

**Central European Parliaments:**  
*First Decade of Democratic Experience  
and the Future Prospective*

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# Preface

## *Preface*

Parliamentary studies in Central and Eastern Europe analysing the first decade of democratic development have focused on national parliaments, the institutionalisation of democratic parliaments and the creation of new parliamentary elites. It is clear from a number of publications and scientific debates that research instruments used by individual national teams do not allow more than partial comparison both among countries of Central and Eastern Europe and in a pan-European context. The “Sociology of Politics” research department at the Institute of Sociology, Academy of Sciences of the Czech Republic, and the project group “Parliamentary Documentation and Information Center”, which for the past five years have concentrated on the study of the Czech Parliament in particular, and also on the creation of an information base on Central and Eastern European parliaments, have reached the conclusion that the time has come to summarise and assess the decade of research conducted by the Institute of Sociology, Academy of Sciences of the Czech Republic, and other scientific institutions in Central and Eastern European countries, and to define research priorities for the next decade in view of EU enlargement and the changing parliamentary agenda.

These considerations, which have taken a more concrete shape in exchanges with the International Political Science Association (IPSA) Research Committee of Legislative Specialists, have resulted in an international workshop “*Central European Parliaments: First Decade of Democratic Experience and the Future Prospective*” held in Prague, Czech Republic, in November 2003. The workshop brought together researchers from eight countries from Central and Eastern European countries, Germany, Canada and the United States, who are engaged in parliamentary studies dealing with Central and Eastern Europe. The workshop was also opened to members of the Chamber of Deputies of the Parliament of the Czech Republic, its staff (first of all, the Parliamentary Institute), and graduate as well as doctoral students.

The main objective of the workshop was to gather scholars engaged in field research, and to go beyond the isolated research studies on national parliaments and their actors that dominated the past decade of research by launching international co-operative investigations in the next decade and to assess priorities in parliamentary research for the forthcoming years. Based on the current trends in the Czech Parliament and on existing research, attention was primarily paid to the role of the parliaments in the new EU member states in the context of changes in the parliamentary agenda, the role of individual par-

liaments, and possible links between national parliaments and the European Parliament.

The present edited volume contains most of the presented contributions and a concluding paper by D. M. Olson, summarising the ideas and results of the round table titled *Possibilities of Cooperation and Co-ordination of Comparative Research*. At the round table, the workshop participants discussed the role of individual parliaments, possible links between national parliaments and the European Parliament, and attempted to assess priorities in parliamentary research in the forthcoming years and to identify new strategies for further research.

The volume is divided into four sections.

The first section, *Parliamentary Research Agenda*, presents current findings in empirical research studies on parliaments and parliamentarians in Central Europe and Germany. Bernhard Weßels presents the results of a longitudinal comparative study of German members of the Parliament and members of the European Parliament. Zdenka Mansfeldová concentrates on a description and analysis of the institutional framework and policy relations between the Czech Parliament and the government.

The second section, *Parliaments and the Processes of Globalisation and Europeanisation*, concentrates on the changing role and position of national parliaments in the twin processes of transformation and globalisation. Petr Kolář and Jindřiška Syllová describe the role played by parliaments in the candidate countries in the process of EU enlargement. Drago Zajc presents a comparative analysis of the changing functions of national parliaments after the accession to the EU and implications of the enlargement for the development of Central and Eastern European parliaments in the near future. Edward Schneier offers a look at possible comparative outlines concerning the scope of legislative powers between post-communist parliaments and parliaments with similar experience outside the region.

The third section, *The Role of Political Parties in the Parliaments*, concentrates on re-establishing research on political parties and their role in parliaments. David M. Olson provides an overview of the role of political parties in the organisation of parliaments with special attention paid to the relationship between parliamentary party groups and committees in Central and Eastern European parliaments. Petra Rakušanová and Lukáš Linek introduce a case study of Czech parliamentary party groups with respect to party unity and party cohesion. Csaba Nikolenyi examines coalition stability in new democracies using rational choice theory. Werner J. Patzelt elaborates an explanatory model of party discipline in German parliaments and analyses its application to international comparative studies.

The last section, *Legislative Recruitment*, concentrates on changes in legislative recruitment and career patterns. William Crowther presents results of his analysis of legislative recruitment in Romania and Moldova; Adéla Seidlová examines recruitment patterns in the parliamentary elite in the Czech Republic in the course of the 1990s. Stefan Laurentiu presents results of a survey on

Romanian MPs, analysing their career patterns as well as career preferences. András Schwarz examines experienced MPs in the Hungarian Parliament and describes the central core in the parliament.

We would like to acknowledge the contribution of Ellen Olson who has undertaken to edit the collected texts and to whom the editors and authors owe much for improving the attractiveness and quality their texts. We thank the Center for Legislative Studies at the University of North Carolina at Greensboro, and its Managers, Diane Elliot and D. Clinton Perkins, for their research assistance and computer support.

We would also like to express our gratitude to JUDr. Jan Kysela from the Senate of the Czech Republic, thanks to whom researchers were able to discuss their parliamentary research and to gain immediate access to the object of their research; a visit at the Senate of the Parliament of the CR and discussion with Senate Speaker Petr Pithart. We would also like to thank our collaborators from the Office of the Parliament of the CR, especially the head of the Office of the Parliament of the CR, Ing. Petr Kynšetr, CSc., and JUDr. Ing. Jiří Botur, CSc.; the Archive of the Parliament of the CR, namely Mgr. J. Šuchmová; the Library, namely PhDr. Karel Sosna and Jindřiška Vacková, and of course our research partner institution, the Parliamentary Institute headed by JUDr. Jindřiška Syllová, CSc.

Last but not least our thanks go out to our families for their continual understanding, love and support.

In Prague and Greensboro,  
Autumn 2004 Z.M., D.M.O and P.R.





# Parliamentary Research Agenda

## **Members of the German Bundestag in Perspective: Recruitment, Representation, and European Integration across Time and Countries**

*Bernhard Wessels*

### **Introduction**

Democratic elected parliaments are the institutional bodies which ought to represent the collective will of the citizens. Aside from representing the people, parliaments serve many functions like law-making, control of the government, and – in parliamentary systems – choosing the government (Patzelt 2003). Being the supreme representative of the sovereign, the people, parliaments traditionally have found and still find high attention in political science research. As in other countries, parliamentary research has a long tradition in Germany (Loewenberg 1969). The agenda, however, has shifted over the years. It has changed from classical topics like recruitment and law-making to the role of parliaments for responsiveness and representation and recently to the problems of decline of parliament's role in policy-making. In the latest discourses and publications, three topics re-occur regularly: first, the quality of politicians, either being regarded as socially too distant from their societies or being fools instead of professionals; second, the crisis of representation, and third, the decline of nation-state based democracy due to the internationalization of governance. The German debate is strongly influenced by the phenomenon "Politik-verdrossenheit", i.e., the alienation of people from politics and the debate about the so-called democratic deficit in the European Union.

Here, the three topics—the quality of politicians, the problem of responsiveness, and the question of decline of the role of parliament—will be dealt with from different angles including the perspective from within, i.e., the attitudes and orientations of the members of the German Bundestag and other parliaments in West Europe. Encompassing surveys among the members of parliament are comparatively rare in Germany, and comparative MP surveys even more rare. To a large extent, research on parliaments is rather focused on institutions than on actors—at least in Germany. The perspective that only individual representatives as roll-takers give life to the institution parliament is neither

very prominent nor neglected either. But, in contrast to other countries, where MP surveys flourished from the sixties on (e.g., Sweden and the Netherlands), not least inspired by Warren E. Miller and his efforts to prepare the European arena for representation studies, Germany has not seen too many studies.

Analyses rely on three surveys of the members of the German Bundestag, conducted over the last 15 years: the German Bundestag study 1988/89 (Herzog, Rebenstorf, Werner, Wessels 1990; Herzog, Rebenstorf, Wessels 1993), the MP survey conducted in 1996 in conjunction with the comparative study “Political Representation in Europe” (Katz, Wessels 1999; Schmitt, Thomassen 1999), and the most recent MP survey carried out at the Social Science Research Center Berlin (WZB) in 2003. These surveys do not only cover a time span long enough to ask for stability and change but do also cover the change from a West German to a parliament for whole Germany, East and West. In addition, the 1996 study allows for cross-country and cross-level comparisons, i.e., with other national parliaments and with the European Parliament, to put Germany in place. For parsimony, Germany will be compared with the average of all 11 parliaments surveyed in 1996, namely Belgium, France, Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, and Sweden.

In the following, the question of the quality of politicians will be looked at from the perspective of recruitment and professionalization of politics (section 2). The problems of responsiveness and representation will be addressed by looking to role orientations, policy representation, and communication structures between parliament and society (section 3). The role and future of parliament will be investigated by looking at the probably most severe challenge for nation-state democracy, namely the process of European integration (section 4).

## Recruitment and the professionalization of politics

**P**olitical recruitment is one of the main functions of every political system. It is one of the four central input functions (Almond, Coleman 1960: 47). Recruitment is closely related to the performance and functioning of democracy. In a normative sense it should be democratic, that is, it should be possible in principle for *every citizen* to run for office. However, in all advanced democracies it is obvious that legislatures are primarily drawn from particular segments of society: the better educated, more affluent, at least middle-aged, male, and politically experienced. More and more, politicians are not only living *for* politics but also *from* politics, to use a formulation of Max Weber (Weber 1958). This distorting mirror of the social composition of society has been discussed from the perspectives of different approaches. From of a microcosmic concept of representation it has been regarded as a challenge to political representation assuming that „just as portraits are representative if they look like the sitter, so legislatures are representative if they reflect the society from which they are drawn“ (Norris, Lovenduski 1995: 94). System theory regards this development as one of the striking examples of functional differentiation (Luhmann 1984). Elite theory discusses it as a trend towards the professionalization of politics (Herzog 1975).

In Germany, as in other advanced democracies, it has been observed that the availability of 'careerist' politicians for selection has made the members of parliament more homogeneous and thus reduced the chances for 'new blood' MPs (Roberts 1988: 113). This may have contributed to the phenomenon of *Politikerverdrossenheit*: the public's feeling that politicians pursue their own interests and have become unresponsive. This development also has raised some discussion about the emergence of a *political class* in Germany (Klingemann, Stöss, Wessels 1991; Leif, Legrand, Klein 1992; Wessels 1992), whose prior interest is not to live for, but rather from, politics and collectively to ensure their own survival (Borchert, Golsch 1995: 614).

Selection of candidates under these conditions would be more and more influenced by those already in office in order to reproduce the political class. This would contradict the pronounced demands of German voters who give some priority to social representation. On average about one quarter of the voters regard it as essentially necessary for casting their votes for a particular candidate to the German Bundestag that she or he comes from the same region and the same social class as the respective voters, almost twenty percent demand for the same generation. A remarkable 40 percent of the workers who do not feel represented by the government regard having a working-class background as an essential prerequisite for candidates to receive their votes (Rebenstorf, Wessels 1989: 417-422). However, elite research has demonstrated the insignificant effect of social background on political representation, because its impact on attitudes and behavior of political elites is rather weak (Edinger, Searing 1967; Schleth 1971; Matthews 1985: 42). It is well established that the impact of the social background of politicians on their attitudes and behavior far less significant than party affiliation.

The most convincing explanation for the phenomenon of the professionalization of politics has been provided by system theory assuming an ongoing process of differentiation of subsystems with their own functional needs. In this context, it is helpful to think of professionalization in terms of the 'supply-and-demand' analytical framework proposed by Norris and Lovenduski (1995: 106-110). The political system has developed a demand for specialized personnel capable to deal with the problems in a proper way. The proper way in politics does not necessarily mean the most rational and in terms of substance most competent way, but the one which can be politically realized within the framework of democratic rules of the game.

The agents providing the means to gain this particular qualification, i.e., to connect content to power and decisions, are the political parties. Thus, it does not come as a surprise that almost all MPs in Germany as well as in other countries have held local or regional party offices and have been on average members of their parties for more than a decade before getting into parliament (table 1).

Table 1: Occupational Background and Political Apprenticeship in Elected Office, 1996

		German MPs %	MPs in Europe (avg. 11 nat. Parliaments) %	Members of the European Parliament %
<b>PARTY CAREER</b>				
Years of party membership	0-15	27	39	35
	16-25	29	33	36
	26 +	44	28	29
Held local/regional party office		97	90	86
Held national party office		44	66	81
<b>HELD ELECTED OFFICE</b>				
in a local representative body		78	76	61
as a member of your local government		22	47	30
in a regional representative body		22	36	38
as a member of your regional government		5	19	14
as a member of your national government		10	14	16
Years in national parliament	0-5	39	58	61
	6-10	40	24	24
	11 +	21	19	15
<b>HELD ORGANIZATIONAL OFFICE</b>				
in a professional association		33	45	43
in a trade union		35	42	43
in a business organization		16	17	13
in a women's organization		20	12	17
in an environmental group		24	21	23
in a religious organization		32	27	20
<b>BROKERAGE OCCUPATIONS</b>				
Legal profession		10	15	10
Media profession		4	6	9
Legislative official		4	2	9
Party official		5	6	8
Government official		5	3	8
Political scientist		6	4	4
Interest organization official		6	4	4
Sum professionally-related jobs		40	40	52

	German MPs %	MPs in Europe (avg. 11 nat. Parliaments) %	Members of the European Parliament %
<b>OTHER OCCUPATIONS</b>			
Educational profession	16	14	14
Business employer	5	8	7
Physician	4	8	5
Economist	8	5	5
Farm manager/employee	4	4	3
Engineer, architect	12	7	4
Service manager/employee	3	5	2
Administrative official	6	7	4
Clerical manager/employee	1	1	1
Sales manager/employee	1	1	1
Production manager/employee	4	2	1
Armed services	1	0	0
Home worker	3	1	1
<b>N</b>	<b>317</b>	<b>1412</b>	<b>249</b>

Source: European Representation Study, 1996, WZB and University of Twente, ZA-Nos. 3078 and 3079. European MPs: cross-country average.

Many German MPs had governmental experience at the local level, three quarters experience in representative bodies. Quite of importance is also the experience of office in one or the other interest group.

