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With whom to cooperate in Brussels? The effect of coalition-building with the Three Seas Initiative, Visegrad Group and Germany on Poland's success in EU lawmaking

Introduction[1]

Building intra- and inter-institutional coalitions is an inherent way of negotiating legsilative acts in the European Union (Elgström et al. 2001; Garcia Perez de Leon 2012; Hosli 1999; Mattila 2009; Plechanovová 2011a). Therefore, the question arises: with whom should Poland form such coalitions to be more successful in the EU legislative decision-making? The purpose of this article is to analyze the possibilities and the effectiveness of three potential alliances in EU legislative negotiations between Poland and: the members of the so-called Three Seas Initiative, the countries belonging to the Visegrad Group and Germany. The article seeks to answer two research questions:

> 1) What are the real possibilities of building the above-mentioned coalitions by Poland? In other words, are the preferences of the actors forming these potential alliances similar enough as to be able to agree or work out a common position in the EU legislative process?

> 2) Do any of the aforementioned coalitions provide Poland with more bargaining success in the EU legislative decision-making?

The remainder of the article is structured as follows. The first chapter develops a theoretical framework and delineates three hypotheses, according to which Poland is more likely to be successful in the EU legislative process when it forms a coalition (has consistent preferences) with the members of the Three Seas Initiative (*H1* - the first hypothesis), the Visegrad Group (*H2*) or Germany (*H3*). The second chapter discusses the research methodology. It introduces the DEU II dataset, operationalises the dependent, independent and control variables as well

as it depicts a multiple linear regression as a technique used to test the hypotheses. The third chapter deals with the first research question. It utilizes descriptive statistics and multidimensional scaling in order to analyze the convergence of preferences of the countries making up these three coalitions. This chapter will help to know and apprehend the real possibilities of building the above-mentioned coalitions by Poland. The fourth chapter is devoted to the second research question. In the same vein, it consists of two parts. In the first, a descriptive statistics is utilized to analyze the level of all EU actors' success in EU legislative process as well as to explore the performance of the three coalitions. In the second part, a multiple linear regression is conducted to test the hypotheses and assess the impact of above coalitions on Poland's bargaining success. All calculations are carried out on the DEU II dataset. The fourth chapter will reveal whether and which coalitions increase Poland's success in the EU legislative process. The article concludes by summarizing the obtained results and proposing practical recommendations.

1. Theoretical framework and hypotheses

Legislative acts of the European Union are adopted under the so-called legislative procedures. After the entry into force of the Treaty of Lisbon on 13 December 2009, two such formulas can be distinguished - ordinary and special (see Kirpsza 2016a; Węc 2016). According to Article 289 of the Treaty on the Functioning of the European Union (TFEU), the ordinary legislative procedure, commonly referred to as the co-decision, involves the adoption of regulations, directives and decisions by the European Parliament (EP) and the Council on a proposal from the European Commission. The course of this procedure is defined in Article 294 TFEU. Under co-decision, there is a level playing field between the EP and the Council - neither of them can adopt a legal act without accepting the position of the other institution. By contrast, the special legislative procedure is used in the specific cases provided by the Treaties and envisages the adoption of the same types of acts (regulations, directives and decisions) by either the Council with the participation of the Parliament or by the latter with the participation of the former. In practice, there is not one special legislative procedure, but several, i.e. consultation, consent or budgetary procedure. Under these formulas, one of the institutions, mostly the Council, is more privileged, because it makes the final decision on legislation.

However, according to procedural spatial models (Crombez 2000; Tsebelis 2000; Hörl, Warntjen, Wonka 2005), legislative negotiations under these procedures take place in practice between several actors, namely 28 EU member states forming the Council, the European Parliament and the European Commission. In this theory, the Parliament and the Commission are represented as unitary actors, since they both have one, own legislative position usually adopted by a simple majority and allow amendments in their internal decision-making. It is assumed that, according to the median voter theorem (Black 1958), their preferences are equal to the median preferences of their members (Hörl, Warntjen, Wonka 2005, p. 598). By contrast, the Council cannot be treated as a unitary actor, because, first, it consists of countries having different preferences, and second, it adopts its legislative positions rather by supermajority, generally referred to a qualified majority or unanimity, than by simple majority (Crombez, Vangerven 2014, p. 303).

According to the theory of rational choice institutionalism (Pollack 2007), in this type of decision-making environment coalition-building between actors is the prominent technique of negotiating EU legislative acts. This statement stems from two assumptions: the rationality of actors and the role of formal norms. First, the actors behave in accordance with the logic of expected consequences as they pursue their personal preferences by maximizing the benefits and minimizing the costs (March, Olsen 1998, pp. 949-951). When such rational actors have similar preferences, they strive to form mutual alliances in order to build sufficient majority to push through the position that is the most useful to them. Second, the actors are constricted in their actions by the formal norms which determine the size of the winning coalition (Pollack 2007, p. 32). In the case of the Council, this size is defined by the voting rules: unanimity or qualified majority (QMV). Under the former, every member state has a veto power which generates strong pressure on consensus, provides the actor with the threat of non-agreement and allows single actor to block the negotiations. By contrast, under the latter, the right to veto does not apply. In consequence, it becomes crucial for actors with similar preferences to build coalitions, since this technique enables them to pass legislation by reaching a qualified majority, exclude opponents, push through their common position or block a decision by establishing blocking minority (Hosli 1999, pp. 374-375; Warntjen 2017). Currently, as a result of successive revision treaties, in particular the Treaty of Lisbon, the bulk of EU legislative acts is adopted in the Council under the qualified majority rule (Węc 2016). Therefore, in the light of above assumptions, coalition-building should be an inherent negotiation mechanism in the EU legislative process.

If coalition-building really matters, the question then arises: with whom should Poland form alliances in order to be more successful in the EU legislative process? Forming a coalition is understood here as presenting an identical, similar or jointly agreed policy position on the negotiated issue. To answer this question, three hypotheses were delineated. The first one predicts that Poland is more successful in EU negotiations when it forms a coalition (has consistent preferences) with countries belonging to the so-called Three Seas Initiative (TSI). TSI is a joint Polish-Croatian project formally established at the summit in Dubrovnik on 25-26 August 2016. It is an informal forum including twelve EU member states located between the Baltic, Adriatic and Black Seas, namely: Austria, Bulgaria, Croatia, Czechia, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia. TSI coalition has a high voting power, since it represents approximately 22% of total EU population and possesses 29% of all the Members to the European Parliament (MEPs). As a corollary, when members of this group are ideally cohesive, they have significantly more chance to push through their policy position by reaching a blocking minority in the Council (Warntjen 2017) or winning a plenary vote in the Parliament. Therefore:

H1: Building a Three Seas coalition increases Poland's bargaining success in EU lawmaking.

The second hypothesis assumes that Poland is more likely to succeed in EU legislative decision-making when it forms a coalition with the Visegrad Group (V4). V4 is an informal, regional form of cooperation formally founded on 15th February 1991 (Dangerfield 2008; Kużelewska, Bartnicki, Skarzyński 2015). It comprises four EU member states: Czechia, Hungary, Poland and Slovakia. This coalition does not have the same strength as the Three Seas Initiative as it represents 12.5% of the EU population and has 14% of MEPs. However, due to its strong preference congruence, it has a pivotal significance in building blocking minorities in the Council by other powerful member states, mainly Germany (Tsebelis, Yataganas 2002, p. 286). Hence:

H2: Building a Visegrad coalition increases Poland's bargaining success in EU lawmaking.

