parliament proposes legislation to the president, who has the right to reject it entirely (block veto) or partially (partial veto). A legislative body may override the veto by a simple or qualified majority. A block veto is the most common veto rule in post-socialist countries, including Poland (Tsebelis & Rizova, 2007). In most Latin American and several post-socialist countries (not including Poland), the president is granted an additional prerogative—positive agenda-setting power, i.e., they can add or remove provisions from the bill presented by a legislative body (Tsebelis & Aleman, 2005; Tsebelis & Rizova, 2007). This institutional authority has been referred to in the literature as conditional agenda setting (Tsebelis, 1994).

2.2. The role of a presidential veto in a semi-presidential regime

The definition of a semi-presidential regime has been a subject of debate among political science scholars (Elgie, 1999). In our study, we adopt the definition proposed by Elgie, which describes semi-presidentialism as a system where a president, elected by a popular vote for a fixed term, exists alongside a government that is responsible to a legislative body (Elgie, 1999). In other words, this system is characterized by a dual executive – the president, as head of state, does not assume the role of chief executive due to the presence of a prime minister, who is not subordinate to the president (Shugart, 2005). According to this definition, Poland can be classified as a semi-presidential regime (Elgie, 1999).

In most European semi-presidential regimes, presidential prerogatives are concentrated on foreign policy and international affairs, while domestic politics is within the government's jurisdiction (Kujanen, 2024). However, in the post-socialist countries of Central and Eastern Europe, where semi-presidential regimes are common, the constitutional practice of the president frequently diverges from their formally defined constitutional role (Brunclík et al., 2023; Raunio & Sedelius, 2020). These countries are often characterized by an uneasy coexistence between presidents and prime ministers (Protsyk, 2005a). This issue is often referred to as a problem of the “dual executive” involving ambiguity and/or an overlap of constitutional rights and responsibilities (Protsyk, 2005a). An unclear constitutional division of powers and a lack of effective intra-executive coordination tend to favor the president, who typically takes the initiative in cooperating with the government (Raunio & Sedelius, 2020). Furthermore, presidents are more likely to use informal channels of influence, such as directly contacting other political actors (e.g., political parties or civil society organizations) to intervene in matters that fall under the government's jurisdiction (Raunio & Sedelius, 2020). The lack of peaceful cohabitation between governments and presidents in this region is driven by a combination of perso-

nality factors, ideological differences, divisive communist legacies, the novelty of institutional designs, and constitutional ambiguities (Protsyk, 2005a; Elgie, 1999, Cheibub & Chernykh, 2009).

Intra-executive conflicts manifest in various ways, including the president or prime minister challenging the status quo interpretations of constitutional and statutory norms that regulate power relations within the executive, questioning the norms themselves, or frequently exercising constitutional powers to oppose policy initiatives from the other side (Protsyk, 2005a). In this context, a presidential veto may be viewed as a tool for the president to block policy moves by the cabinet and to undermine the prime minister's leadership. Engaging in intra-executive conflict does not need to be costly for the president from a popularity perspective. Instead, it offers an opportunity to raise their profile and enhance their political capital (Kujanen, 2024).

2.3. Determinants of presidential veto – research hypotheses and questions

Our study adopts an exploratory approach to investigate various determinants of the use of the presidential veto in Poland. Our methodology is based on the seminal study of presidential activism in Central and Eastern Europe by Köker (2017). The author of this study combines a quantitative statistical analysis of presidential activism patterns during the 1990–2010 period with a qualitative analysis, where econometric outcomes are challenged through case studies of veto usage in post-socialist states. Köker focuses on two crucial presidential prerogatives: the right to veto legislation and the right to appoint and censure government and cabinet ministers. He divides the potential determinants of presidential activism into two categories: constitutional factors and factors related to the political environment. Constitutional factors, which are relatively stable over time, include, the form of the presidential election (direct/indirect), the president's powers (the number of prerogatives granted to the president), and the electoral cycle. Köker (2017) identified four main determinants of presidential veto use: (1) the form of presidential elections (direct/indirect), (2) the seat-share of the government in parliament, (3) the degree of parliamentary support for the president, and (4) conflicts within the ruling coalition. The significance of the president's popularity was not confirmed.

Our paper seeks to expand upon Köker's framework to better understand how cohabitation and distance in intra-executive identity affect the probability of the presidential veto being used in Poland. As an enhancement of Köker's framework, we propose to incorporate the populist rhetoric and anti-pluralist attitude of the governing party, along with assessing the identity distances between the president and the prime minister. Additionally, we focus solely on Polish presidents, in order to better understand the local context. Finally, we extend the dataset by 14 years, covering changes in the Polish political scene beyond Köker's original study, which only covered the period up to 2010. In subsequent paragraphs, we analyze various presidential veto determinants and propose research hypotheses and questions. For this study, we assume that presidents are rational and utility-maximizing actors. This assumption facilitates the operationalization of our study based on an empirical model.