From the selectivity of recruitment concerning professions one can conclude that professionalization is the key explanatory variable for recruitment. Meanwhile, about 40 percent of German MPs come from so-called brokerage occupations which is roughly about the European average although less than in the European Parliament. From legal professions to interest group officials, two thirds of the MPs have professions which have a lot to do with communicating and mediating, qualifications they bring into parliament (table 1, bottom panel). From the development of the proportion of MPs with academic education one can draw some conclusions about the dynamics of the process of professionalization: it is a steady process, still going on with the same pace like ten or twenty years ago, but soon hitting the ceiling: whereas in 1949 there have been more non-academics (58%) than academics in parliament, this has reversed since 1957 and today 81 percent have an academic education (Wessels 1997).

The process of professionalization is still not at his end: with regard to education, the ceiling will be reached quite soon; with regard to the selectivity concerning professions, there is still some potential; with regard to the typical party career, the system probably has reached its limits – or maybe even overdrawn. Party careers have become very longish, not very creative, and not very effective.

It is not unlikely, that parties will adjust themselves in this regard. This would, however, not mean less, but more and more effective professionalization.

**Representation: roles, policies, and social coalitions**

There is an obvious connection between recruitment and representation: the recruited ought to be the representatives. Better recruitment means better representation. But not all is in the hands of the individuals. There are institutions within which certain roles have to be performed. MPs act as role-takers with the duty to perform in a way that the institution, i.e., the parliament, can perform its function. From the constitutions one can deduce the institutional functions. Which emphasis is given to them by the action of those running the institution cannot be learned from rules.

Classical functions of parliament comprise articulation, legislation, mediation, and control (Patzelt 2003). German MPs put most emphasis on legislation and oversight: this can be gathered from the surveys in 1989, 1996, and 2003. Mediation of conflicts and interests is the relatively least important function in their views. In comparative perspective, Germany seems to be a very average case (table 2), looking at the rank orders of functions.

Table 2: Functions of Parliament and Focus of Representation

	German MPs 1989	German MPs 1996	German MPs 2003	MPs in Europe 1996 (avg. 11 nast. Parliaments)
<b>Relevance of parliamentary functions</b>				
Oversight	58	47	73	39
Articulation	17	32	30	35
Mediation	5	17	25	20
Legislation	58	44	76	44
<b>Relative relevance of focus of representation</b>				
Party voter	-	24	27	30
Constituency	-	54	51	37
Party	-	22	21	32

*Source:* German Members of Parliament Survey 1988/89, Free University Berlin; European Representation Study, 1996, WZB and University of Twente, ZA-No. 3079 (MPs in Europe: cross-country average); German Members of Parliament Survey 2003, WZB.  
*Parliamentary functions:* 1989: first rank (legislation and oversight in one category); 1996: percent highest value on a seven-point scale, 2003: percent highest value on a five-point scale.  
*Focus of representation:* multiple answers rescaled to 100 percent.

MPs thus regard legislation and control of the government as the prior function they should serve in parliament. The question is, however, under which under-

standing of and considerations about representation they are pursuing this goal. Roles can be regarded as individual translations of expectations towards a formal position. That is, ‘the chief utility of the role-theory model of the legislative actor is that, unlike other models, it pinpoints those aspects of legislators’ behavior which make the legislature an institution’ (Wahlke, Eulau, Buchanan, Ferguson 1962: 20).

Which understanding of the role of a representative is underlying the rank order of parliament’s functions that MPs are determining? Research into representational roles has a long tradition. In his famous speech to the electors of Bristol in 1774, Edmund Burke called for legislators to defend national rather than regional interests and not to follow instructions but their own mature judgment. This distinction between whom to represent and how to do it became known as the focus and style dimension of representational roles and has been used in research on role orientations of representatives ever since.

It is obvious that role foci must be defined in a way that allows us to differentiate between varying degrees of specificity of the unit or collectivity to be represented. This, however, has to be done for different dimensions. The classic dimension is the territorial one. A second one is normally functionally defined in terms of interests of particular collective actors (Eulau, Karps 1978). In continental Europe with strong party systems and proportional representation, the distinction between national and regional in the territorial dimension does not play a very important role. However, in Germany with its mixed electoral system and half of the MPs elected by the constituencies there is at least an institutional incentive for a regionally defined focus of representation. From comparative research it is known, that institutional settings have an effect on role orientations (Wessels 1999a). Indeed, German MPs put clear priority on the representation of their constituency and they do it to a higher degree than their counterparts in the other ten countries under investigation. Representing party voters and the party has quite equal weight in the MPs’ conception of representational roles in Germany as well as in other West European systems. The focus of representation is not very volatile. The relative relevance of representing party voters, the party, or the constituency did not change much between 1996 and 2003 (table 2).

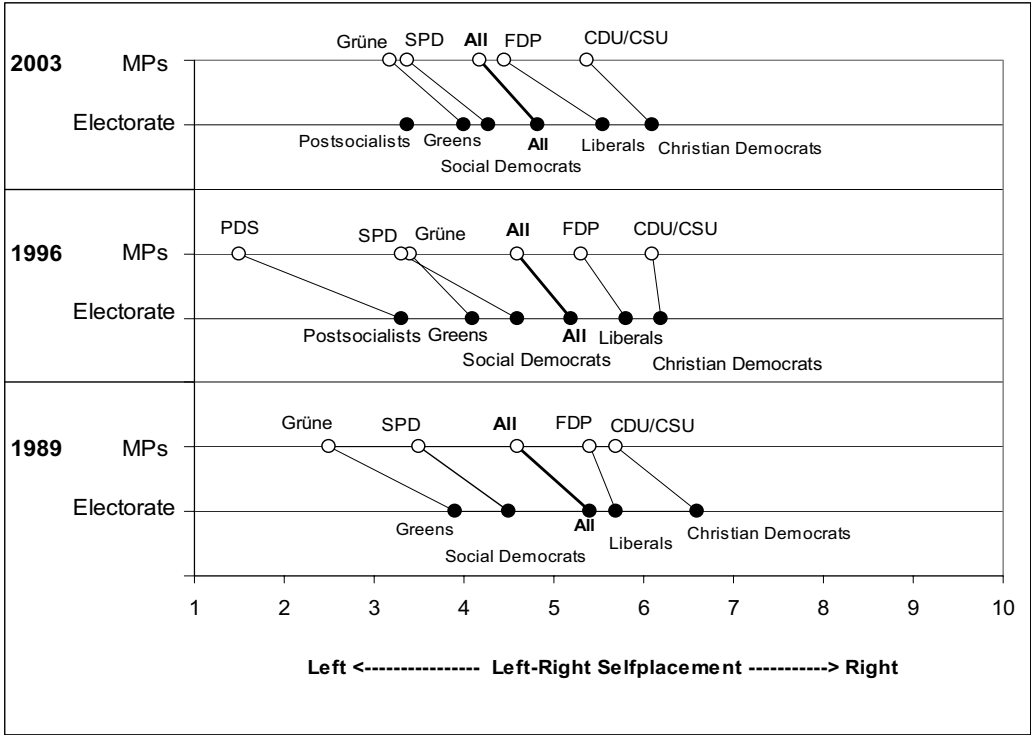
The style dimension of political representation has not proved to be helpful in understanding the mechanisms of representation in continental Europe. In Germany, almost all members of the German Bundestag answer to the question as to what they are most inclined to base their political decisions on that they would rely on their own view or conscience rather than on the views of their party or the views of their voters. Thus German members of parliament are trustees instead of delegates—that they say so is not surprising since the free and independent representative is a constitutional provision in the German “Basic Law” (*Grundgesetz*).

An obvious follow-up question is: How well do deputies represent their voters and is there any change over time? This question can only be answered if measurement is available at two levels: the level of representatives and the level of represented. A representation study design is needed to do so. The three German parliamentary surveys were all constructed as representation studies with a companion survey among the



public. This design goes back to Warren E. Miller, who did not only write the seminal article on representation with Donald Stokes (Miller, Stokes 1963), but also came to Europe in the sixties to implement his study design here. The comparative analysis of policy representation has shown that system characteristics matter for the quality and the way of representation (Miller et al. 1999). Comparatively, in Germany with its mixed electoral system more emphasis is put on the representation of party voters as compared to the medium voter than in the USA or France, but less than in highly proportional systems like Sweden and the Netherlands (Wessels 1999b). Thus, a comparison of members of parliament of a particular party with their respective party voters seems to use the just units to compare. A look at generalized political positions as measured by the left-right self-placement, shows that not too much has changed in the 14 years from 1989 to 2003. Party MPs are left of their party voters in every year, party polarization has not changed very much, although the PDS, the post-communist party, entered the Bundestag in the unification election of 1990. But a closer look reveals that something very interesting has happened: the established parties have squeezed their range on the left, making or leaving the space where the PDS stands. Nowadays, SPD and the Greens are more to the centre than before unification. This is not only true for MPs, but also for the voters (figure 1).

Figure 1: Left-Right Policy Representation in Germany, 1989, 1996, and 2003

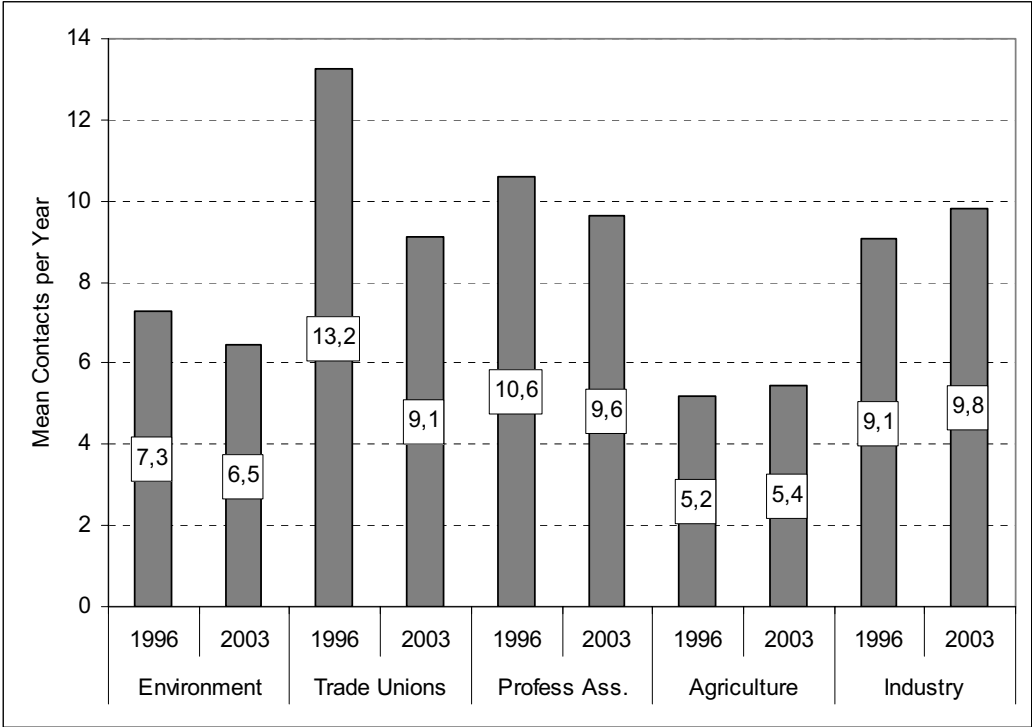


Source: German Members of Parliament Survey 1988/89, Free University Berlin; European Representation Study, Germany 1996, WZB and University of Twente, ZA-No. 3079; German Members of Parliament Survey 2003, WZB; respective voters' surveys.  
Party labeling: MP's German; electorate English.

What German MPs can claim, however, is that they represent their party voters relatively well. This is in particular the case if one discounts that they are always to the left of their voters. Within parties in parliament the homogeneity is very high, so that MPs can also claim to represent their parties, whereby the principle of party representation is guaranteed.

However, the formal political procedures of liberal democracy alone cannot ensure the responsiveness of the elected to the electors. The given complexity and multiplicity of interests in modern societies make it impossible for representatives to recognize public desires and demands by relying solely on individual citizens or the electoral process. That is why social groups are so important in political life in general and political representation in particular. Without the aggregation of individuals' interests into collective demands, interests are not visible, structured, or simple enough to be recognized correctly by political actors and to elicit the necessary degree of responsiveness. Since its beginning, interest group research has highlighted the relevance of (organized) groups for interest intermediation and representation (Bentley 1908, Truman 1951; Rokkan 1966). Interest groups are regarded as the major communication agents between society and politics between elections, providing the continuous linkage.

Figure 2: Mean Annual Contact of German MPs with Interest Groups, 1996 and 2003



Source: European Representation Study, Germany 1996, WZB and University of Twente, ZA-No. 3079; German Members of Parliament Survey 2003, WZB.

Thus, it is not surprising, that communication between MPs and interest groups is quite frequent. Calculations from individual mean contact figures show that in 1996 parliament had roughly some 30.000 contacts with interest groups, taking the most important organizational sectors only. For the year 2003 figures are somewhat lower for two reasons: first, individual MPs had about ten percent less contacts and, second, the number of MPs had decreased from 672 to 603. However, roughly 25.000 contacts per year are still not marginal. The distribution of contacts somewhat changed between 1996 and 2003 (figure 2). In 1996, trade union figured highest, in 2003 business and industry.

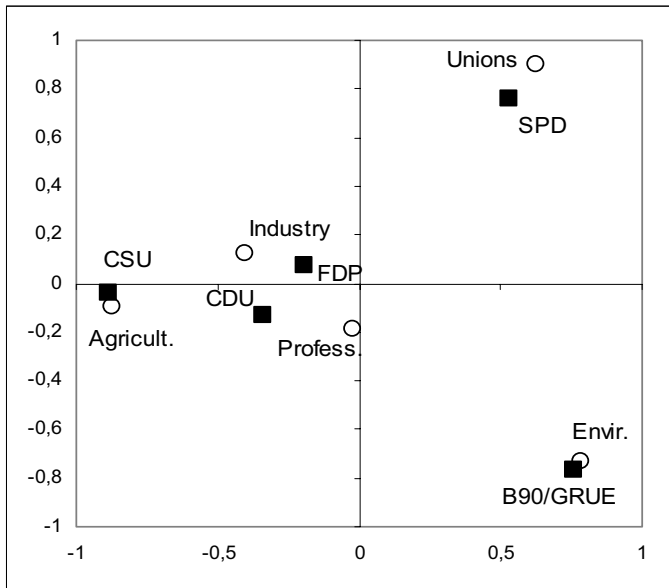
However, in terms of the selectivity of parties, or—to put it positively—the specific coalitions between parties and interest groups, the structure stays very much the same and mirrors the traditional socio-economic cleavage in German society as well as the more recent cleavage about New Politics and environment (Allardt 1968). In cleavage terms (Lipset, Rokkan 1967), a very typical coalition structure (Stinchcombe 1975) appears: unions are close to the Social Democrats, business and agriculture close to the Christian Democrats and Liberals, environmental interests close to the Greens (figure 3). Interestingly, this is a very stable pattern and can also be found in the 1989 and 1996 Bundestag surveys (not shown in figure).