The third hypothesis states that Poland's policy position is more likely to succeed in the EU legislative process when this country builds a coalition with Germany. Polish-German coalition is very powerful, since it constitutes approximately 24% of the EU population. As a result, both countries need support from at least two member states representing only 11,1%

of the EU population to reach blocking minority. In addition, Polish and German MEPs make up in total approximately 20% of all MEPs, dominate in key political groups - EPP (European People's Party), S&D (Progressive Alliance of Socialists and Democrats) and ECR (European Conservatives and Reformists), as well as hold important posts in the EP (Kirpsza 2017, p. 147-150). This means that a coalition of Polish and German MEPs may significantly affect the final outcome of the vote in the European Parliament, and therefore push through its own policy position, provided it is cohesive. Thus:

H3: Building a coalition with Germany increases Poland's bargaining success in EU lawmaking.

2. Methodology

This study utilizes the following methodology to verify the hypotheses presented in the previous section. In the first step, a dataset is constructed. In the second step, the dependent, independent and control variables are operationalized. In the third step, a statistical test of hypotheses is conducted using a quantitative method - a multiple linear regression. Each of these steps is discussed in more detail below.

### *Dataset characteristics*

To test the hypotheses, I use the DEU II dataset (Decision-Making in the European Union) designed by Robert Thomson and his collaborators (Thomson et al. 2012). It contains information on the 331 most conflicting legislative issues that emerged during the negotiation of 125 important EU legislative proposals. Three criteria were used to select these acts: time period (acts that were introduced and negotiated between 1999 and 2008), political importance (the dataset includes acts which were mentioned in a report of at least five lines in the "*Agence Europe*" or "*European Voice*"[2]) and the legislative procedure (regulations, directives and decisions adopted under the two most important procedures - co-decision and consultation). The authors of the DEU II dataset conducted 349 semi-structured interviews with experts from the European Parliament, the European Commission, permanent representations of member states in Brussels, the General Secretariat of the Council and

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[2] *Agence Europe* is a Brussels-based information service established in 1953 and devoted to EU affairs. It is particularly read by officials of the EU institutions. "*European Voice*" was a weekly newspaper dealing with EU affairs, which was bought in 2015 by a joint venture between Politico and Axel Springer. Currently, it appears under the changed title: "*Politico Europe*".

interest groups who participated in negotiating the aforementioned legislative acts. The interviewees were asked to: 1) identify key controversial issues that arose during negotiations of selected legislative proposals, 2) determine on a scale of 0 to 100 the initial policy positions of all member states, the European Parliament and the Commission on each issue, 3) estimate on the same scale the level of salience that each actor attached to each issue, and 4) indicate on the same scale the final outcome of negotiations over each issue (Thomson et al. 2012, pp. 607-612).

Figure 1 illustrates the philosophy and practical application of DEU II. It contains the distribution of preferences and the final decision outcome on one of the issues that emerged in the course of negotiating the so-called Return Directive (Directive 2008). This legislative proposal was proceed in the years 2005-2008 under the co-decision. Its purpose was to set standards and procedures for the return and expulsion of third-country nationals who illegally reside on the territory of EU member states. One of the controversial issues was to determine the maximum period in which these people may be kept in a detention center (temporary custody). As Figure 1 shows, the actors were divided on this issue along two lines. The first coalition consisted of twelve countries, including those with high voting power - Poland, Spain, France and Italy, supported by the European Commission. It called for this period to be quite short and to not exceed 3 months with the possibility of extending it in justified cases up to 6 months (position 30 on the 0-100 scale). The opposition was composed by ten countries led by Germany, including smaller countries which were usually under heavy immigration pressure, such as Malta, Greece, Cyprus, Sweden and Finland. This coalition wanted the detention period to be significantly longer, minimum 18 months or even unlimited (position 80 and 100). The European Parliament was an outsider in these negotiations. As the institution caring for the human rights protection, it requested the shortest, 1 month detention period, but it was left alone in this demand (position 0). Finally, the negotiations ended with a compromise (position 90), according to which the maximum detention period may not exceed 6 months. However, it was regulated that it may be exceptionally extended by a further twelve months if the expulsion may last longer due to: a lack of cooperation by a third-country national or delays in obtaining documentation from a third country (Article 15 of the Directive).

Figure 1. Actors' policy positions regarding the maximum duration of detention of illegal immigrants from third countries (procedure no. COD/2005/0167)
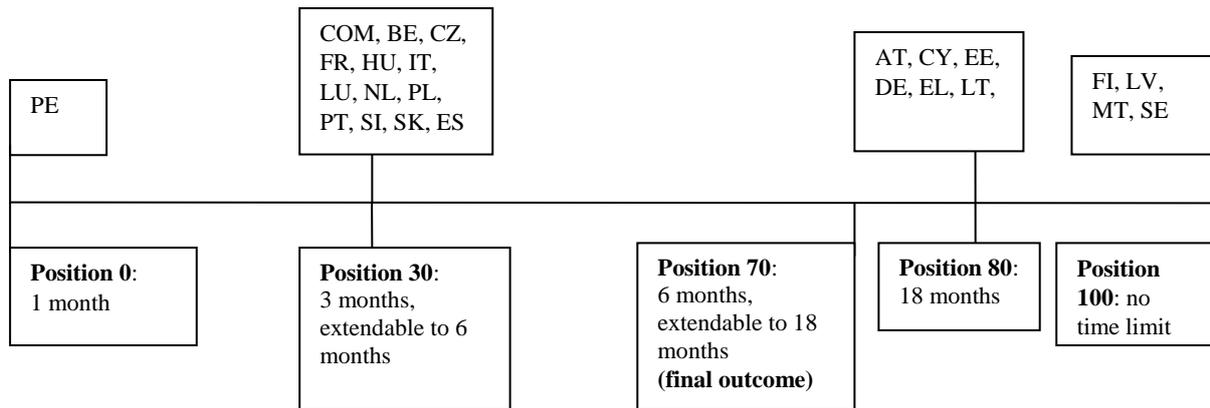
Abbreviations: EP - European Parliament, COM - European Commission, AT - Austria, BE - Belgium, CY - Cyprus, CZ - Czechia, DE - Germany, DK - Denmark, EE - Estonia, EL - Greece, ES - Spain, FI - Finland, FR - France, HU - Hungary, IE - Ireland, IT - Italy, LT - Lithuania, LU -Luxembourg, LV - Latvia, MT - Malta, NL - Netherlands, PL - Poland, PT - Portugal, SE - Sweden, SI - Slovenia, SK - Slovakia, UK - Great Britain. Source: DEU II dataset (Thomson et al. 2012).

By analyzing Figure 1, it can be stated that Germany and countries with low voting power (Austria, Cyprus, Estonia, Greece and Lithuania) were the biggest winners in the negotiations over the issue. This conclusion stems from the fact that the final outcome was only 10 points away from their initial policy position. Sweden, Finland, Malta and Latvia achieved the second best result as the difference between their preference and the outcome is equal to 30 points. Despite having a strong formal and legal position in the co-decision procedure, the European Parliament was the biggest loser. The distance between its policy position and the final outcome was 70 points and this result was the highest compared to other actors.

