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FOREWORD

This third edition of the CEU Political Science Journal focuses on the importance of institutions in building post-communist democracies. It is to be welcomed not only because of the information it presents, but also – and perhaps most crucially – because of the questions that it asks.

The topics covered in the four articles presented here appear at first sight familiar, both from the conventional literature on western democracies, and from more recent analyses of the democratisation process in Central and Eastern Europe. Elena Prohntichi looks at the effects of modes of transition on the choice of electoral systems in Central Europe; Gabriela Borz concentrates on political parties in Central Europe, and concludes that electoral systems do not have the effects on party behavioural unity that might be expected, and that other factors need to be analysed; Irina Ionescu presents a case study of the parliamentary behaviour of opposition parties in Romania during the periods of democratic transition and consolidation; and Elgun A. Taghiyev concentrates on the post-Soviet area and the relationship between presidentialism and authoritarianism.

All four articles illustrate how far political science analysis of Central and Eastern Europe has advanced over the last 15 years, and the particular contribution to the academic study of this field that can be made by the generation of young scholars who are able to combine their own experiences of observing political developments in their home region with a thorough grounding in political science methodology and theory. The authors are conversant with existing literature relevant to their research topics, and are able to utilise it constructively to frame their own propositions. This does not necessarily mean that they are able to fit their own research findings into established paradigms of how political systems work. In many cases, more familiar theories of the interplay between the ‘building blocks’ of democracy – constitutional arrangements, electoral systems, parties and parliaments – merely provide the means for articulating the fact that *something else* or *something just slightly different* may be happening in societies that have been through a different path of development. They constructed their democratic systems not only in the peculiar conditions of post-communism, but also within a framework of modernity where somewhat idiosyncratic political elites automatically use new methods of communication with a literate electorate. These factors impact on the way institutions work, but their influence may be temporary, and it is therefore

important to establish methods for determining whether convergence is taking place.

Explaining and analysing both what is happening and why in the exercise of political power is the foremost task of political scientists. But finding the right answers depends on asking the right questions. It is here that the work that a new generation of scholars, with different perspectives and insights, is particularly important.

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WORD FROM THE EDITOR

The breakdown of Communism represented the starting point for creating new or reforming old political institutions in post-Communist states. The research undertaken so far shows that the institutional arrangements influenced the paths of transition, the economic and democratic performances of the countries, and the development of particular political behaviors and attitudes. After approximately one and a half decade of transition, most of the post-Communist states have managed to finalize the transition process, have consolidated political institutions and, as a result of these two factors, have the benefit of a significant level of democratic development.

Moreover, political institutions represent an important criterion of evaluation regarding the democratic performance of the post-Communist states. The difficulties faced during the transition period were reflected at the level of political institutions. In this respect, a close look at the international reports over time reveals the wave-like track of institutional development in these states. Furthermore, the continuous necessity of changing political institutions is reflected by the repeated constitutional modifications in these states, an element tackled in two of the articles from the current issue.

The above mentioned aspects represent many reasons to dedicate a special issue to the analysis of political institutions in post-Communist states. 15 years of political transformations, combined with the tradition in institutions research, provide the groundwork for a coherent analysis regarding the dynamic of post-Communist political institutions.

The features of post-Communist political institutions are hard to be captured only by performing a separate institutional, neo-institutional, or behavioral analysis. Therefore, the current issue of the *CEU Political Science Journal. The Graduate Student Review* combines different approaches in order to provide a better picture of transition processes, the outcomes registered at its end, and possible predictions for future ways of development.

The division of power between the president and legislatures, a constant research topic in the Political Science literature, is analyzed in this issue from two different perspectives and for two country clusters in the post-Communist space. The issue brings, at the same time, the first analysis of the powers vested in president in post-Communist states, research that can

be further developed in the future. In *Problems of Democratic Transition and Consolidation*, Juan J. Linz and Alfred Stepan mentioned that an important indicator for democratic performance is the attitudinal one. In this respect, another approach from the current issue is oriented in that direction. Furthermore, political parties, considered to be one main tool for the success of democracy, are closely examined.

This initiative has four main goals. First, it tries to clarify several concepts related to political institutions from a theoretical perspective and to create new models for analysis or to test models developed for the post-Communist world in other regions. Second, it attempts to bring new approaches to the debate regarding the functions and roles of political institutions in transition countries. Third, and strictly related with the second goal, this aims to challenge the research topic, bring new elements into discussion, and to challenge the research. Fourth, it tries to provide a detailed study on certain aspects of political institutions that have not been sufficiently developed in the literature until the present.

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COMPARATIVE ANALYSIS OF THE MODES OF TRANSITION IN HUNGARY AND POLAND AND THEIR IMPACT ON THE ELECTORAL SYSTEMS OF THESE STATES

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Abstract

Although in both Hungary and Poland, the transition to democracy resulted in high levels of democratization, the institutional outcomes of transition were different. This article compares the transition modes of Hungary and Poland and examines the factors which led to different electoral systems. The article concludes that the different transition paths and institutional outcomes were influenced by a combination of two factors: the initial conditions of transition (level of communist' legitimacy, level of social mobilization, relationship of opposition and incumbents) and the strategic behavior of elites involved in the transformation process.

Introduction

In the late 1980s and the beginning of the 1990s in Central Europe a fundamental political change from a party system with one dominant party to a pluralist political system happened. The factor that triggered this change is considered by most of the scholars to be Gorbachev's revision of the URSS European policy.¹ In spite of this, the manner in which communism collapsed and democratization processes were launched and developed differs across the region. This diversity of transitions was mostly determined by two types of variables: initial conditions of transition and the strategic behavior of elites involved in the transformation process.

By initial conditions I refer to historical legacies, culture, level of economical development, level of social awareness, the role of the church in societal life, institutional design of communist states, etc. The interaction of these variables led to different speed, intensity, and outcomes of transition in Central Europe. Since Poland and Hungary are considered to be the most successful examples of both economical and political transition, Slovakia is seen as an "outsider" in democratic consolidation and economical

growth. Moreover, differences can be found between Poland and Hungary, especially in the executive-legislative-judiciary "power triangle" design and different electoral systems (mixed system in Hungary and PR system in Poland). Different institutional outcomes raise the idea of different paths of transition in Hungary and Poland. In my essay I will compare the initial conditions and modes of democratic transitions in Hungary and Poland and depict factors that influenced the choice of different electoral systems.

What does the term "democratic transition" mean?

Before examining concrete modes of transition, it is useful to clarify the concept of *democratic transition*. This concept appears in democratization theory and relates to political transformations in Latin America in the 1970s – 80s. Democratic transformation was viewed as a transition from authoritarian rule toward democracy. Later on, the historical experience of many states in transition that did not reach real democracy or even moved backwards enabled political scientists to review the concept of democratic transition and broaden it by adding a new necessary condition – democratic consolidation. As a result, it can be concluded that democratic transition is a multi-stage process. Summarizing different sequences of transition offered by Rustow (1970), Linz and Stepan (1996) and Agh (1998), the following set of stages can be drawn:

1) First stage – *erosion or pre-transition period* - is characterized by the crisis of the authoritarian regime and appearance of tensions on the one hand between the ruling leadership and oppositional forces, and on the other hand between the ruling hardliners and softliners;

2) Second stage – *breakthrough or democratic transition* — consists of the collapse of the authoritarian regime, the dismantling of old institutions, and the emergence of a new democratic system, with a new institutional structure and new rules of the "political game". This stage ends when the first free elections take place.

3) Third stage – *consolidation* – when the fine-tuning of all societal systems to the new democratic political system happens.

Although all these stages are of scientific interest, in this essay, the focus will be on the first two stages of transition in Hungary and Poland until the first

¹ Stephen White, Judy Batt & Paul G. Lewis (eds.), *Developments in Central and East European Politics 2*, (London: Macmillan, 1998).

democratic “founding” elections (1990 in Hungary and 1991 in Poland).

Initial conditions of transition (pre-transitional period)

The collapse of communism in both Hungary and Poland was preceded by a long period of economical and political transformation implemented by the Communist Party. The incentives for liberalization were induced by the constantly diminishing legitimacy of the Communist Party. The economic crisis faced by Hungary and Poland in the beginning of the 1970s, expressed by shortages and low living standard, came into contradiction with the main goal of communism ideology – to create an ideal welfare society, guaranteeing the citizens “equal rights and access to (economical) benefits”.² The series of workers’ strikes in Poland in the beginning of the 1970s forced the communist regime to adopt reconciliation measures, which relaxed the social policy and opened space for the formation and strengthening of opposition forces. The failure of Gierek’s economical reforms, followed by a new political crisis in 1976,³ only enhanced the political emancipation of the working class.⁴ Prerequisites for the consolidation of civil society from below were created as an opposition force to the communist leadership. This high level of social mobilization later resulted in the birth of the Solidarity movement.

In Hungary, the economical program implemented by Kadar (New Economic Mechanism) improved to some extent the economical situation and redressed the Hungarian Communist Party’s legitimacy. Kadar’s economical reforms and the political relaxation following them resulted in generally stable social support. However, the main achievement of Kadar’s reform was the legalization of the second economy, which offered the citizens a new level of freedom and rationality of the political compromise in dealing with authorities. The relative successes of reforms resulted in the “depoliticization” and “atomization” of society (to some extent), by weakening the oppositional forces and strengthening

the adaptational character of Hungarian society.⁵ Evidence of the consensual pattern adopted by Hungarians during the communist regime can be found in the low level of massive and violent protest actions, which contrasts with Poland in the same period of time. These features of Hungarian society resulted in a weak and disorganized opposition in the transition period.

The second difference between Poland and Hungary lies in different relations between the ruling elites and opposition.⁶ In Poland, the first organized oppositional force – the Solidarity independent trade union – was “born” as a protest movement of workers from the Baltic Shipyards. This fact explains the confrontational model adopted by Solidarity’s leaders later on at the Roundtable negotiations with the ruling party. Even if Solidarity after its emergence acted as an umbrella for other opposition groups, such as students, intellectuals and even former communist members, these new groups were clearly opposition-minded. The “communist/anticommunist” cleavage could represent the nature of relationships between the ruling party and opposition in Poland. On contrary, in Hungary the opposition consisted of intellectuals, from which a part came from the reformative wing of the Hungarian Communist Party. There was never a sharp, irreconcilable gap between opposition forces (weak comparing to the Polish opposition) and the Communist party regarding the reforms to be implemented.⁷ This had an effect on the gradual liberalization of political life in Hungary with parliamentary elections in 1985 having certain competitive provisions, and the emergence in 1987-88 of several proto-parties, which transformed in 1988-1989 to movement parties.⁸

The third main difference between Poland and Hungary in the pre-transition period was the presence of a strong Catholic Church in Poland, which was the only religious institution from the communist block independent from the communist state. Thanks to its independence and authority amongst the Polish population, the Church had a great impact in supporting opposition during the communist regime. It even acted as an ally of the opposition in the settlement of political crises from the 1970s up to the imposition of martial law in 1981.⁹ Since the beginning of the 1980s, the Church had adopted the

² Krzysztof Jasiewicz, “Dead ends and new beginnings: the quest for a procedural republic in Poland”, *Communist and Post-Communist Studies*, vol. 33 (2000), 101–122.

³ In 1976, Gierek’s government tried to implement new measures to liberalize the economy, which implied an increase of food prices. As a response to price increases, strikes and protest demonstrations occurred in Ursus and Radom. Frightened of the possible spread of popular disobedience throughout the country, the government annulled the liberalization measures.

⁴ Andrew A. Michta, *The Government and Politics of Postcommunist Europe* (Westport, Connecticut, London, 1994).

⁵ Janina Frentzel-Zagorka, “Civil Society in Poland and Hungary”, *Soviet Studies*, vol. 42, issue 4, (Oct., 1990), 759-777.

⁶ Janina Frentzel-Zagorka, *idem.*

⁷ Janina Frentzel-Zagorka, *idem.*

⁸ Atilla Agh, *Emerging Democracies in East Central Europe and the Balkans* (Cheltenham: Edward Elgar, 1998).

⁹ According to Korbonksi (1999), the Catholic Church mistrusted the Solidarity, because they believed that this movement displayed some Trotskyite tendencies.

role of negotiator between the authorities and the opposition, recognized as such by both counterparts. Moreover, it should be stressed that it was the Church that managed to convince Solidarity and communist leaders to start the Roundtable negotiations on February 6, 1989. The above-examined differences between Poland and Hungary in the pre-transitional period shaped the actors' behaviours in the transitional period and influenced the modes of transition in these two countries.

The transition period

In both countries, the breakthrough stage bore similar characteristics. The paths to Roundtable negotiations did not differ much either. In both countries, the changeover was preceded by a profound economical crisis and increased popular discontent with the communist regime. This situation yielded to the continuous decline of legitimacy of both Hungarian and Polish Communist parties. In both cases, the communist leaders recognized their inability to redress the economical crisis and, being afraid of carrying the whole responsibility for future economical reforms, were looking for opposition support in achieving "national consensus and cooperation." Moreover, before taking the decision to launch negotiations with the opposition, both Polish and Hungarian ruling parties passed through an internal confrontation between the softliners and the hardliners on the method of bringing about national reconciliation¹⁰.

Another similarity between Hungary and Poland was the identical origin of political change. In Poland, the government was forced to come to an agreement with the opposition after social tensions escalated in a new wave of popular strikes. In Hungary, even if political liberalization was initiated by Kadar's gradual political reforms, the real change of the communist regime did not happen from above, but, as in Poland, from the pressure of "large-scale popular upheaval".¹¹ In both cases, social turmoil precipitated the ascendance of communist reformers, which was followed by the reformation of the entire system.

However, in spite of these similarities, an important difference can be outlined. It is connected to the nature of opposition forces. In Poland, the opposition formed a strong common front under the

umbrella of the Solidarity movement. Even if this cohesion did not last long (only until the early 1990s when the Solidarity movement disintegrated), in negotiations with the communist party Solidarity appeared as a strong, convincing, and popularly legitimated partner. In Hungary, on the contrary, on the eve of the changeover opposition forces were very fragmented, weak, and characterized by a lack of a general message. The weakness of Hungarian opposition motivated the Communist hardliner leaders to attempt to evade the beginning of political reforms and even to make attempts to eliminate emerging independent organizations.¹² It should be mentioned that these efforts had the unexpected effect of mobilizing and radicalizing the opposition.¹³ As result of awkward communist actions, a traditional preference for compromise, distinctive of the Hungarian opposition during the communist era, was replaced in 1989 by a confrontational strategy.

The distinctive character of the opposition in Poland and Hungary determined the motivation and strategies chosen by these forces in their bargaining with the communist party and the institutional outcomes of the Roundtable talks. In Poland, the Roundtable talks between the Polish United Worker's Party (PZPR) and the Solidarity-led opposition started in February 1989.¹⁴ Both counterparts entered into negotiations with clearly-defined motivations. For PZPR, the basic motivation was to calm down the massive strikes, achieve a "social contract" with Solidarity (perceived as a "speaker" of the society), and allowed its representatives to run for Parliament, but at the same time to preserve the communist rule.¹⁵ For Solidarity leaders, the main motivation was the legalization of their trade union. It is important to note that at the opening of the talks, none of the actors were concerned with institutional reform. However, during

¹² Laszlo Bruszt and David Stark, *idem*.

¹³ In May 1989, eight dissident organizations formed a meta-organization "Opposition Round Table" (EKA), which provided a radical attitude towards the Communist Party and pleaded for the total transformation of the system by free elections. The eight parties were: 3 first-generation parties - the Hungarian Democratic Forum (MDF), a populist conservative party and the largest opposition group; the Alliance of Free Democrats (SZDSZ); the Federation of Young Democrats (Fidesz); and the 'historical' political parties - the agrarian Independent Smallholders' Party (MSZDP), the Christian Democratic People's Party (KDNP), the populist Hungarian People's Party (MNP), and the Hungarian Social Democratic Party (MSZDP).

¹⁴ The Polish Roundtable had also a third part - the hierarchy of Catholic Church that played in the Roundtable talks the role of arbiter.

¹⁵ Kenneth Benoit and Jacqueline Hayden, "Institutional Change and Persistence: The Origins and Evolution of Poland's Electoral System 1989-2001", paper prepared for delivery at the ECPR 2001 General Conference (University of Kent, Canterbury, September 6-8, 2001).

¹⁰ The hardliners pushed for limited liberalization of the state and no democratization. The softliners or communist reformers advocated for the liberalization of civil society.

¹¹ Laszlo Bruszt and David Stark, "Remaking the Political Fiend in Hungary: From the Confrontation to the Politics of Competition", *Journal of International Affairs*, Vol. 45, No. 1, summer, 1991, 201-245.

discussions the issue of new electoral rules for future semi-free elections arose. As a result, the bargaining focused on the establishment of new electoral institutions and constitutional arrangements. The negotiations outlined several features of the counterparts' strategies, essential for the choice of the Polish electoral system.

First, neither PZPR nor Solidarity rigorously pursued seat-maximizing strategies. Benoit and Hayden note that in the case of Solidarity this fact can be partially explained by the lack of technical knowledge about electoral rules and their outcomes, and the poor self-definition of political parties.¹⁶ Another explanation links the Solidarity attitude with the still-present threat of an outside intervention. But the main reason of such behaviour, according to Benoit and Hayden was Solidarity's lack of interest in the electoral law.¹⁷ The PZPR attitude was the result of the agreement reached with Solidarity that by giving Solidarity a 65-35 seat division, it would not challenge the PZPR right to govern.¹⁸ Moreover, the PZPR was very confident in its popular support and optimistic in its electoral chances.¹⁹ Thus under the effect of this confidence, PZPR consciously reduced its own seat allocation within the *Sejm* in favour of a group of allied parties. The loss of these parties' support after 1990, followed by the dismissal of the communist prime-minister, showed the PZPR miscalculation. Another reason why PZPR paid little attention to electoral design was its straightforward interest in the establishment of the new office of President, which was seen as its guarantee of political power and continuity.²⁰

Secondly, the negotiations followed a consensual model, not characteristic for Solidarity opposition. This change in behavioural patterns – from confrontation to compromise – convinced Solidarity that the Roundtable negotiations were only the first step towards democratization and not a game fixing the rules of a new democratic system. This is why the Solidarity did not argue for totally free and competitive elections, as happened in Hungary, but accepted the holding of semi-free elections for a two-chamber parliament.

The Polish Roundtable talks ended with a pact (known as the April Pact) setting a very peculiar

electoral system and several amendments to the Polish Constitution. According to the new electoral system, 173 out of 460 seats in the *Sejm* were guaranteed to communists, another 126 were allocated to the communists' allies and 161 were openly contested.²¹ All 100 senate seats were openly contested. The system preserved the same majoritarian SMD-runoff electoral formula (Single Member Districts), which was supposed to give the advantage to the communist party. This electoral system did not last long and in 1991 under opposition pressure the "contractual" *Sejm* adopted a new Electoral Law, designed to hold truly competitive elections.²² However, the transitional electoral system played its role. It moved Poland into democratic transition and transformed the Parliament from an obedient assembly into the centre of political decision-making.²³ Moreover, the mistakes in adopting the first electoral system were well-learned by the political parties that emerged from the split of both Solidarity and PZPR. These parties came to the bargaining on the new electoral system with clear interests of survival and/or maximizing their individual representation in the future legislatures, and were strongly oriented to pursue their interests. Consequently, the adoption of a proportional system was seen as an opportunity to compensate their small size and lack of well-known and popular leaders. The proportional system chosen in 1991 governed the first democratic elections, which were considered to be the "founding elections" for the Polish new democratic system. The meaningful result of this system was a genuine multiparty system, a very fragmented legislature, and fragile coalitions which led to unstable government and prolonged political crisis.

In Hungary as well as in Poland, the choice of electoral system took place at the 'National Roundtable' talks held between June and September 1989. Beyond this surface resemblance, the Polish and Hungarian Roundtables talks passed differently. Firstly, in the Hungarian case there were no external constraints that would be able to influence the bargaining, such as in the case of Poland.²⁴ Secondly,

²¹ Atilla Agh, *idem*.

²² The impressive victory of the Solidarity candidates in the 1990 parliamentary elections led to the formation of a "contractual parliament", where the opposition forces gained increasing influence. However, because of the Roundtable arrangements, the opposition within the parliament did not have a free hand to adopt more radical political reforms. The election of the first non-communist government only stressed the disagreement between the new political reality and the institutional structure formed by the April pact.

²³ David M. Olson, *idem*.

²⁴ Kenneth Benoit and John W. Shiemann, "Institutional Choice in New Democracies. Bargaining over Hungary's 1989 Electoral Law", *Journal of Theoretical Politics*, vol. 13 (2), 2001, 153-182.

¹⁶ Kenneth Benoit and Jacqueline Hayden, *idem*.

¹⁷ Kenneth Benoit and Jacqueline Hayden, *idem*.

¹⁸ David M. Olson, "Compartmentalized Competition: The Managed Transitional Election System in Poland," *The Journal of Politics*, vol. 55, issue 2 (May, 1993), 415-444.

¹⁹ Kenneth Benoit and Jacqueline Hayden, *idem*.

²⁰ David M. Olson, *idem*.

the unified opposition (after passing over all their discrepancies in the “Opposition Roundtable”), embraced a competition model of negotiations.²⁵ Contrary to Solidarity, the Hungarian opposition had a clear goal - to adopt an electoral system that would maximize its representation in the future legislature. This goal was important since the parliamentary elections were coming. Furthermore, the communist regime’s attempts to destroy the opposition forced the latter to unite their forces and maintain a common front against the regime in promoting their individual preferences. The opposition parties were aware that only in this way would some of them be able to overcome their weak features, such as a low level of legitimacy and the lack of membership and well-known leaders.

Thirdly, both the incumbent Hungarian Socialist Workers’ Party (MSZMP) and the opposition possessed considerable knowledge about the electoral systems and their consequences for political actors, and were constantly informed about the public opinion on party preferences.²⁶ This fact allowed the actors to assess their election chances and avoid deadlocks in negotiation. It is important to note in particular that the independent opinion survey published in August 1989, compelled the MSZMP negotiators to reconsider their stance on the acceptance of the mixed system proposed by the opposition.²⁷

The Roundtable negotiations in Hungary used as a departure point the SMD majoritarian system, proposed and favoured by MSZMP. The major part of the opposition pushed for the introduction of a proportional system. Consensus was reached by the acceptance of a complicated mixed-member system, a “hybrid” of majoritarian single-member districts (SMDs) system and a multi-member list proportional representation system. This decision established an electoral system unique for Eastern Europe. Reached after a long and meticulous bargaining process, this system provided an institutional basis for the political change in Hungary. Moreover, even if it is not perfect, it proved to be efficient by providing a stable institutions equilibrium.

Conclusion

Even if Hungary and Poland both reached high levels of democratization in comparison with other states in Central Europe, their paths towards this

achievement were different. Two types of variables determined the difference in their modes of transition from a party system with one dominant party to a pluralist political system: the initial conditions of transition (level of communist’ legitimacy, level of social mobilization, relationship of opposition incumbents) and strategic behavior of elites involved in the transformation process.

In the pre-transition period, Poland and Hungary offered two different pictures: in Poland – a polarized and active society that embraced a confrontational model of negotiations with the communist regime – there were strong, but not consolidated opposition forces, supported in their demands for political and economical liberalization by the Catholic Church. In Hungary, there was a “depoliticized” and “atomized” society and weak opposition forces ready to compromise with the ruling party. These distinctive conditions influenced the Polish and Hungarian period of political transition from the fall of the authoritarian regime and the dismantling of old institutions to the emergence of the new democratic system (with a new institutional structure and new rules of the “political game”). As this work shows, the institutional outcomes of this period were greatly determined by the motivations and strategies chosen by the communists and opposition forces during the bargaining over the new institutional structure. Aware of its weaknesses, the Hungarian unified opposition adopted a competition model during negotiations with the ruling party and constantly followed a seat-maximizing strategy in bargaining over the electoral system. In contrast, the Polish Solidarity-led opposition movement came to the negotiations without any strategy regarding the electoral law, looking only for its re-legalization. As a consequence, after Roundtable talks two different electoral systems emerged: a mixed-member system in Hungary and SMD-majoritarian system in Poland, which after a year, under the pressure of opposition, was changed to the proportional representation system.

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²⁵ Laszlo Bruszt and David Stark, *idem*.

²⁶ Starting with May and during the entire Roundtable period, several opinion polls were organized by both independent and state institutes.

²⁷ Kenneth Benoit and John W. Shiemann, *idem*.

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MEASURING PRESIDENTIAL POWER IN POST-SOVIET COUNTRIES

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Abstract

Many scholars write about democracy and democratization as a desired outcome of state-building, but few analyze authoritarianism. By contrast, this paper focuses primarily on authoritarian tendencies stretching over post-Soviet area. Having reviewed previous methodologies of measuring constitutional presidential power, the current research develops a new method sensitive to post-Soviet realities. The study also illustrates the relationship between presidentialism and authoritarianism and argues in favor of restricting presidential powers as hindering democratization.

Introduction

Most of the post-Soviet republics are different from other post-communist countries in their misuse of formal presidential power and authoritarian tendencies. Presidents often interfere in spheres out of their authority in a way that Stephen Holms explains through “traditions of strong uni-personal leadership or the strains of an ongoing crisis [that] can lend a president more power than he would receive from the constitutional text alone”.¹ Hence, it is a widely held opinion that measuring formal written power of the head of state gives no impression on the real status of authoritarianism in a country.²

However, Steven M. Fish has observed a strong correlation between the extent of constitutional presidential power and the success of democratization in a country. Nations that adopted constitutions granting extraordinary power to presidents have failed in democratization whilst moderate presidential and parliamentary systems that disperse power among the institutions have succeeded in consolidation of democracy.³ Therefore, formal powers of presidents

continue to be important for setting up democracy in post-totalitarian countries.

Yet, Fish’s assumptions rely mostly on his intuition and empirical knowledge and need to be examined by scientific investigation. Therefore, in this paper, I consider different methods of measuring presidential powers that have been established by Shugart and Carey,⁴ Lucky,⁵ and Frye⁶. Moreover, I combine all three methods, developing a new methodology sensitive to post-Soviet realities. Thus, I list and scale constitutional power of presidents in Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan, all previously united within the same state.

This research illustrates the extent of concentration of formal power in the hands of one actor in 15 post-Soviet countries, all of which have declared their aspiration towards democracy. Informal powers of presidents and their personal characteristics, factors that also influence state politics, are out of the focus of this current research. Yet, my main finding is that formal presidential powers “matter” in the post-totalitarian area and there is a strong correlation between the strength of a president and the democracy score of a country, which is taken from Freedom House’s authoritative “Nations in Transit 2005” survey.⁷ When comparing both sources of research, it is obvious that ex-USSR countries with “weaker” presidents are more democratic than those with “strong” heads of state.⁸

Presidentialism versus parliamentarism

The word “president” originates from the Latin *praesidens* and literally it means “a person sitting ahead”. In ancient times, it was a chairman of an assembly. In its current meaning, as a head of state and government, the term was introduced in the constitution of USA in 1787.⁹ At present, there are more than 110 countries in the world considered to be “presidential” systems.¹⁰

4 Matthew S. Shugart and John M. Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*, Cambridge: Cambridge University Press, 1992.

5 Christian Lucky “Table of Presidential Powers in Eastern Europe” in *East European Constitutional Review*, Vol. 2, No. 4 – Vol. 3, No. 1 (1994), 81-94

6 Timothy Frye, “A Politics of Institutional Choice. Post Communist Presidencies” in *Comparative Political Studies*, Vol. 30, No. 5 (1997), 523-552.