Even more striking is that this is not a particular German feature. The configuration of contacts in the ten other parliaments under investigation in West Europe in 1996 shows a very similar pattern: conservative, Christian, and liberal parties band together with business, agriculture, and the professionals, social democrats and leftists with the unions, and greens and regionalists with environmental organizations. This seems to be an established structure and dominant pattern, because it could not only be found in the eleven national parliaments but also in the European Parliament (Wessels 1999c).

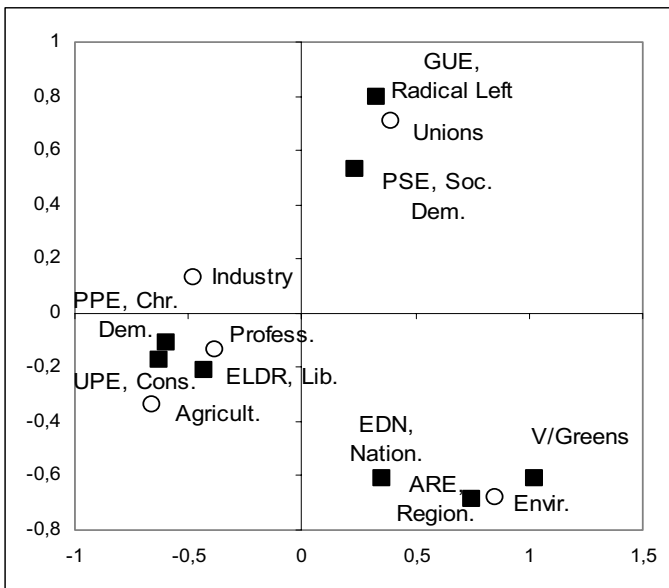
Thus, linkage mechanism between representatives and collective actors work within a structure which on the one hand indicates quite strong selectivity across parties in parliament but stands at the same time for persistent representational linkages with a high security of expectations with regard to recognized interests. The single party in parliament may be selective, the parliamentary body as a whole stands for strong linkages with all relevant interests in society.

Figure 3: Contact Structure and Social Coalitions in Parliament

a) German Bundestag 2003



b) Parliaments in Europe, 11-countries average 1996



Entries are mean annual contacts to interest groups of MPs by party. Correspondence analysis has been performed in order to present a spatial configuration of closeness of parties in parliament to interest groups.

Source: European Representation Study, 1996, WZB and University of Twente, ZA-No. 3079 (MPs in Europe: cross-country average); German Members of Parliament Survey 2003, WZB.

## Nation-state democracy and european integration

One of the major challenges facing nation-state democracy in the European Union is the process of political integration and internationalization of governance. Sensitivity to a variety of shortcomings of the integration process has increased tremendously in the recent years. The 1991 signing of the Maastricht Treaty, in particular, triggered an intense public debate concerning the legitimacy of European political institutions.

Whatever the trigger, the democratic question is on the agenda, and with it a big and complex debate about possible institutional solutions to the problem of EU legitimacy. This problem has emerged, because the European Community eroded the basic ordering principle of the modern European state, which is autonomy within and independence without—in a word, sovereignty. Without force or violence, the European Union has crossed the border from horizontal interstate cooperation to vertical (i.e., hierarchical) policy-making. The European Union possesses enormous redistributive powers and, in exercising these powers, has supremacy over national laws. This naturally raises the democratic question of how the system of institutions exercising this power is to be controlled and held accountable.

To adapt the scope of European state authority to the scope of markets requires that the complex relationships among European integration, the institution of the nation-state, and democracy have to be considered. In institutional terms, national governments are losing effective control over redistributive policies due to the pressures of economic competition in the integrated European market. Governments are, thus, losing output legitimacy. This aspect of the democratic deficit is widely overlooked. As Scharpf (1996: 1) observes, the “debate is deficient in so far as its focus is on the democratic deficit of *the European Union*, rather than the democratic deficit *in Europe*.” It appears that the only way to regain political control is to extend the scope of the state, i.e., to shift responsibility to the European level, and this, indeed, is what appears to be happening (Schmitter 1996: 124-7).

This, however, brings with it the demand for more input legitimacy at the European level, exacerbated by two further developments. First, most of the EU decisions are no longer made by unanimous agreement among national governments, each of which possesses an absolute veto power. Second, EU policy competence has expanded into areas (e.g., welfare and social policy) in which the obvious differences between member states with respect to wealth, social policy regimes, or dependence on agricultural subsidies make it unlikely that consensus will be obtained; the resulting tensions can only increase with the accession of new members.

On the background of this consideration, it does not come as a surprise, that MPs from Germany and other European countries are not very happy with the working of democracy at the European level. The EU performs quite badly when compared with the satisfaction with one’s own national democracy. The German data even suggest, that this has become worse for the EU between 1996 and 2003 (table 3, top panel).

Table 3: Satisfaction with Democracy and Parliamentary Control of the EU and EU Policy Involvement

	German MPs 1996	German MPs 2003	MNP 11, 1996	German MPs 1996	German MPs 2003	MNP 11, 1996
Satisfaction with the working of democracy						
	in Germany	in Germany	in own nation	in the EU	in the EU	in the EU
very satisfied	22	6	15	3	0	3
fairly satisfied	67	81	65	42	23	47
not very satisfied	11	13	17	51	67	40
not satisfied at all	1	0	3	5	10	10
Parliamentary control of Council of Ministers						
Very much	0	5	1	11	13	13
	1	4	2	23	25	17
	2	14	5	25	29	20
	18	22	20	16	18	16
	24	26	24	17	9	15
	29	22	27	8	5	14
Very little	26	6	21	2	1	5
Involvement in EU policy-making						

*Source:* European Representation Study, 1996, WZB and University of Twente, ZA-No. 3079 (MPs in Europe: cross-country average); German Members of Parliament Survey 2003, WZB.

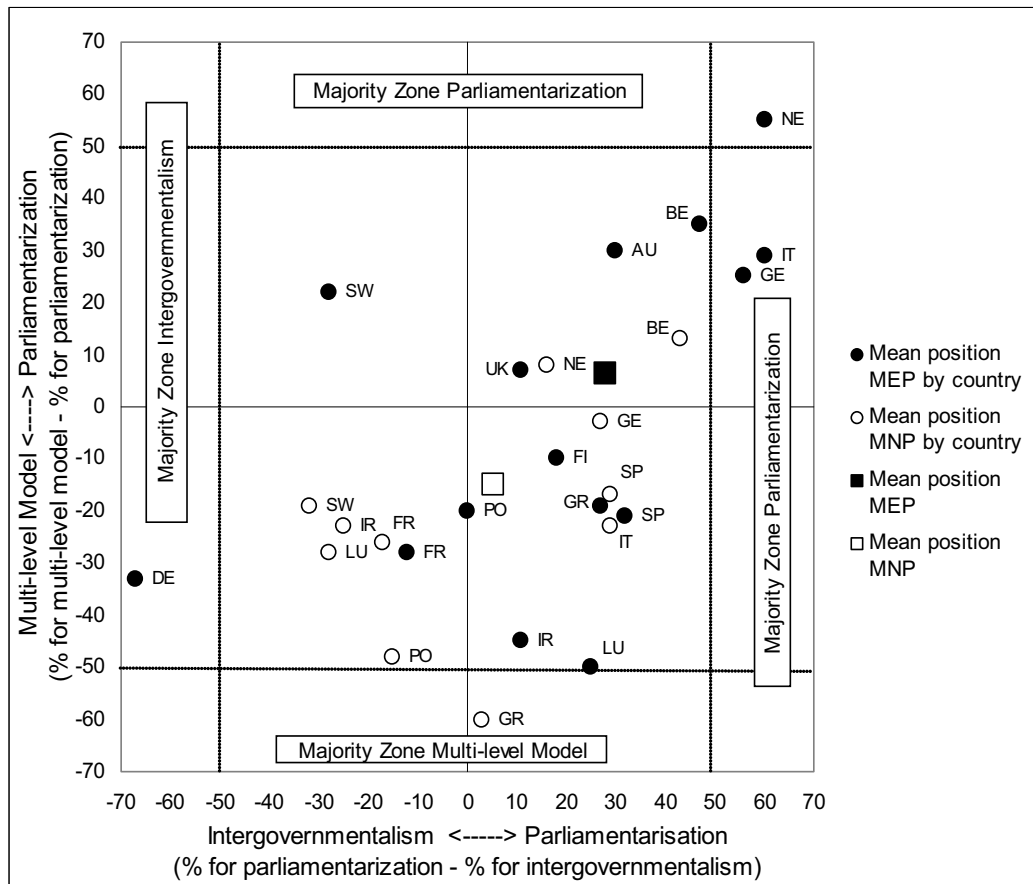
This obviously has to do with the feeling that there is too little control of the parliament over the positions the governments take in the Council of Ministers (table 3, bottom panel). Still, involvement of members of the German Bundestag in European politics is limited, though increasing (table 3, bottom panel). Higher involvement in European policy-making might help to improve the situation for the role of national parliaments in general.

The diagnosis of institutional deficits and higher involvement alone, however, will not lead to a satisfactory solution. Rather, institutional fantasy is needed to rearrange the interplay between nation-states, their institutions, and the European level. Although German MPs as well as those of other European countries are well aware of the problem, this does not imply that parliamentarians in Europe have a clear vision and consent about the future of the European polity. From a theoretical perspective, two extreme alternatives can be thought of: pure intergovernmentalism, which would mean that the European Parliament would be cut back to a symbolic body and the principle would be reestablished in the Council of Ministers, vs. a full parliamentarization of the EU with an EP having full legislative rights, the right to recruit the government, etc. A third in-between option is the multi-level model in which both levels, the national and the European, have divided and clear cut authority over policies. Empirical results from the 1996 survey among eleven national parliaments and the European Parliament make it obvious, that there is currently no majority solution. In most

parliaments, none of the options gains a majority, and the Netherlands, Italy, and Germany, where a majority of the members of the European Parliament favor parliamentarization, are facing Denmark as a counterpole. Only in Greece exists a majority position of members of the national parliament in favor of a multi-level model (figure 4).

These findings demonstrate that the democratization of the EU is a major and not easy undertaking. Recent discussions in the course of the so-called constitutional convention are affirming this. Whatever the outcome will be, national parliaments and their members have to be aware of the fact that their role in representation, legislation, and control will change and that they will have to adapt institutionally as well as in their behavior. The democratization of the EU might even change the criteria of the professionalization of politics.

Figure 4: Perspectives of MNPs and MEPs on the Democratic Order in the EU, 1996



Source: European Representation Study, 1996, WZB and University of Twente, ZA-No. 3079.

MEP: Members of the European Parliament.

MNP: Members of national Parliaments.

AU Austria; BE Belgium; DE Denmark; FI Finland; FR France; GE Germany; GR Greece; IR Ireland;

IT Italy; LU Luxembourg; NE The Netherlands; PO Portugal; SP Spain; SW Sweden; UK Great Britain.

## Conclusion

The results which have been presented confirm what has long been known: professionalization of politics has taken place and is still going on. Political representation means mainly representation of party politics embedded in a selective communication structure working very much along traditional and new cleavage lines. So far, this has not changed considerably in the last decades. Neither is there big change over time, nor has the German unification modified the outlook of parliament to a high degree. The comparison with other parliaments in West Europe even suggests that the German outlook is a quite universal pattern. Mechanisms and quality of representation may differ between countries according to the differences in institutional settings, but linkage mechanisms are reflecting partisan differences and cleavage lines which follow a similar pattern all over West Europe.

Whether new challenges and demands due to European integration will change the outlooks of national parliaments is an open question. Although it is obvious, that parliamentarians of national parliaments are well aware of the problems for democracy and representation arising from European integration they do not really have a handle on this in terms of a straight-forward vision of the future political order in Europe. It might well be that the decades to come will change many things in the national parliaments: from functions over roles to recruitment criteria. Without an institutional adaptation at the national level, traditional mechanisms of political legitimation and representation will be questioned and even may increase the so-called democratic deficit. The future role of national parliaments seems to be undetermined at the moment. But certainly, they will have to play an important role in translating wishes of the people into policies be it by exercising influence on European policy-making or be it – depending on the constitutional solution for Europe – in those policy areas where legislative power is reserved for the national level.



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# **The Politics between Parliament and Government – the Institutional Framework and the Reality within the Czech Parliament**

*Zdenka Mansfeldová*

## **Introduction**

**T**he issue of accountability is a problem in every democracy, and particularly in countries currently building a democratic system and market economy. Accountability is connected to the delegation of power, the existence of classical democratic checks and balances, the potential abuse of power, and the existence of sanctions. The legislative foundation creates the necessary framework for the accountability, but political practice may be different as “the rules of the game” are created gradually. Often the weaknesses of particular legislation are only revealed after it has been put into practise. Accountability is related to the institutionalisation of democratic structures, the establishment of democratic values, the acquisition of experience, the professionalisation of the elite and, last but not least, external political and economic influences.

The issue of responsibility and accountability is a problem in all democracies, and this is particularly true of countries transitioning to democracy and a market economy. Although the constitutional system was defined at the beginning, the weaknesses of enacted legislation were only gradually revealed and modifications to such legislation were made. The metaphor presented by Elster et al. of “rebuilding the ship at sea” (Elster et al. 1998) is quite pertinent in this context. It was symptomatic of the beginning of the economic and political transformation that the problems that arose could be solved only through democratic mechanisms, at the same time as these very mechanisms were still being developed.