Operationalization of the variables

One dependent, three independent and five control variables were operationalized in order to test the hypotheses quantitatively. The dependent variable in the study is *Poland's Success*. It captures Poland's bargaining success as the absolute distance between Poland's initial policy position and the final outcome of negotiations on a particular legislative issue. It is calculated using the following equation:

$$Success_i = |Position_i - Outcome_i|$$

where:

i - legislative issue;

Success$_i$ - Poland's bargaining success on the issue, expressed on a scale of 0 to 100;

Position$_i$ - Poland's position on the legislative issue, expressed on a scale of 0 to 100;

Outcome$_i$ - the final outcome of negotiations on a given issue, expressed on a scale of 0 to 100.

This equation leads to the conclusion that the higher the value of the dependent variable ($Success_i$), the greater the distance between Poland's policy position and the final outcome on the issue, and thus the lesser Poland's success. When the dependent variable is equal to 0, it means that Poland achieved full success as the outcome was the same as its position. While the value of 100 indicates that Poland completely failed in the negotiations, getting the greatest possible distance between the outcome and its position on a particular issue.

Turning to the independent variables, *H1* is tested with the continuous *Three Seas* variable. It measures the absolute distance (on the 0-100 scale) between Poland's policy position on the issue and the average policy position of the remaining countries participating in TSI. The higher is the value of this variable, the greater is the discrepancy between both actors' preferences. And conversely, the closer the value is to 0, the more coherent are the positions. The value of 0 means that the positions of Poland and the Three Seas' members (average position) are identical, whereas the value of 100 indicates ideal contradiction of preferences.

To test *H2*, a continuous variable *Visegrad* was created. As in the case of *H1*, it determines the distance (in absolute terms) on the 0-100 scale between Poland's position on the issue and the average position of other members of the Visegrad Group, i.e. Czechia, Slovakia and Hungary. Likewise, the closer the value of this variable is to 0, the greater is the cohesion of the Visegrad Group. And *vice versa*, the higher is this predictor, the greater is the divergence in preferences.

H3 is tested with the *Germany* variable. It is continuous, ranging from 0 to 100 and measuring the absolute distance between the policy positions of Poland and Germany on a particular legislative issue. In a similar vein, the value of 100 indicates the total discrepancy between the preferences of both countries, while the value of 0 means that their positions are perfectly cohesive.

Five control variables were also created to capture other factors that may have impact on Poland's bargaining success. The first is the *European Parliament*. It is continuous variable which measures the absolute distance (on the 0-100 scale) between the policy positions of Poland and the European Parliament on a given legislative issue. It ranges from 0 to 100, indicating the level of compatibility between both actors' preferences (0 - ideal cohesion; 100- total discrepancy). The inclusion of this variable stems from empirical studies showing that the Parliament has, under certain conditions, a strong impact on the final shape of EU legislative acts adopted under the ordinary and special legislative procedures (Costello, Thomson 2011; Kirpsza 2015; Kirpsza 2016b). As a corollary, the level of congruence between Poland's and EP's positions may be of significant importance for the success of the former.

Other control variables are *France*, *Great Britain*, *Italy* and *Spain*. Likewise, each of them is continuous, ranging from 0 to 100 and specifying the distance (in absolute terms) between Poland's position on the legislative issue and the preferences of four member states holding the greatest voting power in the Council, namely France, Italy, Spain and the United Kingdom. The aim of these variables is twofold: first, to control the effects anticipated in *H1-H3*, second, to check whether forming a coalition with these countries, understood as agreeing common position on the issue, brings visible legislative benefits for Poland. As is clear from empirical research, the high member state's voting power has a significant impact on its success in the Council, because it particularly facilitates building the so-called blocking minorities (Warntjen 2017).

Multiple linear regression

Since the dependent variable is continuous, a multiple linear regression (OLS - Ordinary Least Squares) seems to be the most appropriate method of hypothesis-testing (Fox 2008). It is a statistical procedure that models the linear relationships between a scalar dependent variable and several independent variables (predictors), determines the statistical significance of these relationships, and makes predictions. More specifically, its purpose is to estimate the expected value of the dependent variable *Y* (i.e. the level of Poland's success) given known values of the independent variables *X* (i.e. factors affecting this success as predicted in the hypotheses). A multiple linear regression can be depicted by the following equation:

$$Y_{ip} = \alpha + \beta_j X_{jip} + \varepsilon_{ip}$$

where:

Y_{ip} - dependent variable: Poland's success, the average distance between the policy position of Poland and the final outcome of negotiations on issue i nested in the legislative proposal p;

α - constant term;

β - regression coefficient, parameter;

X_{ip} - independent variables (predictors): the value of a given predictor for the issue i nested in the legislative proposal p;

j - consecutive numbers of coefficients and independent variables;

ε_{ip} - random error term.

Regression calculations were carried out on the aforementioned DEU II dataset which was reduced to proposals negotiated or adopted after Poland's accession to the European Union in 2004. After removing cases with missing data, the sample consists of 131 issues (observations) included in 52 proposals being negotiated in the years 2004-2009. The problem is, however, the hierarchical structure of the data. The issues are nested in proposals; therefore, they cannot be treated as independent observations. As a result, there is a concern that the level of Poland's bargaining success on a given issue may be strongly correlated with the properties of the legislative proposals[3]. To solve this problem, linear regression models were estimated with robust standard errors, clustered at the proposals to which the issues belong (Wooldridge 2003; Cameron, Miller 2015).

3. Preference convergence between Poland, the Three Seas, the Visegrad Group and Germany

The purpose of this chapter is to answer the first research question of what are the real possibilities of building a coalition by Poland with the Three Seas' members, the Visegrad Group and Germany. In the first step, a descriptive statistics is carried out to examine the coherence level between the policy positions of above actors. Subsequently, a multidimensional scaling is performed to demarcate the relative preference convergence of

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[3] The analysis of variance (ANOVA) between Poland's success and the legislative proposals does not confirm this concern - the F statistics is 1.18 and it is not statistically significant (p = 0.25).

the three analyzed coalitions, and thus to determine the chances of their establishment. The basis for all calculations is the DEU II dataset.

Descriptive statistics

Figure 2 illustrates average distances on the 0-100 scale between the policy positions of Poland and other member states on the legislative issues negotiated in 2004-2009 under the co-decision and consultation. The analysis also includes institutional actors - the European Parliament and the European Commission, as well as the average positions of the members of the Visegrad Group and the Three Seas Initiative. For clarity's sake, the smaller the distance between the positions of Poland and a particular actor, the greater the compatibility of their preferences.