Cohabitation

We argue that the inclination to veto a bill is reinforced by the phenomenon of cohabitation. Cohabitation, as conceptualized by Elgie and McMenamin (2011), refers to a situation in which a president from one political party holds office concurrently with a prime minister from an opposing party, with the president's party lacking representation in the cabinet. This arrangement increases the likelihood of constitutional discord between the two elected executives (Stepan & Suleiman, 1995), leading to contradictory policies and delays in decision-making (Linz, 1994). Moreover, given the president's direct popular mandate and the inherent constitutional stability of their office, they may assert legitimacy superior to that of the prime minister, positioning themselves as the sole voice of the people (Linz, 1994; Kim, 2015). Furthermore, cohabitation accompanied by intra-executive conflict may increase the probability of the veto being used.

Populist or anti-pluralist government

Recent studies suggest that populist and anti-pluralist governments negatively affect constitutional compliance (Gutmann & Rode, 2022; Lewkowicz et al., 2024). Anti-pluralism is defined by four key characteristics: (1) an unwillingness to commit to the democratic process as a legal means for gaining power, (2) the denial of the legitimacy of dissenting parties and opponents, (3) a tolerance or endorsement of political violence, and (4) indications that a party and its leaders could consider curtailing the civil liberties of minority groups (Lührmann et al., 2021). These characteristics pose a threat to the institutional integrity of a country (Lewkowicz et al., 2024). Anti-pluralist parties using a populist rhetoric are more inclined to violate the constitution and slide into authoritarianism (Scheppelle, 2019). Knowing that the governing party expresses anti-pluralist attitudes or heavily relies on a populist rhetoric, the president, as the protector of the constitutional order, may scrutinize the bills passed by the government more rigorously, given the higher probability of unconstitutional legislation in this context. Moreover, government wrongdoing increases the probability that the president will be forced to leave office before the end of their term (Edwards, 2015). Therefore, when faced with a government exhibiting anti-pluralist attitudes, the president may be more inclined to use the veto to counteract unconstitutional governmental policies.

Ideological distance between the president and prime minister

Additionally, we seek to deepen the understanding of the impact of cohabitation on the use of presidential vetoes by focusing on potential sources of intra-executive conflict, as indicated by ideological differences between the president and the governing party. A simple measure of cohabitation may not accurately capture the depth of ideological differences between the president and prime minister. The president has a greater incentive to intervene in domestic politics and veto legislation (thereby increasing the probability of executive-legislative gridlock) if they represent

a different ideology than the prime minister (Kujanen, 2024; Elgie, 2018; Tavits, 2009). When the president and the prime minister come from opposing political camps, tensions between the two leaders are more frequent, which results in less regular cooperation (Raunio & Sedelius, 2020a).

Other determinants

Our model will account for several other possible determinants of using the presidential veto, such as the president's term in office, the number of bills issued by Parliament, the governing party's share of the seats, and the time remaining until parliamentary and presidential elections.

The president's propensity to exercise veto power is linked to whether they are serving their first or second term in office. In the second term, since maintaining popularity among voters becomes less important, presidents may choose not to rely on their formal powers for policy implementation as often as they do in their first term (Köker, 2017).

The electoral cycle can also impact the likelihood of a veto being used (Rohde & Simon, 1985; Haspel et al., 2006). When parliamentary elections are approaching, the president may use their powers to emphasize policy differences between parties, and as a result to support their own party (Rohde & Simon, 1985). The prospect of upcoming presidential elections tends to decrease presidential activism, as the president becomes absorbed in their campaign and may aim to appeal to a wider electorate. As a result, the president may avoid using their veto power, so as not to spark public debate and polarize society.

The likelihood that a presidential veto will not be overridden by parliament is linked to the strength of the governing party, as reflected in its share of seats. A large share may discourage the president from using their veto power, while a minority government increases the likelihood of the president successfully vetoing legislation (Köker, 2017).

Another factor influencing the use of the presidential veto accounted for in this paper is the number of bills passed by parliament. A higher volume of bills provides more opportunities for the president to identify issues that may warrant a veto (Köker, 2017).

Hypotheses and Research Question

Based on the above considerations, we formulate the following hypotheses and research question to be addressed in the empirical model discussed in Section 4:

Hypothesis 1: Polish presidents are more inclined to wield veto power in instances of cohabitation.

Hypothesis 2: The populist rhetoric and anti-pluralist attitudes of the government increase the probability of a presidential veto being used.

Research Question 1: Which aspects of identity differences between the Polish president and the prime minister increase the probability of a presidential veto being used?