7 See <http://freedomhouse.org/template.cfm?page=46> &year=2005 (last accessed on December 17, 2005)

8 See Table 1.

9 Nikolay A. Sakharov, “Institut Prezidentstva v Sovremennom Mire” (in Russian) Moscow: Yuridicheskaya Literatura, 1994, 5

10 Andre Krouwel, “Measuring presidentialism of Central and East European Countries” working paper No. 02/2003 ISSN 159-3546, Amsterdam: Vrije Universiteit, 2003, 1

1 Stephen Holmes, “A Forum on Presidential Powers” in *East European Constitutional Review* Vol. 2, No. 4 – Vol. 3, No. 1 (1994), 36.

2 Andrew Wilson, *Virtual Politics: Faking Democracy in the Post-Soviet World*, New Haven and London: Yale University Press, 2005.

3, Steven M. Fish “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia” in *Slavic Review*, vol. 58, No. 4 (1999), 794-823

Among the former Soviet Union states, only the constitutions of Turkmenistan¹¹ and Kazakhstan¹² officially proclaim the presidential form of government. Yet, because of the strength of presidential power, at least 12 of them are classified as “presidential” systems and “parliamentarism has made no inroads in the ex-USSR”.¹³ Only Estonia, Latvia, and Moldova are treated as parliamentary republics.¹⁴ However, all 15 post-Soviet republics have presidents with different authorities. Surprisingly, no investigation has been conducted for measuring presidential powers in all post-Soviet republics taken together as a set of countries.

Scholars have long been discussing whether the presidential or parliamentary system is more fruitful for successful democratization in general. Some scholars have argued in favor of a presidential form of government,¹⁵ while others have preferred a parliamentary system.¹⁶ Supporters of presidentialism point out that concentration of power in the same hands creates opportunity for flexible decision-making in extreme situations and the head of state plays the role of mediator in the case of a conflict in society. Shugart and Carey also suggest the semi-presidential form of government as a regime that “retains some of the advantages of presidentialism, while showing the

potential to diminish some of presidentialism’s defects”.¹⁷

In comparison, scholars name greater transparency of government operations and broader representation of public interests among the advantages of parliamentarism.¹⁸ Another important factor noted by Juan Linz is that crisis in parliaments can be resolved by removing the cabinet of ministers, but crises involving presidents often lead to regime change.¹⁹ Therefore, he argues in favor of the “rule of many”.

I tend to agree with Steven M. Fish, who concludes that it is concentration versus dispersion of power that determines democratic consolidation rather than the formal choice of a presidential or parliamentary system.²⁰ Thus, democracy can prosper in countries with presidential or parliamentary regimes. There is no ideal form of government and the most important point is the extent to which certain institutions concentrate power, because the accumulation of authority in the same hands “whether of one, few, or many” leads to “tyranny”.²¹ Therefore, “[s]uperpresidency has been a disaster for democratization” as in Russia, Armenia, Kazakhstan, Kyrgyzstan, and Ukraine, which have failed democratization even if they gained impressive initial results at the first stage of transformation and despite the fact that presidents, widely regarded as “democratizers”, were leading those countries. When Belarus switched from parliamentarism to superpresidentialism, the country’s “democratic experiment” came to an end. Azerbaijan, Tajikistan, Turkmenistan, and Uzbekistan “invested overwhelming power in the presidency” and they are still ruled by authoritarian regimes. By contrast, moderate presidential and semi presidential systems such as those in Georgia after 1995, Lithuania, and Moldova, and parliamentary systems such as those in Estonia and Latvia - all of which disperse power according to constitutions - have promoted democratization.²²

However, dispersion of power by itself cannot guarantee promotion of democratic values and if the

11 Article 1 of the Constitution of Turkmenistan at <http://www.uta.edu/cpsees/TURKCON.htm> (last accessed on December 17, 2005)

12 Article 1 of the Constitution of Kazakhstan at http://www.ifescentralasia.kg/Kazakhstan/ENG/conste_kaz.html (last accessed on December 17, 2005)

13 Holmes, “A Forum on Presidential Powers”, 37.

14 Krouwel, “Measuring presidentialism of Central and East European Countries”, 2.

15 See Shugart and Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*; Holmes “A Forum on Presidential Powers”; Scott Mainwaring and Matthew S. Shugart, *Presidentialism and Democracy in Latin America*, New York: Cambridge University Press, 1997; Matthew S Shugart, and Stephan Haggard, “Institutions and Public Policy in Presidential Systems” in Stephan Haggard and Mathew D. McCubbins (eds.), *Presidents, Parliaments, and Policy*, Cambridge: Cambridge University Press, 2001, 64-102.

16 See Juan J. Linz, “The Perils of Presidentialism” in *Journal of Democracy*, Vol. 1, No. 1 (1990), 51-69 and Juan J. Linz, “The Virtues of Parliamentarism” in *Journal of Democracy*, Vol. 1, No. 1 (1990), 84-91; Juan J. Linz, “Presidential or Parliamentary Democracy: Does It Make a Difference?” in Juan J. Linz and Arturo Valenzuela (eds.) “The Failure of Presidential Democracy” Baltimore: The Johns Hopkins University Press, 1994, 3-87 and Alfred Stepan and Cindy Skach “Constitutional Frameworks and Democratic Consolidation. Parliamentarism versus Presidentialism” in *World Politics*, Vol. 46 (1993), 1-22; Arendt Lijpart, *Parliamentary versus Presidential Government*, New York: Oxford University Press 1992; Steven M. Fish “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia”

¹⁷ Shugart and Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*, 49.

¹⁸ Fish, “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia”, 804.

¹⁹ Linz, “The Perils of Presidentialism”, 64-65

²⁰ Fish, “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia”

²¹ Haggard and McCubbins, “Presidents, Parliaments, and Policy”, 2.

²² Fish, “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia”, 803-804

executive, legislative, and judiciary branches are so separated that they do not compete but contradict each other, it leads to paralysis and chaos of power as in Russia in 1993. There are a number of factors such as economic centralization, development of civil society, and strength of political opposition that contribute to the democratization of a country as well.²³

Measurement methodology of presidential powers

Up to now, scholars have developed three methods of measuring formal presidential power that I would call *descriptive*, *checklist*, and *scaling* methods. As an example of the descriptive method, Lucky defined 38 indicators according to which presidential powers can be studied. For instance, following this method, one should ask whether a president of a country has power to appoint cabinet members. If the answer is “yes”, a scholar points at relevant articles of the constitution. Though application of this method might give a general impression about presidential powers in a certain country, it is not plausible for comparison of different countries.

The second, the “checklist method” provides a comprehensive list of possible presidential powers and is simple to use. A researcher arranges a list of powers that are checked through the text of a constitution to find out whether a president has that power or not. Thus, Frye set 27 indicators, whereas Krouwel defined only 7 dimensions. In such studies a country is usually scored 1 if the president has that power, 0.5 if the president shares that power with another actor, and 0 if the president does not have that power. In this case, country scores theoretically may vary from 0 to 27 in Frye’s case or 0 to 7 in Krouwel’s case.

One of the main problems with the “checklist method” is the different weighting of specific powers. For example, Frye equally weights the right of president to appoint the prime minister and prosecutor general. However, it is obvious that these powers should not be equally scored because appointing the head of the cabinet is much more important than appointing a member of that cabinet.

Another problematic issue is that 10 out of 27 powers that Frye lists are specific appointment powers. A president may get 10 points for the right to appoint a prime minister, ministers, judges of the Constitutional Court, judges of the Supreme Court, “ordinary”

judges, a prosecutor-general, a chief of the Central Bank, members of the Security Council, senior officers, and senior military commanders. In comparison, the power to dissolve parliament may get only 1 point. Hence, according to Frye, the power of the president in Georgia (16) is stronger than in Belarus (15) or in Kazakhstan (15.5), which does not illustrate the real situation with presidential powers.²⁴

In order to overcome the above-mentioned problems, Krouwel grouped presidential powers in 7 equally important and equally scored dimensions. Yet, another problem arises in this case. Taking several powers in one group does not allow for illustration of small but important differences between countries. For instance, in both Azerbaijan²⁵ and Estonia²⁶ presidents propose candidacies of prime ministers to parliaments for gaining a vote of investiture and according to the method proposed by Krouwel, each country should get 1 point. However, in Azerbaijan, if the parliament votes three times against that candidacy, the president may appoint the prime minister without the consent of the parliament. By contrast, if the parliament of Estonia votes two times against the candidate proposed by the president, deputies may nominate and appoint the prime minister without the consent of the president. Despite the fact that both presidents get 1 point, their powers are not equally strong and moreover, the president of Azerbaijan has almost uncontrolled power to appoint the prime-minister, which is not the case in Estonia.

The third method, which I would call “scaling”, is likely to uncover differences between countries and is more appropriate for classification of political regimes rather than simple description²⁷ or dichotomous exploration²⁸. It is close to the literature on regime types because of its illustration of presidential powers that represent the “façade” of the regime, and it underlines small but important differences between the countries, which allows for more exact classification.²⁹ Thus, supporters of the “scaling” method, namely

²⁴ Frye, “A Politics of Institutional Choice. Post Communist Presidencies”, 547.

²⁵ Article 118 of the Constitution of Azerbaijan at <http://www.un-az.org/undp/DOC/constitution.php> (last accessed on December 17, 2005)

²⁶ Article 89 of the Constitution of Estonia at http://www.kirchenrecht.net/ee/constitution1992_eng.html (last accessed on December 17, 2005)

²⁷ Lucky, “Table of Presidential Powers in Eastern Europe”

²⁸ Frye, “A Politics of Institutional Choice. Post Communist Presidencies”; Krouwel, “Measuring presidentialism of Central and East European Countries”

²⁹ Kendall Lee Metcalf, “Measuring Presidential Power” in *Comparative Political Studies*, vol. 33, No. 5 (2000), 666.

²³ I examine these factors in “Classification of Political Regimes in Former Soviet Union: How the Ruling Regimes Tolerate Autonomous Institutions” working paper on Comparative Political Research: CEU, 2005.

Haggard and Shugart,³⁰ proposed 3 dimensions, each of which was scored on a scale of 0 to 3.

Shugart and Carey³¹ developed a list of 10 legislative and non-legislative presidential powers, which are scored on a scale of 0 to 4, which seems a more comprehensive and precise for measuring presidential power. For example, both presidents of Lithuania³² and Kazakhstan³³ have a right to veto legislation. However, in Lithuania, the parliament may override that veto with the support of more than half of all its members and this country gets only 1 point. In comparison, the parliament of Kazakhstan may override the veto of the president only by a majority of two-thirds of the total number of its members and this country gets 3 points. In such scoring, it is clear that the veto power of the president in Kazakhstan is stronger than in Lithuania.

Further, Metcalf³⁴ revises the “scaling method” by adding one more indicator and making some adjustments to the scale. He also notes some disadvantages of this method, such as only considering the president and the parliament as main actors thereby ignoring the prime minister. I would also point out another disadvantage, namely the restricted list of presidential powers that Shugart and Carey,³⁵ Metcalf,³⁶ and Haggard and Shugart³⁷ measure in comparison with Lucky³⁸ and Frye³⁹, who develop more comprehensive lists of powers to be investigated. One more disadvantage is that all three methods are insensitive to post-totalitarian realities. For instance, the president of Belarus has a right to defer any strike or suspend it for three months.⁴⁰ None of the methods

described above consider such extraordinary powers belonging only to post-Soviet leaders.

In my paper, I overcome the problems that arise when applying “descriptive”, “checklist”, and “scaling” methods and use the advantages of all three methods. Thus, I develop a comprehensive list of 25 presidential powers based on Shugart and Carey,⁴¹ Lucky⁴², and Frye⁴³. I group the powers in 14 equally important dimensions for overcoming the weighting problems.⁴⁴ Each of dimensions 1, 2, 5, 6, 8, 10, 11, and 14 consists of one important indicator. Each important indicator, and therefore dimension, is scored from 0 to 4. A few related indicators (each of which is also scored from 0 to 4) that are not of primary importance but should not be excluded from the list of presidential powers are united in the same dimensions. Thus, each of dimensions 4, 9, and 12 consists of two indicators. Dimension 3 consists of three indicators. Each of dimensions 7 and 13 consists of four indicators. While scoring, I add up the scores of indicators (from 0 to 4) within each dimension and then divide by the number of indicators within that dimension for getting the score of the dimension (from 0 to 4). In general, such a flexible scoring system allows for weighting of each indicator and each dimension equally.⁴⁵ The last, fifteenth, dimension may have no indicator in certain systems, such as Estonia, Kyrgyzstan, Latvia, Lithuania, Moldova, and Ukraine or may have one indicator in cases such as Armenia, Azerbaijan, Belarus, Georgia, and Russia. The dimension has two indicators in the cases of Kazakhstan, Tajikistan, Turkmenistan, and Uzbekistan. Each indicator, if one exists, adds either two or four points to the total score of the country.⁴⁶

Another crucial advantage of the measurement methodology developed in this paper is that it is sensitive to post-Soviet realities. Thus, I consider important and widespread presidential powers existent in most ex-USSR countries such as edition of laws (dimension 4, indicator 7) and appointment of local governors (dimension 10, indicator 17). Some constitutions guarantee the financing and security of not only presidents but also their families (dimension 12, indicator 20) or do not limit the term of the president in the office (dimension 2, indicator 2), which point to authoritarian features of the ruling

³⁰ Matthew S. Shugart, and Stephan Haggard, “Institutions and Public Policy in Presidential Systems” in Stephan Haggard and Mathew D. McCubbins, (eds.), *Presidents, Parliaments, and Policy*, Cambridge: Cambridge University Press, 2001, 64-102

³¹ Shugart and Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*.

³² Article 72 of the Constitution of Lithuania at http://www.oefre.unibe.ch/law/icl/lh00000_.html (last accessed on December 17, 2005).

³³ Article 53 of the Constitution of Kazakhstan at http://www.ifescentralasia.kg/Kazakhstan/ENG/conste_kaz.html (last accessed on December 17, 2005).

³⁴ Metcalf, “Measuring Presidential Power”.

³⁵ Shugart and Carey, “Presidents and Assemblies: Constitutional Design and Electoral Dynamics”.

³⁶ Metcalf, “Measuring Presidential Power”.

³⁷ Shugart and Haggard, “Institutions and Public Policy in Presidential Systems”.

³⁸ Lucky, “Table of Presidential Powers in Eastern Europe”.

³⁹ Frye, “A Politics of Institutional Choice. Post Communist Presidencies”.

⁴⁰ Article 84.23 of the Constitution of Belarus at <http://president.gov.by/eng/map2/state/const/cs9.html> and [http://www.venice.coe.int/docs/2004/CDL-AD\(2004\)029-e.pdf](http://www.venice.coe.int/docs/2004/CDL-AD(2004)029-e.pdf) (last accessed on December 17, 2005)

⁴¹ Shugart and Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*.

⁴² Lucky, “Table of Presidential Powers in Eastern Europe”

⁴³ Frye, “A Politics of Institutional Choice. Post Communist Presidencies”

⁴⁴ See Appendix 1.

⁴⁵ *Ibid.*

⁴⁶ See Appendix 2.

regime. Extraordinary powers granted to some post-totalitarian leaders are in the focus of this investigation as well (dimension 15, indicator 26).⁴⁷

Scoring of post-Soviet presidentialism

Certain difficulties have arisen while exploring the constitutions of the countries in question and country scores may vary, though not dramatically, when the analysis of presidential powers is repeated by another investigation. For instance, the texts of the constitutions are not always clearly written and one can find substantial contradictions. For example, article 140.2 of the constitution of Lithuania states that the president shall be the chief commander of the armed forces. However, according to article 84.14, the president of Lithuania appoints and dismisses the chief commander. Moreover, article 140.1 laws down that the president, the prime minister, the speaker of the parliament, the minister of defense, and chief commander of the army compose the State Defense Council, which means that the president and chief commander is not the same person.⁴⁸

Furthermore, some Central Asian constitutions do not even name certain powers that are usual to a country with democratic institutions. For instance, the constitution of Uzbekistan does not define the institutions that may initiate a referendum.⁴⁹ The constitution of Tajikistan, in which article 33 prohibits polygamy because of the actuality of the problem, considers it unimportant to state an institution where laws can be sent for reviewing at the Constitutional Court.⁵⁰ In Turkmenistan, according to news reports, some amendments are continuously made to the constitution but the texts of amendments are not distributed to the general public.⁵¹ Yet, in general, this methodology illustrates presidential powers in post-Soviet countries more precisely than other previously developed methods.

Theoretically, the country scores may vary from 0 to 56 and more, depending on the number of

extraordinary powers. Actually, when the methodology and scoring system developed above was applied to 15 post-Soviet countries by analyzing their constitutional texts, scores from 14 to 55 were obtained.⁵²

According to the investigation of constitutional texts of 15 post-Soviet countries, the weakest presidents are in the Baltic States of Estonia and Latvia (both 14 points), which established parliamentary systems immediately after gaining independence in 1992. Presidential power is traditionally weak in another Baltic State - Lithuania (20.5) as well. Moldova (24.5), which switched from a semi-presidential system to parliamentarism in 2000, also has a relatively weak president.

Ukraine (31.5) and Georgia (32.2) have moderate presidencies. The presidential power in Kyrgyzstan (36.5) is a little bit stronger than in the above-mentioned two countries whereas the similar score of Tajikistan (36.1) may be explained by the imperfectness of the constitution. Thus, the constitution of this country does not define institutions that are eligible to send laws for review at the Constitutional Court, the power to call extraordinary sessions of the parliament, or the power to initiate dissolution of the parliament.

Armenia (37.2), Russia (41), Azerbaijan (47.5), Uzbekistan (48), Kazakhstan (51), Belarus (52), and Turkmenistan (55) should be classified as super-presidencies because of the enormous concentration of power in the president's hands. These countries are characterized by almost uncontrolled executive powers of the presidents, such as appointing and dismissing the prime minister and other senior officials arbitrarily. In addition, most of them share legislative and judiciary authorities with other branches of power that allow them to interfere in all spheres of public life.

Comparing formal presidential powers with Freedom House's authoritative "Nations in Transit" survey, which ranks post-communist countries according to their level of democracy, one can observe a strong correlation in most cases.⁵³ An exception from the rule seems to be Moldova, which shares constitutional power between the parliament and president but gets a low score of democracy by Freedom House. Such a finding may be explained by the fact that this country changed its constitution only a few years ago and traditions of "uni-leadership" still influence the development of democratic institutions.

⁴⁷ See Appendix 1.

⁴⁸ Constitution of Lithuania at http://www.oefre.unibe.ch/law/icl/lh00000_.html (last accessed on December 17, 2005)

⁴⁹ Constitution of Uzbekistan at <http://www.press-service.uz/en/section.scm?sectionId=4713#Chapter%2019> (last accessed on December 17, 2005)

⁵⁰ Constitution of Tajikistan at http://www.ifescentralasia.kg/Tajikistan/Eng/t_constit.html#4 (last accessed on December 17, 2005)

⁵¹ See www.nescentralasia.com/modules.php?name=News&file=article&sid=164 (last accessed on December 17, 2005)

⁵² See Appendix 2.

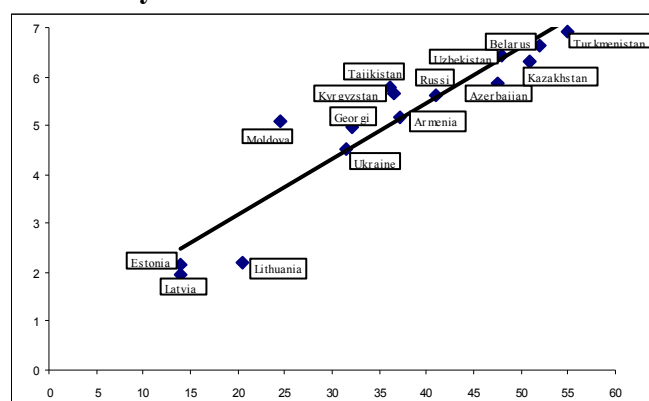
⁵³ See Table 1.

Or, because of the complexity of this political phenomenon, transition to democracy may not be tied to uni-dimensional causes but instead should be explored in the light of other factors as well, such as economic decentralization, civil society development, political culture of citizens, etc. The choice of constitutional institutions and dispersion of formal powers is only one factor, albeit an important one, necessary for democracy consolidation in the country.

Table 1.

**DEMOCRACY SCORE AND
PRESIDENTIAL POWERS:**

Democracy Score



**Presidential
Power**

* The Democracy Score of countries was taken from the “Nations in Transit 2005” survey conducted by Freedom House, where 0 is the highest possible score for democracy while 7 indicates the lowest level of democracy (see <http://freedomhouse.org/template.cfm?page=106&year=2005>, last accessed on December 17, 2005).

Conclusion

Due to the use of benefits of previously developed research enriched with my empirical knowledge, the methodology developed in this paper is distinguished from other measurement methods by being sensitive to post-Soviet realities and the ability to cover and score all-important powers that belong to ex-USSR presidents. Despite the concentration of this research only on formal presidential powers of post-Soviet leaders, it provides quite a comprehensive picture of concentration versus dispersion of authorities in the countries under investigation.

The correlation of the country scores obtained by the investigation of presidential powers with Freedom

House’s ranking supports the assumption of Steven Fish⁵⁴ that super-presidentialism delays democratic development in post-Soviet countries, while moderate presidential and parliamentary systems contribute to the consolidation of democracy. Hence, Moldova changed its constitution in 2000 and Georgia and Ukraine amended their constitutions in 2004 in favor of parliamentary power. In general, ex-USSR republics that disperse power are more likely to democratize than those concentrating authority in the hands of a single person.

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⁵⁴ Fish, “Postcommunist Subversion: Social Science and Democratization in East Europe and Eurasia”

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Appendix 1. *A list of presidential powers and scoring method developed by the author:*

Dimension 1 (election)

Election of the president

Direct – 4

Indirect – 0

Dimension 2 (length of term)

Length of term

Unrestricted – 4

May be prolonged in special circumstances – 3

14 years – 2

10 years – 1

8 years – 0

Dimension 3 (legislation introduction)

Introduction of legislation

No amendment by parliament – 4

Restricted amendment by parliament – 2

Unrestricted amendment by parliament – 1

No such power – 0

Proposal of referenda

Unrestricted – 4

Restricted – 2

No such power – 0

Send laws to Constitutional Court

Unrestricted – 4

Restricted – 2

No such power - 0

The score of the dimension is obtained by adding up the scores of indicators and then dividing by three. For instance, the score of Armenia is $(4+2+4)/3=3.3$

Dimension 4 (legislative powers)

Edit decrees

Reserved powers, no rescission – 4

President has temporary decree authority with few restrictions – 2

Authority to enact decrees limited – 1

No such power – 0

Edit laws

Reserved power, no rescissions – 4

President has temporary lawmaking authority with few restrictions – 2

Authority to enact laws limited – 1

No such power – 0

The score of the dimension is obtained by adding up the scores of indicators and then dividing by two.

Dimension 5 (veto powers)

Veto powers

Veto with no override – 4

Veto with override requiring majority greater than 2/3 of total members of parliament - 3

Veto with override requiring majority of 2/3 of total members of parliament – 2

Veto with override requiring simple majority of total members of parliament or simple majority of parliament members participating at the discussion – 1

No such power – 0

Dimension 6 (Appointment of prime-minister)

9. Appointment of a prime minister

Unrestricted – 4

Need to be approved by parliament – 2

No such power or parliament may ignore the proposal of the president – 0

Dimension 7 (Appointment of senior officials)

Appointment of cabinet members

Unrestricted – 4

Need to be approved by parliament – 2

No such power or parliament may ignore the proposal of the president – 0

Appointment of judges

- Unrestricted – 4
- Need to be approved by parliament – 2
- No such power or parliament may ignore the proposal of the president – 0
- Appointment of military commanders
- Unrestricted – 4
- Need to be approved by parliament – 2
- No such power or parliament may ignore the proposal of the president – 0
- Appointment of senior officers
- Unrestricted – 4
- Need to be approved by parliament – 2
- No such power or parliament may ignore the proposal of the president – 0

The score of the dimension is obtained by adding up the scores of indicators and then dividing by four.

Dimension 8 (dismissal of cabinet)

- Dismissal of cabinet
- Unrestricted – 4
- Need to be approved by parliament – 2
- No such power or parliament may ignore the proposal of the president – 0

Dimension 9 (executive powers)

- Budgetary powers
- President prepares and proposes budget – 4
- President only formally proposes budget – 2
- No such power – 0
- Participation in cabinet sessions
- Participates and/or chairs cabinet sessions – 4
- No such power – 0

The score of the dimension is obtained by adding up the scores of indicators and then dividing by two.

Dimension 10 (local powers)

- Appointment of local governors
- Unrestricted – 4
- Should be approved by parliament or prime-minister – 2
- No such power - 0

Dimension 11 (dissolution of parliament)

- Dissolution of parliament
- Unrestricted – 4
- Restricted only by term – 3
- Requires approval by another institution – 2
- Requires approval by parliament or referendum – 1
- No such power - 0

Dimension 12 (special powers)

- Emergency powers
- Unrestricted – 4
- Restricted – 2
- No such power – 0
- Special guarantees
- State finances and/or guards the president and family – 4
- State finances and/or guards the president – 2
- No such power defined in constitution – 0

The score of the dimension is obtained by adding up the scores of indicators and then dividing by two.

Dimension 13 (symbolic powers)

- Call special sessions of parliament
- Yes – 4
- No – 0
- Sign constitution¹
- Yes – 4
- No – 0
- Grant pardon
- Yes – 4
- No – 0

Commander in chief of armed forces
Yes – 4
No – 0

The score of the dimension is obtained by adding up the scores of indicators and then by dividing by four.

Dimension 14 (removal from office)
Forced removal of the president from office
Cannot be removed – 4
Removal requiring majority greater than 2/3 of total members of parliament or by referendum - 3
Removal requiring majority of 2/3 of total members of parliament – 2
Removal requiring simple majority of total members of parliament or 2/3 of members participating at discussion – 1
Removal requiring simple majority of parliament members participating at the discussion or by the decision of a court – 0

Dimension 15 (extraordinary powers)
The country is proclaimed to be a “presidential republic”; president may sanction arrest of judges; president has a right of judicial review; cabinet is accountable only to the president; president may defer strikes; president may restrict certain fundamental rights; ministers should take an oath to the president; the head of state deals with special “reserve” budget; laws are accepted by the name of the president; or the presidents nominates a head of the parliament.