Figure 2. Average distances between Poland's and other actors' policy positions
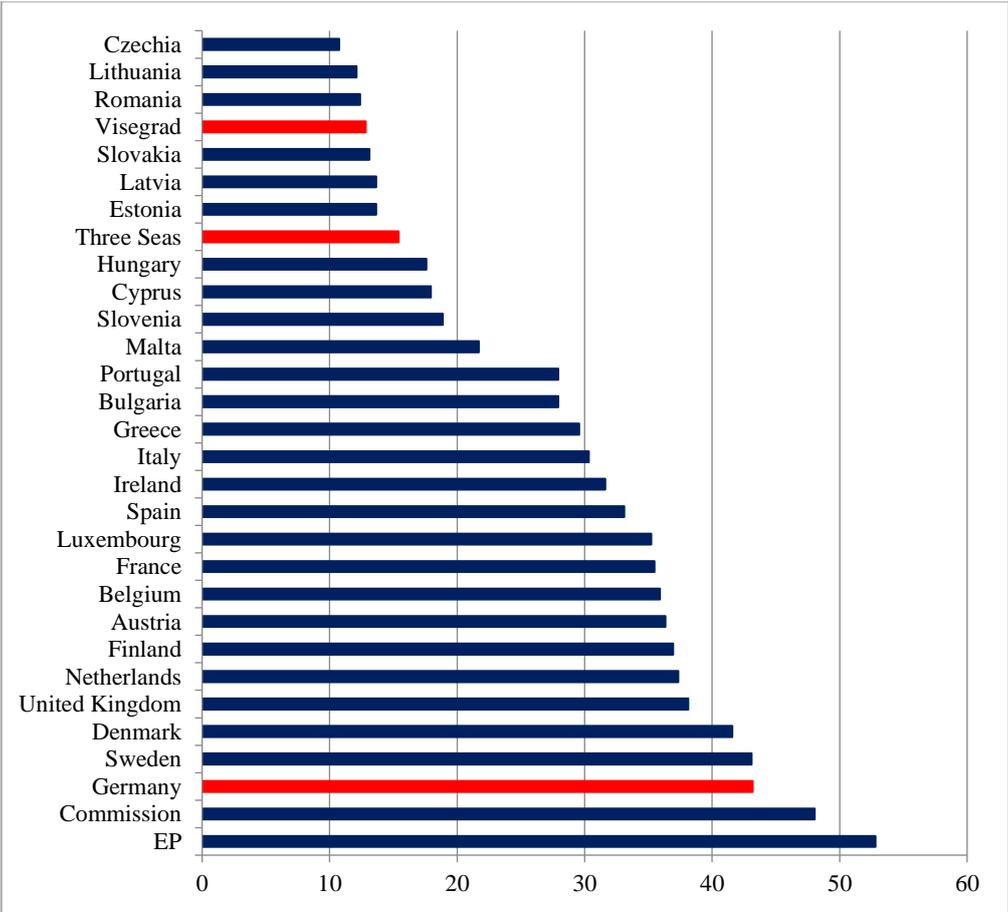
Source: own calculations based on the DEU II dataset (Thomson et al. 2012).

In a nutshell, four pivotal conclusions can be drawn from Figure 2. First, there is a strong convergence between the policy positions of Poland and the Visegrad Group. The Czech Republic, Slovakia and Hungary are particularly close partners to Poland. In the analyzed period, their preferences were on average only 11, 13 and 17 points away from Poland's position, respectively. As a result, they occupy the first, fourth and seventh places in terms of preference compliance with Warsaw. Above observations lead to the conclusion that, among all the coalitions considered, building the Visegrad Group alliance should be the most facile and trouble-free task due to the closest proximity of preferences.

Second, as far as the Three Seas Initiative is concerned, Figure 2 reveals a relatively strong agreement between the preferences of Poland and members of this group. During the period 2004-2009, Poland's policy position was only 15 points away from the average common position of the member states belonging to TSI. This result gives this informal organization the seventh place in terms of the level of preference convergence with Warsaw. It should also be emphasized that out of the first 10 actors having the closest preferences to Poland, the Three Seas' members occupy as many as 8 places. Thus, Poland should not have major problems with building this coalition. However, this conclusion is attenuated by two countries, namely Austria and Bulgaria, whose average policy positions are quite distant from Poland's preferences (36 and 28 points respectively).

Third, despite geographical proximity, shared cultural background and many common interests, Poland and Germany are characterized by a huge divergence of preferences in the EU legislative process. In the analyzed period, the policy positions of Poland were on average about 43 points distant from the Germany's preferences on a scale of 0-100. This result situates Germany as Poland's biggest opponent, having the most discrepant preferences from all member states. Therefore, building a mutual coalition during EU legislative negotiations is seriously impeded.

Fourth, Poland has exceptionally conflicting preferences with institutional actors. The European Commission and the European Parliament occupy the last two places in terms of the preference convergence with Poland. According to Figure 2, Poland's policy position during the period considered was distant from the positions of the Commission and the Parliament on average by 48 and 53 points respectively, on a scale of 1-100. On the one hand, this result is not surprising given that both EU institutions possess the most pro-integration preferences,

differing significantly from those of the member states (König 2008; Selck 2004; Hix, Høyland 2013, pp. 174-175). On the other hand, such a profound discrepancy in policy positions may translate into worse legislative outcomes for Poland. In the light of empirical research, the Commission has a significant impact on the course and results of decision-making under the ordinary and special legislative procedures. In particular, it can shape the agenda (i.e. legislative proposals) in accordance with actor's preferences or support the policy position of a given member state which, according to several studies, visibly increases its probability of success (Rasmussen 2003; Costello, Thomson 2013, p. 1035; Cross 2012, p. 86). Likewise, the Parliament is a powerful legislative actor as it is able to force the Council to accept its amendments in both of these procedures by, inter alia, delaying the adoption of its opinion in consultation or linking several proposals or issues into one package in order to block volumes of legislation (Kirpsza 2015, 2016b). Irrespective of the role either of EU institutions plays, a strong discrepancy in preferences seriously hinders Poland from forming coalitions with both of them.

Multidimensional scaling - cohesion of the Three Seas and Visegrad coalitions

While Figure 2 depicts the compatibility of actors' policy positions in terms of absolute distances, it does not take into account the relative compatibility, i.e. the distance between the positions of Poland and a country *X* in relation to the distance between the positions of a country *X* and other EU actors. As a result, it is possible to pinpoint the discrepancies in preferences of Poland and other countries forming the Three Seas and Visegrad coalitions, though, nothing can be said about the levels of preference convergence between all the actors belonging to these coalitions in relation to each other. In other words, as recent section has shown, Poland has certainly consistent preferences with the members of these groups, but do all the members of these groups agree with each other in terms of having similar policy positions in EU lawmaking? The best method to tackle this problem and determine the relative distances is multidimensional scaling, often referred to as MDS (Cox, Cox 2001). This method is widely used in EU legislative studies (Mattila 2009; Naurin, Lindahl 2008; Plechanovová 2011b; Zimmer, Schneider, Dobbins 2005). In essence, it is a statistical procedure which provides a visual representation of similarities and dissimilarities between a set of objects. MDS utilizes a special algorithm that places objects in a Cartesian multi-dimensional space (minimum one) in such a way that similar objects are closer to each other, whereas those that are different are further away from each other. In the context of this study,

MDS will allow positioning all the member states belonging to the Three Seas and Visegrad coalitions in a two-dimensional space in terms of the relative coherence between their preferences, having in mind that their close location means that their preferences are more or less cohesive, whereas longer distance between them indicates much less compatibility of preferences.