3. Constitutional Framework and Practice of the Presidential Veto in Poland

3.1. Constitutional Framework

Article 122, paragraph 5 of the Polish Constitution states:

The President of the Republic [...] may refer the bill, with reasons given, to the Sejm [the lower chamber of Parliament] for its reconsideration. If the bill is repassed by the Sejm by a three-fifths majority vote in the presence of at least half of the statutory number of Deputies, then the President of the Republic must sign it within seven days and will order its promulgation in the Journal of Laws of the Republic of Poland (*Dziennik Ustaw*).

The presidential veto in Poland is a block veto with a suspensive character, meaning it can be overridden by a three-fifths absolute majority of Deputies.

The presidential veto power in Poland is subject to certain limitations. The president cannot veto the budget or interim budget bills, nor can they veto bills concerning constitutional changes. These constraints ensure that the veto cannot be used as a tool in matters that are crucial for the continuity of the State (Grądzka, 2022; Piasecki, 2009; Opaliński, 2014; Kielan, 2020).

3.2. The Practice of the Presidential Veto Under the 1997 Constitution

The Polish Constitution does not set any prerequisites for the exercise of veto power by the president, nor does it require justification or specify motivations for a veto. Consequently, the president may veto a bill for purely political reasons. These broad discretionary powers align with the president's constitutional role as the guardian of the Constitution and the guarantor of the continuity of state authority.

Since October 17, 1997, when the current constitution of the Republic of Poland came into effect, four presidents have held office: Aleksander Kwaśniewski (1995–2005), Lech Kaczyński (2005–2010), Bronisław Komorowski (2010–2015), and Andrzej Duda (2015–2025). Table 1 provides an overview of the number of vetoes issued by these presidents.

Table 1.*Presidential vetoes in Poland in the period 10/17/1997–08/31/2024*

President/ President's party	Prime Minister	The main party in the government	Cohabi- tation?	Dates	Number of vetoes	Number of bills	Number of vetoes per bill
Aleksander Kwaśniewski / SLD	Jerzy Buzek / AWS	AWS	yes	10/1997–10/2001	27	636	0.042
	Leszek Miller / SLD	SLD	no	10/2001–05/2004	2	605	0.003
	Marek Belka / SLD	SLD	no	05/2004–10/2005	3	290	0.010
	Kazimierz Marcinkiewicz / PiS	PiS	yes	10/2005–12/2005	0	20	0.000
Lech Kaczyński / PiS	Kazimierz Marcinkiewicz / PiS	PiS	no	12/2005–07/2006	0	106	0.000
	Jarosław Kaczyński / PiS	PiS	no	07/2006–11/2007	1	255	0.004
Bronisław Komorowski / PO	Donald Tusk / PO	PO	yes	11/2007–04/2010	17	589	0.029
	Donald Tusk / PO	PO	no	04/2010–11/2011	2	382	0.005
	Donald Tusk / PO	PO	no	11/2011–11/2014	2	433	0.005
	Ewa Kopacz / PO	PO	no	09/2014–08/2015	0	222	0.000
	Ewa Kopacz / PO	PO	yes	08/2015–11/2015	4	88	0.045
Andrzej Duda / PiS	Beata Szydło / PiS	PiS	no	11/2015–12/2017	3	451	0.007
	Mateusz Mora- wiecki / PiS	PiS	no	12/2017–11/2019	2	468	0.004
	Mateusz Mora- wiecki / PiS	PiS	no	11/2019–11/2023	4	651	0.006
	Mateusz Mora- wiecki / PiS	PiS	no	11/2023–12/2023	0	2	0.000
	Donald Tusk / PO	PO	yes	12/2023–in office as of 08/31/2024	3	64	0.047

Source: author's own work, based on data gathered from the official Polish Parliament website: <https://www.sejm.gov.pl/>.

Several overarching rationales, rooted in historical observations, underlie the motivations behind the veto decisions of Polish presidents. These rationales include instances where a bill infringes upon fundamental constitutional principles, cases where constitutional procedures for enacting laws have been breached, and situations where a bill is expected to have adverse legal, economic, or social ramifications (Chorążewska, 2008). However, it is important to acknowledge that, in practice, several vetoes have been driven by purely political considerations (Pach, 2011). For example, a president may veto a bill due to political differences with the ruling party or the parliamentary majority. This action could be aimed at preventing the

opposing party from implementing policies or aimed at advocating for amendments that better align with the president’s agenda. As Polish presidents are directly elected, they use their veto power to protect the interests of their voters independently from the government or Parliament (Köker, 2017).

Table 2 presents statistical data on instances when the vetoed bill was re-enacted by Parliament and on the percentage of bills vetoed in cohabitation when the president’s party of origin voted against the bill.