The concept of horizontal accountability, or accountability of political power, is a potential theoretical framework which we can use to interpret the politics between the government and the Parliament<sup>1</sup>. The term accountability “expresses an old issue of democracy but an explicit effort to define the meaning of this term in the context of political science appeared only in mid-1990s” (Krause 2000:19). The concept of accountability is, indeed, somewhat speculative but it provides a satisfactory interpretative framework for the host of relations and processes taking place between citizens (voters) and politicians, between politicians themselves, and between political institutions and elite in general (Brokl et al 2001). The term ‘accountability’ carries a number of relationships with other terms such as ‘representation’, ‘responsiveness’, ‘reliability’, ‘answerability’, and

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Horizontal accountability (Merkel 2002):

- control of the executive branch by the parliament
- control by the executive branch and/or public authorities by the judicial branch
- independence of the judicial branch from the executive

‘sanction’; however, in this paper, I have decided not to investigate these theoretical issues in depth.

In this paper I use the generally accepted basic differentiation introduced by O’Donnell (O’Donnell 1998) between vertical and horizontal accountability, according to which vertical accountability “describes the relationships between unequals”, including relationships between superiors and inferiors and between voters and their representatives. Electoral vertical accountability is a frequent subject of study (see, for example, Przeworski, Fearon, Stokes, and others). Horizontal accountability includes relationships between equals, i.e., between democratic institutions themselves [Schedler 1999, and others]. Horizontal accountability depends on the existence of the classic “checks and balances” and includes the executive, legislative and judiciary powers on the one hand, and on the other the existence of institutions that supervise, control, interfere and impose sanctions in the case of illegal misconduct (O’Donnell 1998, Zajc 2000). In addition to vertical and horizontal accountability, a third dimension has appeared in connection with the growing process of globalisation. Accountability is influenced by a number of international and supranational organisations bringing reforms from outside and defining standards to which new states must adhere in order to be accepted by these supranational institutions.

Vertical and horizontal accountability are strongly linked to the degree of development of democracy. They can also function as a gauge of the consolidation of democracy. For example, Merkel considers horizontal accountability one of the factors crucial for an *embedded democracy*. “*Democracy is defined by a set of institutional minima, which firstly comprise a vertical dimension of democratic power, i.e. vertical accountability, universal active and passive suffrage and the effective guarantee of the related basic rights of political participation; secondly a horizontal dimension, i.e. accountability between the constitutional power; and thirdly a transversal dimension, the effective attachment of governmental power to the democratically legitimated holders of offices and mandates*” (Merkel 2002).

## **The legislative framework of the relationship between the government and the parliament**

**T**he division of powers between the executive and legislation is undoubtedly a central problem in every system of government; therefore, it came as no surprise that the process of democratic changes of the constitutional system in Eastern European countries resulted in heated exchanges (Brunner 2002: 67).

The relationship between the parliament and the executive (the government and the President) is defined in the Constitution of the Czech Republic. The question is the extent to which this arrangement resembles the situation that developed in Western democracies and to what extent it addresses the specific situation at the beginning of the democratic transformation. By the 1970s, the influence of the executive branch in advanced democracies had increased and that of the parliament decreased. The relationship characterised by Duverger’s statement “If Government is the engine, let the parliament be the brake” has

changed. In comparative studies, the Czech Republic is ranked among the countries with a government system dominated by the parliament (Beichelt 2002). According to the Czech scholars, in the Constitution of the Czech Republic the parliament is not conceptualised as an institution holding greater powers than the executive. When the new constitution of the Czech Republic was being adopted in December 1992, experts criticised the division of powers between the parliament and the executive and talked about the limited power of parliament (Broklová 1992, Jičínský 1995).

Despite the criticism of the Czech scholars, at the outset of transformation in 1990-92, during the period of building a legal state, the adoption of new legislation resulted in the role of the parliament being greater. The MPs felt this leading role was important. This is related to the often-mentioned over-parliamentarisation of the transforming countries of Central and Eastern Europe (Ágh et al. 2002, Ágh 2002).

Parliaments of Central European countries have participated in the process of political modernisation both by adopting successful Western models and by returning to their pre-war democratic traditions. This resulted in the parliament assuming the dominant role in the process of system consolidation. The virtual monopoly of the parliament in political life, also described as 'over-parliamentarisation', is now facing the dual challenge of globalisation and Europeanisation (Rakušanová 2003).

As in other countries, the Czech Parliament is the only constitutional body that has the power to adopt laws, including constitutional laws<sup>2</sup>. In addition to constitutional and legislative powers, the parliament enjoys other powers, especially that of oversight and installation powers<sup>3</sup>. The government is responsible to the Chamber of Deputies, which may bring a vote of no-confidence against the government. The Parliament also approves international treaties and makes major decisions concerning declaring war and dispatching armed forces outside the Czech Republic. The relationship of the legislative and executive powers defined in the Constitution also indirectly defines the relationship of the two chambers of the parliament. The Chamber of Deputies is the stronger of the two chambers in relation to the government, and according to the Constitution the government is responsible only to the Chamber of Deputies. The second chamber, the Senate, does not have any direct links to the government. The Constitution of the Czech Republic allows for a person holding a seat in the Chamber of Deputies or the Senate also to hold a position of minister; however, ministers cannot be members of parliamentary committees.

The interconnection of the two functions in the Czech Republic is a very common phenomenon, as can be seen in Table 1. The situation in Slovakia is very

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The Parliament of the Czech Republic has two chambers and consists of the Chamber of Deputies with 200 Deputies and the Senate with 81 Senators.

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The Parliament - both chambers together - elects the President of the Republic, the Senate expresses its consent with the appointment of constitutional judges, the Chamber of Deputies elects members of the Supreme Audit Office etc.

similar to that of the Czech Republic. In Slovenia, a MP cannot hold a seat in the Chamber of Deputies or the Senate and hold a ministerial position.

The regulation in Poland could be described as a limited incompatibility. According to the Polish Constitution, the MP's seat cannot not be held jointly with the office of the President of the National Bank of Poland, the President of the Supreme Chamber of Control, the Commissioner for Citizens' Rights, the Commissioner for Children's Rights or their MPs, a member of the Council for Monetary Policy, a member of the National Council of Radio Broadcasting and Television, ambassador, or with employment in the Chancellery of the Sejm, Chancellery of the Senate, Chancellery of the President of the Republic, or with employment in government administration. This prohibition does not apply to members of the Council of Ministers and secretaries of state in government administration. In Hungary a minister can hold the office not only of an MP in the parliament but also may be a member of a parliamentary committee.

Table 1: Percentage of MPs and senators in cabinets in the Czech Republic (1992-2003)

Cabinet	Number of Ministers	MPs (number/%)	Senators (number/%)
V. Klaus's cabinet 1992 – 1996 (as of 1. January 1993)	19	5/26.3	0/0
V. Klaus's cabinet 1992 – 1996 (as of 1. January 1996)	19	6/31.6	0/0
V. Klaus's cabinet 1996 – 1998 (as of 1. January 1997)	16	14/87.5	0/0
J. Tošovský's cabinet 1998 (as of 1. February 1998)	17	8/47.1	0/0
M. Zeman's cabinet 1998 – 2002 (as of 1. January 1999)	19	8/42.1	4/21.1
M. Zeman's cabinet 1998 – 2002 (as of 1. January 2001)	16	7/43.8	3/18.8
V. Špidla's cabinet 2002 – (as f 1. January 2003)	17	13/76.5	2/11.8

Source: *Parliamentary DICE* (Linek, Rakušanová 2002: 39)

In the Czech Republic, a vote of 'no confidence' can occur based on a request signed by at least fifty MPs, and an absolute majority of members of the Chamber of Deputies must be present for such vote. All legal acts and major policies have to be debated in the parliament. Members of the government have the right to take part in the meetings of the chambers, committees and commissions. They are given the floor whenever they wish. If a resolution of the Chamber of Deputies so requires, they are obliged to take part in meetings. In the case of committees and commissions, they can delegate a substitute unless their personal attendance is explicitly required. Any Deputy has the right to pose parliamentary questions to the Government or its members. These have a duty to respond to the question within 30 days. The practice might differ from the rule when parties from the ruling coalition decide not to interpolate their deputies openly during the plenary session.

The Chamber of Deputies can be dissolved by the President of the Republic under the following circumstances: if the Chamber of Deputies has not declared

confidence in the government; if it fails to make a resolution within three months on a governmental bill which entails a request for a declaration of confidence; if the procedures of the Chamber of Deputies have been interrupted for longer than the permissible period (the total extent of the interruption must not exceed 120 days per year); if the Chamber of Deputies fails to achieve a quorum for longer than three months although the procedures were not interrupted and sessions have been called repeatedly. It cannot be dissolved during the three-month period before the end of the election term. In the case of dissolution of the Chamber of Deputies, the Senate can adopt legal regulations that cannot be postponed and that would otherwise require adopting a law.<sup>4</sup>

Because the goal of this paper is to analyse the problem of accountability in the Czech Republic, I will focus, as an example, on the institutions that are accountable to the Chamber of Deputies of the Czech Parliament in the area of the economy. According to the Constitution, Article 97, the Supreme Audit Office (SAO), the independent audit institution, performs the audit of national property management and implementation of the State Budget. The President and Vice-president of SAO are appointed by the President of the Republic at the recommendation of the Chamber of Deputies. The Chamber of Deputies, and specifically the Budget Committee, initiates the tasks of SAO. The co-operation has been very good so far, and there is mutual understanding and agreement. SAO has a duty to submit a summary report of its activities, a report of its economic activities and its budget to the Chamber of Deputies. The latter approves it at the suggestion of the Budget Committee after consultation with SAO. The Ministry of Finance must adopt the budgets of the Chamber of Deputies, Senate and SAO as suggested by the Parliament.

The Budget Committee has established the Audit Subcommittee. The Audit Subcommittee has selectively dealt with some findings of SAO. It also has detailed records of audits at its disposal, and has the right to call the respective minister. There are many SAO findings, and the Subcommittee may choose only those cases that it deems to be particularly significant. Having the necessary documents available, such as records of audits, the Subcommittee can study a particular case in depth. Then, on the basis of its own proceedings, the Subcommittee informs the Budget Committee, which in turn considers how to deal with the findings.

The Chamber of Deputies of the Parliament approves the budget and has the capacity to amend or reject the budget proposal of the executive, but lacks the capacity to formulate and substitute a budget of its own (Wehner 2003:10)<sup>5</sup>.

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However, the Senate is not able to adopt legal regulations concerning the Constitution, state budget, closing statement of budget account, election law, and international treaties which have the force of a law. A legal regulation is submitted to the Senate by the Government and eventually signed by the Chairperson of the Senate, President of the Republic and the Prime Minister. It must be approved in the first session of the Chamber of Deputies. Unless the new Chamber of Deputies adopts it, the regulation loses legal force.

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The Chamber of Deputies also approves the report of activities of the National Property Fund. The activity of the Fund is then checked by SAO and its reports are submitted to the Chamber of Deputies. The Export Bank, as well, submits reports of activities, reports of its economic activities and its budget to the Chamber of Deputies.



The actual functioning of the relationship between the Parliament and the government is defined not only in the legal framework but also by the position of the Prime Minister and the power of the ruling party or coalition. The Prime Minister “is in a position of *primus inter pares*, i.e., in a position of a chair rather than superior” (Kolář a kol. 2002:179). The government adopts decisions collectively. The consent of a majority of all members of the government is required to adopt a decision. The Prime Minister does not have any power to interfere with the activity of individual ministers’ departments. The formal position of the Prime Minister is described in the Constitution; however, his/her informal position within a political party is crucial. As Kolář, Pecháček and Syllová caution, the fundamental question is whether there is any relationship between the performance of the Prime Minister and the chairperson of a political party (in a coalition cabinet, the Deputy Prime Minister and the chairperson of the coalition party). This informal position has an influence on the ability of the Prime Minister to influence individual departments.

Parliamentary committees are the basis of legislative and control activities in every parliament. In these committees, major decisions are made on a majority of bills of acts. Except for legislation, the second most important task of the committees is to review the functioning of the government. This task is the natural consequence of a system of government in which the administration is directly and continuously responsible to the parliament. Committees are the main practical working instruments through which these responsibilities are met.

How effective the oversight is depends on the ability of the committees to collect information from the government, ministers and other administrative officials. Members of the Chamber of Deputies realised the importance of information from the administration authorities during the drafting of the Law of Rules of Procedure. MPs obtained the right to compel government officials to provide information during committee meetings. Members of government and members of the other central administrative agencies are required to personally attend a meeting of a committee when asked, and to provide the information and explanations requested.

The effectiveness of administrative review is affected also by the composition of the Chamber of Deputies in relation to the composition of the government (table 2). When the government has a majority in the Chamber of Deputies, the effectiveness is lower because the government has a majority in each committee. In practise the ministers and officials do not usually refuse to provide required information, but the MPs from government parties defend their ministers from excessive interference with executive power. When there is a minority government, the effectiveness of administrative review increases, especially in committees in which the chairman is an opposition deputy. The program of a committee is focused on administrative review and the content of debates is more substantial (Mansfeldová et al. 2002). Any committee may establish a subcommittee dealing with a specific issue.