Figure 3. Results of multidimensional scaling - relative distances between the preferences of the Three Seas and V4 members in the years 2004-2009
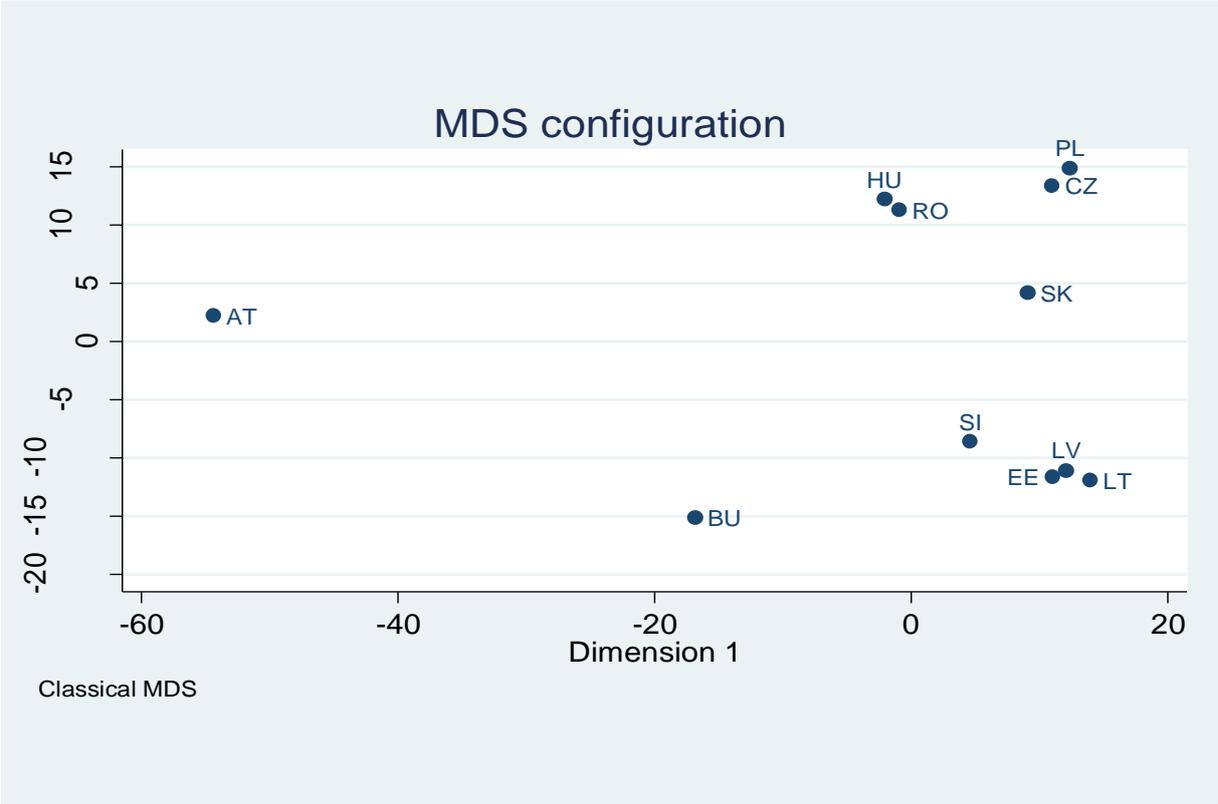
Source: own calculations based on the DEU II dataset (Thomson et al. 2012). Croatia is not included in the analysis, because it was not yet an EU member state in the period considered (2004-2009).

Figure 3 illustrates the results of multidimensional scaling. Calculations were carried out on the DEU II dataset. It is clear that the cohesion of the preferences of the members of the Three Seas Initiative and the Visegrad Group is not perfect. While they are generally close to each other in dimension 1, a relatively strong spread of preferences emerges in dimension 2. First, there are long distances between the TSI members, indicating strong divergence of policy positions within this coalition. One can notice the division of this group into three rather distant two-state parties with extremely homogenous preferences, namely: 1) Poland and Czechia, 2) Hungary and Romania, as well as 3) Lithuania, Latvia and Estonia. In addition, it is clearly visible that particularly Austria, but also Bulgaria are outliers in this coalition as

they are located far away from other members of the Three Seas Initiative. It means that both these countries usually do not share the policy position of the other coalition's members during negotiations of EU legislative acts. Second, certain discrepancies in preferences can also be noticed within the Visegrad Group, although they are not as large as in the case of the TSI. This implies that in terms of relative preference convergence, V4 coalition is more cohesive and more likely to build than the Three Seas alliance. In sum, if one can talk about some, albeit imperfect cohesiveness of the Visegrad coalition in the EU legislative process, it is difficult to draw such a conclusion in relation to the TSI.

4. The effect of forming a coalition with the Three Seas Initiative, the Visegrad Group or Germany on Poland's success in EU lawmaking

The purpose of this section is to answer the second research question: does forming a coalition with the Three Seas Initiative, the Visegrad Group and Germany increase Poland's bargaining success in EU legislative process? In the first part, a descriptive statistics is used to analyze the level of actors' success in EU legislative process as well as to explore the performance of aforementioned coalitions. In the second part, a multiple linear regression is carried out in order to test the hypotheses and assess the effect of above coalitions on Poland's bargaining success.

Descriptive statistics

Figure 4 reports the average success of all member states, the European Parliament, the European Commission, the Three Seas Initiative and the Visegrad Group in EU legislative process. Bargaining success is calculated on the DEU II dataset and measured as the average distance between the actor's policy position and the final outcome on issues negotiated in the years 2004-2009. In a nutshell, four conclusions can be drawn from the analysis. First, in this period, Poland's policy position was on average 35 points away from the final outcome on the 0-100 scale. This means that out of 29 actors being analyzed, this country occupies 12th place. This result can be perceived as not satisfactory, considering Poland's high 6th place in terms of voting power and population in the Council. However, it must also be noted that Warsaw performs much better than other powerful actors such as Spain, Italy, France and the Commission.

Figure 4. Actors' average level of success in EU legislative decision-making (average distances between the negotiation outcome and the actor's position)
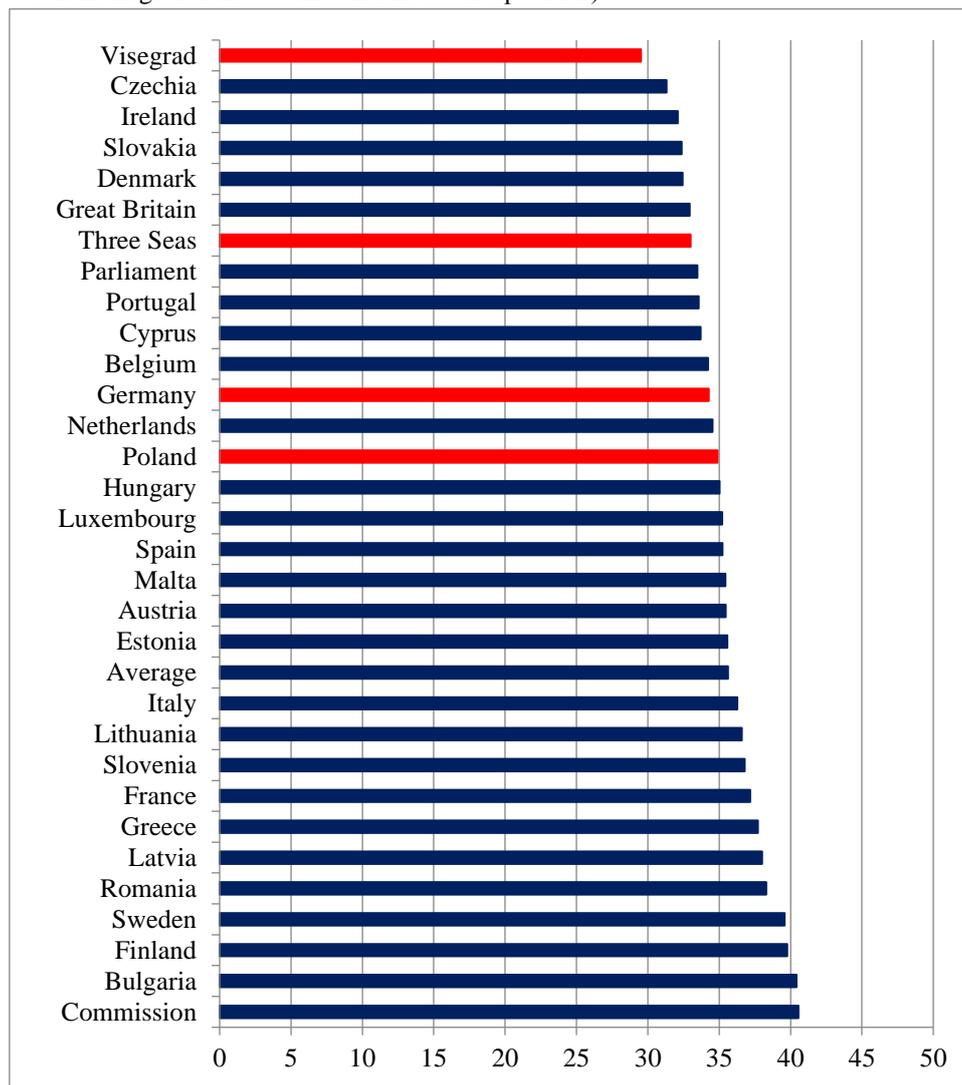
Source: own calculations based on the DEU II dataset (Thomson et al. 2012).