Table 2.

Instances of re-enacting bills and the alignment of preferences of the president and their party of origin

President	instances when the vetoed bill was re-enacted		% of bills vetoed under cohabitation where the majority of deputies from president’s party of origin voted against the bill
	number	% of vetoed bills	
Aleksander Kwaśniewski	3	9%	68%
Lech Kaczyński	8	44%	100%
Bronisław Komorowski	0	0%	no cohabitation period during the president’s term in office
Andrzej Duda	0	0%	100%

Source: author’s own work, based on data gathered from the official Polish Parliament website: <https://www.sejm.gov.pl/>.

As explained in Section 3.1, the presidential veto in Poland is a block veto with a suspensive character, meaning it can be overridden by a three-fifths absolute majority of Deputies. We analyzed how frequently veto overrides occurred during the period covered in our study. The vast majority of such cases took place during the cohabitation period between Lech Kaczyński and Donald Tusk, when the ruling PO/PSL coalition was able to gather the required percentage of votes to re-enact bill. Since the beginning of Andrzej Duda’s term, Parliament has not voted on bills vetoed by the president. This passivity may be attributed either to the fear of defeat or conflict with the president, or to the fact that the government coalition realizes that a sufficient majority to overturn a veto may not be achievable (Grądzka, 2022).

Furthermore, Table 2 sets out instances during periods of cohabitation when the president’s preferences regarding vetoing a bill aligned with those of their party of origin. Formally, Polish presidents renounce party affiliation upon taking office. In practice, however, they continue to share a common political agenda with their party of origin (Jagielski, 2024). In the vast majority of the analyzed cases under cohabitation, presidents vetoed bills that were not supported by their party in Parliament.

4. Empirical Study

4.1. Dataset

Our dataset consists of 319 monthly observations from October 1997 (when the current Polish Constitution came into force) till July 2024 (the latest available data) for the basic specification, and up to October 2023 for specifications including measures of identity distances. Information on vetoed bills was manually gathered from the official website of the President of the Republic of Poland and the online archive of the Sejm. Data on vetoes were supplemented with data on the president's term in office, the government's share of seats, the time until parliamentary and presidential elections, the number of bills passed by the government and instances of cohabitation. To ensure a high level of accuracy, data on these variables were collected from primary sources, such as the online databases of Parliament, the government, the Presidential Office, or publications issued by other national offices. We sourced data on the populist rhetoric and anti-pluralist attitudes of the government from the V-Party dataset (Staffan et al., 2022). Data on identity distances were manually calculated based on identity indices published as part of the Global Leader Ideology dataset (Herre, 2023) and the Chapel Hill Expert Survey dataset (Jolly et al., 2022). All of these three datasets are based on expert coding. We are aware of the risk that ideology measures may be affected by the experts' subjective opinions/biases concerning how they view political developments. This limitation should be considered when reviewing the results discussed in the following sections of the article.

The Global Leader Ideology dataset (Herre, 2023) provides data on economic ideology (leftist, centrist, rightist, and undiscernible) of heads of government and political leaders. Based on this dataset, we constructed the following binary distance variable:

$$\textit{ideological stance on economic issues distance (GLI)}_t = \begin{cases} 1 & \text{if both president and prime minister represent the same stance on economic issues,} \\ 0 & \text{otherwise.} \end{cases}$$

The Chapel Hill Expert Survey dataset (Jolly et al., 2022) contains characteristics of parties represented in national parliaments (in election years). In this paper, we use the identity of the president's party as a proxy for the president's identity. The need for such a proxy arises due to the unavailability of a detailed dataset regarding the ideological stance of Polish presidents. To construct this proxy, we followed the approach proposed by Kujanen (2024) in her study on the determinants of presidential popularity in semi-presidential regimes. The analysis presented in Table 2 in Section 3.2 suggests that, during the period under analysis, presidential preferences for vetoing a bill during cohabitation were aligned with those of their party of origin. Furthermore, we proxy the prime minister's stance by that of their party of origin, which, in the Polish historical practice, is the party in the ruling coalition with the highest share of seats in Parliament. Identity distance is calculated based on the following formula:

$$identity\ distance_t = \left| \frac{identity\ index\ of\ the\ prime\ minister's\ party_{the\ most\ recent\ elections\ preceding\ t} - identity\ index\ of\ president's\ party_{the\ most\ recent\ elections\ preceding\ t}}{2} \right|$$

This formula implies that if the President and the prime minister are from the same party (i.e., during terms with no cohabitation) *identity distance_t* = 0.