Each extraordinary power gets either 2 or 4 points

Appendix 2. Scoring presidential powers in post-Soviet countries based on method indicated in Appendix 1:

Dimensions	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15*	Total
Indicators	1	2	3-5	6-7	6	9	10-13	14	15-16	17	18	19-20	21-24	25	26	
Armenia	4 4	1 1	2 2 4 2.7	4 0 2	1 2	4 4	2 2 4 2 2.5	1 1	0 4 2	2 2	3 3	2 2 2	4 0 4 4 3	2 2	4 4	37.2
Azerbaijan	4 4	1 1	4 4 4 4	4 0 2	3 3	4 4	4 4 4 2 3.5	4 4	4 4 4	4 4	0 0	2 4 3	4 4 4 4 4	3 3	4 4	47.5
Belarus	4 4	4 4	4 4 4 4	4 2 3	2 3	4 4	4 4 4 4 4	4 4	4 4 4	2 2	3 3	4 2 3	4 4 4 4 4	2 2	4 4	52
Estonia	0 0	1 1	2 0 4 2	1 1 1	1 1	0 0	2 2 2 2 2	2 2	0 0 0	0 0	2 2	2 0 1	4 0 4 0 2	0 0		14
Georgia	4 4	1 1	2 2 4 2.4	4 2 3	1 1	4 4	2 2 4 2 2.5	2 2	2 4 3	2 2	3 3	2 0 1	4 0 4 4 3	2 2	2 2	32.2
Kazakhstan	4 4	2 2	4 4 4 4	4 2 3	2 2	4 4	4 2 4 2 3	4 4	2 4 3	4 4	3 3	4 4 4	4 4 4 4 4	3 3	2+2 4	51
Kyrgyzstan	4 4	1 1	4 4 4 4	4 2 3	3 3	4 4	2 2 4 2 2.5	2 2	0 0 0	2 2	3 3	2 4 3	4 4 4 4 4	2 2	4 4	36.5
Latvia	0 0	0 0	4 2 0 2	1 0 0.5	1 1	2 2	0 0 2 0 0.5	0 0	0 4 2	0 0	1 1	2 0 1	0 0 4 4 2	2 2		14
Lithuania	4 4	1 1	4 0 2 2	1 0 0.5	1 1	2 2	2 2 2 2 2	2 2	0 0 0	0 0	0 0	2 2 2	4 0 4 0 2	3 2		20.5
Moldova	0 0	3 3	4 4 4 4	1 0 0.5	1 1	2 2	2 2 4 4 3	0 0	0 4 2	0 0	3 3	2 0 1	4 0 4 4 3	2 2		24.5
Russia	4 4	0 0	4 4 4 4	4 0 2	2 2	4 4	2 4 4 2 3	2 2	0 4 2	4 4	3 3	4 0 2	4 0 4 4 3	2 2	4 4	41

Tajikistan	4 4	2 2	4 4 - 4	4 0 2	2 2	2 2	2 4 4 4 3.5	2 2	0 0 0	2 2	0 0	2 2 2	- 0 4 4 2.6	2 2	2+4 6	36.1
Turkmenistan	4 4	4 4	4 4 4 4	4 2 3	1 1	4 4	4 4 4 4 4	4 4	4 4 4	4 4	4 4	4 0 2	4 4 4 4 4	3 3	2+4 6	55
Ukraine	4 4	1 1	4 4 4 4	2 0 1	2 2	2 2	2 2 4 2 2.5	4 4	0 0 0	2 2	1 1	2 2 2	4 0 4 4 3	3 3		31.5
Uzbekistan	4 4	2 2	4 - 4 4	4 0 2	2 2	2 2	2 4 4 2 3	4 4	4 4 4	2 2	4 4	2 0 1	4 4 4 4 4	4 4	4+2 6	48

*** Extraordinary powers granted to post-Soviet presidents according to constitutions:**

Armenia – the president may sanction arrest of any judge in the country (article 55.10-11) - 4 points.

Azerbaijan – the president not only appoints the prime minister and ministers but, according to the Constitution, the Cabinet of Ministers is “the executive body of the president” and accountable only to him (article 114.2-3) – 4 points.

Belarus – the president has a right to defer a strike or suspend it for three months (article 84.23) – 4 points.

Georgia – in case of a state emergency or martial law, the president may restrict certain fundamental rights of citizens and this decision should be approved by the parliament within two days (article 46.1) – 2 points.

Kazakhstan – the country is officially proclaimed to have a “presidential form of governance” (article 2) – 2 points; and according to article 65.3 “the Government shall take an oath to the people and President” – 2 points.

Kyrgyzstan - the president has a right to judicial review, e.g. suspension or annulment of acts of the government or local administration (article – 46.5.4) – 4 points.

Russia – the president has a right to judicial review, e.g. suspension of acts of the subjects of the federation if they contradict, in his opinion, the constitution and federal laws (article 85.2) – 4 points.

Tajikistan – the president has a special reserve fund (article 69.17) – 2 points; and he has a right to judicial review, suspending acts of the government if they contradict, by his opinion, the constitution and laws (article 69.6) – 4 points.

Turkmenistan – the constitution declares the country a “presidential republic” (article 1) – 2 points; and all amendments to the constitution are made in the name of the president, e.g. “death penalty in Turkmenistan is prohibited forever by Saparmurat Turkmenbashi” (article 20) – 4 points.

Uzbekistan – the president has a right to judicial review, abolishing acts of the government (article 97) and local administration (article 93.16) – 4 points; and nominates a chairman of the Senate (93.9) – 2 points.

THE PARLIAMENTARY ACTIVITY OF ROMANIAN OPPOSITION PARTIES: THE COOPERATIVE OPPOSITION: A POST-COMMUNIST PHENOMENON?

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Abstract

This paper is based on research on the parliamentary activity of Romanian opposition parties between 1990 and 2004. It analyzes the vote for organic laws, the vote for the investiture and reshuffle of cabinets, votes of confidence, the vote for simple and censure motions, and the participation at their initiation – using the minutes of the parliamentary debates in plenary sessions as a main source. Its objective is to identify a series of possible similarities and dissimilarities between the parliamentary activity of post-communist and western opposition parties, looking especially at the “cooperative opposition” phenomenon.

Starting from a Romanian case study and using a series of research on both post-communist and western systems, the analysis investigates the way the theoretical framework changes progressively from “transition & consolidation” studies to Western-based paradigms, even if the phenomenon analyzed remains almost unchanged. It is the interplay between two approaches that can simultaneously explain the same phenomenon - studied during fourteen years, which raises so many questions about the thick line named “end of transition” - on a topic that is so rarely investigated: the parliamentary activity of political parties.

Introduction

The starting point of this paper is research on the parliamentary activity of Romanian opposition parties between 1990 and 2004 - a good starting point for an analysis of the similarities and differences between parliamentary activity of opposition parties in both post-communist and western political systems. It is a comparison between the parliamentary activity of post-communist and western opposition parties, looking especially at the “cooperative opposition” phenomenon and an attempt to provide some arguments in order to demonstrate the following statement: similarities are far more frequent than differences and it is difficult to sustain the existence of a special model for the post-communist systems.

The purpose of this analysis is to investigate the way in which the phenomenon may be analyzed in the post-communist context, but with the tools provided by the research on western political systems and with a close look at western political developments (after the Second World War).

The hypothesis is that the major part of cooperative behavior of post-communist parties (in legislative assemblies) can be explained using the theories designed for consolidated (democratic) political systems. The usefulness of a special theoretical framework based on post-communist realities is rather small. During the first years after 1989, the lack of discipline of political actors made the “cooperative opposition” phenomenon rather predictable. After a certain number of years, parties consolidate their positions and acquire better abilities to participate in the governmental process. But as they approach the western paradigm, their actions should be judged accordingly. This also includes taking into consideration the “cooperative opposition” phenomenon, which remains present, although it might be based on different reasons and explanations.

There is a widely acknowledged scarcity of studies on the parliamentary activity of opposition parties, in both post-communist and western systems. For that reason, there are also very few explanations available to analyze the issue of the “cooperative opposition”. The existing approaches and explanations seem to emphasize a certain convergence between the post-communist and western experiences, but it is not easy to rule out from the start the possibility of a post-communist based model of behavior.

It must be emphasized that the analysis is not intended to prove or verify to what extent the “cooperative opposition” phenomenon is present in East-Central Europe because of the lack of relevant data.

The paper is divided into three parts: after a brief presentation of the research on the Romanian case, the second part enumerates a series of possible approaches to this phenomenon starting from the western experience and investigates whether the “cooperative opposition” is a characteristic applicable only to the parliamentary activity in post-communist systems, while the third part closes the paper with a few concluding remarks.

1. Parliamentary Activity of Romanian Opposition Parties: 1990-2004

The research on the Romanian case addresses the following *question*: to what extent parliamentary activity of the political parties reflects the dividing line between “parliamentary majority” and “opposition”, as it is defined by the alliances that shape the

composition of the cabinet and its parliamentary support. The research has two main *objectives*: the identification of the parties that actually belonged to the “opposition” camp during the whole post-communist period, and the analysis of this partisan structure of the “opposition” camp as compared to that of the whole party system. The term “opposition” is understood here as follows: parties that do not belong to the cabinet or to the parliamentary majority that was created in order to (explicitly) sustain the cabinet.

The *object* of analysis is the parliamentary activity of political parties that belonged to the “opposition” camp elected in all Romanian post-communist legislatures (1990-1992, 1992-1996, 1996-2000, 2000-2004). The types of parliamentary activity that were taken into consideration in order to answer the research question were the vote for organic laws¹, the vote for the investiture and reshuffling of cabinets, the vote of confidence, the vote for the simple and censure motions, and the participation at their initiation. The main *sources* used were the minutes of the parliamentary debates in plenary sessions, published in the *Official Journal of Romania*. From a *methodological* point of view, the main strategy was to identify the positions adopted by the political groups during debates in plenary sessions - be it by vote or through the speeches given - by studying the text of the minutes. This served the first objective of the research. In order to analyze the partisan structure of the “opposition” camp as compared to that of the whole party system, the positions adopted during parliamentary sessions were compared to the public positions expressed by parties concerning their alliance policy and their attitude towards the government or towards the rest of the parties.

A very brief version of the research results can be presented as follows. The vote for *organic laws* offers the strongest proof of the support given by the opposition parties to the cabinet and to the governmental policies. Only 35.5% of all the important laws did not receive the support of the opposition. During the first years, the support given by the opposition was rather weak, but it strengthened progressively over the years in spite of an increasingly aggressive rhetoric used by those parties against the government. Since the second legislature, only two years break the rule: in 1997 and 2004 the majority of important organic laws were not supported by the opposition camp. It should be mentioned that the support given by the opposition was not necessary for the adoption of these laws, except for very few cases.

On the other hand, the analysis of the *motions* (initiation and support) shows the highest degree of coherence in the opposition parties’ behavior in relation to their position (outside the government) and public statements. Nevertheless, there are three types of strange behavior: parties that belong to the cabinet initiate motions against it; parties that belong to the cabinet or to the parliamentary majority sustain motions initiated against the government, and; the same party votes differently for the same motion from one chamber to another. The frequency of such cases is higher during the first two legislatures, but these exceptions disappear slowly towards the fourth one. It should also be mentioned that the unity of the opposition camp is remarkably strong over the years. Since 1992, with only very few exceptions, all the opposition parties sustained all the motions that were initiated, irrespective of the topic under debate or the political identity of the authors.

Five out of seven cases of *cabinet investiture* show significant support given by the opposition parties to the government through voting or public statements. However, it is rather surprising to see that immediately after an aggressive electoral campaign, some parties offer their support to the new government. The opposition parties have been equally willing to give a *vote of confidence* to many cabinets, since they initiated only four censure motions in response to nine such requests.

As a result, the most straightforward answer that can be given to the research question is: the parliamentary activity of the political parties only moderately reflects the dividing line between “parliamentary majority” and “opposition”, as it is defined by the alliances that shape the composition of the cabinet and its parliamentary support. There is clear and frequent support given by parties that do not belong to the parliamentary majority to the cabinet and to its policies. The dividing line between the parliamentary majority and the rest of the parties was crossed from both sides, but in most of the cases, the opposition parties were those who crossed it. This kind of behavior frequently contradicts the public discourse of the opposition parties and sometimes even the position adopted during the debates before voting. Nevertheless, the data gathered do not offer enough arguments to completely change the image of the “parliamentary majority” and “opposition” camps as they were publicly perceived during the whole period (1990-2004), or to explicitly nominate a series of parties that have constantly failed to follow the dividing line between the two camps.

Starting from the conclusions of the research on the Romanian case, a series of questions may be raised. Is this a situation that characterizes only the Romanian case? Or, is it applicable to the whole post-

¹ A selection was made, according to the policy domain of each law, in order to identify the most relevant organic laws – which could have represented a crucial point in government-opposition relations.

communist area? Is it a trait of under-developed democracies (transition democracies, poorly consolidated democracies, etc) or is it common to all political systems based on the “power versus opposition” game?

An equally straightforward answer would be that many of the conclusions of research on parliamentary activity in both post-communist and western systems were confirmed by the results of the research on the Romanian case.

However, this answer does not really simplify the problem, since there are very few studies on this topic and, most of the time, the explanations rely on researches that only briefly examines the parliamentary activity of the opposition. Furthermore, the explanations are based on hypotheses that ignore or include (sometimes simultaneously) the variable of political immaturity due to the post-communist transition. In the absence of a solid theory, the validity of any assessment is questionable to a certain extent. However, there is a series of explanations that are worthy of attention.

2. The “Cooperative Opposition”: Several Explanations

a. The Logic of The Multiparty System: Consolidated Democracies vs. Post-Communist Systems

Almost all the explanations that were offered over the years as a result of different approaches can be synthesized as follows: *the cooperative behavior of the opposition is a simple consequence of internal logic and the dynamics of a multiparty system – taking into account, simultaneously, its strong points and weak points, as well as the opportunities and the threats present.* Several paradigms that have contributed to such a conclusion can be mentioned.

One of the possible approaches of the “cooperative opposition” phenomenon may start from the analysis made by Maurizio Cotta and Jean Blondel² who have dedicated an entire book to the relation between governments and supporting parties. Their conceptual and methodological framework helps clarifying the relation between power and opposition on the parliamentary scene. They emphasize the fact that it is almost impossible to draw a clear dividing line between supporting and non-supporting parties. It is possible only in the British type of party system, a very rare situation. Therefore, in order to avoid any misunderstandings, they propose to divide

parliamentary parties into three categories: supporting parties that have representatives in the cabinet, supporting parties that do not have representatives in the cabinet, and non-supporting parties. These categories are useful for studying the parliamentary activity of political parties and especially the behavior of the opposition. They offer a starting point for defining the “opposition” camp, although a definition that contains serious deficiencies because it offers no criteria for taking into account the actual behavior of parties. Furthermore, the authors emphasize that the higher the numbers of parties, the weaker the support for the government, which was highly confirmed by the Romanian case (and not only).

When correlating the two main statements made by Cotta and Blondel with the results from the Romanian case-study, we can identify one of the most important and useful definitions of the opposition in multiparty systems: the sum of all the (op)positions assumed by parliamentary parties during a certain period of time, irrespective of their status (parliamentary majority vs. opposition). In fact, this western system-based statement is the most appropriate way to describe and to synthesize the conclusions of research on the post-communist/Romanian cases.

Another study written by Kaare Strom³ addresses the same issue from another perspective, namely divided and minority governments. One of the most important observations from this book also helps to explain parliamentary behavior of both western and post-communist parties. It also prevents us from considering the “cooperative opposition” like some kind of bizarre behavior or relegating it directly into the unconsolidated democracy paradigm. Strom considers that the study of coalitions of political parties operates with two false assumptions. First, “the legislative coalitions that assure the viability and the effectiveness of the government are identical” and “the parliamentary majority [created by those coalitions] has the same political composition as the cabinet”. This approach is also very useful for understanding the apparently “deviant” behavior of the “cooperative opposition”.

As in the previous case, it is also confirmed by the Romanian case. The best period for illustrating the validity of Storm’s statements is the second legislature, where the parliamentary majority experienced nine types of configurations during thirteen successive stages. In spite of this volatility and seven government reshuffles, the minority government (made out of one to five parties) resisted throughout its

² Maurizio Cotta, Jean Blondel, eds., *Party and Government: An Inquiry into the Relationship between Governments and Supporting Parties in Liberal Democracies*, (London: Macmillan Press Ltd., 1996).

³ Kaare Strom, *Minority Government and Majority Rule*, (Cambridge: Cambridge University Press, 1989).

whole term. In order to eliminate any doubt, the behavior of the opposition parties was rather coherent during the whole period. In spite of a high volatility in the structure of the opposition camp (due to the different formulas of the parliamentary majority), the level of cooperative behavior was not significantly different from other legislatures.

As can be seen, the type of party system is one of the most important factors that influences the strategies of the opposition. The most challenging situation is considered to be the multiparty system. The complex features of a heterogeneous political setting facilitate an apparently “deviant” behavior, lack of discipline within coalitions, and bizarre alliances at the parliamentary level. Of course, when all the post-communist problems of parties, party systems and institutions are added to the multiparty setting, instability is almost inevitable and it may become almost impossible to define the composition and explain the behavior of the “opposition” camp.

In the sixties, special attention was already given to studying the influence of the type of party system on the opposition’s features and on its strategies. Gordon Smith⁴ and Peter Pulzer⁵ stress that there is a serious bias in many studies of this kind because the British bipartisan model strongly influences the analysis and it has a negative impact on the study of multiparty systems.

Maurice Duverger⁶ also emphasizes the problems that the study of opposition encounters in multiparty settings. The very definition of the opposition is challenging because the dividing lines between the parliamentary majority and the rest of the parties are difficult to trace. Actually, Duverger reiterates that parliamentary support given by opposition parties to the government in order to pass legislation tends to erase all distinction between parliamentary majority and opposition. Taking into account the identity problems and volatility of inter-partisan relations, Duverger’s statement is more than accurate in the post-communist systems. Moreover, for Maurice Duverger, the multiparty system generates a violent but confused and inefficient opposition, which describes very well the Romanian case during the whole fourteen years and many other post-communist cases, at least during the first years of transition.

Duverger also draws attention to the fact that in multiparty systems the fall of the cabinet does not offer a clear opportunity to be a part of the new government to the rest of the parties. It should also be taken into account that the greater the number of possible alliances, the greater the number of possible strategies and styles of the opposition and the more complex its political behavior. Moreover, it is perfectly possible that the interests of a party are better accomplished by staying in opposition than by choosing to be part of the cabinet. This is why it is not at all necessary nor obvious that the same parties support the government from one vote to another,⁷ a thesis that is largely confirmed by the Romanian case and by other post-communist systems. Such statements illustrate very well the complexity of relationships between parties in the governmental process.

In order to assess the behavior of the opposition parties, it should also be remembered that the composition of the “opposition camp” is not the result of political agreements, as is the case of the parliamentary majority⁸. Moreover, there may be deep cleavages between the opposition parties and the government may use those cleavages in order to ensure its viability by proposing policies that maintain the divided nature of the “opposition” camp. This situation may have at least two consequences. First, it is possible that the existing coalition government represents the best political structure, preferred by all the actors in the system. Because of the dividing lines and the conflicting relationship between them, no other alternative may be viable. Second, the government may itself generate the premise of a “cooperative opposition” and take advantage of the selective support of parts of the opposition, depending on the policies it proposes.

It should be emphasized that these kinds of assumptions can also be found in most of the research based on game theory and rational choice, a very valuable resource for understanding parliamentary behavior of political parties⁹. In this case, their usefulness lies mostly in the clear assumptions that are used by all the research with respect to the different goals of the parties and the way they pursue them. This way, the parliamentary behavior of the opposition parties can be analyzed more easily.

⁴ Gordon Smith, “Party and Protest: the Two Forces of Opposition in Western Europe”, in *Opposition in Western Europe*, ed. Eva Kolinski (London: Policy Studies Institute, 1987), 49-71.

⁵ Peter Pulzer, “Is There Life After Dahl?”, in *Opposition in Western Europe*, ed. Eva Kolinski (London: Policy Studies Institute, 1987), 11-29.

⁶ Maurice Duverger, “Les partis et la fonction d’opposition”, in *Les partis politiques*, Maurice Duverger, (Paris : Armand Colin, 1976), 538-549.

⁷ Michael J. Laver, Norman Schofield, *Multiparty Government. The Politics of Coalition in Europe*, (New York : Oxford University Press, 1992), 67.

⁸ M. Duverger, “Les partis et la fonction d’opposition”.

⁹ Michael J. Laver, Ian Budge, *Party Policy and Government Coalitions*, (London : Macmillan Press Ltd., 1992).; Michael J. Laver, Norman Schofield, *Multiparty Government.*; Ian Budge, Hans Keman, *Parties and Democracy: Coalition Formation and Government Functioning in Twenty States*, (Oxford: Oxford University Press, 1990).

After this brief review of the literature on party behavior and government-opposition relations, the most important aspect to constantly remember is that the post-communist party systems are multiparty systems (in the beginning, in an extremely polarized form). Therefore, all the observations and assumptions made for the western systems become far more complicated in the post-communist context because of the extreme volatility of inter-partisan relations. Nevertheless, the accuracy of the above-mentioned observations is verified and reinforced within the post-communist context.

However this review of the literature shows very clearly that there is no special need for a theoretical framework on the post-communist parties and the problems they experienced during the period of post-communist transition/consolidation in order to understand or explain the situation in the Romanian parliament. The theoretical framework provided by research on western political systems is adequate and satisfactory. At the same time, it would be incorrect to completely ignore the “post-communist” variable. The fact that literature on consolidated democracies demonstrates that this variable has only a limited usefulness does not make it irrelevant for the analysis.

b. The “Cooperative Opposition” in Consolidated Democracies: a Well-known Phenomenon

There is a second useful argument for proving that the cooperative opposition is not *only* a post-communist phenomenon and that it can be analyzed and explained very well and very easily starting from the literature on consolidated democracies. *The cooperative behavior of the opposition was first analyzed almost fifty years ago in western political systems and it became considered, for many decades now, a rather ordinary phenomenon.*

At first sight, it seems that it should have solved the problem from the beginning, without any more explanations. The problem with this argument is that it has only an illustrative power/usefulness; it is based only on empirical observation and does not really explain the behavior of political parties in parliament. Meanwhile, the first approach, the one that has just been presented above, has a strong explanatory power.

The observations made by Ghita Ionescu and Isabel de Madariaga¹⁰ in the sixties concerning the behavior of the opposition and opposition parties have been largely confirmed by the results of the research on the Romanian case. The authors strongly emphasize

the increasing preference that the opposition had for consensus and the continuous strengthening of executive powers at the expense of the legislative branch. Furthermore, the authors noticed an increasing degree of technical elements that appeared during parliamentary workings and debates – due to the complex nature of issues governments had to deal with – that limited the ideological depth of parliamentary confrontations. This is also visible in the Romanian case, as well as the fact that the vote in plenary session is more and more frequently a “simple formality”¹¹. According to the two authors, the explanation of such changes lies in the highly complex mechanisms of parliamentary decision-making, which progressively replace simple political debates. Consequently, parliamentary work acquires a technical, utilitarian, pragmatic, and consensual character, which influences the behavior of political parties and generates cooperative behavior in the opposition camp.

Thirty years after this study was published, Klaus von Beyme¹² also reconfirmed that “cooperative opposition” was a rather widespread phenomenon in western political systems. His observations are linked to an explanation relying on another type of argument: the party-in-parliament is more moderate than the rest of the parties. This is also the argument used by many researchers to justify their refusal to study the policy positions of political parties based only on their parliamentary activity. Such an approach might explain another widely spread practice – the difference between the aggressive rhetoric used by politicians outside the parliamentary scene and their actions during committee and plenary workings (of a cooperative nature). The discrepancy between behavior and rhetoric is easily noticeable in the Romanian case throughout the whole period and is extremely puzzling at first sight.

The post-communist period and the studies dedicated to political parties and parliaments strongly revive the “cooperative opposition” topic, within a totally different paradigm: the discipline issue. For example, the study of parliamentary party groups in Europe coordinated by Knut Heidar and Ruud Koole¹³ often emphasizes the existence of alliances between the parliamentary groups of the government and the opposition in the post-communist area. Actually, during the first years of transition, it happened rather frequently that the opposition parties voted with the government coalitions in order to compensate and remedy the lack of discipline of the parties in power. Some laws were adopted due to the alliances between

¹¹ Ionescu and Madariaga, 101.

¹² Klaus von Beyme, “Parliamentary Oppositions in Europe”, in *Opposition in Western Europe*, ed. Eva Kolinski (London: Policy Studies Institute, 1987), 30-48.

¹³ Knut Heidar, Ruud Koole, eds., *Parliamentary Party Groups in European Democracies*, (London: Routledge, 2000).

¹⁰ Ghita Ionescu, Isabel de Madariaga, *Opozitia*, (București: Humanitas, 1992).

parts of the opposition and parts of the coalition in power in spite of the overt disagreement expressed by the representatives of the executive. Furthermore, it was observed that the party groups of the opposition were less disciplined than those in power (because they did not bear the constraints of the exercise of power), which significantly contributed to such cooperative behavior. However, the two authors stress that those cases cannot be considered a real “pattern” across the post-communist area. Furthermore, they emphasize that even if the frequency of such cases could have been seen as problematic during the first years, it decreased over time.

Nevertheless, the “discipline issue” is a common approach in all post-communist studies dedicated to the parliamentary activities of political parties. The explanation lies first in the lack of maturity of political actors in East-Central Europe during the first years after the fall of communism and in a well-known theory regarding institutional effectiveness stating that the lack of discipline of parliamentary groups is an important obstacle against an efficient governmental process.

Naturally, such observations should be correlated with the entire literature on the post-communist political parties - identity problems, lack of programmatic appeals and competition, lack of experience in governmental issues and practices, extreme volatility in policy positions, etc¹⁴. Since the beginning, all researchers have expressed serious concerns about the political and governmental skills of the new political actors; a severe and pervasive lack of discipline and strange alliances have been expected. Within this paradigm, the parliamentary behavior of the opposition parties, namely the “cooperative opposition” phenomenon, is rather predictable and understandable. However, after a certain number of years, parties become more and more accustomed to institutional and democratic constraints. They become able to follow the discipline rules within the party organization, the party group, the parliamentary institution, etc. Apparently, the assessment of cooperative behavior should be changed, but it is not entirely possible. It is true that parties evolve towards more consolidated positions and acquire better abilities to participate in the governmental process, but as they approach the western paradigm their actions should be judged accordingly. This also includes taking into consideration the “cooperative opposition”

¹⁴ See for example, Paul G. Lewis, ed., *Party Development and Democratic Change in Post-communist Europe. The first decade*, (London: Frank Cass, 2001); Stephen White, Judy Batt, Paul G. Lewis, eds., *Developments in Central and East European Politics 3*, (Basingstoke: Macmillan, 2003) ; Jean Michel de Waele, ed., *Partis politiques et démocratie en Europe Centrale et Orientale*, (Bruxelles : Editions de l'Université de Bruxelles, 2002), etc.

phenomenon, which remains present although it might be based on different reasons and explanations.

Conclusion

When a “cooperative opposition” phenomenon appears in a political system characterized by fragile and immature parties, a weak parliament, and a difficult process of democratic learning, two questions may be raised: what is the real strength and relevance of the opposition within that system? And does this cooperative behavior reveal a structural weakness instead of a simple parliamentary strategy?

It is difficult to answer such questions because any action of the opposition may be judged either using the “(ongoing) transition” approach or the “convergence (with the western model)” approach. For example, concerning the strength and the relevance of the opposition on the parliamentary scene, Klaus von Beyme¹⁵ emphasized that the “zeal” of the opposition is shaped by its ability to influence the government’s policy positions and by the opportunities to do it. Looking at the Romanian case and the most important weapon of the opposition - the motion - it can be seen that the number of motions increased with every legislature even if the amount of those that were approved decreased sharply¹⁶. In the same time, the quality of the opposition’s activity and its proposals is problematic and far from being substantial. Nevertheless, it must be emphasized that the overall strength of the opposition has increased continuously, in spite of all the problems it had faced – an observation equally true for all post-communist countries. David Olson and Philip Norton¹⁷ stress that during the first years of transition, the opposition was almost ignored during an aggressive race to adopt and implement all the policies necessary for reform. Nowadays, its status within the system has consolidated considerably and its visibility has increased. In spite of deep crosscutting cleavages within the opposition camp, the coherence of its actions seems to be improving constantly and its relevance increases.

In the same time, any assessment of the strength and relevance of the opposition on the parliamentary scene and within the general governmental process should pay attention to the way the whole parliamentary functions and its status in the system. During the first years, the activity of all the parties was closely linked to the parliamentary institution, increasing its visibility and its importance within the

¹⁵ Klaus von Beyme, “Parliamentary Oppositions in Europe”

¹⁶ In Romania, since 1996 no motion has won enough votes to be accepted.