Table 2: The composition of the government and its support in the Parliament

Cabinet created	Governing party/parties	% of Parliamentary seats
June 1990 – Federal government	9 OF, 4 VPN, 2 KDH, 1 independent	65
June 1990 – Czech government	10 OF, 2 KDU-ČSL, 1 HSD-SMS, 8 independent	84
June 1992 – Czech government	11 ODS, 4 KDU-ČSL, 2 ODA, 2 KDS	56
July 1992 – “temporary” Federal government	4 ODS, 4 HZDS, 1 KDU-ČSL, 1 without party affiliation	52.7
June 1996	8 ODS, 4 KDU-ČSL, 4 ODA	49.5
January 1998 (semicaretaker government)	3 KDU-ČSL, 4 US (former ODS), 3 ODA, 7 without party affiliation	31
August 1998	18 ČSSD, 1 without party affiliation	37
July 2002	11 ČSSD, 3 KDU-ČSL, 3 DEU	50.5

Source: *Parliamentary DICE*, Institute of Sociology, Academy of Science of the Czech Republic

In addition to committees, the Constitution stipulates that the Chamber can set up commissions to act as control mechanisms over special spheres of executive activity.<sup>6</sup> In order to investigate a matter of a general interest, the Chamber of Deputies may establish an Inquiry Commission provided that at least one-fifth of all MPs requests this. Parliamentary Inquiry Commissions are an important tool of parliamentary control over the executive. The provision that only the Chamber of Deputies is allowed to establish Inquiry Commissions is a result of the principle that the government is responsible only to the Chamber of Deputies. Members of Inquiry Commission are MPs who are not members of the government. For its tasks, the Inquiry Commission can engage experts, particularly investigators and support staff. The work of the Inquiry Commission is confidential. The Chamber of Deputies may decide on a course of action based on the conclusions of the inquiry, e.g., may adopt a resolution whereby it may demand that the government adopt appropriate measures, or it may demand that a responsible officer or minister should be recalled and may declare no confidence in the government. Each person summoned by the Inquiry Commission is obligated to appear in front of the Commission and testify as a witness on the matter that is subject of the inquiry. If a person fails to appear before of the Commission, the Commission can have him/her brought in front of the Commission. If the facts discovered by the Inquiry Commission suggest that a

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There are three such bodies: Permanent Commission of the Chamber of Deputies for Controlling Activities of the Security and Information Service; Permanent Commission of the Chamber of Deputies for Controlling Operative Technology of the Police of the CR; Permanent Commission of the Chamber of Deputies for Controlling Military Defence Intelligence, which carries out activities similar to the committee supervising civil intelligence services.

crime has been committed, the Inquiry Commission may report this to the bodies active in criminal proceedings.

If we look at which types of problems Inquiry Commissions were established to investigate between 1992 and 2001<sup>7</sup>, we see that of the total number of seven commissions, four dealt with economic matters (for example decision on the privatisation or forced administration of a bank).

The relationship between the government and the parliament has an institutional arrangement, as has been described above, but within this arrangement various types of interactions can come into play. Referring to King [King 1976] and Andeweg (Andeweg et al. 1995), Ágh mentions three basic types of interaction between the government and the parliament:

- the non-party mode, where the fundamental logic of division between government and parliament prevails,
- the inter-party mode, where connections are strong between ministers and MPs from the same party and they interact with ministers and MPs of other parties either in-coalition or in opposition format,
- the cross-party mode, where ministers and MPs get together to interact on the basis of cross-party interests (Ágh 2002:81).

It appears that at the beginning of the 1990s the inter-party mode predominated in the Czech Republic. This is well illustrated by the informal agreement among the MPs of the ruling parties not to interpolate ministers of their own party/parties. Informal consultations between MPs and ministers of the ruling parties were also quite common. Toward the end of the 1990s we can see a gradual transfer towards the non-party mode.

## **Relationship of the parliament and government as seen by MPs**

We can illustrate how Czech lawmakers saw the relationship between the government and the Parliament based on the results of a repeated study. Since 1993 we have regularly asked in our surveys about the importance of different parliamentary functions (see Table 3). In the opinions of MPs, the control of government was the third most important role of the Parliament after legislative activities and budget improvement (Mansfeldová 2000a:119). In view of the fact that, as in other post-communist countries, the Parliament began to perform this function after the change of the political regime (it was *de facto* the Communist Party that discharged this function in the period of socialism), the relationship between the legislative and executive branches began to take shape, as did the opinions of MPs on this issue. Based on an example of the Hungarian parliament given by Soltész (Soltész 1995), it appears that the legislative and control functions of the parliament cannot be rigorously separated from each other, and they are closely interconnected. In the process of legislative development, a certain form of control is performed. The parliament furnishes

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State as at 31 May 2001.

the government with powers, rights and duties and adopts the state budget for the execution of these functions.

The importance of the parliamentary control of government as shown in table 3 is viewed differently by the government coalition and by opposition parties. The opposition demanded greater control. MPs of the parties of government coalitions did not attach such a high value to this issue. Though the importance of explicitly formulated control of government decreased somewhat in comparison to 1993, the highest importance still was attached to the adoption of the state budget, which is one of the forms of indirectly controlling the government. In the opinion of MPs, however, individual functions of the parliament have not always been fulfilled according to their importance (see Table 4).

Table 3: The importance of activities of the Parliament between 1993 and 2003.

Activities	1993	1996	1998	2000	2003
Legislative activities	4.78	4.50	4.67	4.97	4.72
Control of the government	4.61	4.22	3.94	4.64	4.27
Consideration and evaluation of proposals submitted by various social groups	3.22	2.83	3.00	3.74	3.17
Approval of the state budget	4.78	4.72	4.72	4.95	4.80
Processing of petitions and comments of citizens	3.39	1.56	3.22	3.86	3.37
Preparation of the EU accession	.*	.*	4.22	4.61	4.09
Approvement of international treaties	-	-	-	-	3.83
Keeping contacts with foreign partners	-	-	-	-	3.20

1 = least important, 5 = most important

Source: Institute of Sociology, Academy of Science of the Czech Republic (SOÚ AV ČR).

Table 4: Evaluation of how parliamentary functions were fulfilled between 1993 and 2003.

Activities	1993	1996	1998	2000	2003
Legislative activities	2.28	1.56	2.33	3.90	2.72
Oversight over the government	3.06	3.06	2.83	3.43	2.77
Consideration and evaluation of proposals submitted by various groups	3.22	2.89	3.06	3.17	3.14
Approval of the state budget	2.00	2.00	1.94	3.55	2.22
Preparation of petitions, comments and suggestions of the citizens	2.72	2.78	2.89	3.24	3.07
Preparation of EU accession	-	-	2.61	3.96	2.60
Approval of international treaties	-	-	-	-	2.16
Keeping contacts with foreign partners	-	-	-	-	2.52

1 = very good, 5 = completely bad

Source: Institute of Sociology, Academy of Science of the Czech Republic (SOÚ AV ČR).

Comparing table 3 and table 4, the view on how parliamentary functions are fulfilled is critical. The fulfilment of its significance. This reflects the burden of legislation that was greater at the beginning of the 1990s, and again at the end of 1990s, in due to the harmonisation of Czech legislation with the European Acquis, the lower quality of legislation, and the need for frequent amendments to laws already adopted. The excessive number of regulations affected their quality, see (Rakušanová 2001). In 2003, we find a big decline in satisfaction with the parliamentary activities connected with the state budget. An explanation could be the approval of a budget with a growing deficit.

An overview of the amount of work and the quality of the proposed acts is given in Table 5. The statistics show that the government submits most bills, and that this tendency is increasing. Governmental bills are also more successful, according to the proportion of acts drafted by government and passed by parliament.

Table 5: Legislative activity of the Parliament of the Czech Republic

	1st term (1992 – 1996)				2nd term (1996 – 1998)				3rd term (1998 – 2002)			
	Submitted		Passed		Submitted		Passed		Submitted		Passed	
Draft by:	No	%	No	%	No	%	No	%	No	%	No	%
Government	285	64	111	51.6	315	61.0	83	77.6	426	59.6	319	75.5
Deputies	166	36	102	47.5	190	36.8	23	21.5	263	36.8	104	24.0
Senate	-	-	-	-	11	2.2	1	0.9	19	2.7	8	1.8
Region	-	-	-	-	-	-	-	-	7	1.0	3	0.7
<b>Total</b>	<b>451</b>	<b>100.0</b>	<b>215</b>	<b>100.0</b>	<b>516</b>	<b>100.0</b>	<b>107</b>	<b>100.0</b>	<b>715</b>	<b>100.0</b>	<b>434</b>	<b>100.0</b>

Source: Parliamentary Institute, Prague.

The large number of changes reflects the hurried way in which some acts were passed as well as the inadequate interrelation of particular laws. One could hardly expect anything else, considering that during this period not only were particular laws being adopted, but also the entire framework of the law was being changed. At present, a large number of amendments are the result of adapting Czech law to Community Acquis. Kopecký states that the procedures of adoption of Acquis „are foremost government procedures and they have reduced the capacity of parliaments to challenge the legislation emanating from the executive“ (Kopecký 2003:147).

The importance of the parliamentary oversight of the government has already been mentioned. Another issue is who has the power to define the main course of the governmental policy from the point of view of MPs. In this respect, the parliament does not have a very significant role. According to MPs, the main course of the governmental policy should be defined primarily by the ruling coalition, to a lesser extent by the entire parliament, and to an even lesser extent by one party (even if such party was the strongest). If we ask who actually

decides the principal direction of governmental policy, the Parliament is deemed to have a less important role. At the beginning of the 1992-96 term, 60% of the principal direction of government policy was decided by the government coalition, formed by four political parties, and 37% by the party with the highest number of MPs. During the four year period, the influence of the strongest party (ODS) increased significantly (or at least the MPs saw it that way). In 1996, because of tensions within the coalition, the influence of the strongest party and its coalition partners became more equal in the process of deciding the principle direction of governmental policy, and the strongest party, namely ODS, considerably strengthened its position. The negative reaction of the other coalition partners was shown after the 1996 elections during negotiations of coalition parties concerning the formation of the cabinet and in the efforts of the weaker coalition partners to obtain greater influence in the government. The data from 1998, collected just before the early elections, shows that during the period of the semi-caretaker government and the crisis among the parties of the former coalition, the influence of the strongest party decreased rapidly. The data from 2000 shows the position of the minority government formed by one party – the Social Democrats. MPs, at that time, ascribed greater importance to the influence of the parliament on the government's decisions on principal issues in comparison with the previous term.

## **Economic policy-making as an example of the functioning of the relationship between the parliament and government**

One of the goals of the transformation was to separate the economy from politics, but this did not completely rule out parliamentary participation in economic policy-making. Nevertheless, discussions on the economic transformation and its form did not take place in the parliament but were a matter for a group of economists. That prefigured the course of the reform, which was primarily in the hands of the government and bureaucrats. Parliament, aside from passing individual laws and having frequent discussions, had only a minimal influence on it. Generally, it can be said that at the beginning of the 1990s the influence of intellectuals on the area of economics, politics and law was strong, perhaps even outweighing the democratic mechanisms of decision-making and control which were only then being created and which had yet to “become settled”, i.e., embedded in society.

MPs were inexperienced, did not have enough economic knowledge and political experience, and focused more on the political transformation<sup>8</sup>. The fact that the parliament was more concerned with the creation of legislation than its

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Within the first decade of democratic development in the Czech Republic, an obvious process of institutionalisation and professionalisation of the political elite, concentrated particularly in the Parliament of the Czech Republic, was traced. We beg to formulate a hypothesis that the Parliament of the Czech Republic was the very milieu that not only played a key role in important political decisions (especially at the beginning) but also mostly influenced both the processes of constituting and establishing of a new Czech political elite.

control was also determined by the considerable legislative burden related to the creation of the legislative framework of a democratic state with a market economy and also the unplanned creation of the independent Czech Republic when the agenda of the abolished federation had to be delimited.

What was the responsibility of those who made decisions on individual privatisation transactions? What control did the parliament, the civil society and citizens have? To what extent and in what manner could, for example, the trade unions push forward their opinions during the privatisation process? The attitude of the government of V. Klaus, however, was largely ideological<sup>9</sup>; the government did not want the trade unions to participate, and the unions themselves quickly gave up any attempts at co-operation.

If we examine the options of the parliament, especially the agenda discussed by the Economic Committee and the Budget and Control Committee, we see that control consisted primarily in the acquisition of information. Parliament could have acted mostly *ex post facto* by establishing inquiry commissions to examine a particularly suspicious case. After the 1996 elections, when a balance between the right-of-centre and left-of-centre forces was achieved, it was possible for the opposition parties to gain more control, although it was a disjointed opposition.<sup>10</sup> This can be seen as progress in the development of democratic mechanisms, and we can even see a great effort by the parliament to monitor the government.

The basic legislative framework and institutional conditions for the economic transformation were laid down between 1990 and 1992. Furthermore, basic privatisation laws (so called “small” privatisation and “large” privatisation) and the Restitution of Property Law<sup>11</sup> were adopted, and the Ministry for Privatisation and the National Property Fund were established. Economic laws were created primarily in the first half of the 1990s (which was related to the transfer to the market economy and privatisation), followed by a phase of fine-tuning. We can use the example of the Act on the Czech National Bank to illustrate the effort to create legislation corresponding to Western European democracies, and later to the European Union (EU) Acquis, which is starting to be accompanied by efforts to preserve some control over the institution by the parliament and is searching for a new balance between independence and control or influence.

The initial inexperience and frequent lack of expertise in economic matters made it possible for dominant personalities to come to the fore and led to a weakening of the control mechanisms. This was particularly typical of the beginning of the 1990s, when the most important economic laws were being adopted and when crucial steps were made toward the establishment of a market economy. What A. Ágh (Ágh et al. 2002: 41) posited in the case of Hungary, and Y.

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According to statements of trade union representatives expressed in interviews.

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In addition to Social Democrats, it consisted of Communists and Republicans, parties defined in Sartori's terminology as parties without a coalition potential, which weakened the influence of the opposition.

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Restitutions meant the return of property expropriated after 25 February 1948 to the original owners or their descendants.

Bangura in the case of transforming countries in general, can also be applied to the Czech elites. “The first is the policy-making styles of governments, which in many countries have tended to assume technocratic features. Governments are forced to raise their technocratic capacities in the economic policy field in order to be able to implement the reforms and send credible signals to investors and donors. Increasingly in a large number of countries, a small pool of experts, often found in finance and trade ministries as well as in central banks, including selected analysts from policy think tanks, is vested with extensive powers in navigating economies and shaping public policies” (Bangura 2001:7). Bangura analysed the transformation in Latin American countries and called the elites “technopols”. These „technopols“ included highly-qualified economic technocrats and experts who later became successful politicians due to their expertise, and also “highly trained individuals who were committed to their visions of social and economic change. All subsequently used these cadres to provide intellectual support to the policies they later pursued in the finance and economics ministries. And, importantly, all took an active part in shaping the ideas, and building a power base within, the political parties that subsequently led their countries in transitions to democracy” (Bangura 2001: 8).

In the Czech parliament, at the beginning of the period of transformation in 1990 most MPs were “new people”, and only a very small proportion of them had any experience working in the highest legislative body. The situation, however, quickly changed. Over the years, the number of MPs elected to the Chamber of Deputies without any previous parliamentary experience has been shrinking, and the percentage of re-elected MPs has been growing.