The Chapel Hill Expert Survey (Jolly et al., 2022) publishes a variety of identity indices. In this paper, we focus on three of them: overall ideological stance, stance on economic issues, and GAL-TAN scale. Based on these indices we constructed three separate identity distances. We focused separately on the overall ideological stance and stance on economic issues categories, due to the difficulties with attributing “leftist” and “rightist” ideologies to political parties in post-socialist states where the economic policies the parties implement and their placement on the conservative-progressive scale do not always align with the classic left-right classification (Tavits & Letki, 2009). In particular, leftist parties more often adhere to fiscal austerity while rightist parties tend to follow the popular demands for social provision (Tavits & Letki, 2009). The GAL-TAN scale categorizes political parties based on their positions on democratic freedoms and norms, along with their stances on sociocultural matters. It differentiates between green, alternative, and libertarian parties, which are positioned on the progressive side of the spectrum, and traditional, authoritarian, and nationalist parties, which are placed on the conservative side (Bakker et al., 2015; Lührmann et al., 2021).

A list of variables, along with their definitions and respective data sources, is provided in Table 3 below, while descriptive statistics are included in Tables 4 and 5.

Table 3.
Variables, definitions and sources

Variable name	Definition	Source
<i>Veto</i>	The number of presidential vetoes in a given month	Official website of the President of the Republic of Poland, the online archive of the Sejm
<i>President's first term in office</i>	A binary variable. 1 – president's first term in office 0 – president's second term in office	Manually coded, based on the official website of the President of the Republic of Poland
<i>cohabitation</i>	A binary variable. 1 – The president and prime minister do not share a party affiliation (cohabitation), 0 – otherwise (no cohabitation)	Manually coded, based on the official websites of the President of the Republic of Poland and prime minister
<i>No. of bills passed</i>	The number of bills passed by Parliament in a given month and presented to the president for signature	Internetowy System Aktów Prawnych, https://isap.sejm.gov.pl/isap.nsf/home.xsp , access: 07/31/2024
<i>Time until presidential elections</i>	The number of months until the date of the next scheduled presidential elections. Adjusted for earlier elections as announced	Official website of the President of the Republic of Poland, the online archive of the Sejm

Variable name	Definition	Source
<i>Time until parliamentary elections</i>	The number of months until the date of the next scheduled parliamentary elections. Adjusted for earlier elections as announced	Official website of the President of the Republic of Poland, the online archive of the Sejm
<i>Governmental seat share</i>	The seat share of the government in the lower house of the legislature based on the number of currently occupied seats	Official website of the Sejm
<i>Government populism index</i>	A continuous variable, indicating the extent to which party representatives use populist rhetoric	V-Party (Staffan et al., 2022)
<i>Government anti-pluralism index</i>	A continuous variable, indicating the extent to which party representatives show a lack of commitment to democratic norms before elections	V-Party (Staffan et al., 2022)
Indices used for distance calculations:		
<i>Overall ideological stance</i>	A continuous variable, indicating the position of the party in terms of its overall ideological stance (from extreme left to extreme right)	Chapel Hill Expert Survey (Jolly et al., 2022)
<i>Ideological stance on economic issues (CHES)</i>	A continuous variable, indicating the position of the party in terms of its ideological stance on economic issues such as privatization, taxes, regulation, government spending, and the welfare state (from extreme left to extreme right)	Chapel Hill Expert Survey (Jolly et al., 2022)
<i>Ideological stance on economic issues (GLI)</i>	A discrete variable, distinguishing between leftist, centrist, rightist, and no economic ideology, understood as the preferences over how much the state should intervene in the economy	Global Leader Ideology dataset (Herre, 2023)
<i>GAL-TAN scale</i>	A continuous variable, indicating the position of the party in terms of their views on social and cultural values (from Libertarian/Post-materialist to Traditional/Authoritarian)	Chapel Hill Expert Survey (Jolly et al., 2022)

Source: author's analysis.

Table 4.
Descriptive statistics – continuous and count variables

Variable name	Number of observations	Mean	Standard deviation	Minimum	Maximum
Veto	319	0.22	0.81	0.00	8.00
No. of bills passed	319	16.50	11.14	0.00	83.00
Governmental seat share	319	52.43	3.50	40.65	56.70
Time until parliamentary elections	319	25.72	15.20	0.00	60.00
Time until of presidential elections	319	28.68	16.68	0.00	60.00
Government populism index	310	0.59	0.31	0.20	0.97
Government anti-pluralism index	310	0.30	0.31	0.05	0.80
<i>Measures of distances in terms of:</i>					
Overall ideological stance	313	0.80	1.40	0.00	4.33
ideological stance on economic issues (CHES)	313	0.42	1.11	0.00	3.6
GAL-TAN scale	313	2.07	0.89	1.00	6.14

Source: author’s own work based on official website of the President of the Republic of Poland, the online archive of the Sejm, V-Party (Staffan et al., 2022), Chapel Hill Expert Survey (Jolly et al., 2022).