¹⁷ David M. Olson, P. Norton, *The New Parliaments of Central and Eastern Europe*, (London: Frank Cass, 1996).

system¹⁸. The “centrality”¹⁹ thesis is widely applied. However, the status of East-Central European parliaments has changed considerably over the years and many of them have turned into rather weak actors, blamed for inefficiency or obedient attitude towards governments²⁰. Their weakness combines with certain weaknesses of the party systems and leads to a highly problematic status for the opposition, which receives the same criticisms: inefficiency, inconsistency, lack of coherence, obedience, etc. The Romanian parliament is a very good example of this kind, having been repeatedly accused of “subordination”²¹ towards the government. In this situation, the strength of the “opposition” camp is seriously challenged by far more serious problems than its internal weak points.

All in all, there is no “post-communist version” of parliamentary activity of the opposition. This camp and its actors illustrate the features of the post-communist transition and the post-communist systems, but there are enough proofs to identify convergence points and to plead for the “convergence” approach. Even cooperative behavior can be explained using well-known theories about political parties in general without a constant need to bring up “post-communist” weaknesses. This does not rule out the usefulness of a “post-communist” or “transition-based” paradigm, but changes its weight. The analytical framework is structured around western-based theories and receives only “post-communist” nuances.

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¹⁸ Jean Michel de Waele, *L’émergence des partis politiques en Europe Centrale*, (Bruxelles: Editions de l’Université de Bruxelles, 1999) ; David M. Olson ,“Party Formation And Consolidation In The New Democracies Of Central Europe”, *Political Studies*, vol. XLVI, 1998, 432-464; Klaus von Beyme, *Transition to Democracy in Eastern Europe*, (New York: Macmillan Press Ltd., 1996), 122-147.

¹⁹ Attila Agh, “The Parliamentarisation Of The East Central European Parties”, in Susan Bowler, David M. Farrell, Richard S. Katz, *Party Discipline And Parliamentary Government*, (Ohio: Ohio State University Press, 1999), 180.

²⁰ Jean Michel de Waele, Sorina Soare, Petia Gueorguieva, “Parliaments of East Central Europe: Bulgaria, Poland , Romania”, *Studia Politica. Romanian Political Science Review*, vol. III, no.1, 2003, 141-161.

²¹ Jean Michel de Waele, Sorina Soare, Petia Gueorguieva, “Parliaments of East Central Europe”, 158.

WORK IN PROGRESS SECTION

DETERMINANTS OF PARTY UNITY IN CENTRAL EASTERN EUROPE

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Abstract

This paper concentrates on party behavioral unity in Central Eastern Europe and seeks to establish its major determinants. An indirect model of party unity is proposed, which contends that there is a trade off between attitudinal (ideological unity) factors and party centralization in order to achieve party behavioral unity. The analysis is conducted at three levels – the individual, party, and country level (in Hungary, the Czech Republic, Slovakia, and Poland) after 1993. The results show that the level of behavioral unity varies according to the salience of the issues at stake. The electoral mechanisms did not seem to have the expected impact on party behavioral unity and this questions the relevance of existing theories linking party unity and electoral systems. Among the internal party factors like attitudinal homogeneity, party centralization, incumbency status, and party ideology, the only one with a clear influence on the result of votes on the floor is party centralization. Therefore, decreasing the level of internal party democracy helps to increase the level of external democracy of the system.

1. Introduction

Do parties behave like united entities because they have a high level of party programmatic cohesion or because of the systemic or internal constraints that they encounter? Is attitudinal homogeneity a prerequisite for behavioral unity or is it the case that some of the systemic factors directly affect party unity on the floor? Following these questions, the paper proposes an indirect model of party behavioral unity, with attitudinal homogeneity and party centralization playing a role as intervening factors.

The paper differentiates between behavioral and attitudinal unity and focuses mainly on the behavioral aspect of party unity. The aim is to find the major factors that lead to party unity or those that explain its different levels, where that is the case. The analysis focuses on parliamentary political parties after 1993 in Central Eastern Europe, seeking to identify patterns of achieving party behavioral unity across this region.

The aim is to see if behavioral unity goes hand in hand with attitudinal unity and how systemic factors like the electoral system and party system affect behavioral unity and attitudinal homogeneity. The paper takes into account other party level factors like the perceptions of the members of parliament (MPs) about representation and the level of party centralization.

The study is conducted at three levels. At the first level, the unit of analysis is the individual MPs and at the second level, the unit of analysis is the parliamentary parties from four countries: Hungary, Poland, the Czech Republic, and Slovakia. The direct and indirect determinants of behavioral unity will be identified from these variables together with the implications that arise from this on the political representation process in the region.

2. Theoretical Background

2.1 The concept of party unity

The literature related to party unity refers to political parties and party systems, party decline issues, party organization, electoral systems, and coalition governments either by stating the importance of party unity or the implications of all the specified factors on it. No extensive comparative study has been conducted on the topic, with the exception of one tentative study¹, which remained at the stage of a working paper. More recent studies² concentrated on Central Eastern Europe or Latin America, but are only related to party programmatic cohesion (unity in terms of party policy positions).

There is a conceptual overlap and confusion between terms like *party unity*, *party cohesion* and *party discipline*. In the US literature it is usually the case that the concept of party unity is used interchangeably with that of party discipline and party cohesion, with all three terms taken to mean exactly the same thing: “the average percent of partisans who voted with the party line, on party votes during a given

¹ Ergun Ozbudun, *Party Cohesion in Western Democracies: A Causal Analysis*. (Beverly Hills: Sage Publications, 1970).

² For an overview see Herbert Kitschelt et al., *Postcommunist Party Systems. Competition, Representation and Inter-Party Cooperation* (Cambridge: Cambridge University Press, 1999); Herbert Kitschelt, “Party Competition in Latin America and Post-Communist Eastern Europe. Divergence of Patterns, Similarity of Explanatory Variables”. Paper prepared for delivery at the Annual Meeting of the American Political Science Association, Philadelphia, August 27-31, 2003; Herbert Kitschelt and Regina Smyth, “Programmatic Party Cohesion in Emerging Post-Communist Democracies. Russia in Comparative Context?” *Comparative Political Studies* 35 (10): 2002: 1228-1256.

session”³ or as a party unity vote “in which a majority of the voting Democrats oppose a majority of voting Republicans”⁴.

However, some literature draws a distinction between party cohesion and party discipline. For example, Bowler, Farrell and Katz⁵ speak about party cohesion and party discipline as being different things. The identifiable trend among definitions is that cohesion has been used lately in relation to the preferences of party members/representatives, while discipline has been used to denote uniformity of voting inside the legislature. Discipline is also referred to as the sticks and carrots used in order to maintain the unified vote inside the parliament⁶ but besides this distinction, both concepts are still often used interchangeably with party unity.

In a similar vein with other researchers, Heller and Mershon⁷ define a party as *cohesive* when it is “made up of like-minded people who vote together because they share preferences”, and imply that uniformity in voting behavior and in preferences should coexist. On the same line, Janda,⁸ who used the concept of party coherence as equivalent with party cohesion in the ICPP project (International Comparative Political Parties), defines it as “the degree of congruence in the attitudes and behavior of party members.” The problem with these studies is that they use roll-call votes as measurements for the concept, which are mainly a behavioral expression and do not necessarily imply an attitudinal similarity. Furthermore, no evidence has been advanced to show that behavior and attitudes are always correlated, or that attitudes are a prerequisite for behavior. Kitschelt and Smith⁹ offer another approach to cohesion that refers more to preferences and attitudes when they

define *party programmatic cohesion* as the “general agreement within a party organization on specific issue positions”.

Recent studies briefly mention that both party discipline and party cohesion are observations of party unity¹⁰ or that both discipline and cohesion are “overlapping routes to party unity”¹¹ without too much clarification about the relationship that exists between the concepts or in-depth research to bring more theoretical and empirical justification to their statements.

In order to avoid any confusion, conceptual overlap, or measurement overlap, the present paper clearly differentiates between *unity in terms of attitudes*, which materializes into party cohesion as far as the policy preferences of the party representatives are concerned, and *unity in terms of behavior*, which includes party behavior inside the legislature and party factionalism.

2.2 Representation and party unity

Party unity, either in terms of attitude or in terms of behavior, is essential for *political representation*. Voters’ choice between the parties and the election of their representatives is very much related to party unity. The parties should be united [...] because otherwise they may prove incapable of translating their mandates into effective action and indeed because without cohesion [unity] the very concept of an electoral mandate is ambiguous. Only if the party acts together as a team, can the voters reward or punish it at the polls as a team. Only if each candidate advocates the same policies and can be trusted to act with his copartisans to carry them out ... unless this condition is met, an election cannot truly be said to have given anyone a mandate at all¹².

There is agreement between scholars that modern democracy is representative democracy, but when it comes to representation, what one may ask is: who is to be represented, who is going to represent, and what is the representative going to do in order to represent the represented?¹³ For every question there can be several answers: the represented can be all the citizens

³ Shannon Jenkins, “Party Voting in US State Legislature”. Paper presented at the 2001 Annual Meeting of the American Political Science Association, (San Francisco, CA, August 30-September 2, 2001) 9.

⁴ David C.W. Parker, “*The Price of Party Unity: The Financial Power of America’s Political Parties*”. Paper presented at the 2001 Annual Meeting of the American Political Science Association. (San Francisco, CA August 30-September 2).

⁵ Shaun Bowler, David M. Farrell and Richard Katz, eds., *Party Discipline and Parliamentary Government* (Columbus Ohio: Ohio University Press, 1999).

⁶ Lukáš Linek and Petra Rakušanová. “Parties in the Parliament. Why, When and How do Parties Act in Unity? Parliamentary Party Groups in the Chamber of Deputies in the years 1998-2002.” *Sociological Papers*. Prague: Institute of Sociology, Academy of Sciences of the Czech Republic. 2 (9): 2002).

⁷ William B. Heller and Carol Mershon “Fluidity in Parliamentary Parties: Exits and Entries in Parliamentary Groups in the Italian Chamber of Deputies, 1996-2000.” Paper delivered at the Annual Meeting of the American Political Science Association, (Washington, DC, August 30-September 3, 2000) 3.

⁸ Kenneth Janda, *Political parties. A Cross-National Survey* (New York: Free Press, 1980), 118.

⁹ Kitschelt and Smith, “Programmatic Party Cohesion”, 1229.

¹⁰ Heller and Mershon, “Fluidity in Parliamentary Parties”, 3.

¹¹ Jonathan Malloy, “High Discipline, Low Cohesion? The Uncertain Patterns of Canadian Parliamentary Party Groups”. Paper presented at the annual meeting of the American Political Science Association, (Philadelphia, August 2003), 1.

¹² Richard S. Katz, *A Theory of Parties and Electoral Systems* (Baltimore and London: The John Hopkins University Press, 1980), 3.

¹³ Richard S. Katz, “Party in Democratic Theory,” in *Handbook of Party Politics*, ed. Richard S. Katz and William J. Crotty (London: Sage Publications, 2005), 42.

of a country, particular groups of citizens, voters for the party, individual citizens, or the party membership organization. The representative can be the parliament as a whole, the national party, the constituency party, or the individual MP. As for the actions of the representative, they can mirror the demographic characteristic, the distribution of opinions, they can do what the represented told them to do (delegate), or they can use their own judgment in order to advance their interests (trustee), or they can act as an ombudsman.

Representation at the individual level is more linked to the party or the MP for whom the citizens have been voting. The ballot structure plays an important role in this situation. In the case of closed lists, the link between the elected MP and the electorate in the constituency or the electorate overall is not as close as in the case of single member districts or open lists. Therefore, we can speak of different levels of representation. At the individual level, the MP is the trustee or the delegate to his voters, while at the national level political parties put representation in practice. In the latter case, it is the party rather than the individual MP that sets the link between the citizens and the state¹⁴.

While there is a long known debate about whether a representative acts as a delegate or a trustee, representative democracy theorists speak more about delegation¹⁵ and the role of the delegate to represent the citizens rather than a trusteeship role. Following from this, party unity appears as a necessity inside the political party in order to ensure the attainment of representation and in order to avoid the accountability punishment of not being re-elected. The present research will pursue only one chain of delegation, which is from the voters to their elected representatives, although the chains of delegation can continue up to the level of civil servants.

In the present paper I introduce an explanatory variable for party behavioral unity, which deals with the MPs' perceptions about political representation. Their behavior inside the party and in parliament may depend on their perception of whom they exactly represent - their direct voters, all the voters, the constituency party, specific social or interest groups, the national party, or the nation as a whole. This explanatory variable may be relevant to explaining the behavior of Central-East European legislators during the early 1990s, since the democratic game was still in

its early phase and the MPs were not familiarized with the rules of the game.

2.3 Systemic determinants of party unity

The literature related to party unity refers to macro and micro level explanations, depending on their specific arguments and level of analysis. The macro level (systemic) explanations mainly emphasize the role of state level factors in determining/influencing party unity. These theories highlight the role of the political system (either presidential or parliamentary), the type (structure) of state (federal or unitary), the type of electoral system (from single member district plurality to list proportional representation), and the nature of the party system (two-party, two and a half or multi-party systems).

Federalism is one of the factors that has usually been blamed for low cohesion in the American parties¹⁶ because of the decentralizing effect on the party system. On the same line, Epstein¹⁷ argued that "party organization tends to parallel governmental organization, particularly the governmental organization prevailing when parties originally developed". It seems that in a federal system, state parties count more than the local and regional parties in a unitary state. The federal form of state is usually perceived as the result of regional diversity and may further encourage diversity "by channeling the claims of local socio-economic interest groups. Thus, a local interest, provided that is strong enough to dominate the state government, may efficiently oppose adverse national policies"¹⁸. Maybe the presence of federalism has generated the lack of unity in US parties but it may not be the only and sufficient cause for disunity and certainly the US case is not enough to make generalizations, especially since recent cross-national studies¹⁹ have found a reverse relationship between federalism and party centralization.

A constitutional factor that has importance on party unity in the legislature is the relation between legislative and executive authorities. This structure might be either a parliamentary, presidential or a semi-presidential form of government. In the case of parliamentary systems, the parliamentary majority has the power to form and to change the cabinet. But in presidential systems, neither the parliament nor the

¹⁴ Petr Kopecký, "The Czech Republic: Entrenching Proportional Representation," in *Handbook of Electoral System Choice*, ed. Joseph M. Colomer (New York: Palgrave Macmillan, 2004), 353.

¹⁵ Kaare Strøm, Wolfgang C. Müller and Tobjörn Bergman, *Delegation and Accountability in Parliamentary Democracies* (Oxford: Oxford University Press, 2003), 20-21.

¹⁶ Valdimer O. Key, *Politics, Parties and Pressure Groups* (New York: Thomas Y. Crowell, 1964), 334.

¹⁷ Leon D. Epstein, *Political Parties in Western Democracies* (New York: Praeger, 1967), 32.

¹⁸ Ozbudun, *Party Cohesion*, 355.

¹⁹ Alexander C. Tan, *Members, Organizations and Performance. An Empirical Analysis of the Impact of Party Membership Size* (Aldershot: Ashgate, 2000), 44.

executive can put an end to the legal existence of the other, hence the executive remain in office even if it does not enjoy majority support in the legislature.

Parliamentary systems lead to party unity²⁰ “by making a great many roll-call questions of confidence in the government”. If certain members of the parliament (MPs) vote against their party in parliament, this means not only that they oppose their leaders on particular issues, but can also mean that they are “willing to see their party turned out of power and the other side put in to defeat the particular bill”²¹, especially when the government’s majority is small. This is one explanation for the fact that few parliamentarians choose to vote against their party in parliament under the conditions of a parliamentary state. In presidential systems, the legislators can vote against their party legislative program without any immediate negative consequences for the party.

The power of dissolution associated with the parliamentary system is seen as an effective instrument to strengthen party behavioral unity. This power may give the parliamentary leaders and the party executive a great control over the parliamentary party. Sartori²² argues that “[...] parliamentary democracy cannot perform – in any of its many varieties – unless it is served by *parliamentary fit* [emphasis in original] parties, that is to say, parties that have been socialized (by failure, duration, and appropriate incentives) into being relatively cohesive and/or disciplined bodies... [And] disciplined parties are a *necessary condition* for the ‘working of parliamentary systems’.

Sartori is not very specific in what party cohesion means and does not give any specific definition of party discipline either; he only specifies that party discipline is connected to parliamentary voting.

The type of party system that functions in a country has also been related to party unity. When considering the number of parties within the political system, the claims are contradictory. Loewenberg and Patterson²³ argue that multi-party systems produce smaller and more homogeneous parties with greater intra-party cohesion. But when dimensions other than the numerical criterion are considered, the arguments relating party unity to party system fragmentation are

reversed. In two-party parliamentary systems, party unity is expected to be high because the majority party has to maintain the government²⁴, but it is still not clear which of the two variables (two-party system or parliamentary system) has a bigger impact on party unity, or whether there is a joint effect of the two factors.

In extreme multiparty systems, bearing in mind Sartori’s typology of party systems²⁵, the incentives for behavioral party unity inside the legislature are weaker than in two-party or moderate multiparty systems. Because the parties situated in the center of the ideological spectrum may always be in the government, parliamentary representatives can afford to vote against the majority of their party. Even if this act signifies a reshuffle of the cabinet, it does not mean a loss of power or prestige for the center parties. In this way, the parliamentarians of the center parties can manifest their dissent on a particular issue. As in a two-party parliamentary system, a moderate multiparty system that has two blocs of parties or one major party and an opposing bloc of parties also creates incentive for party unity. It is the bipolar nature of the party system and the possibility of alternation in government that should generate high behavioral party unity, as in the case of the two-party system²⁶. The difference between the predictions is thus evident if in defining a party system, dimensions other than the numerical criterion are considered (such as polarization), or environmental factors are added (parliamentary/presidential system).

According to the theorists of electoral systems²⁷, the electoral formula, the district magnitude, and the ballot structure are related to party unity. Party list proportional representation (PR) is expected to generate more united parties than single member district systems (SMD) using plurality or majority, because in the latter case, the relationship with the constituency makes the MPs less attached to the party at the central level.

With proportional representation, a separate preference vote cast by electors choosing that party might determine the order in which candidates are

²⁴ See L.D. Epstein, *Political Parties in Western Democracies* (New York: Praeger, 1967) and Giovanni Sartori, *Comparative Constitutional Engineering*.

²⁵ Giovanni Sartori, “A Typology of Party Systems,” in *The West European Party System*, ed. Peter Mair (Oxford: Oxford University Press, 1990). 316-349.

²⁶ Ozbudun, *Party Cohesion*, 360.

²⁷ For an overview see Richard S. Katz, *Party Systems and Electoral Systems*; Rein Taagepera and Matthew S. Shugart, *Seats and Votes. The Effects and Determinants of Electoral Systems* (New Haven and London: Yale University Press, 1989) and John M. Carey and Matthew Soberg Shugart, “Incentives to Cultivate a Personal Vote: a Rank Ordering of Electoral Formulas,” *Electoral Studies*. 14 (4: 1995): 417-439.

²⁰ Ozbudun, *Party Cohesion*, 355.

²¹ Austin Ranney, “Candidate selection and party cohesion in Britain and United States”. Paper presented at the 1965 Annual Meeting of the American Political Science Association. (Washington. D.C., 1965), 11.

²² Giovanni Sartori, *Comparative Constitutional Engineering. An Inquiry into Structures, Incentives, and Outcomes* (London: Macmillan, 1997), 94.

²³ G. Loewenberg and S. Patterson, *Comparing Legislature* (Boston: Little, Brown, 1979).

declared elected. Katz developed an extensive study regarding the influence of preferential voting on party unity and argued that “the pattern of cohesion or disunity exhibited by a party in parliament can be predicted from district magnitude, the possibility of intraparty choice and the distribution of resources in the country”²⁸. His predictions relate intraparty choice with intraparty competition, which in turn, will determine a candidate’s electoral fortunes and consequently candidates’ behavior in maintaining separate campaign organizations.

Katz’s expectations concerning party unity were that whenever the preferential vote is allowed, parliamentary parties will tend to be disunited. “In the case of small districts, this will be manifested in personalistic factionalization. In the case of large districts, the pattern of party factionalism or fractionalism will reflect the distribution of electorally mobilizable resources²⁹”. The empirical verification of these propositions in the case of U.S., British, Irish, and French parties led to the result that indeed, preferential voting and party disunity are positively associated. But Katz’s did not consider all the important parliamentary parties and his analysis took into account only the US Democrats, British Conservatives, Irish Fine Gael, and the French Communists.

On the same line with Katz, based on electoral rules, Carey and Shugart³⁰ developed a theoretical model in order to assess the relative value that each legislator assigns to personal or party reputation. In order to maintain party reputation, politicians should refrain from taking positions and actions that would contradict the party platform. If the electoral results depend on votes cast for individual candidates, then politicians need to evaluate between the value of personal and party reputation.

Among the factors that they considered to influence personal vote seeking is the lack of ballot control (the control that party leaders exercise over ballot rank in electoral lists), vote pooling (whether votes are pooled across entire parties or candidates), and types of votes (whether voters cast a single intraparty vote instead of multiple votes or a party-level vote). District magnitude, as Carey and Shugart³¹ contend, “affects the value of personal reputation in opposite manners, depending on the value of the ballot. In all systems, where there is intraparty competition, as M [district magnitude] grows, so does the value of personal reputation. Conversely, in systems where there is no intraparty competition, as M

grows, the value of personal reputation shrinks.” However their model, besides the fact that it has not been empirically tested, keeps constant the other systemic factors that may influence party unity, such as the state structure, the legislative-executive power relations, or the type of party system.

Another variable that is often not considered and which could affect the end result of voting on the floor are the parliamentary specific rules on the functioning of party parliamentary groups (PPGs). The rules can be expressed in the parliamentary rules or sometimes can even be stipulated in the party statutes. The more clear and strict these rules are, the more united the behavior of the MPs is expected to be.

2.4 Party level explanations for party unity

Micro (party) level explanations for party unity³² put emphasis on political party characteristics: party size, party age, party origin, and party centralization. These studies relate party traits to party unity but do not have a particular theory about party unity.

Concerning the size of the party, it has been argued that differences in party membership may explain differences in party behavior. A small organization has been perceived to favor internal cohesion. As Kirchheimer³³ maintains, it is in the party leaders’ interest to prevent internal conflicts by maintaining a small number of party members. But as Panebianco³⁴ shows, there are many examples such as the Italian Communist Party or the British Conservative Party that have both large membership and high unity. Therefore the question of the impact of party size on party unity remains open, especially given the actual trend of decreasing party membership³⁵. Apart from the party size in terms of membership, what is relevant for the purpose of the present research is the party size in the legislature or whether the party is in government or not.

³²For an overview see Janda, *Political Parties*, Kenneth Janda and S. King “Formalizing and Testing Duverger’s Theories on Political Parties,” *Comparative Political Studies*, 18 (2: 1985): 139-69. Pippa Norris, “Legislative Recruitment,” in *Comparing Democracies. Elections and Voting in Global Perspective*, ed. Lawrence LeDuc, Richard G. Niemi, Pippa Norris (London: Sage Publications, 1996). Hazan Reuven. “Candidate Selection” in *Comparing Democracies 2. New Challenges in the Study of Elections and Voting*, ed. Lawrence LeDuc, Richard G. Niemi, Pippa Norris (London: Sage Publications 2002).

³³Otto Kirchheimer, *Politics, Law and Social Change* (New York and London: Columbia University Press, 1969), 250.

³⁴Angelo Panebianco, *Political Parties: Organization and Power* (Cambridge: Cambridge University Press, 1988), 187.

³⁵Peter Mair and Ingrid van Biezen, “Party Membership in Twenty European Democracies, 1980-2000,” *Party Politics*. 7 (1: 2001): 5-21.

²⁸ Katz, *Party Systems and Electoral Systems*, 34.

²⁹ Katz, *Party Systems and Electoral Systems*, 34.

³⁰ Carey and Shugart, “Incentives to Cultivate a Personal Vote.”

³¹ Carey and Shugart, “Incentives to Cultivate a Personal Vote, 418.

Party age was also associated with an increase in the political experience of the party elite and the older the party, the more cohesive it is expected to be³⁶. As the party is getting 'more mature', it acquires value and stability (party institutionalization process) and becomes reified in the public mind while engaging in valued patterns of behavior³⁷.

Related to party discipline, Duverger³⁸ pointed out that organization is very important for the political party in controlling its parliamentary representatives. Based on his theory, Maor formulated the following three hypotheses: "the more centralized [emphasis added] the party is, the higher its cohesion, the greater its leftist tendency, the higher its cohesion; and the more ideologically extreme, the higher its cohesion."³⁹ The hypotheses were tested only in the British case (Conservative and Labour parties), in the period 1945-1995, without any possibility for a further generalization.

Party centralization has been discussed when relating party unity to responsible party government, which is the way to achieve political representation. The responsible party government presumes that the parties should act as a unitary body inside parliament and their unity of action is often linked to a centralized and hierarchical party organization. Comparing elite-voters opinions from nine countries, Dalton's findings show that centrally organized parties are more representatives of their supporters, in terms of the voter-party agreement on policy issues. Still, the research was not carried further and no proof has been brought for the link between party centralization and unity in terms of elite opinion or behavior, although Dalton suggests that a centralized party "is more likely to project clear party cues and ...helps elites agree on a party's general political orientation"⁴⁰.

Little attention has been paid to party ideology in explaining party unity. As mentioned earlier, Maor⁴¹, studied the British party system and checked if more ideologically extreme parties or those with greater leftist tendencies had higher levels of cohesion. A

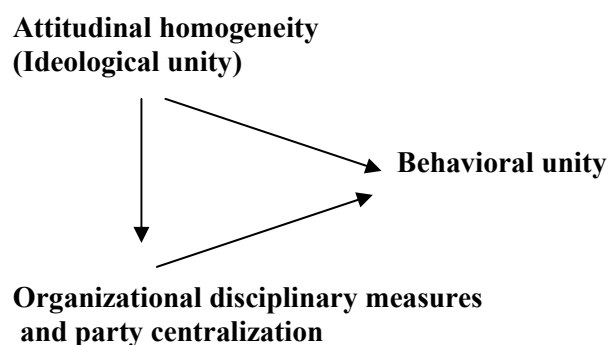
comparative study will help to see the influence of ideology on the party's behavioral unity, not only for the Western European democracies, but for the Central Eastern Europe democracies as well. Duverger's hypothesis has been tested using data from the ICPP project⁴² and one of the findings was that left parties are associated with centralization and with a high likelihood of administering discipline. However, the ICPP project contains data about political parties from all over the world in the period 1950-1962. While at that time most of the parties were mass parties, nowadays, given the transformation of parties (towards catch-all and cartel parties), it is questionable if Duverger's hypothesis still holds.

Party financing can be another explanatory variable for party behavioral unity. The financial resources, their magnitude, and the way in which the funds are used can play an important role in explaining party behavioral unity. Subsidies can be restricted to election campaigns, or given to parties irrespective of the electoral campaign. Also campaign financing can be directed to the parties as organizations or directly to the candidates⁴³ and this may influence the way in which the party representatives behave.

2.5 Model of party unity. Hypotheses

In the context of post-communist democracies and at the early stages of party development, there are many instances in which attitudinal homogeneity is not a prerequisite for behavioral unity. Those parties that have low attitudinal homogeneity will try to construct an organizational apparatus with strict disciplinary measures and high centralization in order to reach a high level of behavioral unity and implement the policies announced and these in turn will bring in time a high level of attitudinal homogeneity.