Second, the analysis shows that Czechia, Ireland, Slovakia, Denmark and the United Kingdom are the most successful actors in the EU legislative process. This is a serious surprise, because the first four countries are small and weak in terms of voting power. The high position of the United Kingdom is also puzzling in the context of future Brexit, albeit it must be emphasized that in 2004-2009 this country was governed by pro-integration Labour Party. On the other hand, the European Commission, Bulgaria, Finland and Sweden are among countries with the lowest level of success. The Commission's presence in this bunch is quite astonishing, because this EU institution is perceived rather as an influential actor in the EU legislative process. The low position of France and Italy is also striking - their success is even weaker than the average for all actors. In addition, Figure 4 also refutes the common opinion encountered in the public debate, especially in Poland, that Germany plays a

dominant role in the EU legislative process. Despite holding the largest voting power in the EU, Berlin occupies only 10th place in terms of bargaining success, achieving legislative results on average 34 points distant from its policy position. It should be emphasized, however, that according to Figure 4, there is little difference between actors' bargaining success - the best result is away from the worst by only 9 points. This confirms the view that the culture of consensus is strongly embedded in the legislative process, providing compromises satisfying all parties and not generating clear losers (Lewis 2005).

Third, the biggest surprise is the result of the Visegrad Group treated unitarily. During the analyzed period it achieved the greatest bargaining success compared to other actors - its average policy position was 29 points away from the final outcome. This result suggests that V4 coalition may bring legislative benefits for Poland, as predicted by *H2*.

Fourth, the analysis reveals different levels of success for the members of the Three Seas Initiative. If the Czech Republic, Slovakia or Cyprus were doing well in the negotiations in the years 2004-2009, this cannot be said of Bulgaria, Romania or Latvia. However, as Figure 4 demonstrates, the Three Seas Initiative treated unitarily occupies a high 7th place in terms of bargaining success. Its average policy position is 33 points distant from the final outcome, which means it achieves better results than Poland alone.

Results of the statistical hypothesis testing

Table 1 reports the results of the hypothesis testing using multiple linear regression (OLS). To remind, a positive coefficient implies an increase in the distance between Poland's initial policy position and the final outcome, and thus a decrease in its bargaining success. Five OLS models were estimated. Models 1, 2 and 3 include only one variable - *Three Seas*, *Visegrad* and *Germany* respectively. Their goal is to test each hypothesis separately and to check how much variance of Poland's bargaining success is explained by each predictor. Model 4 contains all three predictors mentioned above and its purpose is to test three hypotheses collectively. Finally, Model 5 adds five control variables to model 4. The best fitted model is Model 5. It explains the most, 37% of the variance of the dependent variable (see *R-square*) and has the lowest AIC and BIC scores. It must be emphasized, however, that this model also contains the smallest number of observations due to the lack of data on the positions of some member states on several issues.

Table 1. Linear regression results - predictors of Poland's bargaining success in EU legislative decision-making

	Model 1	Model 2	Model 3	Model 4	Model 5
Three Seas	0.125 (0.120)	-	-	-0.187 (0.276)	- 0.072 (0.207)
Visegrad	-	0.290*** (0.101)	-	0.358 (0.225)	0.365* (0.193)
Germany	-	-	0.262*** (0.067)	0.224*** (0.070)	0.197*** (0.069)
European Parliament	-	-	-	-	0.295*** (0.089)
France	-	-	-	-	-0.191** (0.085)
Italy	-	-	-	-	0.186** (0.079)
Spain	-	-	-	-	0.023 (0.085)
United Kingdom	-	-	-	-	0.169** (0.077)
Constant	33.43*** (3.801)	30.61*** (3.662)	23.22*** (3.643)	22.61*** (4.369)	1.050 (5.853)
R^2	0.007	0.039	0.112	0.114	0.37
AIC	1227.4	1077.2	1194.3	1035.6	838.5
BIC	1233.1	1082.6	1200.0	1046.3	860.9
F	1.085	8.188***	15.24***	6.015***	14.38***
N (issues)	126	111	124	107	89
N (proposals)	50	45	52	43	38

Notes: * $p < 0.1$, ** $p < 0.05$, *** $p < 0.01$. All models estimated with robust standard errors, clustered at the proposals to which the issues belong. The dependent variable is the distance between Poland's policy position and final outcome of negotiations on the issue.

H1 expected Poland's bargaining success in EU legislative process to be greater if this state have a cohesive position on the issue with other members of the Three Seas Initiative. The analysis does not confirm this hypothesis. The *β* coefficient of the *Three Seas* variable is not statistically significant in any model and it alone explains only 0,7% of the variability of Poland's success (see Model 1). Moreover, after taking into account the preferences of other actors in Models 4 and 5, the coefficient of this predictor changes its direction to negative. This means that the greater the discrepancy in the positions of Poland and the Three Seas'

members on the issue, the smaller the distance between the final legislative outcome and the Poland's position, and hence the greater the success of this country. Therefore, contrary to predictions, forming a TSI coalition does not ensure a significant increase in Poland's success. This result should be interpreted in the context of strong preference divergence identified within this group in the previous section. In this regard, the use of various concessions to bring the position of this coalition closer to Poland's preferences may not pay off, because the costs of such action may outweigh potential legislative gains.