Table 5.
Descriptive statistics – discrete variables

Variable name	Number of observations	Frequency	Percent
<i>President’s first term in office</i>	0	108	33.54
	1	214	66.46
<i>Cohabitation</i>	0	229	71.12
	1	93	28.88
<i>Ideological stance on economic issues (GLI) distance</i>	0	231	73.8
	1	82	26.2

Source: author’s own work based on official website of the President of the Republic of Poland, official website of the Prime Minister of the Republic of Poland, Global Leader Ideology dataset (Herre, 2023).

4.2. Framework & Results

To address the hypotheses and research questions, we employed a zero-inflated negative binomial model and zero-inflated negative Poisson models. This methodology was chosen due to the excess number of zero values in the dependent variable

(known as zero-inflation). Zero-inflated models assume that zeroes and event counts result from two independent statistical processes whose outcomes are combined in the data (Hilbe, 2011). The zero-inflated models assume that the excess zero counts (“degenerate zeroes”) are generated by a logit or a probit model, while the remaining counts are generated either by a negative binomial model or by a Poisson model.

Following the approach proposed by Köker (2017), we modeled the excess zeroes using logistic regression and employed either the negative binomial model or Poisson to predict the overall number of counts. The decision regarding the choice of modelling methodology for specific regression was based on the outcomes of a zero likelihood-ratio test checking whether the value of the negative binomial parameter α equals zero. Non-zero values of α indicate that the negative binomial model is more appropriate than the Poisson model.

Moreover, in line with Köker’s framework, we included constitutional factors (i.e., the president’s first term in office, time until parliamentary elections, and time until presidential elections) in the logistic part of the regression, while variables associated with the political environment (i.e., cohabitation, number of bills passed, governmental seat share) were included in the negative binomial or Poisson part (depending on the specification). The rationale behind this approach is that constitutional factors are determinants of presidential activism, which means they determine the likelihood that the president will be active. In contrast, political environment factors create additional incentives for using the veto. Standard errors are clustered on episodes of president-cabinet pairings.

Baseline Specification

Table 6 presents the baseline results of the models for the determinants of presidential veto usage in Poland. The basic specification is shown in column (1), while columns (2) and (3) contain model extensions that control for the effects of populist rhetoric and anti-pluralist views of the governing party.

Table 6.

Baseline model of the presidential veto

	(1)	(2) X = Populist rhetoric	(3) X = Anti-pluralism	(4) X = Populist rhetoric distance	(5) X = Anti-pluralism distance
<i>Political environment</i>					
Cohabitation	2.006*** 9.03	2.263*** 5.51	2.256*** 5.76		
No. of bills passed	0.025 1.37	0.021 1.03	0.0211 1.02	0.028 1.24	0.027 1.21
Governmental seat share	-0.012 -0.53	-0.072 -1.1	-0.063 -1.01	0.143*** 3.15	0.303*** 9.45

	(1)	(2) X = Populist rhetoric	(3) X = Anti-pluralism	(4) X = Populist rhetoric distance	(5) X = Anti-pluralism distance
X		0.101	0.113	2.467***	4.600***
		<i>0.23</i>	<i>0.24</i>	<i>3.59</i>	<i>3.25</i>
Constant	-2.006	1.14	0.7209	-10.075***	-18.339***
	<i>-1.55</i>	<i>0.32</i>	<i>0.2</i>	<i>-4.01</i>	<i>-10.36</i>
<i>Constitutional factors</i>					
President's first term in office	13.399***	13.842***	13.878***	12.013***	12.933***
	<i>4.77</i>	<i>3.9</i>	<i>3.98</i>	<i>3.18</i>	<i>2.38</i>
Time until parliamentary elections	0.0025	0.0058	0.0056	0.0506	0.052
	<i>0.08</i>	<i>0.21</i>	<i>0.19</i>	<i>0.4</i>	<i>1.15</i>
Time until of presidential elections	-0.011	-0.011	-0.0116	0.114	0.108
	<i>-0.31</i>	<i>-0.34</i>	<i>-0.35</i>	<i>0.49</i>	<i>0.92</i>
Constant	-13.545***	-13.945***	-13.968***	-12.086	-19.806
	<i>-5.05</i>	<i>-4.24</i>	<i>-4.34</i>	<i>-0.75</i>	<i>-0.65</i>
Number of observations	319	310	310	310	310
Number of non-zero counts	41	38	38	38	38
Log pseudolikelihood	-149.9837	-142.6453	-142.6436	-153.3121	-153.031
Likelihood-ratio test of $\alpha = 0$ outcome:	Negative binomial model is more appropriate	Negative binomial model is more appropriate	Negative binomial model is more appropriate	Negative binomial model is more appropriate	Negative binomial model is more appropriate

Note: * $p < 10\%$, *** $p < 5\%$, the values of test statistics are in italics. "Populist rhetoric distance" and Anti-pluralism distance" variables are calculated in line with identity distance calculation formula discussed in Section 4.1.