Figure 1. Party level mechanism of achieving behavioral unity



³⁶ Knut Heidar and Ruud Koole, "Approaches to the study of parliamentary party groups," in *Parliamentary Party Groups in European Democracies. Political Parties behind Closed Doors*, ed. Knut Heidar and Ruud Koole (London and NY: Routledge, 2000).19.

³⁷ Janda, *Political Parties*, 19

³⁸ Maurice Duverger, *Political Parties. Their Organization and Activity in the Modern State*. (London: Methuen and Co. Ltd, 1967).

³⁹ Moshe Maor, *Political Parties and Party Systems. Comparative Approaches and the British Experience*. (London and NY: Routledge, 1997): 137.

⁴⁰ Russell J. Dalton, "Political Parties and Political Representation. Party Supporters and Party Elites in Nine Nations," *Comparative Political Studies* 18 (3: 1985): 294.

⁴¹ Moshe Maor, *Political Parties and Party Systems*

⁴² Kenneth Janda and S. King "Formalizing and Testing Duverger's Theories on Political Parties"

⁴³ Richard S. Katz, "Party Organization and Finance," in *Comparing Democracies. Election and Voting in Global Perspective*, ed. Lawrence LeDuc, Richard G. Niemi, Pippa Norris (London: Sage Publication, 1996). 107-134.

My model of party behavioral unity asserts that there is a trade-off between attitudinal unity and organizational disciplinary measures and party centralization in order to achieve behavioral unity, especially for the Central and Eastern European parties. Behavioral unity can be the result of attitudinal similarity of the party members, of the disciplinary organizational rules, or the result of both. At the same time, in a dynamic context, the lack of unity inside the parliament or an unfortunate event like a government defeat can oblige the party to increase the centralization and disciplinary rules in order to ensure uniform behavior for the future. In other words, the democratic representation process can be fulfilled at the expense of intra-party democracy. High levels of internal and external democracy cannot always coexist and as Janda⁴⁴ stipulates, this goes at odds with the theory of parliamentary government.

There has been too much emphasis put on the institutional determinants of party unity and their direct impact on it in the party literature. However, the systemic variables are too 'far' from party behavioral unity and intra-party dynamics may play an important role in facilitating or impeding their expected effect on party behavioral unity. The literature mainly addresses the question of a direct link between system-level factors and party unity without giving much importance to party organization factors, which may constitute an important intervening factor in achieving behavioral unity. It may be the case that some institutional factors directly affect party unity independent of party organization features or that there is an indirect effect of the systemic factors on behavioral unity through party organization features.

Systemic variables like executive-legislative relations, the state structure and the nature of the party system in terms of fragmentation and party competition are kept constant in this paper, since all four countries analyzed have a parliamentary system of government, a multi-party system, and a unitary state structure. Party system fragmentation with an average of five to eight parliamentary parties and internal party conflicts were common features of the party systems in all four countries around 1993. Because the electoral system is a systemic variable, the ballot structure is tested for its impact on party behavioral unity. At the individual level the explanatory variable considered is the perceptions of representation and at the party level, and the variables expected to have an effect on behavioral unity, are party centralization and attitudinal homogeneity.

Considering the independent variables discussed above, the following general expectations and hypotheses are going to be tested:

1. The broader the understanding of representation, the higher the level of party behavioral unity.
2. MPs who are elected in single member districts are expected to see representation just in terms of their constituency voters and consequently to show a low level of party behavioral unity.
3. MPs elected under open lists where preferential voting is allowed are expected to have a broader understanding of representation but to show a low level of behavioral unity.
4. Parties with a high score on programmatic cohesion and who have at the same time a high degree of centralization are expected to score high on all measurements of behavioral unity.
5. Parties with a low level of attitudinal homogeneity are expected to apply strong centralization measures in order to keep their representatives acting as a unitary body.
6. The behavioral unity on the floor is expected to vary according to the party's power status. Parties that are in government are expected to be very united in parliament, proportionally to the party size in the legislature.
7. Parties that are in government are expected to differ in terms of behavioral unity accordingly to their seat share. The bigger the party size in the legislature, the higher probability for a disunited behavior.
8. Left parties are expected to be more centralized and more united than the rest in terms of behavior.
9. The more strict and restrictive and rewarding the PPG's rules are, the more united the MPs behavior in the legislature.

3. Variables. Operationalization Party Behavioral unity

The dependent variable is party behavioral unity defined as uniformity in the actions/conduct of party representatives. By party representatives I refer to party elite and middle level elite, which will be the focus of the inquiry.

There is much criticism about using roll-call votes a measure of unity precisely because of instances like abstention, the difficulty of cross-national comparison, different rates of legislative activity, and different importance attributed to different issues, not to mention the fact that only the legislators' visible

⁴⁴ Kenneth Janda, *Goldilocks and Party Law: How Much Law is Just Right?* Paper presented at the 2005 American Political Science Association short course on Political Parties in Emerging Democracies: Tools for Political development, 50.

preferences are registered, while they may be able to express dissent by other means⁴⁵.

Therefore I operationalize behavioral unity differently, by looking at the behavioral attitudes of the MPs in Czech Republic, Slovakia, Poland and Hungary after 1993. The attitudes towards behavior are expected to give a good prediction about the MPs future behavior in the parliament. Each MP was asked, under the condition of strict confidence, ‘if he/she has to vote, but holds an opinion, which is different from the one, held by his parliamentary party, should he/she then vote in accordance with the opinion of the parliamentary party or should he follow his own opinion?’ The answers stipulating that they would follow their own opinion have been coded as low, or non-existent level behavioral unity and the rest were coded as medium and high levels of behavioral unity.

The other measure for party behavioral unity is the existence of factionalism, which is addressed by the direct question ‘Are there any subgroups or currents inside your parliamentary party?’ The objective is to see if the low levels of party behavioral unity, as exemplified by the future roll-call votes, go hand in hand with the existence of parliamentary factionalism. Both measures seem appropriate to show the lack of party behavioral unity. Still, a plausible scenario is that a factionalized party will behave like a united entity when voting on the floor because of reasons like material restrictions, disciplinary sanctions, or incumbency pressure.

Individual factors. Perceptions of representation

When they are elected and given the mandate, MPs are expected to represent the voters. But depending on the type of electoral system under which they were elected and depending on their political experience, the representatives may have different views as to what representation is about and who is actually being represented. MPs opinions can differ and the direct question addressed to them was if it is more important to represent their voters in the constituency, all voters in the MP’s constituency, and all the MP’s voters at the national level, the nation as a whole or the members and activists of the party.

Party factors. Attitudinal homogeneity

Attitudinal homogeneity is measured by programmatic cohesion, which refers to the ideological congruence of the party members, “the general agreement within a party organization on

specific issue positions⁴⁶”. The measurement for this variable is the standard deviation of issue positions politicians assign to their own party, and systematic asymmetries in its reputation, resulting from different policy positions attributed to it by insiders and outsiders⁴⁷.

High levels of cohesion indicate that the party is building programmatic linkages, meaning that the politicians pursue policy programs that distribute benefits and costs to all citizens, regardless of whether they voted for the present government or not. Conversely, as Kitschelt and Smith⁴⁸ contend, “low levels of cohesiveness are indicators of alternative linkages: either clientelist linkage formation or the highly volatile personal charisma of individual politicians”.

One qualification that needs to be addressed when using this measure is that it may be difficult to interpret in the case of parties whose mean issue position is close to the center of a salient issue space. If the respondents assign a party in the middle position, this may also be a result of not knowing where the party stands on that particular issue. Another fault of the measure is that it is sensitive to outliers (few extreme values) and may not bring a real image of the party’s attitudinal homogeneity.

Party Centralization

Party centralization means that the concentration of effective decision-making belongs to the national party organs. Centralization refers to many aspects, such as the *nationalization of the structure*, the *selection of the national leader* by a small number of top leaders, the *selection of parliamentary candidates* by the national organization, and the *allocation of funds* to the local organizations in which the national organization must have a primary role. In a centralized party the *policy* is also formulated and promulgated at the national level, the national party controls the communication, and *disciplinary measures* are settled and implemented by the national organs. The most obvious characteristic of a centralized party is that the leadership is concentrated in the hands of a few persons or of a single powerful figure (Janda 1970: 108-109). In the analysis, I consider the decision-making aspect of party centralization with the aim of verifying if the predicted connections with party unity work for the parties studied. The MPs are asked who has the final/most say in party policy, the parliamentary party or the party executive, and in case they differ in their opinions, which should have the final say.

⁴⁵ See Keith Krehbiel, “Party Discipline and Measures of Partisanship,” *American Journal of Political Science* 44 (2: 2000): 212-227 and John E. Owens. “Explaining Party Cohesion and Party Discipline in Democratic Legislatures: Purposiveness and Context.” Paper presented at the Annual Meeting of the American Political Science Association, (Philadelphia, PA, 2003), 11.

⁴⁶ Kitschelt and Smith, “Party Programmatic Cohesion”, 1229.

⁴⁷ Kitschelt et al., *Postcommunist Party Systems*, 197.

⁴⁸ Kitschelt and Smith, *Postcommunist Party Systems*, 1229.

Systemic factors. Electoral System

The electoral system variable is operationalized in terms of the ballot type, which can be an open list, a closed national or regional list, or a single member list, and the district magnitude. Among the four countries taken into analysis, the Hungarian electoral system is the most complex one with three distinct sets of districts, a mixed-member system, a two-round system, two separate legal thresholds and two different sets of rules for proportional representation. Together with Bulgaria, Hungary is the only East-European country which has implemented a mixed electoral system without any external influences⁴⁹.

In Hungary, out of the 386 seats, 176 are elected from single member districts (SMD), 152 are elected using proportional representation (PR) in twenty districts with a district magnitude ranging from four to twenty eight. The remaining 58 seats are elected using PR from national lists. Following this structure the interesting thing to observe is that voters cast two ballots each. One ballot is for the candidate in their constituency and one for the party list in their PR district. Automatically the vote is given to two persons who are going to represent them.

Since 1989, Poland has had four different electoral systems. At the time when the elite survey was conducted, the electoral law in force was paced before the elections as it happened with the rest of the electoral system changes. The electoral law stipulated the usage of PR with the D'Hondt formula from 52 districts and 69 seats allocated from the national list. The electoral threshold is 5% nationwide for districts, 8% for coalitions and 7% for the national list⁵⁰. An open list was another characteristic held in common with the Czech and Slovak electoral systems, with Polish voters being allowed to express two preferences from the list until the 2001 elections.

Shortly after the split of the Czechoslovak federation and the emergence of the independent Czech Republic in early 1993, the PR system used had undergone tiny changes before each election. The Senate uses majority run-off and the rule has remained unchanged since 1995. The electoral threshold was set at 5 per cent of the votes. An interesting feature of the system is the ballot structure, which since 1990 has given voters the possibility of casting preferences over the candidates and to alter the initial list. Preferential voting has been seen as a way to counteract the

centralization inside the parties, especially with regard to the communist selection procedure of candidates for office⁵¹.

As compared to Czech Republic, Slovakia does not have many differences in its electoral system. The same proportional representation system with a 5 percent electoral threshold is employed. What Poland, the Czech Republic, and Slovakia have in common is preferential voting, which allows voters to alter the initial list⁵². Consequently what one would expect from the MPs elected under preferential voting and under majority run-off rule is for them to show a low level of party behavioral unity.

4. Data Analysis

The analysis is based on a data set that incorporates elite surveys conducted in 1993 in the Czech Republic, Hungary, Poland, and Slovakia. The sample contains 633 MPs elected for the unicameral legislature (Hungary) or for the lower chamber in the rest of the countries. As mentioned earlier, systemic factors like the nature of the party system (in terms of fragmentation and party competition) and the executive-legislative design are all kept constant and the analysis controls for these factors.

Regarding the level of behavioral party unity, when asked how an MP has to vote when his opinion differs from that of the parliamentary club, the most undisciplined MPs are those from Czech Republic followed by those from Slovakia, Hungary, and Poland (figure 1). The difference between the ones with the most disunited behavior and the ones showing unity is quite large, since 50 percent of the Czech MPs declared that they would follow their own opinion and only 12.7 percent of the Polish MPs declared that they would defect from the party line. What it is worth noting is that from the total of 450 MPs who clearly answered the question, only 13 percent clearly declared that they would follow the opinion of the parliamentary party, 38 percent declared that they would follow their own opinion, and an even higher percentage (48) declared that they were undecided and it would depend on the circumstances. Following these results the level of unity when voting on the floor is low overall and the legislative experience shows that indeed there were many instances in which the bills proposed did not pass the floor.

In terms of measurement for party behavioral unity, the attitudes toward actual voting in parliament

⁴⁹ Kenneth Benoit, "Hungary: Holding back the tiers," in *The Politics of Electoral Systems*, ed. Michael Gallagher and Paul Mitchell (Oxford: Oxford University Press, 2005).

⁵⁰ Kenneth Benoit and Jacqueline Hayden, "Institutional Chance and Persistence: the Evolution of Poland's Electoral System, 1989-2001," *The Journal of Politics* 66 (2: 2004): 396-427.

⁵¹ Petr Kopecký, "The Czech Republic: Entrenching Proportional Representation," in *Handbook of Electoral System Choice*, ed. Joseph M. Colomer (New York: Palgrave Macmillan, 2004), 350.

⁵² Joseph M. Colomer, ed., *Handbook of Electoral System Choice*. (New York: Palgrave Macmillan, 2005), 330.

are clearly associated with the existence of factionalism inside the parliamentary party. When asked if there are subgroups or currents within their parliamentary party, almost 70 percent of the parliamentarians who previously said that they would follow their own opinion in voting when their view differed from that of the parliamentary party (table 1) identified party factionalism. This shows that voting on the floor and the existence of issue factionalism inside the parliamentary party go together, which justifies the usage of both as measures of party behavioral unity.

Unity and disunity can be manifested in different ways depending on the issue discussed. Generally, MPs are expected to defect from the party line when the budget is discussed, sexual

increases significantly. Only up to 10 percent of the total parliamentarians interviewed declared that they would disobey the party line and follow their own opinion in case of disagreement (table 3). The most undisciplined MPs are the Czechs and the most disciplined in this case are the Slovakian MPs. The percentage of officials following the parliamentary party is over 50 or 60 percent as in the case of Slovakia.

All legislators take economic issues more seriously than legislation on constitutional or moral issues. When it is about voting on important legislation on the constitution, the level of disunity increased by almost 15 percent in all four cases (table 4). On this matter, the Czech and the Slovakian MPs are shown to be the most disobedient ones. The explanation has to do with the harsh economic reforms that had to be introduced at that time and the impact of those issues on the political arena. Privatization of state businesses, foreign investment, and health service reform were the salient issues at that time⁵³.

The most controversial subject leading to disunity is voting on moral issues (table 5). Although there is an open debate in every parliament about what a moral issue is, the situation of voting shows a clear disobedience, with over 80 percent of parliamentarians reporting defection from the party line. Subjects like war, sexuality, or fox hunting (i.e. Great Britain) are considered to be of moral value and require a free vote from the MPs. For instance, in a free vote British MPs are allowed to vote as they wish and are not bound to follow instructions from their parties' whips. Free votes are most often granted on issues of conscience, such as Sunday Trading or Capital Punishment. Then the question that arises in the context of post-communist democracy is what exactly the moral issues are and how they are defined in the legislatures.

As for the possible determinants of behavioral party unity, the MPs perceptions of representation seem to matter as regards their final behavior on the floor, although not in a decisive way. All the defectors, the loyal MPs, and the undecided ones seem to accord the same importance to representing their party. This is understandable since the party has put them forward on the list and assured them a mandate. The same percentages of MPs show loyalty and commitment to the whole nation. Around 45 percent within the disciplined, undisciplined, and undecided MPs see the representation of the whole nation as very important. As expected, there is no association between the importance attributed to the representation of all the

There is a very low negative correlation at the limit of statistical significance (Pearson coefficient - 0.07) between those who declare they would defect from the party line and the importance they attribute to the representation of specific social or professional groups. Almost 40 percent of the defectors thought that the representation of these groups was very important. This relation shows the clientelistic linkages between the voters and their representatives and the shifting loyalties of the parliamentarians at the early stages of post-communist transition. Still, even if they consider the representation of these groups important, only 10% of the disloyal MPs declared that the specific social and professional groups nominated them to the Parliament.

The expected effect of the electoral system on behavioral unity was in relation to the ballot structure and district magnitude. The expectation was that the level of behavioral unity would be low for the MPs elected in single member districts and in multimember districts where preferential vote was allowed. But contrary to these expectations, among the disloyal MPs, most of them (68.4 percent) were elected in the multimember districts with open lists and only 9.9 percent of the disloyal MPs were elected in single member districts, which is only the case for the Hungarian MPs. The figures in percentage points are similar for the MPs who express behavioral unity (table 6). Therefore one can conclude that the effect of the electoral system on behavioral unity is not as predicted and therefore the importance of this systemic variable is questionable.

Systemic constraints can come from the parliamentary rules regarding the PPGs as predicted. Before 1996, the rules approved by the Slovakian parliament were such that any group of five MPs could form a PG, and at the same time the constitutional framework did not provide a mechanism to ensure that the MPs would remain loyal. Article 29.2 of the Constitution stipulates that the MPs "shall be the

⁵³ Jan Čulík, "A Repeat of November 1989?" *Central Europe Review* 1: (24: 1999).

representatives of the citizens, and shall be elected to exercise their mandates individually and according to their best conscience and conviction. They are bound by no directives⁵⁴. This clearly leaves space to maneuver for MPs, which in this case are becoming trustees and not necessarily delegates.

Czech parliamentary rules were stricter. Even if at least 10 members of parliament were needed in order to form a parliamentary group⁵⁵, there are specific restrictions as to what happens if such a group forms a fraction with different views as compared to the rest of the parliamentary party. Most of these restrictions have to do with material and financial benefits, which will be much lower than of the rest of the parliamentary groups. Articles 26 and 27.1 of the Czech 1993 Constitution stipulate that ‘Deputies and Senators shall exercise their office in person and in conformity with the oath they have taken and in doing so they shall not be bound by any instructions...No Deputy or Senator may be disciplined for his or her voting in the Chamber of Deputies or in the Senate, or in their bodies.’ In this way, MPs have freedom of action and it may be very hard to keep them loyal.

Specific Hungarian parliamentary rules regarding parliamentary groups encourage defection and the formation of parliamentary fractions. Hungarian parliamentary rules stipulate a number of at least 15 seats in the parliament in order to be entitled to form an official group. This is why former party MPs who defected from the party and joined another one could all form another party fraction together⁵⁶. Article 20.2 of the Hungarian constitution specifies that ‘Members of Parliament act in the public interest’, with no other details as compared to the Polish, Czech, or Slovak cases.

Polish MPs are the most united in their behavior and Parliamentary rules concerning PPGs are about the same as in the rest of the countries, with 15 MPs required to form a group. Article 104 of the Polish Constitution stipulates that ‘Deputies shall be representatives of the Nation. They shall not be bound by any instructions of the electorate’.

Parliamentary rules for PPGs are different in their provisions and do not have the expected impact on the behavior of MPs. The minimum number of MPs required to form a PPG is more or less similar. The differences appear though in the specific restrictions about groups formed out of defecting MPs, but even

more differences appear in constitutional provisions, which encourage defection as in the Slovak case.

As predicted, the more centralized the party is, the more unity will show on the floor (table 7). As the results show, there is a positive correlation between the reported levels of party unity and the level of party centralization. The unity of voting increases as more of the decisions on party policy are taken by the party executive (Pearson correlation coefficient 0.16). 51 percent of those who are disloyal declare that there is a low level of centralization in their party and 30 percent of them declare that the demands of party discipline inside the parliamentary party should be stronger than those existent at that time.

Pertaining to programmatic party cohesion, a relatively high level of it is shown in economic areas by most of the parties. For example, MPs almost unanimously agree to the importance of social security, inflation, and unemployment issues with no significant differences of cohesion between parties. Still other economic subjects like foreign investment and income taxation do not illustrate the same similarity of opinions between the parties’ MPs. Abortion, the European issue, decentralization, immigration, and autonomy are subjects on which the parties apparently did not have a clear stance at that time because the rates of parties’ deviation from the mean position is quite high. What can be concluded from this is that indeed, in some areas attitudinal unity goes hand in hand with behavioral unity, and this happens for the stringent economic issues at that time in Central East Europe. Some issues were pressured by social protest, like the miners strike in Poland at the end of 1992. On other subjects, which are still important, but without such economic pressure, attitudinal unity varies from medium to low, and so do the scores for behavioral unity on topics like moral issues and important legislation concerning the constitution.

If we move the unit of analysis to political parties, in the Czech Republic the most disloyal MPs belong to the Left Bloc (LB), followed by the governing Civic Democratic Party, while the most loyal are part of the Society for Moravia and Silesia. The disunity inside the Left Bloc in 1993 is understandable, since at that time the party suffered from many conflicts finalized when, during the National Congress of the party, part of the members formed another party called the Party of the Democratic Left, and later on during that year another splinter, Party Left Bloc emerged from the rest of the party MPs. As the elite survey shows, the decentralization of the party is obvious, with more than 60 percentage points of the parliamentarians declaring the parliamentary party as the final authority.

After the June 1992 elections, a right wing grouping, headed by Václav Klaus, ex finance minister

⁵⁴ Darina Malová and Kevin D. Krause, “Parliamentary Party groups in Slovakia,” in *Parliamentary Party Groups in European Democracies*, ed. Knut Heidar and Ruud Koole (London: Routledge, 2000), 195-214.

⁵⁵ Kopecký, “The Czech Republic”.

⁵⁶ Benoit, “Hungary: Holding back the tigers”, 246.

in the previous government, formed the CDP-CHDP government. More than half of the party representatives declared that there were subgroups or currents inside the party, as they identified that the party had a traditional conservative group, and a more rational and non-fundamental group, but none of them had any formal status inside the party and the members of the party executive once even declared that it would be good if these members would just leave the party⁵⁷. In terms of centralization, there are no signs of such thing, and the rivalry between the national executive and the parliamentary party is obvious since about the same percentage (20-25) of MPs declared the supremacy of each of them in terms of the party's final decisions.

In Slovakia, the 1992 elections were won by the post-communist party HZD (The Movement for Democratic Slovakia) with Vladimír Mečiar as leader. In terms of parliamentary behavior, again the left party SDL (Democratic Left Party) proved to be the most disunited one, while the most disciplined party was the government party HZDS. What seems striking is that none of the representatives of the Democratic Left Party would follow the opinion of the parliamentary party in case they had divergence of opinions. This extreme situation may have two explanations: either the party was very centralized, which gives the whole power to the national executive or they do not listen to any of the two authoritative organs and follow their opinion. Amongst the 20 SDL MPs interviewed, 50 percent of them declare that in a case of divergence of opinion between the national executive and the parliamentary party, the opinion of the parliamentary club should prevail. This clearly shows the party decentralization, which is reinforced by the fact that it almost never happened that the national executive would give instructions to the parliamentary party.

In Hungary, incumbency did not directly affect the level of behavioral unity on the floor. MDF (Hungarian Democratic Forum) was one of the most disunited parties in 1992. 32 percent of the disloyal Hungarian MPs were from MDF, the ruling coalition party. The level of dissent within the party was visible and openly manifested when in 1993 Prime Minister Antall forced the extreme right activists out of the party. Furthermore, during 1992, one of the dissidents, István Csurka, had attacked the party and its leader for not being tough enough with the opposition and in introducing tougher reforms. From the beginning, different tendencies existed inside the MDF, but they were not institutionalized or formally recognized by the party as in the case of the Polish Democratic Union. The dissent was manifested by the right-wing

Circle of Nationalists led by István Csurka, a second faction of the Christian Democratic Circle, and a third faction of the National Liberals. The factions did not establish an independent platform within the party, neither were they recognized, and most of their activity was informal and outside the party, like in the Magyar Forum publication edited by István Csurka⁵⁸. As the results of the elite survey show, the party was clearly decentralized with a weak national executive. Among the MDF MPs, almost 40 percent declared that they would follow the opinion of the parliamentary party and not the opinion of the national executive as compared to only 20 percent of them who would follow the national executive opinion in case of disagreement.

Amongst the rest of the Hungarian parties, again an increased level of disunity was found inside the MSZP (Hungarian Socialist Party) and the FKGP (Independent Small Holders Party). The MSZP had originated from a reformist group against the communist state, within the former ruling party. The Socialist Party showed no signs of party centralization since its MPs were evenly distributed on the categories when it came to the final authority inside the party, with around 33.3 percent of them declaring they would follow national executive directions, the same proportion declared they would listen to the parliamentary party, and about the same number were not decided and declared that it depends on the situation.

The FKGP has its roots dating from the period prior to communism and was also part of the coalition government, and it was completely decentralized with almost 40 percent of its MPs being loyal to the opinion of the parliamentary party. The party's main policy to pursue was re-privatization, and since the government proposal was at odds with the opinions of the party leader, he declared that the party should withdraw from the coalition but only 11 from the total of 44 MPs followed him. The 33 remaining MPs were expelled and formed their own party, the 'group 33', which experienced factionalism and many splits of its own. Three separate parties – the Historical, Conservative and Radical Smallholders' Parties were functioning until they were reunited before the 1994 elections⁵⁹.

What is striking and says a lot about the internal organization and chain of authority for all Hungarian parties is that, although the parliamentary party is seen as the ultimate authority in terms of a dispute with the

⁵⁷ Petr Kopecký, "Factionalism in Parliamentary Parties and Democratization in the Czech Republic: A Concept and Some Empirical Findings," *Democratization*, 2 (1: 1995): 143.

⁵⁸ Bill Lomax, "Factions and Factionalism in Hungary's New Party System" *Democratization*, 2: (1:1995): 128.

⁵⁹ Lomax, "Factions and Factionalism in Hungary's New Party System," 132.

national executive, more than 65 percent of the MPs within each party declare that is the national executive which has the most say in party policy.

For the Polish parties, the situation appears to be similar to the Hungarian parties in terms of behavioral unity. The coalition partners PSL (Polish Peasant Party) and SLD (Alliance of the Democratic Left) experienced internal dissent up to the point that 60 percent of the MPs who would follow their own opinion when voting were affiliated with these two parties. The third Polish party experiencing internal dissent was the Democratic Union, with its MPs constituting almost 20 percent of disloyal parliamentarians from our sample. In the case of this particular party, the explanation is the specificity of internal party rules, which clearly recognize the existence of factions within the party as part of the party statute. According to the UD statute, a faction is 'a group of members expressing elements of their own program which does not enter into contradiction with that of the union', could formulate its specific rules, elect their own national and local leaders, and establish internal and external contacts. The Social-Liberal Ecological faction and the Conservative-Liberal Faction were permitted to express their views in the Informative Bulletin of the UD, and some of them even had their own press bureau⁶⁰.

1993 was an unstable year in Polish political life. In March 1993, the Parliament voted against the government's plan to privatize a large number of the state enterprises. During the next month strikes of teachers and health workers of the Solidarity unions took place and the pressure led to a vote of non-confidence against the government. Prime Minister Pawlak was also implicated in a number of scandals and accused on many occasions by President Walesa for promoting party and personal interests at the expense of matters of state importance. This political situation together with the internal organization of the parties therefore explains the low level of behavioral party unity inside the government parties and inside those from the opposition.

5. Discussion and conclusions

As measured by the attitudes toward behavior, this analysis shows that the MPs from the Hungarian, Czech, Slovak, and Polish Lower Chambers show their loyalty to the party, but this loyalty is very unstable and quite low. Among the 631 MPs interviewed, 30 percent declared that they would follow their own opinion when voting on the floor, if

their opinion was different from that of the parliamentary party. The level of behavioral unity varied according to the salience of the issues at stake. The highest behavioral unity was expressed when economic issues were on the legislative agenda, the next were the laws on constitutional issues, and, as expected, the lowest level of behavioral unity was shown on matters with moral implications. The results are in conformity with the situation in each country around 1993, when economic issues were the most pressing ones.