According to *H2*, Poland's bargaining success is greater if this country has a consistent position with other members of the Visegrad Group. This hypothesis is confirmed in the analysis, although the statistical reliability of this relationship is not high. As predicted, the β coefficient of the *Visegrad* variable is positive and statistically significant in Models 2 and 5, albeit in Model 5 only at the 10% level ($p<0.1$). In addition, this predictor is found to be insignificant in Model 4 which may be due to a strong correlation with the *Three Seas* variable[4]. However, above doubts are dispelled by Figure 5 showing that the preference convergence with the average position of V4 has a substantial and positive effect on Poland's predicted success. Interestingly, the impact of V4 coalition is the greatest compared to all predictors and it even exceeds the effect of Polish-German cohesion, as evidenced by the highest value of the *Visegrad* coefficient in Model 5. Nevertheless, the cohesion of Poland's and Visegrad's positions alone accounts for only 4% of the variance of Poland's success which is 7 percentage points less than in the case of the Polish-German coalition. Based on Model 5, an increase in the distance between the positions of Poland and the V4 members by 10 points on the 0-100 scale decreases the level of Poland's success (increases the distance between Poland's position and the final outcome) by 3.6 points on average, *ceteris paribus*. This result indicates that in order to increase its success Poland should always and with the help of various concessions ensure the support of the Czech Republic, Slovakia and Hungary for its position. However, as multidimensional scaling has revealed, this is not an easy task, because the Visegrad Group is not perfectly cohesive. The examples of the Council's voting

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[4] *Three Seas* and *Visegrad* variables are correlated at 0.890, although the VIF (Variance Inflation Factor) values do not exceed the critical level of 5 ($VIF_{Visegrad} = 2.13$, $VIF_{Three\ Seas} = 2.22$). The strong correlation stems from the fact that all members of the Visegrad Group also participate in the Three Seas Initiative. As a result, their position is taken into account when calculating the average preference for the latter coalition.

results on the decision on temporary refugee relocation scheme (September 2015) as well as on the Posted Workers Directive (October 2017) clearly show this[5].

Figure 5. Poland's predicted bargaining success (*y*) in relation to the compliance between Poland's and the Visegrad Group's preferences (based on Model 4)
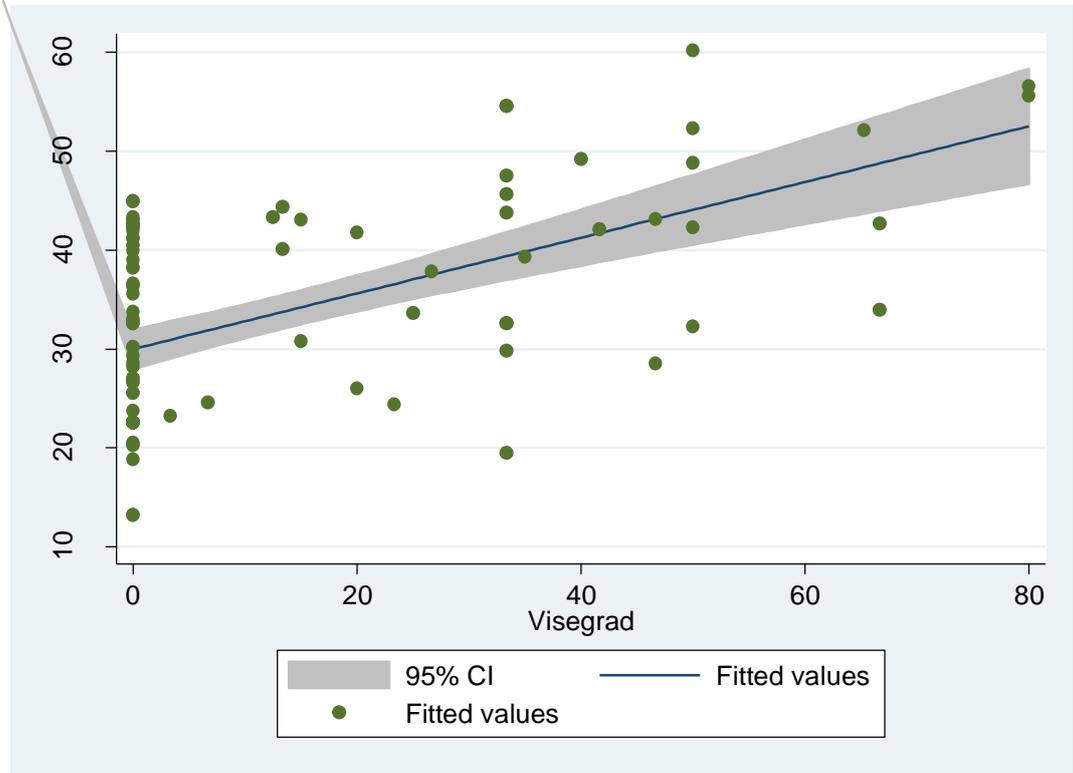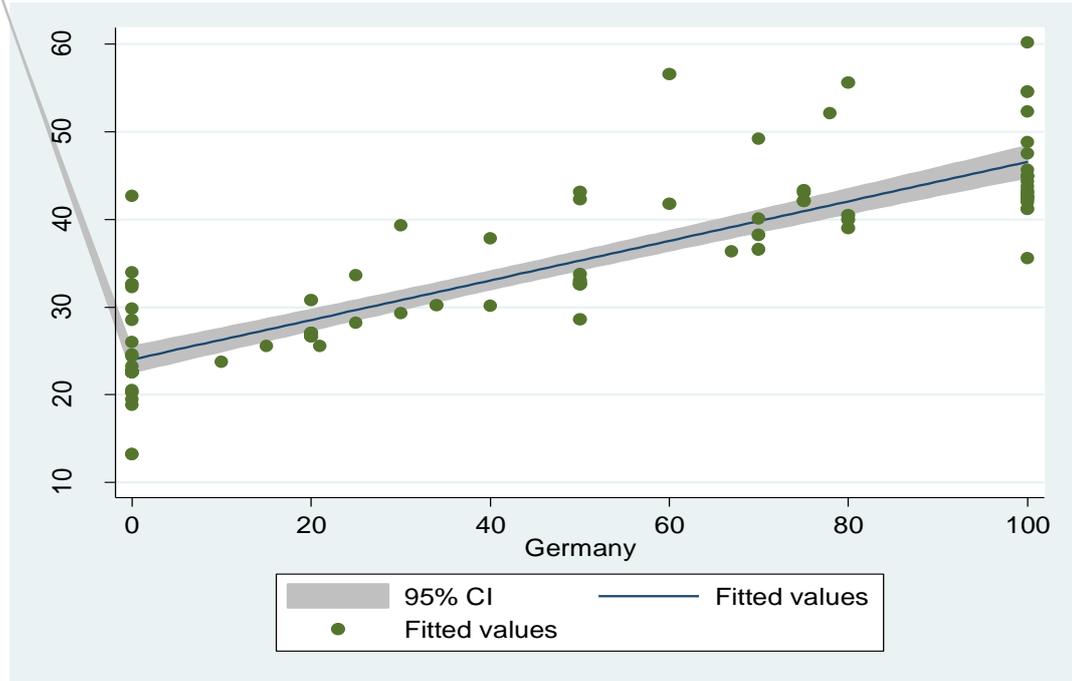

Source: own calculations based on the DEU II dataset (Thomson et al. 2012).