Source: author's own work based on official website of the President of the Republic of Poland, official website of the Prime Minister of the Republic of Poland, the online archive of the Sejm, V-Party (Staffan et al., 2022).

The results identified two factors that significantly correlated with the probability of using the presidential veto in Poland. Firstly, Polish presidents are more likely to issue vetoes during periods of cohabitation, which highlights the role of policy differences in this context. Additionally, the findings suggest that presidents veto more often during their first term in office. However, this result may be an artifact of our sample, as only two out of the four analyzed presidents served a second term. The remaining variables – related to the number of bills passed in Parliament in a given month, the governmental seat share, and the time until parliamentary and presidential elections – were found not to be significant correlates of the presidential veto. In this respect, our results differ from Köker's (2017), who identified time until parliamentary elections, the number of bills passed in Parliament in a given month, and governmental seat share as significant correlates of presidential veto use for countries of Central and Eastern Europe. The identified difference may, on the one hand, be attributed

to the fact that we focus solely on the Polish case, and on the other, to the fact that our dataset has been extended by 14 years compared to the one used by Köker (2017).

The obtained results highlight that cohabitation is the primary factor driving the use of the veto in Poland. These findings align with the conclusions of qualitative studies analyzing veto justifications, which emphasize that strictly political issues were often the main motive behind the president's decisions. In other words, by using the veto, the president either tried to correct the government's policy or make it more difficult to pursue (Pach, 2011; Grądzka, 2022; Jagielski, 2024; Gąsiewicz, 2024).

Interestingly, the effects of the government's populism and anti-pluralism were found to be insignificant. This result may indicate that governing parties characterized by such traits do not pass more unconstitutional bills through Parliament compared to other parties, or that other factors may lead the president to refrain from using the veto in such contexts. In particular, the president may share a political agenda with a populist or anti-pluralist party and may therefore be reluctant to challenge such a party with a veto. This conclusion is consistent with observations from political science studies, which suggest that Polish presidents often act as allies of their party of origin (Maatsch, 2023).

To further analyze these results, we estimated a model in which the cohabitation variable was replaced with a variable accounting for differences in levels of populist rhetoric and anti-pluralism between the governing and presidential parties (Table 6, columns (4) and (5)). The findings suggest that, in the context of presidential veto usage, the extent of the government's populism or anti-pluralism is not significant. What matters is how different the government's stance is from that of the president.

Identity Distance and the Probability of Veto Usage

We conducted a series of four regressions to examine which aspects of identity distance may play a role in explaining the use of presidential vetoes. The results are presented in Table 7. We focused on the distance in overall ideological stance (how the president and prime minister position themselves on the scale from extreme left to extreme right), the distance in the ideological stance on economic issues, and the ideological distance based on the GAL-TAN scale. The results suggest that all distance measures are significantly positively correlated with the probability of veto usage. Our results are further supported by the contextual analysis of ideologically rooted conflicts in the Polish political scene.

On the Polish political scene, two phases of party system development can be distinguished: the 1989-2005 period and the post-2005 period (Antoszewski & Koziarska, 2019). The first period is characterized by the political struggle between the social-democratic party of post-communist origin (SLD) and parties originating from the post-Solidarity camps (Cichosz & Koziarska, 2023). Moreover, it is a period marked by aggressive political competition, with intense discussions on topics such as decommunization, lustration, and holding officials from the previous political regime accountable (Antoszewski & Koziarska, 2019). During this period, the Polish local understanding of the concepts of "leftist" (i.e. post-communist) and "rightist"

(i.e. post-Solidarity) parties was developed, with party origin being more significant than their ideological or economic policy stances (Antoszewski & Koziarska, 2019).

Since 2005, the Polish political scene has been dominated by the competition between two political parties of post-Solidarity origin: the conservative-liberal Civic Platform (PO) and the conservative-nationalist Law and Justice (PiS). Cichosz & Koziarska (2023) identify two main sources of conflict during this period. First, it was related to the cultural GAL-TAN divide, with PO representing the 'GAL' and PiS representing the 'TAN'. Second, post-2015, when PiS formed the government and initiated a series of institutional reforms related to, among other things, judicial independence and media freedom, the conflict divided the Polish political scene into ruling parties (i.e., PiS and its coalition partners) and opposition parties, including PO.