- Of the MPs elected to the federal and republic (Czech National Council) parliaments in 1990 elections, 5.1% had experience from the previous electoral term.
- In the 1992 elections, 34.8% of the MPs were re-elected (to the Federal Assembly, FS, and the Czech National Council, ČNR)
- In the 1996 elections to the Chamber of Deputies of the Czech Republic, 50.5% of the MPs had experience from the previous electoral term,
- After the 1998 elections, 54.5% of the MPs in the Chamber of Deputies had experience from the previous electoral term.
- After the 2002 elections, 58% of the MPs had experience from the previous electoral term. This means that the share of newcomers was only 42%, but there is a great difference among parties (KSČM - 61% of newcomers, ČSSD - 44.3 of newcomers, ODS - 32.8%, US-DEU - 50.0%, KDU-ČSL 28.6%).<sup>12</sup>

The political and economic transformation launched in 1990, the creation of an independent state (1993), and the preparation for accession to the EU exerted great pressure on the legislature. The above-mentioned inexperience of the MPs, and insufficient expertise, combined with the “legislative storm”, affected the quality of legislation. Despite the respectable range of legislative activities

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Data source: Parliamentary DICe, Institute of Sociology AV ČR Prague.



since 1990, practise has often outrun legislation, which had an effect on economic activities. We can demonstrate this using the example of the banking sector. In addition to the abuse of holes in the commercial law and the difficulty of enforcing some legal norms, we can also add that overly liberal legislation led to a hasty expansion of the sector of commercial banks and co-operative banking houses. This, in combination with the inexperience of the management, led to a number of banking houses going bankrupt in the second half of the 1990s, including some large banks.

Since the beginning of the transformation period, the Czech Republic has ascribed great importance to becoming part of the international structures. In the field of economics, this involved primarily joining the International Monetary Fund (IMF), because both the IMF and the World Bank had provided large loans that were needed at the beginning of the economic reform. Thus, a certain image of credibility was created, which made it possible to obtain other foreign loans and assistance for the creation of national institutions. The position of the central bank, its structure and the structure of the banking sector, the legislation, bank supervision and statistics had been prepared with the assistance of foreign consultants. For example, in 1994 IMF participated in the preparation of the Act on Banks. The implementation of this know-how was not a matter of open political debate or confrontation at the beginning of 1990s. This was due to the neo-liberal orientation of the ruling political parties which was compatible with the given recommendations and directives and to the awareness of the necessity to launch the reforms quickly. After the Czech Republic repaid the debt to the IMF in 1994, the annual recommendations became recommendations, and not directives. In view of the gradual inclusion into international structures, the implementation of certain recommendations has become necessary. Again, the government, which is responsible to the parliament and indirectly to the people of the country, is responsible for the implementation of these recommendations and for the impact such implementation may have on the country's economic situation.

The position and powers of the central bank, Czech National Bank (ČNB), is defined in the Constitution.<sup>15</sup> Problems of the independence of ČNB, or the degree of its independence vis-à-vis the executive, are related to the novelty of this phenomenon in the Czech Republic during the move toward a market economy, and a lack of experience. This is, however, not only a Czech problem; legislative modifications of the independence of central banks occurred in 1990s in many countries on all continents (Maxfield 1999:285). In general, a tendency to increase the independence of the central bank predominated.

In discussions on the influence and consequences of the central bank's independence, we see a basic distinction between independence (independence from the executive branch) and freedom (freedom to choose policy instruments). In practise this means that the central bank does not have to take the

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The Constitution in Chapter VI., Article 98, paragraphs ( 1) and (2).

governmental fiscal policy program into account when defining monetary policy objectives (target independence), and that the definition of the monetary policy objectives and the tools employed to reach such objectives (instrumental independence) are independent of each other. These various understandings of independence can also be found in the background of the debates on the independence of the Czech National Bank. The structure of legal independence is yet another approach that makes it possible to analyse this discussion, one that became especially heated in 2000 in connection with the adoption of a new Act on ČNB. “The standard components of legal independence include some or all of the following categories of statutory stipulations: personnel appointment (most important, proportion of central bank policy board members appointed by the government and length of the term); government finance (nature of limits); policy process (specifically relation with government); policy objectives and instruments; mechanism for resolving bank-executive branch conflict; and extent of constitutional guarantee” (Maxfield 1999:286). Independence of the central bank is politically controversial (Maxfield 1999:289). In connection with this, accountability and transparency are always discussed.

The independence of the ČNB from the government and the parliament is ensured by the Constitution and a special Act on the bank. The President is the only politician that may, although to a minimal degree, influence the activities of the ČNB. The President may do so only through the appointment of a governor and members of the Bank Board for a six-year term (a new 2000 amendment somewhat limits this exclusive right of the President). There is practically no way to recall the governor and members of the Bank Board unless they commit a grave crime. The importance of position of the Bank Board within the Czech National Bank is great. In addition to making decisions on monetary policy, the Bank Board governs and is responsible for the internal matters of ČNB and is responsible for bank supervision.

The absolute independence of the central bank from the government and the Prime Minister, and from the MPs and the Senators has a rationale. The electoral term is too short for politicians to follow long-term goals instead of the short-term goal of maintaining their power and securing a seat in the upcoming elections (Zpráva 1998:13). Despite this argument, the Bank Board’s independence and the absence of political accountability create space for international organisations to promote their interests.

The first act, which came into force in 1990<sup>14</sup>, defined the central bank’s tasks, tasks that are typical for market economies. The bank became independent from the government and the parliament. The President appointed the Bank Board headed by a Governor. This first act was a step in the direction toward the standard position of the central bank, but it retained a strong component of governmental influence. The new amendment of 1992 significantly changed the

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Act No. 150/89 Sb. that came into force as at 1 January 1990.

position of the central bank and the method for appointing the Bank Board (at that time still within the framework of Czechoslovak Federation), and respected market principles even more.<sup>15</sup> This Act created the legal framework for the activities of a standard central bank independent from the executive and legislative powers, which complied with the “demands” concerning the new Czech central bank. When the Act on ČNB was being prepared, the legal provisions of the European System of Central Banks (ESCB) and the European Central Bank were also taken into account, as well as the status of other central banks, especially the legal provisions concerning the functioning of Germany’s Bundesbank (Reytt 2000:15).

The position of the central bank has become a regular issue of debate in connection with the economic developments of the country and its problems. The government wanted to resolve the debate in a way which clashed with the position of the central bank. The politics of consensus was replaced by the politics of conflict, and if there was a disagreement between the government’s position and the bank’s position, the position held by the bank was upheld. Around 1997 there were intensive debates on the independence and the position of the central bank, debates which stemmed not only from the strained relationships but also from the need to harmonise Czech legislation with the Acquis. The proposal of new legislation and the debate over it rocked the political scene. The debate focused primarily on the issue of independence and the appointment of the Governor and the Bank Board.

Behind these debates, was the conflict over presidential powers, as the President exercises it on the one hand, and the government understands it on the other.<sup>16</sup> When preparing the act in 2000, the initiators started from the practise customary in many EU countries where the government plays a role in the appointment of members of the Bank Board. The original amendment proposed that the Senate, the Chamber of Deputies and the government should each propose two members of the Bank Board. The rationale behind the proposition of ČSSD and ODS, which pushed this amendment, was the question of whether one person who is not accountable for the bank’s performance<sup>17</sup> can play such an important role and make decisions about an institution that is completely independent and whose policies contribute in a major way to the successes or failures of the economic policy of the government (Reytt 2000:20). Although the original proposal was rejected, in the final version of the bill the President’s

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After the division of the Federation, Act No. 22/1992 was transposed into the Czech law – Act on the Czech National Bank No. 6/1993 Coll. from 17.12.1992). Federal laws remained in force until the cancellation of the Czechoslovak Federation (31 December 1992).

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According to the law at the time, when selecting Bank Board members the President consults with his own experts and selected experts (often this means members of the Bank Board). The President primarily consults with experts about his choice, but these experts do not bear any risk or responsibility for the appointment. It is solely the President’s matter.

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According to the Constitution, Chapter three, Article 54 (3) The President of the Republic shall not be accountable for the performance of his office.

powers were slightly restricted and the government's role was strengthened. The President appoints the governor, vice-governor and members of the Bank Board proposed by the government.

The independence of the central bank has never been an issue in this dispute. Critics were primarily concerned about making this institution more accountable to elected representatives, i.e., MPs. This political accountability had not been addressed in the previous acts, nor is it addressed in the current one. As for the relationship between the central bank and the Parliament, the issue of accountability was addressed in the act of 1993 whereby the central bank is obligated to report to the Parliament at least twice a year on monetary developments. The 2000 amendment to the Act formulates the issue of accountability more widely, especially with respect to the power of the Chamber of Deputies to demand reports on monetary developments and demand additional, more detailed explanations.

### **Politics between parliament and government under the influence of supranational policy.**

With the inclusion of the Czech Republic into supranational structures, especially NATO and soon the EU, citizens and researchers ask whether the governmental agenda will become even more bureaucratic and less accountable, and what role and powers the national Parliament will have. Joining supranational structures changes the control functions. Internal rules and standards should match international standards. What will occur based on the examples of the current EU member states, is the “reduction of the degree of policy control by individuals within member states; to intrusion of the EU into functions that were previously performed by the nation states; and to an overall lack of democratic accountability and transparency” (Weale 1997:667).

In any case, supranational integration will have an influence on the relationship between the parliament and the government. For the time being, we can only formulate a hypothesis as to what this influence will be, based on the experience of countries that have experienced the process of integration. We are, however, not entering unknown territory; external influences have been with us since the beginning of the 1990s.<sup>18</sup> What A. Ágh describes in the case of Hungary in the first decade of democratisation was also true of the Czech Republic. “It is true that new democracies began to create their institutions in a globalised world with an increasingly technocratic style. The neo-liberal ideas of multilateral financial institutions, indeed, narrowed the choices in economic policy making to a limited set of objectives” (Ágh 2002: 158) Taking the case of economic policies, Ágh demonstrates the effects of supranational institutions and the financial market and adds that for the most part, political decision-making

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I completely pass over the period prior to the fall of the communist regime.

was influenced from within. As was already mentioned, this also applies to the Czech Republic. Experts who were in contact with the international economic policy-making community, took the external pressures into account, internalised them and presented them in their proposals and reports. It is, however, necessary to note that most expert recommendations were received and implemented quite uncritically. During the phase of policy formulation, the legislative process was influenced by experts, who are completely outside the control of the parliament or other bodies. Another point is that governments and politicians have used agreements with international institutions as IMF because they want specific conditions to be imposed (Vreeland 2003: 322).

The national-supranational conflict that was present at the beginning of the transformation will infiltrate other spheres. The delegation and accountability relations among the parliament and the Prime Minister and the government as a whole will change. Existing discussions primarily concern the strengthening of the powers of the government with respect to international obligations and defence. What will be the effect on the parliament's activities after the Czech Republic joins the EU? The "Euro-amendment" to the Constitution of the Czech Republic can serve as a general guide and normative basis. The "Euro-amendment" imposes on the government the obligation to submit to the Parliament a wide array of European documents and allow the Parliament to give its opinion on these documents or governmental resolutions.

The Parliament of the Czech Republic probably cannot be ranked among the most "Europeanised" parliaments. However, the national as well as the European aspects must form important elements in the considerations as to how its future activities will appear. In the pre-accession period, there will not be much time to change the situation significantly, but the concept of activities after the accession to the European Union must be thought out in greater detail (Kysela 2001).

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## Names of political parties in English and Czech and their Czech abbreviations

Abbreviation	Name of the party in English	Name of the party in Czech
ČSSD	Czech Social Democratic Party	Česká strana sociálně demokratická
DEU	Democratic Union	Demokratická unie
HSD-SMS	Movement for autonomous Democracy – Association for Moravia and Silesia	Hnutí za samosprávnou demokracii – Sdružení pro Moravu a Slezsko
HZDS	Movement for a Democratic Slovakia	Hnutí za demokratické Slovensko
KDH	Christian Democratic Movement	Kresťansko demokratické hnutie
KDS	Christian Democratic Party	Křesťansko demokratická strana
KDU – ČSL	Christian Democratic Union/ Czechoslovak People's Party	Křesťansko demokratická unie/ Československá strana lidová
KSČM	Communist Party of Bohemia and Moravia	Komunistická strana Čech a Moravy
ODA	Civic Democratic Alliance	Občanská demokratická aliance
ODS	Civic Democratic Party	Občanská demokratická strana
OF	Civic Forum	Občanské fórum
US	Freedom Union	Unie svobody
VPN	Public Against Violence	Verejnost' proti násiliu

# Parliaments and the Processes of Globalization and Europeanization

## Parliaments of Central and Eastern European Candidate Countries and the EU Enlargement

*Jindřiška Sylllová, Petr Kolář*

### MPs in transformation period

The accession procedures in the European Union (EU) candidate states of Central and Eastern Europe were put in place at the same time as the transformation of the political systems of these countries. The transformation period was characterised by the formation of the basic style and customs of the party systems including the behaviour of the parties and Members of Parliament (MPs) within their national parliaments and the parliaments' relationships to their governments.

The behaviour of the MPs in the new parliaments had specific features which were different from behaviour of the MPs in the stable Western democracies. The transformation period gave the MPs a unique chance to take an active part in the democratic development of the country, and post-communist MPs used this opportunity. The extraordinary self-confidence and activism<sup>1</sup> of the individual MPs has been reflected in the institutionalisation and style of work of the new democratic parliaments. During the accession procedures, these features of the MP's behaviour had a substantial impact on the work of the parliamentary accession institutions, especially the „European“ committees.

### MPs, parliaments, scrutiny system

Fear of EU membership and worry about the loss of parliamentary competencies were very low in the parliaments of the „old six“ member states. Anxiety increased substantially among the national MPs during the accession of Denmark and Great Britain. This first wave of enlargement joined with the establishment of the first wave of the scrutiny procedures in the national parliaments. The second substantial step of the scrutiny or oversight system came with the Maastricht treaty and the „Northern“ enlargement. The feeling of competitiveness and rivalry between national parliaments and the European Parliament together with the development of the political dimension of the EU led to the new institutional

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See for instance Kolář, P., Pecháček Š., Sylllová J., *Parlament České republiky 1993-2001*, Linde, Praha 2002



machinery in the member states and to the formation of new EU institutions. The general atmosphere surrounding the Intergovernment Conference (IGC) had an effect on the negotiations and stimulated national parliaments to make their first major attempts to increase their role in EU decision making.