H3 predicts Poland to be more successful in EU lawmaking when this state forms a coalition with Germany. The analysis corroborates this expectation. This is evidenced by the *β* coefficient of the *Germany* variable which is positive and statistically significant (at p <0.01 level) in Models 3, 4 and 5 (see also Figure 6). In addition, this predictor does not change its direction and it does not lose significance even after introducing control variables in Model 5. Compared to other independent variables, the cohesion of Poland's and Germany's positions explains the highest proportion of variance in the dependant variable as it is responsible for 11% of the variation in Poland's success. The obtained result means that the more divergent the positions of Poland and Germany on a given issue, the greater the distance between the final outcome and the Poland's position, and thus the lesser the Poland's success. This finding can also be interpreted in the opposite way - the more convergent the positions of both

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[5] In the first case, Poland voted for, and the Czech Republic, Slovakia and Hungary - against the proposal. In the second case, Poland and Hungary voted against, whereas the Czech Republic and Slovakia - for the proposal.

member states, the greater the Poland's success. One can predict based on Model 5 that if Poland is 100 points away from Germany on the 0-100 policy scale (i.e. total disagreement), the distance between the former's policy position and the final outcome increases on average by 20-25 points, *ceteris paribus*. This result confirms empirically that by agreeing and presenting a common position with Germany in EU legislative decision-making, Poland is more capable of building a blocking minority in the Council and, as a corollary, obtaining more concessions for itself. On the contrary, isolation from Germany through avoiding cooperation and raising explicitly contradictory demands significantly increases the probability of Poland's failure. In this context, a major problem is the huge discrepancy between both countries' preferences observed in the previous chapter. As the analysis shows, it has detrimental effect on Poland's position and success, and that is why it is very important for Warsaw to make all possible efforts to ensure the convergence of conflicting interests. An example of such activities may be issue-linkage (packaging), in particular when the preferences of both countries are in extreme contradiction (König, Junge 2009). The application of this negotiation technique would be as follows: Poland accepts Germany's preferences in issues that are more important for Berlin than for Warsaw, in exchange Germany supports Poland's position in issues of particular importance for Warsaw and of lesser importance for Berlin.

Figure 6. Poland's predicted bargaining success (*y*) in relation to the compliance between Poland's and Germany's preferences (based on Model 4)

Source: own calculations based on the DEU II dataset (Thomson et al. 2012).

Regression results also reveal that the convergence with other actors' preferences also plays a vital role in terms of EU legislative outcomes. First, Poland's success is strongly correlated with the preferences of the European Parliament. This is indicated by the *European Parliament* variable which has a positive and statistically significant (at p<0.01 level) effect in Model 5. According to Model 5, every 10 points decrease in the distance between the positions of Poland and EP on the 0-100 policy scale increases Poland's bargaining success by 3 points on average, *ceteris paribus*. In the light of this result, it is therefore crucial for Polish MEPs to do their utmost to ensure the Parliament's final position on the issue to be as close as possible to Poland's preferences. Then, Poland can count on a strong coalition partner in EU legislative negotiations. However, the real problem to overcome is a clear discrepancy between the preferences of Poland and that of EP indentified in the previous chapter.

Second, according to results, Poland should often enter into coalition with Italy. This conclusion is derived from the regression coefficient of the *Italy* variable which is found to be positive and statistically significant in Model 5. *Ceteris paribus*, an increase in compliance between Poland and Italy by 10 points on the 0-100 scale translates into 1.8 points decrease in the distance between the final outcome and the position of the former country. To put it another way: Poland is more successful in this case.

Third, the analysis reveals that building a coalition with France is the least profitable strategy for Poland. The β coefficient of the *France* variable is negative and statistically significant in Model 5. This means that, paradoxically, when the discrepancy between the positions of Warsaw and Paris on the issue increases, the distance between Poland's policy position and the final outcome decreases, and thus Poland experiences more bargaining success.

Fourth, preference alignment with the United Kingdom is an important predictor for Poland's bargaining success in the EU. The effect of the *United Kingdom* variable is positive, strong and statistically significant in Model 5. Thus, Poland is likely to be more successful when its position on the issue is closer to that of the United Kingdom. And *vice versa* - a greater discrepancy between their preferences provides Poland with less bargaining success (by about 17 points in the case of ideal preference divergence). Against this background, Brexit may cause Poland would lose an important partner in the legislative negotiations, in particular in the Council, which may negatively affect its success as well as leads to the reconfiguration of coalitions.

CONCLUSIONS

This article explores empirically whether Poland is more or less successful in the EU legislative process when it forms a coalition with the members of the Three Seas Initiative, the Visegrad Group and Germany. Four cardinal conclusions emerge from this analysis. First, having cohesive preferences with Germany has incremental effect on Poland's success. According to the analysis, Warsaw clearly achieves higher success in EU legislative negotiations when it builds a coalition with Germany, understood as presenting or agreeing common position on a particular legislative issue. Based on the results, it can be anticipated that the total convergence of Poland's and Germany's preferences would decrease the distance between Poland's position and the final outcome by 20 points on average, counting on the 0-100 scale. The effect of the Polish-German coalition is highly significant (at $p<0.01$ level) which means that when both countries have cohesive position, Poland's bargaining success is more likely to increase in negotiations on almost every EU legislative act. However, the analysis has identified the problem of a strong discrepancy between the preferences of Poland and Germany. Out of all EU actors (member states, the Commission and the EP), Poland has the most incompatible preferences with Germany, which places Berlin as the largest opponent of Warsaw in EU legislative negotiations. This means that if Poland does not seek to mitigate this disagreement, the possibilities of building a mutual coalition would be severely limited.

Second, it is beneficial for Poland to enter into a coalition with the members of the Visegrad Group. The empirical analysis has shown that when all countries included in this organization have identical positions on a given legislative issue, Poland's success is definitely greater. The final outcome of negotiations is then on average 36 points closer to the position of Warsaw on a scale of 0-100. However, compared to the alliance with Germany, the positive effect of the Visegrad coalition is less significant (only at $p <0.1$ level), which shows that the probability of its occurrence is not as high. In addition, multidimensional analysis has revealed the presence of some relative divergence of preferences among V4 members, indicating the high frequency of situations in which not all countries of this group present a cohesive position.

Third, contrary to expectations, building a coalition with the members of the Three Seas Initiative does not bring more legislative gains for Poland. According to the analysis, when all

countries of this group have an identical position, Poland's success does not increase, and even decreases after taking into account the variables controlling for the coalitions with other actors. Not only is the Three Seas alliance ineffective, but also incoherent. The multidimensional analysis has revealed a strong divergence of preferences within this organization, in particular between Austria, Bulgaria and other countries. Thus, if the TSI coalition may have - in accordance with its original purpose - importance in the infrastructural or technological sphere, it does not have a visible and positive impact on Poland's success in the EU legislative process.

Fourth, alongside the coalitions with Germany and the Visegrad Group, also three other alliances positively and significantly influence Poland's success. The first is with the United Kingdom. According to the analysis, Poland is much closer to the final outcome as the preferences of Warsaw and London become more convergent. This means that because of Brexit Poland would lose an important ally in the EU legislative process. Poland is also more likely to be successful when it forms a coalition with Italy. Likewise, the conformity of preferences with the European Parliament is an important predictor of Poland's success. According to the analysis, when Poland and EP present the same position on the issue, the distance between the final outcome and Poland's preference decreases on average by 30 points on the 0-100 scale. Hence, it is necessary for Polish Members of the European Parliament to make the EP adopt during its plenary vote the legislative position which is as close as possible to Poland's preferences. Then, Warsaw can count on a strong ally in negotiations with other EU member states. In practice, however, effective implementation of this tactics is considerably difficult, because Poland has the most incompatible preferences with the EP, compared to other EU actors. On the other hand, among the most influential EU member states, the least effective coalition for Poland is that with France. The analysis has shown that the strong preference convergence between Warsaw and Paris not only does not translate into greater success, but also reduces it.

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