As explained in the paragraph dedicated to the interpretation of baseline results, Polish presidents are active participants in conflicts arising from ideological distances, rather than impartial arbitrators or moderators of the public discourse (Jagielski, 2024; Gąsiewicz, 2024). Our results suggest that the presence of such ideological conflict is significantly correlated with an increased probability of using the presidential veto.

In several estimations, a larger government seat share was positively associated with higher veto usage. This finding may indicate that Polish presidents use the veto primarily as a tool to express their political stance, given the historically observed low risk of being overridden by Parliament (see Table 2).

The results suggest that several factors drive veto usage in Poland between 1997 and 2024 (or between 1997 and 2023 for specifications with measures of distance), highlighting the importance of cohabitation and identity distances in determining the probability of presidential veto usage. We argue that these findings contribute to the discourse on the effectiveness of the presidential veto as a mechanism of checks and balances.

5. Conclusions

This paper focuses on analyzing presidential veto patterns in Poland, a post-socialist state that constitutes one of the model examples of semi-presidential regimes in Europe. The main objective of our study was to explore the relationship between the frequency of presidential veto use and various measures of identity distance between the president and the governing party. Additionally, we investigated whether the populist and anti-pluralist attitudes of the governing party are correlated with a more frequent use of the presidential veto.

Our empirical results emphasize the role of cohabitation in explaining the frequency of using the presidential veto in Poland. Interestingly, the presence of an anti-pluralist or populist government is not associated with more frequent veto usage. What matters in this context is the extent to which the prime minister's stance differs from that of the president. The greater the difference, the higher the probability of a presidential veto occurring.

Our findings suggest that several factors were driving the veto usage in Poland between 1997 and 2024. These factors include political conflict with the government, rooted in political identity differences between the president and the governing party. We argue that these findings contribute to the discourse on the effectiveness of the presidential veto as a mechanism of checks and balances, highlighting that veto decisions may result from various pressures related not only to the individual characteristics of the president or the content of the bill but also to the current political landscape.

There are various avenues for future research in this field. For instance, it would be worthwhile conducting a study on a broader sample of semi-presidential regimes, focusing on estimating the ideal points of presidents using bill-level data (for a similar study on judges in Latin America, see Bertomeu et al. (2017)). This could lead to a better understanding of whether there is any pattern related to the content of the bills that correlates with the frequency of veto usage. Furthermore, we believe that the research on the institution of the presidential office would benefit from a detailed dataset capturing presidential ideological stances on a variety of topics and dimensions. Currently, such datasets are primarily available at the party or head-of-government level. Additionally, research on published presidential veto justifications, utilizing text-mining techniques, would allow for a comparison of officially stated reasons with the actual ones stemming from the current political context.

Table 7.

Results of models with identity distances

	(1) X = overall ideological stance	(2) X = ideological stance on economic issues (CHES)	(3) X = ideological stance on economic issues (GLI)	(4) X = GAL-TAN scale
<i>Political environment</i>				
X distance	0.918*** 6.01	0.473*** 6.43	2.293*** 5.35	1.393*** 6.73
No. of bills passed	0.027 1.14	0.023 1.29	0.023 1.24	0.025 1.42
Governmental seat share	0.359*** 4.40	0.271*** 5.76	-0.074 -1.08	0.174 *** 6.19
Constant	16.885*** 4.29	-15.676*** -5.94	1.288 0.33	4.906*** 4.01
<i>Constitutional factors</i>				
President's first term in office	0.759 1.25	0.458 0.79	14.680*** 5.65	-0.028 -0.04
Time until parliamentary elections	0.012 0.86	0.020 1.49	0.003 0.16	0.024* 1.69

	(1) X = overall ideological stance	(2) X = ideological stance on economic issues (CHES)	(3) X = ideological stance on economic issues (GLI)	(4) X = GAL-TAN scale
Time until of presidential elections	-0.007 <i>-1.10</i>	-0.011* <i>-1.90</i>	-0.010 <i>-0.38</i>	-0.016* <i>-1.85</i>
Constant	0.107 <i>0.18</i>	0.256 <i>0.50</i>	-14.665*** <i>-6.00</i>	0.566 <i>1.08</i>
Number of observations	310	310	310	310
Number of non-zero counts	38	38	38	38
Log pseudolikelihood	-153.6227	-148.5043	-141.8414	-149.5616
Likelihood-ratio test of $\alpha = 0$ outcome:	Poisson model is more appropriate	Poisson model is more appropriate	Negative binomial model is more appropriate	Poisson model is more appropriate

Note: * $p < 10\%$, *** $p < 5\%$, the values of test statistics in italics.

Source: author's own work based on official website of the President of the Republic of Poland, the online archive of the Sejm, official website of the Prime Minister of the Republic of Poland, Chapel Hill Expert Survey (Jolly et al., 2022), Global Leader Ideology dataset (Herre, 2023).

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