The analysis follows many questions like the measurement of behavioral unity and its possible determinants at the individual, party, and systemic level. In terms of measurement, the results show that voting on the floor and the existence of issue factionalism inside the parliamentary party go hand in hand, which justifies the usage of both measures to determine party behavioral unity. Whether formally expressed in the party statutes or manifested as a reaction to the personalized politics and lack of party development, factions appeared and clearly show the diminished level of behavioral party unity. In all four countries, factional activity and behavioral party disunity increased as the parties had to take hard policy decisions.

Given the post-communist context, the existence of factionalism can be seen as a regulating mechanism for a healthy democratic political life, leading to a clear definition of the party programs and policies. What remains important is the final behavior on the floor, when the representatives of the same party are expected to be on the same front and promote the party policy. It cannot be argued that the low level of party unity had a completely negative effect on the party system or the democratization process. Rather, what can be said is that it slightly hastened the process of democratization by forcing parties to adopt clear stands on their identity. In a long run one can expect the level of factionalism to decrease and it would be interesting to compare this situation with the one in Western European parties.

As for the systemic, party, and individual determinants of party unity, the analysis shows that concerning the perceptions of representation, all the defectors, the loyal MPs, and the undecided ones seemed to place the same importance on representing their party. This is understandable since the party had put them forward on the list and assured them a mandate. The same percentages of MPs showed loyalty and commitment to the whole nation. The only impact that this variable shows is in relation to interest groups. There is a small association between those who declare they would defect from the party line and the importance they attribute to the representation of specific social or professional groups, something that

⁶⁰ Paul Lewis, "Poland and Eastern Europe. Perspectives on Factions and Factionalism," *Democratization*. 2: (1: 1995): 103,108.

shows the clientelistic and shifting nature of MPs' loyalties. What this shows is a gap in the representation process, which is somehow expected at the beginning of the democratic process.

Electoral mechanisms did not seem to have the expected impact on party behavioral unity and this raises questions regarding the relevance of existing theories linking party unity and electoral systems. Being elected in a single member district did not lead to a lower level of unity, but preferential voting in multimember districts also had a small negative impact on the behavior on the floor, since the same percentage of MPs elected under all the different ballots show degrees of unity and disunity at the same time.

More attention has been attributed in this analysis to internal party factors like attitudinal homogeneity, party centralization, incumbency status, and party ideology, and their impact on behavioral unity. Among all these variables, the only one having a clear influence on the result of votes on the floor is party centralization. Decreasing the level of internal party democracy helps to increase the level of external democracy of the system. Since both of them cannot be achieved at the same time and in the case of all parties, in the post-communist context party centralization appears as an antidote for defection and as an instrument to keep the party together in all the actions pursued. Attitudinal homogeneity doesn't always go hand in hand with the level of behavioral unity and in most cases, when homogeneity in attitudes is low, centralization is high in order to achieve unity in parliament.

Incumbency in the post-communist context did not positively affect the declared unity on the floor. Most of the incumbent parties were among the most disunited ones with an increased level of factionalism. Moreover, even if one would have expected the post-communist successor parties and other emerging left parties to be very centralized and consequently very united, the results show completely the contrary. In each country, the most disunited parties were left-wing oriented. One explanation is the lack of policy agreement and program clarity at the outset of the democratic process and moreover the concentration of political disputes around personalities.

What the present paper offers is a snapshot analysis of party behavioral unity, which needs to be compensated with recent data about MPs' behavior and the hypotheses should be retested against a new data set. This static analysis offers a clear picture of behavioral unity in which party factors make a difference in achieving party unity on the floor and completing the chain of delegation in order to achieve political representation.

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APPENDIX

FIG. 1 BEHAVIORAL UNITY BY COUNTRY

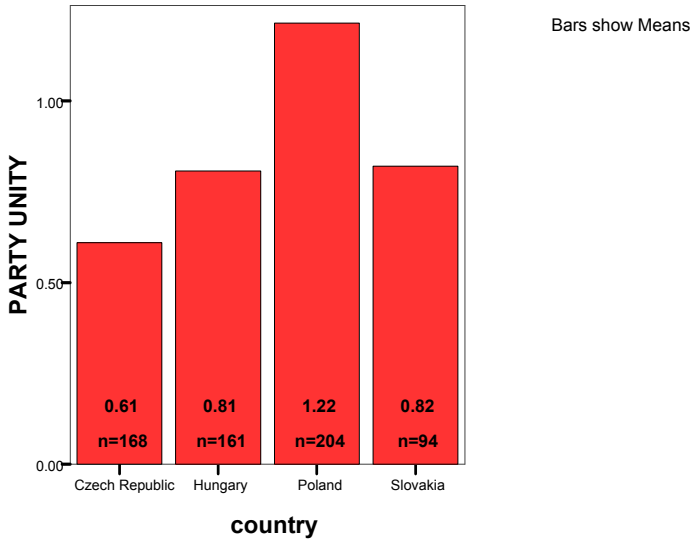


Figure 2.

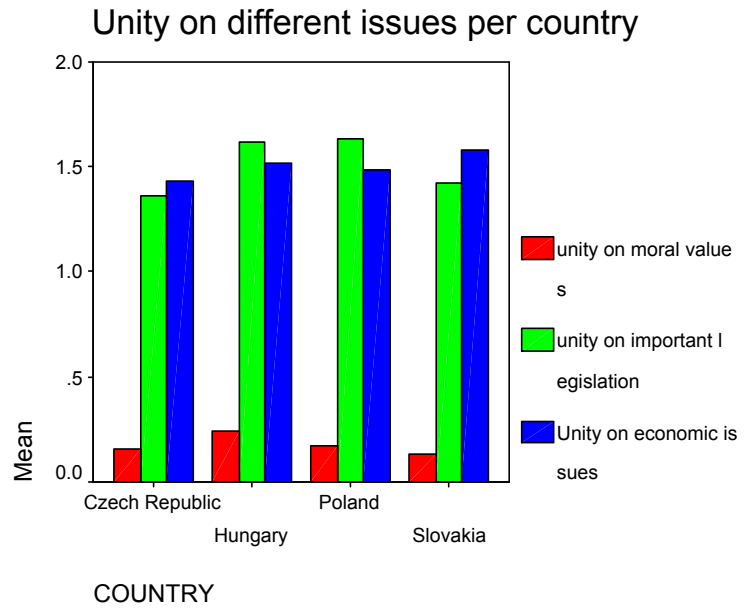


Table 1

FACTIONALISM * PARTY UNITY Crosstabulation

		PARTY UNITY			Total
		PARL.CLU B.OPINION	OWN OPINION	IT DEPENDS	
FACTIONALISM YES	Count	74	134	197	405
	% within PARTY UNITY	62.2%	70.2%	64.4%	65.7%
	% of Total	12.0%	21.8%	32.0%	65.7%
NO	Count	45	57	109	211
	% within PARTY UNITY	37.8%	29.8%	35.6%	34.3%
	% of Total	7.3%	9.3%	17.7%	34.3%
Total	Count	119	191	306	616
	% within PARTY UNITY	100.0%	100.0%	100.0%	100.0%
	% of Total	19.3%	31.0%	49.7%	100.0%

Table 2. Electoral systems after 1990

Country	Districts			Ballot	Rule/Formula	Threshold
	Seats	No.	Magnitude			
Czech Republic 1992(1992, 1996, 1998) 2002	200 200	8 14	15-41 5-25	Open list Open list	Proportional –Droop Proportional-D'Hondt	5% national 5% national
Hungary 1990(1990,1994,1998,2000)	386 210 176	21 176	4-58 1	Double Closed list and Single	Proportional (2 tiers)- Droop/d'Hondt Majority/2 nd round plurality	4-5% national
Poland 1989 (1989) 1991 (1991) 1993 (1993, 1997) 2001 (2001)	460 460 460 460	460 37 52 41	1 7-69 3-69 7-19	Single Open list Open list Closed list	Majority/second round run-off PR (2 tiers)-Hare and St.- Laguë PR (2 tiers)-d'Hondt PR-m.St-Laguë	5% national 5% national
Slovakia 1992 (1992, 1994, 1998, 2002)	51-150	1-4	5 - 150	Open list	Proportional Representation- Droop	5% national

Source: Colomer, M. Josep. 2004. *Handbook of Electoral System Choice*. New York: Palgrave Macmillan.

Table 3.**VOTING ABOUT ECONOMIC ISSUES * COUNTRY Crosstabulation**

			COUNTRY				Total
			Czech Republic	Hungary	Poland	Slovakia	
VOTING ABOUT ECONOMIC ISSUES	PARL. CLUB OPIN.	Count	35	52	60	28	175
		% within COUNTRY	53.0%	56.5%	55.6%	62.2%	56.3%
		% of Total	11.3%	16.7%	19.3%	9.0%	56.3%
	OWN OPINION	Count	6	5	8	2	21
		% within COUNTRY	9.1%	5.4%	7.4%	4.4%	6.8%
		% of Total	1.9%	1.6%	2.6%	.6%	6.8%
	IT DEPENDS	Count	24	34	39	15	112
		% within COUNTRY	36.4%	37.0%	36.1%	33.3%	36.0%
		% of Total	7.7%	10.9%	12.5%	4.8%	36.0%
	DK/NO OPINION	Count		1			1
		% within COUNTRY		1.1%			.3%
		% of Total		.3%			.3%
	NO ANSWER	Count	1		1		2
		% within COUNTRY	1.5%		.9%		.6%
		% of Total	.3%		.3%		.6%
Total	Count	66	92	108	45	311	
	% within COUNTRY	100.0%	100.0%	100.0%	100.0%	100.0%	
	% of Total	21.2%	29.6%	34.7%	14.5%	100.0%	

Table 4.**VOTING ABOUT IMPORT.LEGISL.+CONSTIT.ISSUES * COUNTRY Crosstabulation**

			COUNTRY				Total
			Czech Republic	Hungary	Poland	Slovakia	
VOTING ABOUT IMPORT.LEGISL.+ CONSTIT.ISSUES	PARL.CLUB OPIN.	Count	36	65	80	28	209
		% within COUNTRY	54.5%	70.7%	74.1%	62.2%	67.2%
		% of Total	11.6%	20.9%	25.7%	9.0%	67.2%
OWN OPINION		Count	11	9	12	9	41
		% within COUNTRY	16.7%	9.8%	11.1%	20.0%	13.2%
		% of Total	3.5%	2.9%	3.9%	2.9%	13.2%
IT DEPENDS		Count	18	17	15	8	58
		% within COUNTRY	27.3%	18.5%	13.9%	17.8%	18.6%
		% of Total	5.8%	5.5%	4.8%	2.6%	18.6%
DK/NO OPINION		Count	1	1			2
		% within COUNTRY	1.5%	1.1%			.6%
		% of Total	.3%	.3%			.6%
NO ANSWER		Count			1		1
		% within COUNTRY			.9%		.3%
		% of Total			.3%		.3%
Total		Count	66	92	108	45	311
		% within COUNTRY	100.0%	100.0%	100.0%	100.0%	100.0%
		% of Total	21.2%	29.6%	34.7%	14.5%	100.0%

Table 5.**VOTING ABOUT MORAL ISSUES * COUNTRY Crosstabulation**

			COUNTRY				Total
			Czech Republic	Hungary	Poland	Slovakia	
VOTING ABOUT MORAL ISSUES	PARL.CLUB OPIN.	Count		7	4	2	13
		% within COUNTRY		7.6%	3.7%	4.4%	4.2%
		% of Total		2.3%	1.3%	.6%	4.2%
OWN OPINION		Count	54	77	93	41	265
		% within COUNTRY	81.8%	83.7%	86.1%	91.1%	85.2%
		% of Total	17.4%	24.8%	29.9%	13.2%	85.2%
IT DEPENDS		Count	11	8	10	2	31
		% within COUNTRY	16.7%	8.7%	9.3%	4.4%	10.0%
		% of Total	3.5%	2.6%	3.2%	.6%	10.0%
NO ANSWER		Count	1		1		2
		% within COUNTRY	1.5%		.9%		.6%
		% of Total	.3%		.3%		.6%
Total		Count	66	92	108	45	311
		% within COUNTRY	100.0%	100.0%	100.0%	100.0%	100.0%
		% of Total	21.2%	29.6%	34.7%	14.5%	100.0%

Table 6.

electoral system-ballot structure * party unity recoded ordinal Crosstabulation

			party unity recoded ordinal			Total
			low beh. unity	medium level of b. unity	high level of b. party unity	
electoral system-ballot structure	single member district	Count	17	41	8	66
		% within party unity recoded ordinal	9.9%	18.6%	13.6%	14.7%
		% of Total	3.8%	9.1%	1.8%	14.7%
	regional list	Count	20	26	8	54
		% within party unity recoded ordinal	11.7%	11.8%	13.6%	12.0%
		% of Total	4.4%	5.8%	1.8%	12.0%
	national list	Count	17	42	9	68
		% within party unity recoded ordinal	9.9%	19.1%	15.3%	15.1%
		% of Total	3.8%	9.3%	2.0%	15.1%
	multimember district open list	Count	117	111	34	262
		% within party unity recoded ordinal	68.4%	50.5%	57.6%	58.2%
		% of Total	26.0%	24.7%	7.6%	58.2%
Total	Count	171	220	59	450	
	% within party unity recoded ordinal	100.0%	100.0%	100.0%	100.0%	
	% of Total	38.0%	48.9%	13.1%	100.0%	

Table 7.

party centralization-final say(party policy) * party unity recoded ordinal Crosstabulation

			party unity recoded ordinal			Total
			low beh. unity	medium level of b. unity	high level of b. party unity	
party centralization-final say(party policy)	low centralization	Count	87	106	36	229
		% within party unity recoded ordinal	51.5%	37.7%	35.0%	41.4%
		% of Total	15.7%	19.2%	6.5%	41.4%
	medium centralization	Count	51	94	27	172
		% within party unity recoded ordinal	30.2%	33.5%	26.2%	31.1%
		% of Total	9.2%	17.0%	4.9%	31.1%
	high centralization	Count	31	81	40	152
		% within party unity recoded ordinal	18.3%	28.8%	38.8%	27.5%
		% of Total	5.6%	14.6%	7.2%	27.5%
	Total	Count	169	281	103	553
		% within party unity recoded ordinal	100.0%	100.0%	100.0%	100.0%
		% of Total	30.6%	50.8%	18.6%	100.0%

POLITICAL ACCOUNTABILITY AND MEDIA SCANDALS: A COMPARATIVE EXPLORATION¹

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Abstract

The dissertation seeks to establish the determinants of accountable governments in democratic countries. Its central query is: when the media reveals government misconduct, how do the legislature, the courts, and the public investigate and sanction the executive? The study compares and explores the interaction among three main mechanisms for holding the executive accountable - judicial, legislative, and public. It aims to surmount the current subdivision of accountability which inquires whether governments are responsible to one specific body in particular versus whether they are overall accountable. To overcome this theoretical impediment, I design a new method to gauge all revealed instances of government misconduct, defined here as "political scandals."

"It seems incontrovertible that political scandals have now acquired a prominent and important place in political life and there are no signs that their political significance is likely to diminish."

Robert Williams, 1998²

"The academic value of political scandal is not what it reveals about a particular scandal, but the extent to which the scholar uses it as a means to improve our understanding of the political system."

Mark Silverstein, 2003³

Introduction

A central claim of democratic theory is that governments ought to be accountable. In contemporary politics, the media routinely exposes government malfeasance. The question then arises: how do different democracies deal with public

allegations of a government's misconduct? So far, scholarship has distinguished three main factors for political accountability - economic prosperity, institutional design, and leadership tactics. Students of public opinion propound that publicized misconduct cannot tarnish the government's public image when the economy is doing well. Institutionalists underscore the role of elections and the difference between parliamentary and presidential systems. Leadership analysts speculate as to when the executive is motivated to dismiss cabinet members alleged of improper conduct. While each line of inquiry sheds much light on the nature of political accountability, it obscures two very important questions: first, what is the *relative* explanatory power of each factor, and second, what is the *interaction* among the three mechanisms of accountability?

I examine the consequences of political scandal, defined here as the intense media reporting of alleged government misconduct, to gain a more comprehensive understanding of political accountability. While government scandals are the independent variable, executive accountability is the dependent variable. I distinguish between three main types of accountability: *reputational*, which relates to public approval ratings, *institutional*, which includes legislative and legal investigations and sanctions, and *hierarchical*, which refers to prime ministerial and presidential tactics to remove cabinet members involved in scandal. I test the relative explanatory power of the three conventional factors - economic prosperity, institutional design, and leadership tactics, and then I propose three additional reasons why some governments emerge from scandals unscathed while others become irrevocably damaged. The first additional factor is the level of uncertainty that separates advanced Western democracies from newly established transitional democracies. Second, I suggest that the type and frequency of scandals also shape the public perception of the scandal. Third, I examine whether public opinion reflects the changes in institutional and hierarchical accountability.

Key to this goal is the creation of a multi-country database of contemporary political scandals. The database will include all major political scandals for the last ten to fifteen years in eight countries. The countries have been selected so that they maximize variation on the three structural variables: economy, level of democracy, and institutional setup. Tentatively, I choose Poland, Russia, USA, Germany (or Great Britain), Bulgaria, Italy, and the Czech Republic (or Slovakia). Without underestimating the amount of required effort, I believe that data collection can be accomplished within one year of field research. There are three reasons why I think that this is an attainable goal. First, the database will exclude minor

¹ This Ph.D. prospectus was defended in June, 2005. It has been modified since then. At the time of publication, all original data of newspaper scandals have already been collected. Comments and suggestions are very welcome.

² Robert Williams. *Political Scandals in the USA*. (United Kingdom: Edinburgh University Press, 1998).

³ Mark Silverstein. "The Clinton Scandal and the Future of American Politics," *American Political Science Review*, (June, 2001): 485-485.

scandals, since they are proven unlikely to have consequences on any dimension of political accountability.⁴ Second, big scandals in Germany, the UK, and the USA are recorded in readily available chronologies and books on scandals.⁵ Third, for the new democracies, where secondary literature on scandals is scarce, I have designed a special strategy of data collection that relies on outsourcing some of the newspaper coding to qualified graduate students.

It is important to make three caveats. First, political scandals involve only cases of highly publicized government malfeasance. Therefore I am not interested in how scandals emerge, what causes them, or who instigates them. Second, political scandals usually involve individual ministers, but I will examine the consequences for the government as a whole. Third, I believe that scandals are important even if they do not affect electoral results, or if their effects are ephemeral. Without a doubt, scandals affect public approval ratings, which then translate into political capital. Political capital is essential when the government wants to introduce an unpopular law with short-term costs and long-term benefits, such as health care or social security reforms.

In the proposal, I proceed as follows: first, I outline the empirical puzzle and articulate the main research question. Second, I briefly examine the notion of political accountability and how I intend to incorporate it into the study of scandal. Subsequently, I present a table with the independent and dependent variables and the respective hypotheses, and I expound on each of them. Fourth, I present the rationale for choosing the cases and the method of data collection. Sixth, I discuss the complications and solutions for operationalizing “political scandal.” Then I present a sample table for compiling data and suggest ways to measure the variables. I conclude with several implications and suggestions for future research.

The Empirical Puzzle and the Major Question

Not all corruption scandals end in the same way. The 1994 financial abuse scandals in Italy and the USA, and the 1999 corruption allegations in Russia and Germany had quite different repercussions. These four scandals are comparable since they featured similar charges of financial abuse committed by equally high-ranking officials. The Clintons in the USA were alleged to have taken illegal loans for a Whitewater development project in Arkansas. The former chancellor Helmut Kohl of Germany supposedly accepted non-declared donations, which he

had hidden in a secret Swiss bank account. The Yeltsin family in Russia was rumored to have accepted bribes in exchange for rewarding a renovation contract to the Swiss Company Mabetex. The Italian Prime minister Berlusconi was suspected of bribing judges to cover up his tax evasion.

Ceteris paribus, one would expect that Clinton, Kohl, Yeltsin, and Berlusconi faced similar destinies. Empirically seen, however, the outcomes of these scandals could not have been more diverse. President Clinton remained in power and was subsequently reelected; Prime Minister Berlusconi’s government collapsed in 1994, but Berlusconi came back to politics with a vengeance in 2001; Yeltsin resigned unexpectedly on the eve of the millennium, but he ensured the succession of a loyal secret service man, Putin; Chancellor Kohl resigned as an honorary chairman of the CDU, and his party had a hard time recuperating from the public stigma.

Ultimately, the Italians, the Russians, the Germans and the Americans formed different opinions of the credibility of the scandalous politicians and of the system as a whole. Both the job approval ratings of President Clinton and the public image of his persona remained intact during the Whitewater scandal. Kohl’s party, the Christian Democratic Union, was severely punished in the ensuing elections. In Italy, the Census reported that the public mind had changed “sharply”, and that as a result of the scandal, people think that “the political class is bent on suicide.”⁶ In Russia, the scandal barely caused any disturbance of the approval ratings.

These case studies raise one important analytical question: Why do similar scandals destroy the career and public image of some politicians in some countries, but leave others’ public image unscathed? To put it in Lowi’s words: why is it that a political scandal in one country will make hardly a ripple, even when fully exposed and defined as a scandal, when in another country it is treated as an event of regime-shattering importance?⁷

What are the role and consequences of political scandals? Do they increase democratic accountability? Markovits and Silverstein believe that scandals activate the exercise of democratic accountability. Scandals are rituals that make the abstract value of liberal democracy tangible and visible and in doing so, they contribute to reinforcing

⁴ Evelyn Bytzek, forthcoming. “Politisches Ereignis: Diskussion, Definition und Auswahl” (Ph.D. dissertation, Mannheim University, forthcoming 2006/2007).

⁵ These sources are cited below.

⁶ Patrick McCarthy. *The Crisis of the Italian State* (New York: St. Martin’s Press, 1995).

⁷ Theodore Lowi. “Forward” in *The Politics of Scandal*, ed. Silverstein and Markovits. (New York: Holmes & Meier Publishers, 1988): 10.

the legitimacy of law and due process.⁸ Ginsberg advances a very different evaluation of the consequences of scandals. In his view, far from promoting more transparent and accountable governments, scandals have very harmful consequences for legal and political institutions of accountability. The use of congressional investigations, media exposes, and judicial proceedings in an overly publicized way undermines the legitimacy of the mechanism of political accountability.⁹

Political accountability: definition, measurement, and connection to scandal.

“The literature on political accountability reminds its student of the old story about the blind man and the elephant. Each man felt a different part of the elephant’s body and had a different impression of the whole animal... There is little awareness shown in many of these works of the other dimensions of this ‘elephant.’¹⁰

This study arises from a fundamental agreement that exploring political accountability from the standpoint of any one particular aspect leads to one-sided, incomplete, and ultimately-unreliable assessments. The conventional approach takes up one accountability mechanism and looks into how it relates to various issues. Most scientists concentrate on formal, electoral-accountability mechanisms. Others explore the horizontal linkages between the executive on the one hand and the judicial and legislative powers on the other. But what happens when, for example, the legislature does not pursue allegations of government misconduct, but the electorate votes the government out of office, or vice versa? Is political accountability in this case small or large? A legislative specialist would estimate it to be small, but an overall appraisal would reach the opposite conclusion.

Ultimately, the main interest is whether the executive is accountable overall for alleged misconduct, not whether any separate branch of the system can hold the incumbents accountable. The primary reason for the current compartmentalization of

the concept of executive accountability is that there is no readily available record of instances of governmental culpability liable to judicial, legislative, and public sanctions. I surmount this impediment by designing a new method to gauge all revealed instances of government misconduct, defined here as “political scandals.” I start from the issue of government misconduct, and then trace how it relates to the various dimensions of political accountability. But before I make that connection, three main questions arise: What is political accountability? What analytical frameworks exist to conceptualize analytical accountability? And how are political scandals connected with political accountability?

Democratic systems are premised on the idea of delegation of authority.¹¹ Accountability is a constituent part of democracy since it ensures that the elected officials use that delegated authority to represent the interests of the citizens. Hence, most definitions portray political accountability as a *relationship*.¹² Those who delegate authority and demand accountability are the principals, and those who execute authority and owe accountability are the designated agents. Broad consensus exists in the literature that accountability has two constituent elements: ability to inquire *information* about the actions of the government, and ability to *sanction* those actions.¹³ The variation comes when considering who the principal is that requests the information and imposes the sanctions. Principals can be individuals, institutions, or the public. Depending on the principal, we can distinguish between five types of political accountability - electoral, legislative, legal, hierarchical, and public-reputational.

Under *electoral accountability*, the principal - the electorate - controls the government through elections. Electoral accountability considers incumbents to be “accountable, when citizens can discern representative from unrepresentative governments and can sanction them appropriately.”¹⁴ Przeworski et al. distinguish between mandate and accountability representation, depending on whether the parties want to be elected or reelected. Electoral accountability, however, does not guarantee wholesale accountability. Fair, competitive, and inclusive elections satisfy Robert Dahl’s idea of a “polyarchy”,¹⁵ or political democracy. Elections are

⁸ Andrei Markovits and Mark Silverstein. *The Politics of Scandal. Power and Process in Liberal Democracies* (New York: Holmes and Meiers Publishers, 1988).

⁹ Benjamin Ginsberg. *Politics by Other Means. Politicians, Prosecutors, and the Press from Watergate to Whitewater* (New York: Norton Books 2002); Peruzzoti, Enrique. “Media Scandals and Societal Accountability. Assessing the Role of the Senate Scandal in Argentina”, online http://www.utdt.edu/departamentos/politica/workshop/pdfs/conf_100403_005.PDF.

¹⁰ Robert Keohane, “The Concept of Accountability in World Politics and the Use of Force,” *Michigan Journal of International Law* 24/4 (2003): 1121-41.

¹¹ Robert Dahl. *Polyarchy*. (New Haven: Yale University Press, 1971).

¹² This is precisely the reason why accountability, which defines a relationship between two agents, is different from responsibility, which defines the self-perception of one agent.

¹³ Andreas Schedler, Larry Diamond, and Marc Plattner. *The Self-Restraining State. Power and Accountability in New Democracies* (London: Lynne Rienner Publishers, 1999): 4.

¹⁴ Adam Przeworski, Susan Stokes and Bernard Manin. *Democracy, Accountability and Representation* (Cambridge University Press, 1999).

¹⁵ Dahl, “Polyarchy.”

no small achievement, but they occur only periodically, and their effectiveness at securing vertical accountability is unclear, especially given the inchoate party systems, high voter and party volatility, poorly defined issues, and sudden policy reversals that prevail in most new polyarchies.¹⁶

Legislative accountability “depends on the existence of state agencies that are legally empowered - and factually willing and able - to take actions ranging from routine oversight to criminal sanctions or impeachment in relation to possibly unlawful actions or omissions by other agents or agencies of the state.”¹⁷ The notion of legislative accountability stems from the idea of checks and balances that the American Federalists envisioned in their papers.¹⁸ This tradition of inquiry usually asks when and how often government officials report to Congress, and how often the prime minister takes part in parliamentary proceedings.¹⁹ In this vein of research, Thieriault finds out that 23% of the issues in the legislature were brought up by a “scandal, event, or a legislator.”²⁰

Legal accountability is a subtype of horizontal accountability, which also includes legislative accountability, and refers to the actions of the Justice Department, Attorney General, Independent Counsel, the Supreme Court, and any other courts that might be involved in pursuing executive accountability.