Declarations 13 and 14 of the Maastricht Treaty, which came into effect on November 1, 1993, for the first time mentioned the role of national parliaments. Declaration 13 concerned the exchange of information between the national parliaments and the European Parliament and about the timeliness of the receipt of Commission proposals. The Declaration was a political breakthrough in its recognition of national parliaments' right to monitor the proceedings leading to EU legislation.

The Maastricht treaty was preceded or succeeded by the adoption of constitutional amendments providing parliamentary scrutiny in several old member-states, especially Germany, France and Portugal. Other countries adopted laws on the obligation of the government to refer EU documents, with their commentary, to the parliament, and the right of parliament to express an opinion on these documents. The idea of a scrutiny system in the national parliament was adopted by the countries in the 1990s enlargement, Sweden, Finland, and Austria.

The Central and Eastern European candidate countries quickly discovered the reality of political union. The MPs met such concepts as loss of sovereignty, delegation of national powers, gradual transfer of EU competencies, supremacy of the EU law, and a super-state. The candidate countries recognized their democratic deficit and the need for a European Constitution. The fear of loss of national parliamentary power was counterbalanced by the progressive opening of the EU economic system and establishment of a modern judicial system. The necessity of EU accession was accepted as a fact in all the democratic political parties of the candidate countries. Parliamentary scrutiny systems on a high and effective level were considered as a necessity and were gradually developed in most countries.

## Forms of scrutiny systems

The first steps of the national parliaments of the candidate countries were based on the experiences of the member-states of the last EU enlargement, Sweden, Finland, and Austria. Parliaments established "*European*" committees in the middle of the 1990's. The time of their establishment was dependent on when elections were held and on the results of the parliamentary elections<sup>2</sup>. The European Committee in each parliament was the centre of scrutinising the government accession policy. In all the countries, it was the only parliamentary body which concentrated fully on EU policy<sup>3</sup>.

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In the Czech Republic, the Committee for the European Affairs was established only in the year 1998, when the euro-optimistic Social-Democratic Party won the parliamentary election.

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There were joint committees (common committee of European MPs and national MPs – Committee of Accession). This committee functioned only as the common platform of both sides with rare meetings (twice a year) and very limited influence. In some parliaments of candidate countries, the membership of the "European" committee and national part of joint committee were identical.

Table 1: European committees in the parliaments of the candidate countries

Country	Year of establishment of the committee (of the lower chamber in bicameral system)	Establishment of the committee in the upper chamber	Years of relevant changes
Czech rep.	1998	1998	
Estonia	1997	Unicameral	
Hungary	1994	Unicameral	
Latvia	1997	Unicameral	
Lithuania	1997	Unicameral	
Poland	2 committees, scrutiny c. established 1997, law committee established 2000	1997	2001 merger of the former 2 committees
Slovenia		No EU special committee in the council	
Slovakia	1996	Unicameral	

## Scope of the “European” committee agenda

The committees started working and developing their agenda, which was an uncertain and fumbling process. The position of the “European” committees was not easy. They were new institutions whose prestige was not very high at the beginning. In comparison with some other committees connected with the budget or with substantial legislation such as the budget committee, the economic committee, or the committee on agriculture, the “European” committee did not promise a direct line to political power. Its main task was understood as the scrutiny of the government’s work towards accession.

The content of the scrutiny tasks of the “European” committees varied. The development of the main committee functions and the power of the committee to scrutinise was influenced by several aspects. First was the composition of the parliament and the power of the governmental parties. In the countries where the majority of the governing coalition was strong, the effective scrutiny system did not have such strong support as it did in the countries with a weak coalition government or a minority government. This may be demonstrated by the Czech Republic and Poland where the coalitions in the decisive periods were very weak, and the scrutiny system was very strong.

Another important variable was the position of the individual country among the EU candidates. The Central and Eastern European countries were divided into two groups at the beginning of the accession process. Each group of countries was treated differently by the EU organs. Accession negotiations were opened in 1998 with the first group, Czech Republic, Hungary, Poland, Slovenia, and Estonia. In 1999, during the Finnish presidency, the negotiations started with the second group of countries, Slovakia, Lithuania, Latvia and Romania and Bulgaria. The first group started preparation quickly and intensely, while the second group was slower. Only in 2001, during the Swedish presidency, were the groups united except for Romania and Bulgaria, because the EU intended to

have one big enlargement of Central and Eastern European countries with Malta and Cyprus. This meant that the second group of countries were pressed for time and the parliamentary scrutiny system could not be thorough and detailed. The MPs from the second group of countries were less critical of the task of harmonising laws and other necessary measures and much more willing to fulfill all requirements without “redundant” questions. The decision on final form of EU enlargement was adopted in 2002 under the Danish presidency.

All the countries from the former group had stronger scrutiny system, while of the second group of countries, Lithuania, Latvia, and Slovakia, only the Latvian parliament developed a strong and effective scrutiny system.

The third variable was the system of legislation in each country. Some countries had a strong tradition of delegating legislative functions to the government (tradition of decree legislation or delegated legislation). Some other countries had a historic fear of any expansion of delegated legislation. In the countries with extended delegated legislation, a substantial amount of the EU laws were adopted only by the executive (government, ministry or other authority). In the countries without this tradition, the number of acts which were enacted by the parliament was much higher. The number of implementing acts has influenced the scrutiny system in the parliament. In the countries without the tradition of delegated legislation, the scrutiny system had the power to scrutinize the compatibility of the national acts. In the countries with delegated legislation, the “European” committee controlled the speed and quality of the intra-executive implementation procedures. This may be demonstrated by the examples of Slovakia and Hungary, which had practised delegated legislation by decree. In their parliaments the role of scrutiny was concentrated on monitoring the harmonisation done by the government. Only in cases of extraordinary importance was the scrutiny done in parliament during the adoption of laws.

“European” committees of candidate countries could carry on the following types of potential scrutinising<sup>4</sup> agenda activities:

*1. Scrutiny of progress towards accession and accession negotiations*

- Scrutiny of the national membership preparation programme
- Scrutiny of the accession partnership
- Scrutiny of the preparations in accordance with the regular (annual) reports of the Commission Scrutiny of the negotiations “

*2. Scrutiny of harmonisation of legal order*

- Scrutiny of the progress of the implementation of European laws
- Scrutiny of the compatibility of governmental drafts of acts

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The committees were engaged also with other agenda, especially, meetings and foreign trips to partner committees (of EU countries and other candidate countries), participation at the COSAC meetings, co-operation with other committees on legislation, public hearings on European problems and current events and several others.

### 3. Political scrutiny

- Scrutiny of other executive activities connected with the accession (especially foreign policy, preparations of the IGC and the European Constitution).

According to the scrutiny agenda we may categorise the “European” committees of candidate countries into several groups. The first category is the *committee of full scrutiny system*. These committees functioned fully in all the three groups of activities. The second group is the *committee of political scrutiny system*. This type of committee scrutinised the political consequences of the government preparation activities, examining the harmonisation of the legal system in detail. The control of compatibility of governmental drafts was left to the government, an executive body or a technical body of the parliament. The third group is the *committee of limited power* which had only a limited role in all three functions.

Table 2: Scope of “European” Committees Scrutiny Agenda in the year 2000

Country	Type of Committee Scrutiny Agenda	Scrutiny of Preparation	Scrutiny of Negotiations	Scrutiny of Progress of Implementation	Scrutiny of Compatibility of Acts	Scrutiny of Foreign Policy	Scrutiny of IGCs	Other Special Activities
Czech Rep.	Full scrutiny	Yes	Yes	No	Yes	Yes together with the Foreign Aff.	Yes	
Estonia	Political scrutiny	Yes (very frequently)	Yes (very frequently)	Yes	No	Yes	Yes	
Hungary	Political scrutiny	Yes	Yes	Yes	No – only monitoring	?	Yes	
Latvia	Full scrutiny	Yes (very frequently)	Yes	Yes	Yes	Yes	Yes	Provided informatino for public
Lithuania	Limited scrutiny	Yes	Yes	Yes	No – only exceptionally	No	Yes	
Poland	Full scrutiny (by 2001 in 2 different committees)	Yes	Yes	Yes	Yes	No (in the Foreign Affairs Committee)	Yes	Scrutiny of the use of funds
Slovenia	Political scrutiny	Yes	Yes	Yes	No - only monitoring	Yes	Yes	Co-operation with other committees
Slovakia	Political scrutiny	Yes	Yes	Not specifically	Yes	Other committees	Yes	

## **Factual content of the agenda**

**T**he content of the agenda changed according to the accession period. During the first years of preparations, attention focused on the Copenhagen Criteria of democracy. In the legal field, harmonisation was concentrated on the elementary harmonisation of the legal system especially in the fields of human and political rights and observance of the Europe Agreement.

As the time of accession came near, the Commission developed a systematic approach to monitoring the progress towards accession. The White Book of Accession, a list of the main EC/EU laws, became the main tool of the harmonisation of the legal system. Subsequently the Copenhagen democratic and economic criteria (the existence of a functioning market economy and the capacity to withstand competitive pressure and market forces within the EU) were followed by the accession partnership (monitoring of priorities), and later by annual regular reports of the Commission. “European” committees concentrated on scrutinising these tools.

After the accession negotiations started, the scrutiny activity of the “European” committees intensified. The progress of negotiations on individual chapters was tightly controlled. The opening of chapters, the negotiation positions of both sides, the timing of individual countries in the negotiations, and the derogations in various chapters were the subject of hard and demanding committee meetings. This hectic activity of political substance was accompanied by the last wave of the “technical” harmonisation of legal acts.

## **Power of the “European” committees of the candidate countries**

**T**he “European” parliamentary committees of the candidate countries cannot be categorised by the criteria that are used for the parliamentary committees of the member states. The common categorisation of the member states is based on the level of binding force which the committee has in relation to the government, such as committees with a mandatory function, committees with an advisory function, and committees with an informative function.

The “European” committees of the candidate countries had different positions and different tasks. All the committees functioned only on an advisory basis. Their opinions were not directly binding for the government negotiation positions or for the implementation of legal acts. Nevertheless, the activity of most committees was to scrutinise the government’s actions and measures very closely, and the government had to consider the opinions seriously. The scrutiny activities were more detailed and knowledgeable than those of most of the member-states committee. The detailed scrutiny of the harmonisation of the legal system and implementation of laws is a function that has been done by all “European” committees either before accession or after it<sup>5</sup>. The activism of the “post-communist” parliamentary organs has transformed most of the

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*Viz Dick Tornstra, European Affairs Committees, ECPRD, 2003*

“European” committees in the candidate countries into agents with a high degree of scrutinising power. This feature is surprising in Central and Eastern Europe where the countries did not have the common Euro-pessimism and where EU accession was the dream of many people. The explanation of parliamentary and MPs activism looks to be the proper one for this degree of scrutiny.

## **6. Changes of the Czech Parliament in connection with the preparation for the Czech Republic’s entry in the European Union**

**T**he Czech Republic has undergone the process of preparation to access the EU. The process has brought considerable institutional and procedural changes in both chambers of the Czech Parliament.

The changes could be divided into three areas:

- A) Changes in institutions
- B) Changes in legislative process
- C) Changes in the Parliament’s control activity over the government

### **A) Institutional changes**

In February 1995, the Association treaty between the Czech Republic and the EU (so called European treaty, published as n. 7/1995 Coll.) was put into force. The treaty caused a growing amount of „European“ agenda items to be dealt with by the government, the ministries and the Chambers of the Parliament. This led to the establishment of two new parliamentary bodies. The first to be created in 1996 was the Parliamentary Committee for the Accession, composed of representatives from both of the Czech Parliament chambers and from the European Parliament. That is why it is sometimes called a „mixed committee“. The committee held sessions twice a year, once in the Czech Republic and once in one of the European Parliament’s seats. It could only present the other authorities with its recommendations. The committee usually discussed basic political problems connected with the preparation of the country’s entry into the EU. A part of this committee, elected by both the chambers of the Czech Parliament, worked as the Permanent Delegation of the Czech Parliament for the cooperation with the European Parliament. Fifteen members of the delegation were elected from the Chamber of Deputies and five from the Senate. Until 1998 Daniel Kroupa, former leader of ODA, headed the delegation. Jan Zahradil (ODS) has been the delegation head since 1998.

After the parliamentary election in 1998, Committees for European Integration were created in both chambers of the parliament to deal exclusively the European issues.<sup>6</sup> The Committee for European Integration of the low cham-

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The new created committee in the Senate continued in the work of the Subcommittee for European Integration, which already existed as a part of the Committee for Foreign Affairs, Defence and National security.

ber consisted of 19 members with Jaroslav Zveřina (ODS) as head, followed by Pavel Svoboda (US). The committee in the Senate had 11 members with Jaroslava Filipova (ODS) as head, followed by Jiří Skalický (ODA).

The activities of the two committees consisted of following basic areas:

- Scrutinising government actions during the accession negotiations between the Czech Republic and the EU
- Communicating with partner committees and other authorities of the member and candidate states
- Ensuring the compatibility of the bills with the *acquis communautaire* on the parliamentary level.

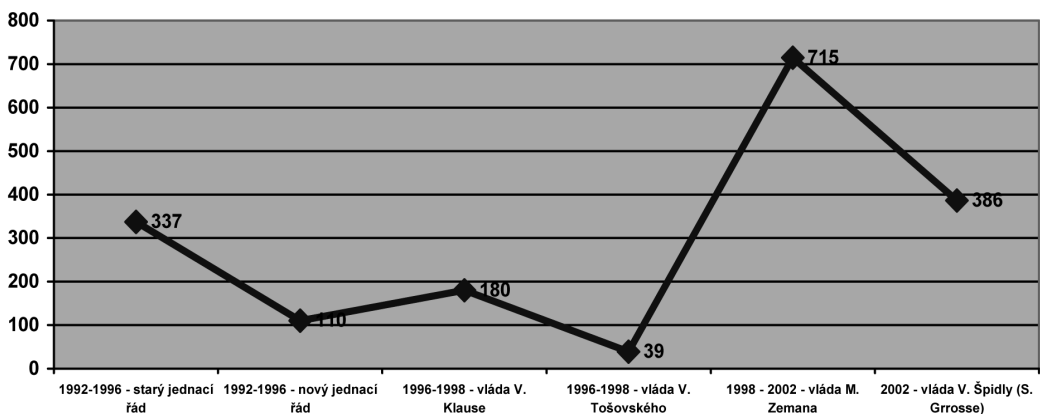
The latter activity largely dominated the work of both committees as is shown in the following data. After the Czech Republic's entry in the European Union, these committees were renamed the Committees for European affairs. The character of their work gradually changed to become more focused on control over the government's attitudes and national positions taken in the European Union's institutions.