Hierarchical accountability applies to relationships within an organization, in this case the government. Superiors can remove subordinates from office, constrain their tasks and discretionary powers, and adjust their financial compensation.²¹ Hierarchical accountability applies only to cases where the alleged official is subordinate to the Prime Minister or the President.

Public reputational accountability refers here to public approval ratings of the government. Reputational accountability applies to situations in which reputation, widely and publicly known, provides a mechanism for accountability *even in the*

absence of other mechanisms. It is identical with “moral capital” or “political capital”, which refers to a reservoir of popular approval that the leaders can potentially use for legitimacy and political survival.²² This is not an active type of accountability, as the disgruntled public does not have an official mechanism for inquiring information and imposing sanctions. Electoral accountability is a more active type of public accountability. However, elections occur at infrequent intervals and therefore provide an imprecise measure of the changing public mood in the event of a scandal. That is why I use reputational accountability instead of electoral accountability, since monthly approval ratings of the government provide more manageable, accessible, and, above all, more frequent data to gauge the public sentiments.

Keohane distinguishes between three different syndromes of accountability: *subordinate vertical*, where the principal in a leadership position controls the agents in a hierarchy; *elite controlling vertical*, where people in non-leadership positions hold leaders accountable, and horizontal, where agents and principals have roughly equal status. All these aspects are reflected in table 1.

In table 2, I build upon Keohane’s categorization to demonstrate the juxtaposition between the accountability syndromes, accountability mechanisms, designated principal, agent, and the avenues for sanctioning and information. For the purposes of this paper, the designated agent is always the prime minister and his/her ministers, and the signaling device is always media disclosure. Although the role of signaling is always fulfilled by the media, it is important to note that allegations do not have to originate through investigating reporting only. Charges can be brought up in the parliament or in court, but the significant point is that the scandal begins when the media generates enough publicity about these charges, regardless of their origin.²³

Overview of the theory and hypotheses

In the following part, I identify five possible determinants of executive accountability- economic prosperity, institutional design, number and frequency of scandals, experience with democracy and actors’ strategies. Graph 1 and table 3 illustrate the interconnections between the hypotheses. I use the term “institutional accountability” to refer to cases when the courts and/or the legislature start and conclude investigations of the executive. Hierarchical accountability denotes cases when the prime minister

¹⁶ Andreas Schedler. “Taking Uncertainty Seriously: The Blurred Boundaries of Democratic Transition and Consolidation,” *Democratization* 8/4 (2001): 1-22.

¹⁷ O’Donnell. “Horizontal Accountability and New Democracies,” *Journal of Democracy* 9.3 (1998): 112-126.

¹⁸ Manin in O’Donnell, “*Horizontal Accountability and New Democracies.*”

¹⁹ R A W Rhodes and P Dunleavy. *Prime Minister, Cabinet and Core Executive.* (Macmillan Press, 1995).

²⁰ Thieriault 2002.

²¹ Robert Keohane. “The Concept of Accountability in World Politics and the Use of Force.”

²² John Kane. *The Politics of Moral Capital.* (Cambridge: Cambridge University Press, 2001).

²³ Romzek and Dubnik present an alternative categorization of accountability from that of Keohane.

or the president dismisses subordinates. Reputational accountability relates to public approval ratings of the government.

Explanatory factor: Economic Prosperity

Hypothesis 1: When the economy is good, the public is less likely to sanction alleged government misconduct.

Traditional theories contend that economic performance and party affiliation are the main determinants of public satisfaction with incumbents. Alternative studies argue that the media's portrayal of the officials' character, trustworthiness, and knowledge can also greatly affect the government's popularity. Economic voting and party identification studies contend that incriminating information is not powerful enough to overturn previous judgments, because people construe the gravity of the scandalous offense, its truthfulness, and its importance in a way that bolsters their prior beliefs. The process is known as "motivated reasoning" and "cognitive dissonance."²⁴ By implication, such studies view scandals as largely epiphenomenal. Media studies counter that people's economic and party preferences are not sufficiently intense, or citizens cannot easily weigh the relative importance of issues of character and performance. Thus the media can affect the public through framing, learning, and agenda-setting.²⁵

The decline of governmental popularity in the West bolstered theories that economic performance shapes public support for the incumbents. They argue that the first twenty-five years after World War II were a golden era that gave rise to heightened expectations about economic growth. As the welfare state expanded and people realized that their difficulties getting jobs were structural and not their fault, they started holding their government ever more accountable for their economic misfortunes.²⁶ The high inflationary outburst in the early 1970s proved these high expectations were unsustainable. The subsequent increase in popular dissatisfaction coincided in time with the decrease in economic

performance.²⁷ It still remains unclear how exactly economic performance is measured (unemployment, poverty, inflation), and whether people care about absolute or relative economic performance.²⁸

On the opposite side of the debate, studies show that media reports of incumbents' misconduct can influence public support for the government equally strongly. Since the impact of scandals in Central and Eastern Europe has received by far less scholarly attention than that in Great Britain and the USA, it is hard to assess the generalizability of the results.²⁹ For the U.S., Orren demonstrates that Watergate had just as significant an impact on trust as did the Vietnam War.³⁰ Mandelli shows that each U.S. president's approval rating dropped at least ten percentage points for three out of four major scandals.³¹ In Great Britain, unemployment negatively accounted for 22% of the government popularity, while the effect of news about scandalous behavior was more than twice as big at 56%.³² An opinion poll conducted in France in 1992 found that 29% of those polled cited "corruption scandals" as the first reason why they did not vote for the Socialist Party, while "unemployment" came second.³³ I will test the traditional hypothesis that citizens of less prosperous countries will be just as concerned as citizens of wealthier democracies about economic performance relative to the character of the incumbent.

²⁷ Powell/Whitten. "A Cross National Analysis of Economic Voting: Taking Account of the Political Context," *American Journal of Political Science* 37/2 (1993): 391-414; Lewis-Beck, Michael. *Economics and Elections. The Major Western Democracies*. (Ann Arbor: University of Michigan Press, 1988).

²⁸ Regina Lawrence and Lance Bennett. "Rethinking Media Politics and Public Opinion: Reactions to the Clinton-Lewinsky Scandal," *Political Science Quarterly* 116/3 (2001): 425-451.

²⁹ Arthur Miller. "Type-set Politics: Impact of Newspapers on Public Confidence," *The American Political Science Review* 73/1 (1979): 67-89; Michael Dimock. "Checks and Choices. The House Bank Scandal's Impact on Voters in 1992," *The Journal of Politics* 57/4 (1995): 1143-1159; Hans Kepplinger. "Skandale und Politikverdrossenheit- ein Langzeitvergleich," in *Medien und Politischer Prozess*. Opladen: Westdeutscher Verlag, 1996.; John Thompson. *Political Scandal: Power and Visibility in the Media Age*. (Cambridge: UK Polity, 2000); Susan Pharr. "Officials' Misconduct and Public Distrust: Japan and the Trilateral Democracies," in *Disaffected Democracies: What's Troubling the Trilateral Countries?*, ed. Susan Pharr and Robert Putnam (Princeton: Princeton University Press, 2000).

³⁰ Gary Orren. Trust, Social Capital, Civil Society, and Democracy," *International Political Science Review*, 22/2 (1997): 201-214.

³¹ Andreina Mandelli. "Agenda Setting of Public Sentiments, Quality of News and Quality of Public Life" (Ph.D. dissertation, Indiana University, 1998).

³² Shaun Bowler and Jeffrey Karp. "Politicians, Scandals, and Trust in Government," *Political Behavior* 26/3 (2003): 271-287.

³³ Christophe Fay. "Political Sleaze in France: Forms and Issues" in *Parliamentary Affairs* 48/4 (1995): 663-677

²⁴ Mark Fischle. "Mass Response to the Lewinsky Scandal: Motivated Reasoning or Bayesian Updating," *Political Psychology* 21/1 (2000): 135-160; Lodge, Milton and Charles Taber. "An Experimental Test of the Hot Cognition Hypothesis for Political Candidates, Parties and Issues" online: <http://www.sonyeb.edu/polsci/mlodge/hotcog.doc>.

²⁵ Kent Weaver. "Creating Blame for Fun and Political Profit," paper presented at ECPR, Spain, 2005; John Zaller. "Monica Lewinsky's Contribution to Political Science," *PS: Political Science and Politics* 31/2 (1998): 182-189.

²⁶ Jane Mansbridge. "Social and Cultural Causes of Dissatisfaction with US Government" in *Why People Don't Trust Government*, ed. Nye, Zelikow, King (Harvard University Press 1997).

Explanatory factor: Institutional design of parliamentary and (semi)-presidential systems

Hypothesis 2: When facing highly publicized allegations of government misconduct, parliamentary democracies are more likely to start a legislative investigation, and presidential democracies are more likely to start a legal investigation.

Hypothesis 2.1.: Legal mechanisms of accountability are more efficient in concluding investigations of alleged government misconduct than legislative mechanisms of political accountability.

ACCOUNTABILITY IN PARLIAMENTARY VERSUS PRESIDENTIAL SYSTEMS

Preliminary statistics of 143 scandals in 22 democracies show that the American share of all scandal processes which are external to the executive is 83%, compared to 70% for France, and only 37% for the UK!^{34 35} These results are indicative of the great disparity of institutional means that countries use to pursue scandalous allegations. Two important questions arise: In general, is there a correlation between institutional design and the extent of investigative oversight of the executive? Secondly, do legal mechanisms pursue government accountability better than legislative mechanisms?

On the first question, the debate between the virtues of parliamentarism and the perils of presidentialism is quite telling. Proponents of parliamentary systems argue that presidents are less accountable than prime ministers because they are independently elected and have a fixed term in office.³⁶ In Linz's view these two conditions make winners and losers sharply defined for the entire period of the presidential mandate. There is no hope for shifts in alliances, expansion of the government's base of support through "national unity" or "emergency" grand coalitions, new elections in response to major new events, and so on.³⁷

Cheibub and Przeworski show that from 70 peaceful changes of presidents between 1950 and 1990, only four (4.7%) were due to removal by the

party and interim replacement.³⁸ One can extend part of this logic to Westminster-type systems as well. In these democracies, the legislature can more easily hold the government accountable since it elects it, but the availability of only two parties imposes a rigidity of alliances very similar to that in presidential systems.

Conventionally, the virtues of these arguments are tested only *indirectly* against the *overall* quality of democracy. The underlying assumption is that if the executive is accountable, then it will behave more in sync with the public interest and democracy as a whole will therefore thrive. The usual criteria are minimal winning one-party cabinets, an effective number of parliamentary parties, index of disproportionality, index of constitutional rigidity, and index of bicameralism.³⁹ I suggest a simpler but more direct measure of government accountability, which measures the proportion of government members accused of alleged misconduct who were investigated by the courts and legislatures respectively. This measure speaks to the capacity of the accountability bodies to get *activated* and to follow cues from the public domain.

LEGAL VERSUS LEGISLATIVE ACCOUNTABILITY

Once these bodies are activated, it is an entirely different question as to whether the investigations are successful. Starting an investigation amounts to little political accountability unless the investigation produces results. The success of investigations of government misconduct has three dimensions: authority, bias, and efficiency. I will only briefly sketch the first two and then concentrate on the third criterion. Some argue that legislatures are more authoritative than courts because they are elected. For the same reason, independent counsels and other justice appointees are thought to lack an institutional base of power and to be constrained from mobilizing a counter-response in the political realm by the need to appear independent.⁴⁰

The question of the relative bias of courts and legislatures is the most heated one. Grifitt points out that judges are generally more politically neutral than MPs and the only reason why judges do not appear this way is that they face the unrealistic expectation that a judge's involvement can de-politicize a matter,

³⁴ These scandals include *all* scandalizers, not only members of the executive body.

³⁵ Anthony Barker. "The Upturned Stone. Political Scandals and Their Investigation Processes in Twenty Democracies," *Crime, Law and Social Change* 21 (1994): 337-373.

³⁶ Arend Lijphart. *Parliamentary versus Presidential Government*. (Oxford University Press, 1992); Horowitz, Donald L. 2000. "Constitutional Design: An Oxymoron?" in *Designing Democratic Institutions*, ed. by Ian Shapiro and Stephen Macedo. New York: New York University Press, 253-84.

³⁷ Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation*, Johns Hopkins University Press, 1996.

³⁸ Jose Cheibub and Fernando Limogni. *Democracy and Development* (Cambridge University Press 2000)

³⁹ Lijphart, Arend. *Patterns of Democracy: Government Forms and Performance on Thirty-Six Countries* (New Haven: Yale University Press, 1999).

⁴⁰ Katy Harriger. "The Law: The President and the Independent Counsel: Reflections on Prosecutors, Presidential Prerogatives, and Political Power" in *Presidential Studies Quarterly* 31/2 (2001): 338.

which is inherently controversial.⁴¹ Proponents of court versus legislative investigations argue further that parliament is incapable of the detachment required to investigate alleged misconduct of ministers. Although in an ideal democratic state, Parliament will fulfill these duties disinterestedly and efficiently, Britain is not such a place and so the need for outsiders to carry out these investigations persists. The real issue is whether they are best performed by judges or by some other species of the genius Establishment.⁴²

Mayhew, on the other hand, argues that the American Congress is a very neutral judge when acting as an investigative body and will not give more trouble to the executive branch when a president of the opposite party holds power.⁴³

I will test whether legal investigations are more efficient than legislative investigations of alleged government misconduct. I will measure efficiency as the proportion of all existing investigations that produce a sanction or a report in a relatively short time period.

Explanatory Factor: Actors' Strategies

Hypothesis 3: Aggressive strategies of fending off allegations of misconduct usually enhance reputational accountability.

Hypothesis 4: In countries with greater levels of uncertainty, politicians use more aggressive strategies.

These hypotheses explore the causes and consequences of political agency in cases of highly publicized misconduct. They involve two steps. First, aggressive strategies appear as a dependent variable resulting from the level of uncertainty (hypothesis 4), and then aggressive strategies appear as an independent variable affecting reputational accountability (hypothesis 3). In numerous studies of American presidential scandals, the presentational strategies of the presidents have been deemed very important.⁴⁴ Just two months ago, the *Presidential Studies Quarterly* published an article arguing that the cues provided by political actors are the most

important determinants of executive popularity.⁴⁵ The year before, the same journal argued that the communication strategies of the Clinton presidency were essential for his public image.⁴⁶ Ellis contends that the technique of deflecting blame to subordinates, known as "the lightning rod", is effective in preserving the president's public image.⁴⁷ McGraw argues that public officials can have a powerful impact upon the citizens' understanding of political accountability.⁴⁸ Anderson explores how Clinton's speech presentations - for example his famous statement "I did not have sex with that woman (avert gaze) Ms Lewinsky," - affected his public image.^{49 50}

Yet, we know very little, if anything, about the strategies of the political actors involved in allegations of misconduct in the new democracies. No systematic research explains how their strategies differ from those of politicians in more established countries. If uncertainty is so important, then we should witness more aggressive strategies of politicians in Eastern and Central Europe since they will be trying to defy the status quo. In Russia, Yeltsin used aggressive strategies. He insisted that a video showing the prosecutor general with three prostitutes questioned the prosecutor's moral culpability. Yeltsin tried to dismiss the prosecutor three times. The aggressive strategy was matched by low legislative accountability. The upper house of the Russian parliament, the Federation Council, postponed voting on accepting Yeltsin's decision to lay off the Prosecutor general. It first tried to transfer the case to the Moscow criminal court then asked the Constitutional court to clarify its own jurisdiction. The spectacle was protracted over the course of eight

⁴⁵ Matthew Woessner. "Scandal, Elites and Presidential Popularity: Considering the Importance of Cues in Public Support of the President," *Presidential Studies Quarterly* 35/1 (2005): 94.

⁴⁶ Trevor Parry-Giles. "Images, Scandal and Communication Strategies of the Clinton Presidency," *Presidential Studies Quarterly* 34/2 (2004): 472.

⁴⁷ Richard Ellis. *Presidential Lightning Rods. The Politics of Blame Avoidance* (Kansas: The University Press of Kansas, 1994).

⁴⁸ Kathleen McGraw. "Managing Blame: an Experimental Test of the Effects of Political Accounts," *American Political Science Review* 85/4 (1991): 1133-1157.

⁴⁹ Christopher Anderson. "I Did Not Have Sexual Relations With That Woman <pause, gaze averted> Ms. Lewinsky"- The Iconicity of Democratic Speech in English": <http://www.sscnet.ucla.edu/polisci/faculty/anderson/Lewinsky.htm>

⁵⁰ The research is endless: Mark Bovens. "The Politics of Blame Avoidance: Defensive Tactics in a Dutch Crime-Fighting Fiasco": <http://www.usg.uu.nl/organisatie/medewerkers/m.bovens/anheier.pdf>; Brandstrom and Kuipers. "From Normal Incidents to Political Crises: Understanding the Selective Policization of Policy Failures," *Government and Opposition* 38/3 (2003): 279-305; Joshua Gamson. "Normal Sins: Sex Scandal Narratives as Institutional Morality Tales," *Social Problems* 48/2 (2000): 185-206; Rodney Barker. *Legitimizing Identities. The Self-Presentation of Rulers and Subjects* (Cambridge University Press, 2001).

⁴¹ Ian Leigh and Laurence Kustergarten. "Five Volumes in Search of Accountability: The Scott Report," *The Modern Law Review* 59/5 (1996): 695-725.

⁴² Ian Leigh and Laurence Kustergarten. "Five Volumes" (1996).

⁴³ David Mayhem. *Divided We Govern* (New Haven: Yale University Press, 1991).

⁴⁴ Wesley Hagood. *Presidential Sex. From the Founding Fathers to Bill Clinton*. (New York: Carol Publishing Group, 1995).

months until the initial question of culpability had long been forgotten in the never-ending series of accusations and counter-accusations.

In Italy, Berlusconi attempted to transfer his corruption case from the Milan court to an unknown town nearby, where he hoped to be able to exert more pressure on the judges. When this attempt failed, he forced the resignation of the main Milanese judge. These developments testify to the relatively low capacity of the judicial system to pursue blame. While the blame visibility in Italy was comparable to that in Russia, the odds played out differently here, since Berlusconi's strategies were relatively less successful in diverting the blame from himself than Yeltsin's. Using abstract, religious language, Berlusconi almost bluffed by claiming that parliament could not overthrow him and declared the people's representatives to be "anointed by the Lord."⁵¹

It is important to compare the strategies used by politicians involved in scandals. This is the most agency-oriented variable, and that is why it might differ for each scandal. Since categorizing strategies is a time-consuming process, it might be most feasible to explore several case studies of similar type in roughly similar conditions.

Explanatory Factor: Type and Frequency of Scandals

Hypothesis 5: Frequent scandals ultimately diminish reputational accountability.

Hypothesis 5.1.: For private scandals, reputational accountability in secular rational countries is smaller than that in traditional countries.

I will test whether frequent media reports of scandals ultimately desensitize public opinion, and thus diminish reputational accountability. The relative deprivation and cultivation theories may be useful in uncovering the causal mechanism: the more often scandals occur, the more often citizens will expect that scandals will occur, and the less disappointed they are when scandals actually occur. As a result of lower expectations, the public will sanction governments for their misconduct less severely. I will test whether people update their expectations gradually over a prolonged period of time, suddenly after reaching a certain tipping point, or in short, disconnected intervals.⁵² The latter scenario would occur when the impact of scandals is ephemeral, although some

studies contend that the effects can persist for eight years.⁵³

I will also establish whether citizens perceive some types of misconduct as inherently more reprehensible than others. As Fischle notes, "there is a great deal of variance in public reaction to scandal...it seems that the manner in which the voters react depends not only on the attributes of the individual, but also on the character of the scandal itself."⁵⁴ This issue brings up the importance of national and cultural determinants of public opinion. Does public opinion in all democracies treat reports of all kinds of corruption equally? What is the comparative importance of "family values" in evaluations of the incumbent's marital infidelity and moral lapses?

Political cultural studies argue that, regardless of the prominence of the issue, media revelations affect public opinion because of the values embedded in the misconduct.⁵⁵ Using Inglehart's typology, one would predict that the public in traditional countries should react to private misconduct more negatively than people in secular-rational countries.⁵⁶ Scandals related to marital infidelity should cause more public uproar in the "traditional" USA than in Great Britain (middle range), or in Germany, which is classified as very "secular-rational". I will test whether the same logic extends to secular-rational countries of other religious denominations, such as Bulgaria and Italy.

Explanatory factor: Level of uncertainty in new and established democracies

Hypothesis 6: In new democracies, institutional accountability for alleged government misconduct is less than that in established democracies.

⁵³ Luke Keele. 2004. "Social Capital, Government Performance, and the Dynamics of Trust in Government," online: <http://www.scholar.google.com/scholar?hl=en&lr=&safe=off&q=cache:D1wLd3ksUgcJ:polmeth.wustl.edu/papers/03/keele03.pdf+keele+luke>.

⁵⁴ Mark Fischle. "Mass Response to the Lewinsky Scandal: Motivated Reasoning or Bayesian Updating."

⁵⁵ Harry Eckstein. "Congruence Theory Explained", in *Can Democracy Take Root in Post-Soviet Russia? Explorations in State-Society Relations*, ed. H. Eckstein et al. (Lanham, MD and Oxford: Rowman & Littlefield, 1998): 3-33; Almond/Verba. *The Civic Culture: Political Attitudes and Democracy in Five Nations*, (SAGE Publication, 1989)

⁵⁶ Ronald Inglehart. *Modernization, Cultural Change and Democracy*. (Cambridge University Press, 2005)

⁵¹ La Repubblica, November 26 1994.

⁵² Paul Pierson. *Politics in Time: History, Institutions, and Social Analysis* (Princeton University Press 2004).

“Throughout Eastern Europe, political authority remains only very weakly accountable in both formal and political terms.”⁵⁷ Although this statement can barely surprise students of transitional countries, it still remains unclear to what extent it indeed reveals a true picture of the region and whether one sees fewer investigations and sanctions of alleged government misconduct *in comparison* to other democracies. Even if Philp is right, we still need to establish what it is exactly about Eastern and Central Europe that makes it more amenable to a lack of institutional accountability than Western democracies. Transitional countries, especially in the last ten years, seemingly count as democracies, and for sure count as polyarchies, as they have fair elections and democratic constitutions.

I would test whether, even when accounting for the institutional design (parliamentary versus presidential and legal versus legislative), and economic prosperity, the legal and institutional capacity to hold governments accountable will differ depending on the level of political uncertainty. “Political uncertainty” refers to the number of years of experience of democracy. *Ex ante*, uncertainty will be greater in transitional countries than in established Western democracies, because of the fluid party structure and the short time horizons of the actors. Formally, uncertainty is considered least when democracy is the only game in town: “Behaviorally, democracy becomes the only game in town when no significant political group seriously attempts to overthrow the democratic regime.”⁵⁸

Given highly publicized charges of government misconduct, new democracies will tend to punish government officials less than established democracies. Established wisdom propounds that actors involved in a scandalous situation in new democracies will use the power balance to change the rules of accountability, instead of using the rules of accountability to change the power balance.

Well-entrenched constitutions may legitimate particular principal-agent relationships so that policies really can be analyzed within an established principal-agent framework. But in less highly institutionalized domestic regimes, existing authorizations are typically fragile, and often contested. In weakly institutionalized systems, the struggle is ongoing, and it is only temporally resolved in accordance with

power relationships. Indeed, we can think of authorization-reauthorization cycle.⁵⁹

Since it is very hard to operationalize “power relationships” and a “cycle of re-authorization,” I would simply test whether scandals in new democracies result in fewer institutional sanctions than scandals in old democracies.

Explanatory Factor: Interaction between the three dimensions of accountability

Hypothesis 7: Efficient legislative and legal accountability diminishes reputational accountability.

These hypotheses turn the former dependent variables - institutional and hierarchical accountability - into independent variables. They involve a second order analysis, which explores how the public will judge the misconduct of the government in cases where the incumbent is officially sanctioned. The study is further complicated because the interaction can work in different directions. If the prime minister dismisses a subordinate incumbent (higher hierarchical accountability), the popularity of the government will most likely rise (lower reputational accountability). However, if parliament, Congress, or the courts sanction a government member (higher institutional accountability), then the popularity of the government will most likely fall (higher reputational accountability). If these scenarios are proven by the cases, then the government’s public image will change depending on whether the source of sanction is internal or external to the executive.

It is precisely the closing of the ritual of disclosure, investigation and discussion with some sort of institutional punishment that serves to ultimately reaffirm the belief in the institutional safeguards that representative democracy provides to reduce the risks of electoral delegation. If that institutional closing is missing, the scandal, rather than reaffirming and strengthening public trust in democracy will simply erode public confidence in representative institutions⁶⁰

This idea goes back to Durkheim, who argues that transgressions bolster the public approval of the system when the offenders are punished and reforms are instituted.⁶¹ In a similar vein, Michel Foucault contends that public executions during the Middle Ages manifested the operation of power. “Torture assured the articulation of the secret on the public, the procedure of investigation on the operation of power,

⁵⁷ Mark Philp. “Access, Accountability and Authority: Corruption and the Democratic Process,” *Crime, Law and Social Change* 36 (2001): 357-377.

⁵⁸ Juan J. Linz and Alfred Stepan. *Problems of Democratic Transition and Consolidation*, Johns Hopkins University Press, 1996.

⁵⁹ Robert Keohane. “The Concept of Accountability in World Politics and the Use of Force”.

⁶⁰ Enrique Peruzzotti. “Media Scandals and Societal Accountability”.

⁶¹ Emile Durkheim. *Elementary Forms of Religious Life*. The New York: The Free Press, 1976.

in the same horror, the crime had to be manifested and annulled.”⁶²

The question arises, then, of how public approval of the executive (*not of the whole system*) change in lieu of legislative and legal sanctioning. Does the institutional response to government misconduct affect the opinion of the electorate? Does public opinion change when Congress, judicial committees, or independent councils do not punish the publicized government misconduct? Does it matter whether the alleged politician is dismissed, or kept in office?

In graph 3, I juxtapose the Whitten/Powell⁶³ index of government accountability in four countries and Holmes’ data on public preference for corrupt and efficient politicians.⁶⁴

It turns out that all types of political accountability go together. When the government is publicly corrupt and its behavior is not sanctioned formally by courts or Congress, reputational accountability is also low. On the other hand, the public shows much disapproval of corrupt executives in countries where the institutional bodies pursue executive accountability stringently.

Contrary to legislative and legal sanctioning, hierarchical accountability (which basically refers to the prime minister firing his officials) has a positive effect on reputational accountability (which refers to the public approval of the executive). Keith and Dowding show statistically that government ratings rise when the Prime minister in Great Britain dismisses a Cabinet member involved in a media scandal.⁶⁵ Therefore, it matters for public opinion whether the government sanctions itself or whether some external body sanctions it. In the former case, public approval increases, and in the second cases, it decreases.

There might also be a temporal dimension to the relationship between institutional and reputational accountability. As more scandals occur, public disapproval of alleged government officials may diminish more in countries where formal institutional accountability is greater.

Case selection

In choosing the cases, I need to consider the following criteria:

1. Scandals are rare, and therefore in order to have enough data points, I should include as many countries as possible.

2. The minimum required condition is that a country is a polyarchy, i.e. it has regular and fair elections. Countries need to have a free media, which portrays scandals. The independence of the media can be measured as the degree of state capture, or by the legislative frameworks. Indices of both measures are readily available.⁶⁶

3. The research will consist of three parts: 1. content analysis of newspapers to identify scandals involving allegations of government misconduct, which have high-saliency. High-saliency scandals are present in the newspaper for at least five to seven days; 2. an analysis of the legal, legislative and hierarchical accountability, which is comprised of investigation and sanctioning; and 3. analysis of the correlation between scandals, sanctioning and public approval of the government

4. Research design requires the greatest variation on the independent variables.⁶⁷

5. I need to consider the following independent variables: parliamentary versus presidential system, transitional versus established democracy, economic development, frequency and type of scandals, and actors’ strategies. Since the type and frequency of scandals and actors’ strategies cannot be known until the research is complete, I will choose case studies on the basis of the first three criteria.

6. Parliamentary, transitional, wealthy: Czech Republic

Semi- presidential, transitional, wealthy: Poland

Parliamentary, transitional, poor:

Bulgaria

Parliamentary, non-transitional, wealthy: Germany

Semi-presidential, transitional, poor: Russia

Presidential, non-transitional, wealthy: USA
Parliamentary, established, poor:

Italy

Presidential, established, poor: TBD

Creating an original and comprehensive database of major political scandals is very important, because it will facilitate dialogue amongst the rapidly growing

⁶² Foucault, Michael. *Discipline and Punish*. New York: Vintage Books, 1977: 55.

⁶³ Powell/Whitten. “A Cross National Analysis of Economic Voting: Taking Account of the Political Context,” *American Journal of Political Science* 37/2 (1993): 391-414.

⁶⁴ Leslie Holmes. “Political Corruption Scandals and Public Attitudes towards Party Financing: Poland and Germany Compared,” paper presented at the 2nd Edmund Mokrzycki Symposium in 2004.

⁶⁵ Keith Dowding and Won-Taek Kang, “Ministerial Resignations 1945-1997,” *Public Administration* 76 (1998): 411-429.

⁶⁶ Simeon Djankov, Caralee McLiesh, Tatiana Nenova and Andrei Schleifer. “Who Owns the Media?” online: http://www.economics.harvard.edu/faculty/shleifer/papers/media_s eptember_2002_JLE.pdf

⁶⁷ King, Keohane, and Verba. *Designing Social Inquiry*. (Princeton University Press, 1994).

literature on the subject, which suffers from inconsistent and incomparable measurements. It also presents the only way to find a quantifiable method to assess and compare the political accountability for alleged government misconduct in countries with various institutional designs and previous experience with democracy.

How to measure scandal?

WHAT ARE THE POTENTIAL COMPLICATIONS?

Scientists disagree what constitutes a political scandal just as vigorously as they agree that scandals are difficult to define. This confusion is not necessarily unfounded, although it is entirely surmountable. I can identify several reasons why scandals pose a definitional hurdle.

1. Relationship variable: Scandals refer to a set of relationships between several variables, rather than to specific variables or facts.

2. Idiosyncrasy of each scandal: These relationships come together in various forms and ways, which makes scandals extremely difficult to typify.

3. Intangibility: scandals are often a construct as opposed to an existing fact or physical movement, such as going to vote, giving a speech, or receiving a certain income.

4. Rarity: scandals by definition are rare events, which signify a state out of the ordinary, and therefore there are not enough of them to examine with a sufficient degree of freedom. Small scandals are more prevalent but less important.

5. Cascading events: scandals often refer to a set of events, as opposed to one single event. They involve the coordination and sequencing of public opinion, media attention, executive discretion, and institutional alert.

6. Causal bias: Scandals emerge only after the public, politicians, and institutions respond to an allegation of government misconduct, and therefore it is difficult to disentangle scandals from their consequence.

WHAT ARE THE SOLUTIONS?

There are five distinct possibilities for operationalizing scandal:

1. Gravity of the alleged offense in reference to a conceived societal norm.⁶⁸ (Please see appendix for concrete definitions)

⁶⁸ Michael Schudson. "Notes on Scandal and the Watergate Legacy," *American Behavioral Scientist* 47/9 (2004): 1231-1238; Anthony King. "Sex, Money and Power," in *Politics in Britain and the United States. Comparative Perspectives*, Durham: Duke University Press, 1986.

2. Calls for resignation made by politicians in parliamentary discussions, or by onlookers and journalists in the media.⁶⁹

3. Media attention given to a particular topic measured either as number of days in the media or as number of articles in the press, or both: "An investigation enters this category if it generated a specified kind of content of one or more front page stories for at least 20 days, not necessarily consecutive."⁷⁰

4. Dummy variables for when the scandal was on/off.⁷¹

5. Chronicles, which contain short summaries and bibliographical references. Some examples are: *Political Scandals and Causes Celebres: since 1945: An International Reference Compendium* 1991, *An Encyclopedia of Scandals, Power and Greed* 2003, *New Scandals of the Republic: 40 Years of Affairs and Scandals in the Federal Republic of Germany* 1989, *Die Neue Skandal Chronik* 1994.

6.

The most successful approach would include a combination of all these. The working definition of a political scandal here is "the intense reporting about a real or imagined effect."⁷² I would follow Keith and Dowding's method for the UK: 1. getting a name list of all the people who served in the government, 2. consulting *The Times* index for references to the ministers, 3. Cross-referencing issues to other newspapers, *Hansar*, biographies, autobiographies, and other historical sources.⁷³ Dowding and Dewan introduce a variable measuring the saliency of a scandal. An issue receives 3 if it made the front page of *The Times*, or an editorial, or had substantial coverage on inside pages; 2 if the issue did not make the front page or an editorial, but had reasonable coverage on inside pages; 1 if the issue only had small coverage on the inside pages. For online articles, judgment is made on the amount of coverage.⁷⁴ For the purposes of data collection, I intend to follow similar logic.

Field Study and Data Collection

In the end of the field research phase, I hope to produce a database, which includes about three

⁶⁹ Torun Dewan and Keith Dowding. "The Corrective Effect of Ministerial Resignations on Government Popularity," *American Journal of Political Science* 49/1 (2005): 46-56.

⁷⁰ Evelyn Bytzek. "Politisches Ereignis: Diskussion, Definition und Auswahl."

⁷¹ Luke Keele. 2004. "Social Capital, Government Performance, and the Dynamics of Trust in Government."

⁷² Frank Esser. "Tabloidization of News: A Comparative Analysis of Anglo-American and German Press Journalism" in *European Journal of Communication*, 14/3 (1999): 291-324.

⁷³ Keith Dowding and Won-Taek Kang, "Ministerial Resignations 1945-1997."

⁷⁴ Torun Dewan and Keith Dowding. "The Corrective Effect of Ministerial Resignations on Government Popularity".

hundred scandals for each country. For each scandal, I will define the type of offense and several additional characteristics. The research will cover the last ten years in order to capture the uncertainty at the start of the democratization process in the newly established democracies.

The database will match the type of scandal with the following patterns of its occurrence: 1. Date when allegations broke out, 2. Days elapsed between the first news and the scandalizer's public reaction, 3. Days elapsed between the scandal and the time of the offense, 4. Temporal proximity of the scandal to the nearest election, 5. Duration of scandal, 6. Origin of the scandalous allegations: TV news, TV shows, a newspaper, an election debate, parliament, or a court trial, 7. Did the scandal get institutionalized: trial, parliamentary debates, or independent Counsel, 8. Outcome of the scandal: dismissal, resignation, or no reaction, 9. Did the nature of the allegation change from private/substantive to lying under oath?, 10. Position of the scandalizer (ranging from president, through Cabinet ministers, to parliamentary members), 11. Party affiliation of the person instigating the scandalous allegations, 12. Party affiliation of the person receiving the scandalous allegations, 13. Blame visibility, 14. Defensive or aggressive strategy of the actors, 15. Type of scandal. Tables 4 and 5 reflect the methodological details.

I will test for the effects of "political accountability", "frequency of scandals", "type of scandal", and "actors' strategy" in the following equation:

$$L_m = a + \alpha_1 ECON_m + \alpha_2 POL_m + \alpha_3 FREQUENCYScandals + \alpha_4 TYPEScandal + \alpha_5 TypeSTRATEGY + \alpha_6 InstitutionalDESIGN + \alpha_7 LegalSanction + \alpha Legislative Sanction + \alpha Hierarchical Sanction + \alpha + \Sigma$$

where L_m is the government's monthly approval rating. A is a constant. $ECON_m$ is a vector for the economic effects of inflation, the exchange rate, and unemployment during the month. POL_m is a vector of the political effects of the dummy variables "Proximity to election" and "uncertainty" measured in number of years of democracy.

HOW TO MEASURE LEGAL AND LEGISLATIVE ACCOUNTABILITY?

Since it is very hard to measure the bias and authority of legal and legislative accountability, I will simply concentrate on the capacity of the legal and legislative bodies to produce results. Since some scandals are bogus, the actual results (sanction vs.

acquittal) are not important. This approach limits the scope of the analysis to efficiency, but it is the only feasible option. The variable of legal and legislative sanction will denote the type of investigation as described in the table 6, and then it will measure the number of days between the outbreak of scandal and the start of the investigation (activation), the number of days of investigation, and whether the investigation produced a report or other sanctions.

HOW TO MEASURE ACTORS' STRATEGIES?

Hierarchical accountability refers to two components: 1. the ability of the main executive to dismiss government officials and 2. actors' strategies. While the first is fairly straightforward, the second is detailed in Schuetz's typology described in table 7.⁷⁵

HOW TO MEASURE REPUTATIONAL ACCOUNTABILITY?

The dependent variable – reputational accountability – refers directly to "government popularity." It is measured by Dowding and Dewan as the government's percentage point lead over the main opposition party reported by Gallup from answers to the question "if there were a general election tomorrow, which party would you support?" Della Porta uses the Eurobarometer survey to monitor government popularity.⁷⁶

HOW TO CATEGORIZE SCANDALS?

The categorization of the types of scandal includes nine categories: marital infidelity, sexual harassment, mismanagement of public funds, incompetence, bribery, nepotism, delayed reaction, illegal action, and verbal gaffe. Although the suggested categorization leaves room for some ambiguity, it still allows for less overlap between the categories than King's typology of "sex, power and finance", or Thumber's categorization of "political" (lying to the House of Commons, breaking of UN embargoes on arms sales), "financial" (cash for questions, the funding of political parties), and "sexual".⁷⁷

⁷⁵ Astrid Schuetz. "Assertive, Offensive, Protective and Defensive Styles of Self-Presentation: A Taxonomy," *Journal of Psychology* 132/6 (1998).

⁷⁶ Donatella Della Porta. "Social Capital, Beliefs in Government, and Political Corruption" in *Disaffected Democracies: What's Troubling the Trilateral Countries?*, ed. Susan Pharr and Robert Putnam (Princeton: Princeton University Press, 2000).

⁷⁷ Anthony King. "Sex, Money and Power," in *Politics in Britain and the United States. Comparative Perspectives*, Durham: Duke University Press, 1986.

Scandals can also be of a mixed type as sexual scandals often develop into cover-up scandals, or reveal some other, more profound misconduct. For example, the extramarital affair of the New Jersey Governor McGeevey led to the revelation that the governor has committed nepotism by appointing his lover to be the Homeland Security secretary without the necessary qualifications. Similarly, the love affair of the British Interior Minister David Blunkett brought up the fact that he sped up the confirmation of the immigration status of his lover's nanny. Both officials resigned.

Further Implications and Avenues for Future Research

I can identify two main avenues for further research. Is accountability a zero-sum game? How do political scandals affect not only approval of the government but also trust in the whole system?

For now, I will limit myself to testing the effects of legislative and legal investigations on the public approval of the government, and trying to establish how external investigations and sanctions reflect on the public perception of the government. For the future, however, it would be interesting to see whether accountability is a zero-sum game. In a given situation of high publicity of government misconduct, how does the reputation of parliament or the Independent Counsel change? Is there a trade-off between the reputations of the investigative bodies, or are they all in the same boat when it comes to punishing the executive? Does the electorate think in terms of a dichotomy between the executive and the institutions of accountability, or does it perceive the very institutions of accountability as competitors?

Secondly, how do scandals affect trust in the democracy as a whole? Do scandals erode public support for the government only, or does this negativity translate into cynicism towards the legitimacy of the whole system?⁷⁸ Philp argues that in very stable systems in which corruption is rare and on minor scale, accusations of corruption may not damage the authority and legitimacy of the system as a whole. But in weak and newly democratized systems, scandal and accusations of corruption can become key weapons with which to undermine one's political opponents.⁷⁹

Apathy and system cynicism carry fundamental political significance as one could argue that cynicism

affects citizens' compliance, such as voter turnout, obeying traffic laws, paying tax, and registering for military service.⁸⁰

There are also two points of potential future interest: First, why is it that the rate of scandals has increased so much in recent years? Do scandals indicate a change in the personalization of politics, where the governments have moved from a reactive mode of behavior to a proactive one involving the long-term use of promotional strategies? Do politicians nowadays have more incentives and more zeal to engage in personal attacks? Has being personal and being negative become the new mode of conducting politics? Do repeated political onslaughts amount to a failure of leadership, or, conversely, to an astute Machiavellian way of amassing political power?

Second, what is the direction of the causality between scandals and public opinion? Do media reports about the government's misconduct decrease public support for the government, or does negative public opinion about misconduct encourage the press and the politicians to start scandals? This is not only a theoretical query but also an important analytical question. If the public's regard for the personality of the incumbents and their morals has increased, and this is what drives the spur of scandals, then scandals have become more frequent because of some fundamental change in the political system. The roots of the problem need to be traced to structural factors, such as a general problem of legitimacy in institutions in liberal democracies, particularly those where the parties that have been in power for many years have collapsed.⁸¹ One way to ascertain the direction of the relationship is to monitor existing prior attitudes to immoral or corrupt behavior by consulting the World Value Survey. Another way to test this is to compare the frequency of scandals shortly before election times and incorporate this in a two-stage least-square-regression model.

Conclusion

The dissertation aims at a comprehensive analysis of political accountability for highly-publicized alleged government misconduct. This is a novel approach, which lifts the boundaries among traditions exploring disparate types of accountability, and provides a multidimensional and interactive concept of government accountability. It comprises three main levels and explores the interactions between them. I examine how informal reputational accountability is affected by the exercise of formal accountability, how horizontal accountability affects vertical

⁷⁸ Ansolabehere and Iyengar. *Going Negative: How Political Advertisements Shrink and Polarize the Electorate* (Free Press 1997).

⁷⁹ Mark Philp. "Access, Accountability and Authority: Corruption and the Democratic Process".

⁸⁰ Susan Pharr and Robert Putnam, "Disaffected Democracies".

⁸¹ Manuel Castells. "The Power of Identity" (Blackwell Publishers, 1997).

accountability, and how structural, institutional accountability reflects on the agency and accountability of political actors.

The research challenges the established wisdom that public approval of the government depends exclusively on economic performance. It also bridges the gap between the literatures on institutional design and quality of democracy on the one hand, and political accountability on the other. I hope to be able to answer several important questions: How important are scandals for the stability and legitimacy of democratic governments? Do scandals affect the popularity of incumbents in Eastern and Central Europe less than they do in the West, and why is it that some democracies tolerate corrupt governments with more equanimity? Is it just economic prosperity that shapes the government's public image? Or does the level of uncertainty affect the public perception of government misconduct? Do actors have agency to portray the misconduct in more positive terms, or their actions constrained by the institutional and political environment?

Lastly, the proposed research excites my imagination. It is inter-theoretical and comparative. Now that I believe to have found a way to make it feasible as well, I am confident that I can accomplish it.

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Appendix 1. Definitions of scandal in the literature:

According to Thompson, scandal is:

1. An occurrence, which involves transgression of certain values, norms, or moral codes.
2. These values, norms, or moral codes are known to the public.
3. Some of the non-participants disapprove of the actions or events and may be offended by the transgression.
4. Some non-participants express their disapproval by publicly denouncing the actions or the events.
5. The disclosure and condemnation of the actions or events may damage the reputation of the individuals responsible for them.⁸²

King argues that: "Scandalous behavior is behavior that offends against a society's ethical norms. It may be common, but it is disapproved of. Not all behavior that offends against a society's norms, however, is usually thought of as scandalous. Scandals occupy a sort of middle ground of impropriety."⁸³

Jimenez argues that "we can define political scandal as a public opinion reaction against a political agent regarded accountable for certain behavior that is perceived as an abuse of power or a betrayal of the social trust on which that agent's authority rests."⁸⁴

⁸² John Thompson. "Scandal and Social Theory," in *Media Scandals*, ed. Lull and Hinerman, New York: Columbia University Press, 1997: 39.

⁸³ Anthony King. "Sex, Money and Power," in *Politics in Britain and the United States*. Comparative Perspectives, Durham: Duke University Press, 1986: 175.

⁸⁴ Jimenez, p.1100.

Schudson quotes Thompson to indicate scandals mean “struggles over symbolic power, in which reputation and trust are at stake.”⁸⁵

Funk uses scandal as a: “shortcut for publicized behaviors by a politician that are in conflict with society’s moral standards.”⁸⁶

Lowi is more succinct: “Scandal is corruption revealed. Scandal is a breach of virtue exposed.”⁸⁷

⁸⁵ Michael Schudson. “Notes on Scandal and the Watergate Legacy,” *American Behavioral Scientist* 47/9 (2004): 1237.

⁸⁶ Carolyn Funk. “The Impact of Scandal on Candidate Evaluations: An Experimental Test of the Role of Candidate Traits,” *Political Behavior* 18/1 (1996): 2.

⁸⁷ Lowi, “Politics of Scandal,” 6.

Appendix 2.

Table 1: Three basic accountability syndromes

Accountability Syndromes and Subtypes	Spatial Representation
Subordinate vertical	
Hierarchical accountability	
0 Elite controlling vertical	
1 Electoral accountability	
2 Reputational accountability	
Horizontal	
Legislative accountability	
Legal accountability	

Table 2. Accountability mechanisms and the corresponding mechanisms, catalysts, and signals

Accountability Syndromes	Accountability Mechanisms	Principal: Public or Legislature	Agent: Executive	Sanctioning Mechanism	Tentative Catalysts	Signal
Subordinate vertical	Hierarchical	Prime Minister	Government Members	Dismissal	Coalition Cabinet	Media
Elite Controlling Vertical	Electoral	Electorate	Government	Electoral Defeat	Economy, Culture, Party Competition	Media
	Public Reputational	Diffuse Public	Government	Low approval ratings	Economy, Culture	Media
Horizontal	Supervisory	Congress Parliament	Cabinet	Impeachment Committees	Interest groups "fire alarms"	Media
	Legal	Courts/ Independent Counsel	Government	Impeachment	Counsel's party affiliation	Media

Table 6. Classification of institutional investigations

1. EXECUTIVE GOVERNMENT'S PROCESS	1
Internal: by an individual official	1.1
Internal: by a committee, board, group or audit department	1.2
External: inquiry by one person	1.3
External: a judge or other lawyer	1.3a
External: other person	1.3b
External: "public inquiry by a commission or a committee	1.4
External: commission charged by a judge	1.4a
External: no judge involved	1.4b
External: judicial tribunal already provided for by law	1.5
LEGISLATURE'S PROCESSES	2
Existing permanent ("standing") committee of legislature	2.1
Ad hoc, special committee of the legislature	2.2
JUDICIAL PROCESSES	3
Criminal: indictment, trial conviction, appeal	3.1
Civil: legal action, inquest	3.2
INTERNATIONAL Investigations	4

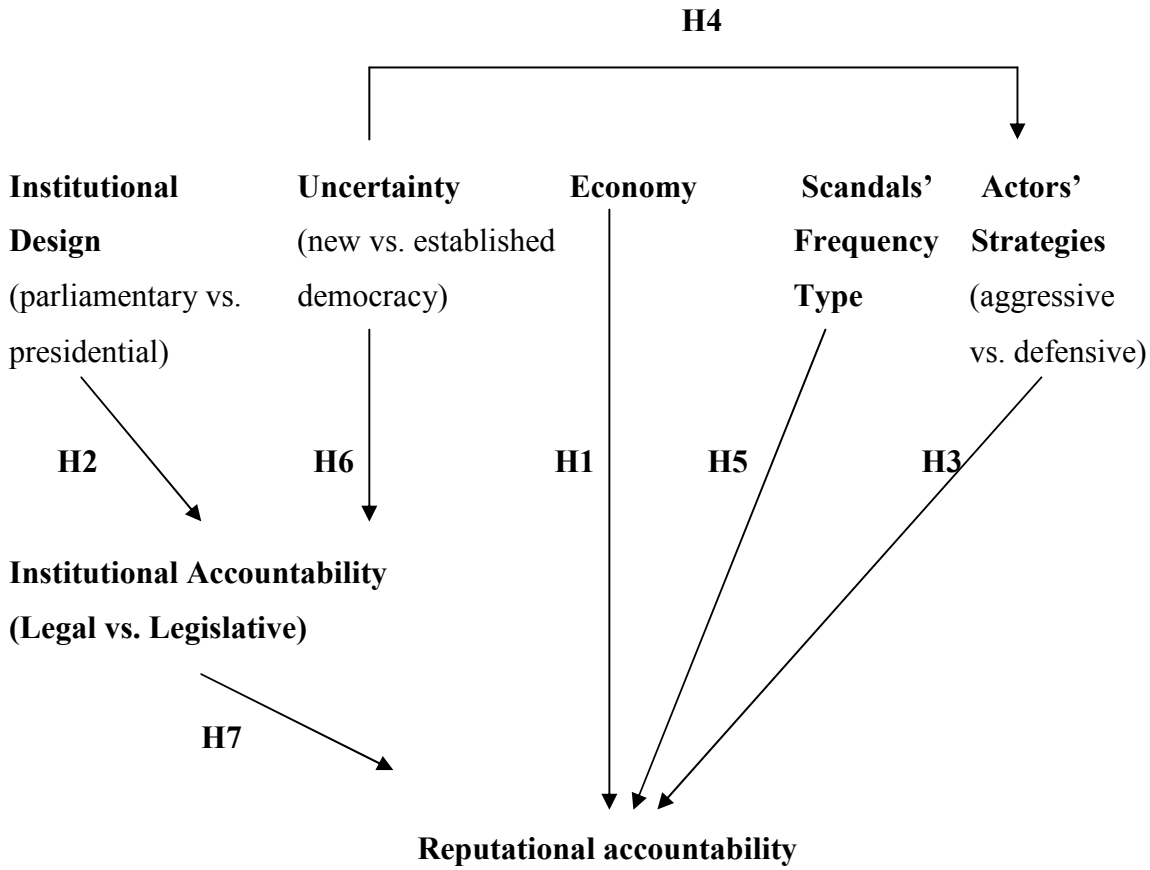
Source: Anthony Baker 1994

Table 7. Types of elite's tactics in responding to scandalous allegations

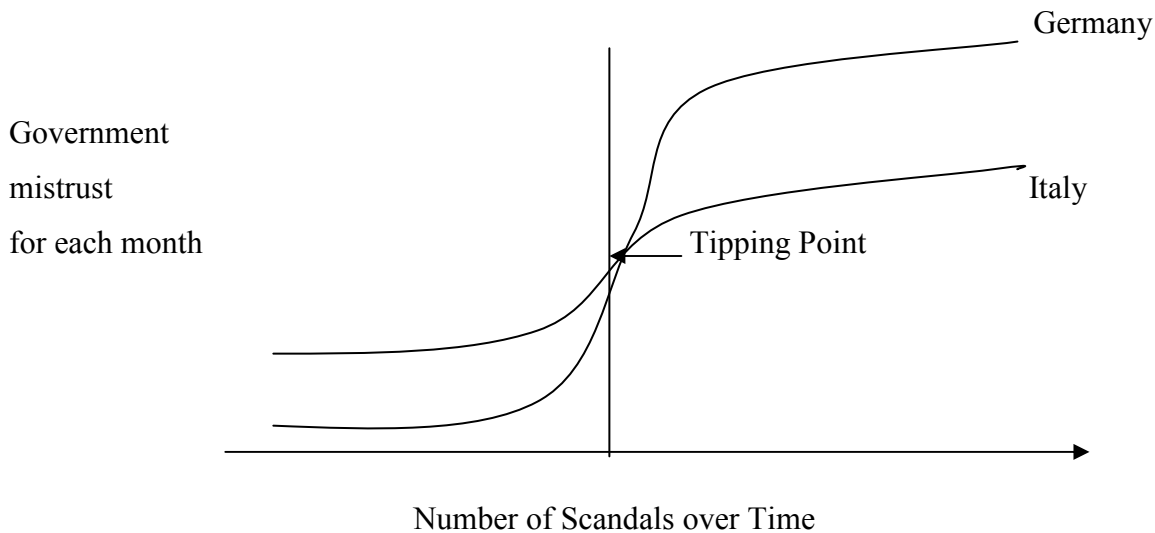
Assertive Elite Tactics	Offensive Tactics	Protective Tactics	Defensive Tactics
Ingratiation	Derogate Competitors	Avoid public attention	Denial
Exemplification	Find scapegoat	Minimal self-disclosure	Reframing
Self-promotion	Attack criticizer	Self-description	Dissociation
Power Display	Determine topic of discussion	Minimize social interaction	Justification
Identification		Remain silent	Excuses
		Passive but friendly interaction	Concession, apologies

Source: Astrid Schuetz, 1998.

Graph 1. Reputation of institutional, hierarchical and reputational accountability

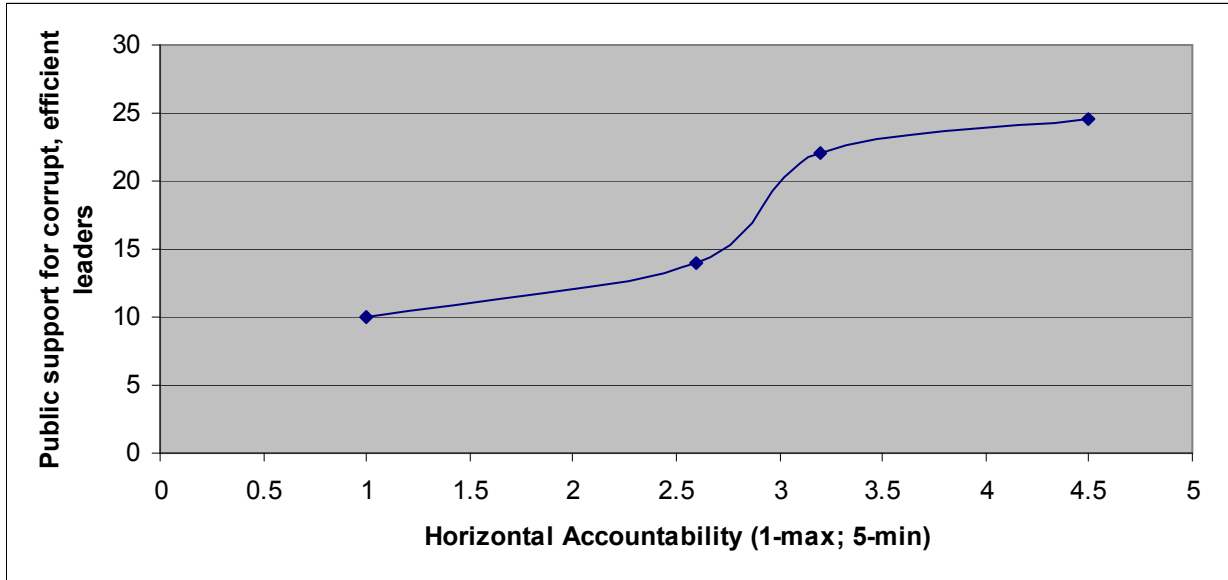


Graph 2. Hypothesized effect of legislative and legal sanctioning on the government's reputation



The slope indicates the degree of legal and legislative accountability.

Graph 3. Correlation between blame visibility and public support for corrupt government



Sources: Holmes 2001, Whitten/Powell index of blame visibility 1993