## B) Parliamentary legislative process and entry in the EU

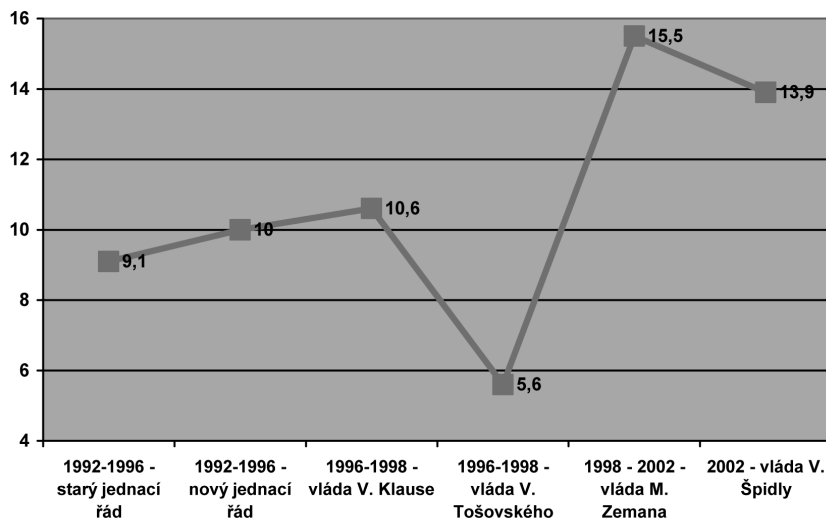
Before analysing the „European changes“ in the legislative process on the parliamentary level, some key data characterizing the course of the legislative process in the Czech Republic should be considered.

According to the Constitution of the Czech Republic, new legislation can be proposed by the following authorities; deputies, the Senate, the government, and regional governments. All the bills have to be sent first to the Chamber of Deputies. Therefore, it is possible have an accurate total of the number of bills proposed in each electoral term (Graph 1) and to calculate the number of bills per month in the Chamber of Deputies (Graph 2).

Graph 1 - Statistical data on the legislative process in the Parliament  
(Number of draft Acts discussed in the Chamber of Deputies)

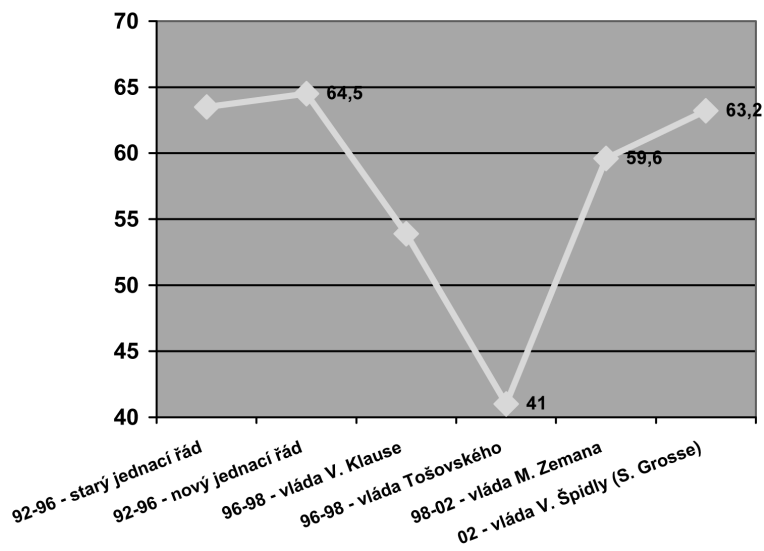


Graph 2 - Statistical data on the legislative process in the Parliament 2  
(Number of draft Acts discussed in the Chamber of Deputies per a month)



The data reveal that the largest increase in the number of bills per month and per term was in 1998. This increase was caused by the necessity to change Czech legislation in order to ensure its compatibility with the European law. The data show also the government's share of all the bills presented. We can conclude that, in the Czech Republic, as well as in the other post-communist countries, the government's share is relatively small, fluctuating around 65 %. Almost all the remaining bills come from individual deputies, and their legislative draftmanship is generally lower than that of the government bills.

Graph 3 - Statistical data on the legislative process in the Parliament 3 (Percentage of Governmental drafts in respect of the total number of draft Acts discussed in the Chamber of Deputies)





The Czech government implemented a new classification of bills in 1998. The bills concerning the commitment of the Czech Republic to ensure full compatibility of its legal system with the *acquis communautaire* were labelled as „EU bills“. These were relatively numerous as shown in the following table.

Table 5 - EU/non-EU drafts ratio (98 - 02)

	Gov	MP	Senat	Regional Authorities
EU	177	48	4	1
Non EU	249	215	15	6

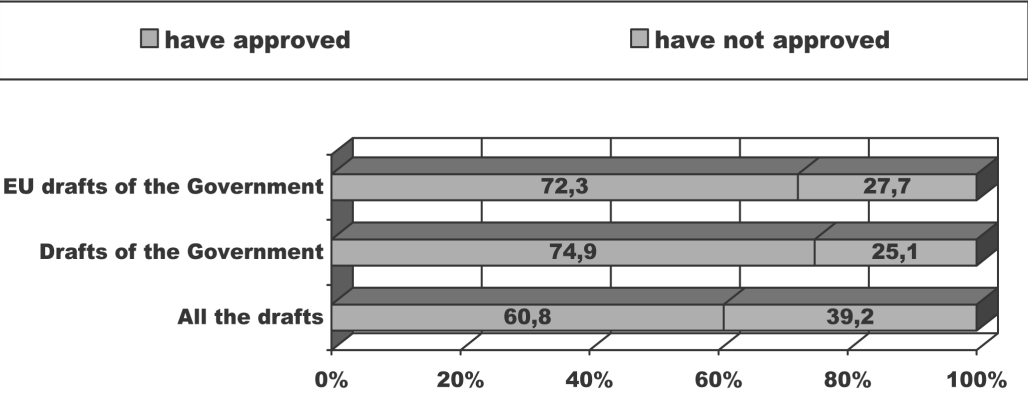
The bills that involved European issues were also presented by deputies, the Senate and regional authorities. These were much less numerous than the government sponsored bills.

The Czech government had originally expected the discussion of the so-called „European bills“, both in the Chamber of Deputies and in the Senate, to be quick and easy. That is why the rules of procedure were amended by the procedure of „quick reading“, which allows a bill to be discussed in the plenary session only once, rather than the usual three readings. The European bills were blocked by the opposition parties; therefore, this quick reading procedure has not been used very often. As shown by the following graphs, the European bills were discussed in the Chamber of Deputies and in the Senate as carefully and with the same reservations as other government bills.

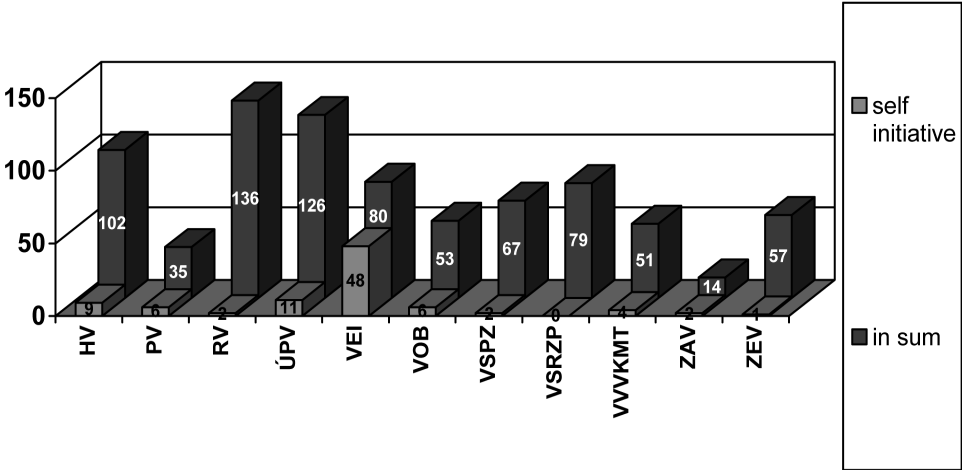
As mentioned before, the Committee for the European Integration of the Chamber of Deputies was occupied more by legislative activity than control activity. The Committee dealt with two sorts of legislative proposals:

- *Preliminary consultations* - these government bills concerning European issues were sent by the respective ministry to the Committee for European Integration of the Chamber of Deputies before being adopted by the government. The aim was to avoid conflicts between the government and the parliament regarding the quality of implementation of a particular EU law. The following table gives figures for the preliminary consultations dealt with in this way:
- *Discussion of „European“ bills within the frame of the second reading* – these bills were assigned to the Committee directly by the plenary session of the Chamber of Deputies or were dealt with by the Committee’s own initiative. Their total number is recorded in the following graphs.

Graph 4 - Percentage of succeeded draft Acts discussed in the Chamber of Deputies (98-02)



Graph 5 - Legislative activity of the Committee for European Integration of the Chamber of Deputies (98-02)



**C) Czech Parliament’s control over the government regarding EU issues**

Although the Czech Parliament’s control activity was exercised even before the Czech Republic entered the EU, its importance increased remarkably after the Czech Republic became a fully-fledged member with the ability to take part in the creation of new EU norms. This required changes in the rules of procedure in the Chamber of Deputies and the Senate. The Constitution of the Czech Republic is based on the model of executive responsibility solely to the Chamber of Deputies and not to the Senate. This was reflected in the different texts of the so-called European amendments to the rules of procedure for the two parliamentary chambers.<sup>7</sup> The control exercised by the Committee for European

Integration of the Chamber of Deputies before the Czech Republic entered the EU consisted of discussing particular chapters of the accession (the so-called *screening*). The Committee also participated in the activities of the Conference of Community and European Affairs Committees (COSAC) and discussed reports monitoring the course of the Convention on the Future of Europe. The work of the committees of both chambers in the last months has involved discussion of the drafts of the Constitutional Treaty for Europe.

## Conclusion

The preparations to enter the EU caused significant changes in the activity of parliamentary bodies in all the accessing countries. These changes included institutional reforms, such as the creation of new European committees, as well as an adjustment of legislative procedure for discussing the bills involving European issues. Also the relationship between governments and parliaments of all the new member countries was subject to change especially regarding the control of a government which takes a national position towards the proposals of European directives, ordinances and other legal acts. This process has been experienced by the Czech Republic and the results can be analysed in the next several months.

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# Changing Functions of National Parliaments

*Drago Zajc*

## **Introduction - The EU as an example of a completely new supranational organization**

The overwhelming process of globalization is bringing intense changes to the contemporary political world, and having a serious impact on the integration of states into larger organizations. Most historians and political scientists have observed the issue of further European integration in the context of global and military domination and competition. They say that if Europe does not 'pull itself together' it will lag behind the other great powers and lose its position among them. If Europe is to recover the relative importance in the world it possessed in 1900, it must avoid wars, harmonize economic practices and evolve common policies ... (Kennedy, 1993: 257).

In Europe the process of integration, which was conducted mainly by national and political elites and executives, had specific characteristics. These include direction from above and a secondary role for parliaments in influencing explicitly 'European' policies. (Agh, 2001: 169). National political and economic elites fought for their own interests regardless of the eventual positions of parliaments and public opinion, which was thought to support closer integration. Such an 'asymmetric' integration has created a sort of intergovernmental elite democracy. While traditional representative democracy still prevails in the member states, at the level of the European Union and its institutions a new type of 'delegated' democracy has been invented and put into practice. This consists of powers which were transferred from the national level. What exists in fact is a kind of 'executive federalism' in which the main actors in the decision making process are institutions with executive power (Dann, 2002). Decisions which would before have been made on the national level adopted by parliaments are instead made by the representatives of national governments at the EU level.

As a result the EU which has been created is neither a supranational organization nor an association of sovereign states. Rather it is a 'sui generis' structure (Norton, 2001: 3), consisting of various institutions with intentionally vague mandates. The European Community is not based on the premise of parliamentary government, but on government of wise political functionaries sitting in the Commission. This is an idea resembling the prescriptions of a consociational democracy in which the politics is made up of elite agreements and such agreements, instead of democratically agreed policies, in fact hold the system together. This idea is little known in the countries with traditional parliamentary government (Great Britain, the Nordic countries) or in the countries which have only recently (re)established such a form of democracy (East-Central European countries). One can easily recognize the influence of the French technocratic approach to the building of the EU. ! For the French the involvement of the par-

liament could damage the European political project as it had ruined the 3rd and the 4th French Republic.

What these consociational and technocratic ideas have in common is the opposition to the basic principles of the classic parliamentary democracy, including accountability of the executive government to the parliament. In any case, the institutional design is such that the legislature loses a lot of its classical power to scrutinize the government (Bogdanor, 2002:2).

The supranational structure of decision making in the EU is completely different from the structure we find at the level of traditional national democracies. The three EU institutions which have key roles in making and implementing decisions in the EU are, in terms of power and legitimacy, imbalanced. This is demonstrated by the fact that the un-elected *European Commission*, an executive body, does not depend upon the existence of a majority in the directly elected *European Parliament*. They also differ greatly also regarding particular functions and competences. The *Council of Ministers*, which consists of representatives from the executive powers of the Member States, is a key institution in the process of adopting Community legislation. It shares legislative power with the European Parliament.

At the same time, EU legal doctrine has excluded national parliaments from the EU constitutional framework. EC/EU Treaty provisions did not determine any specific role for *national parliaments*. The modalities by which the national parliaments participate in the dealing with EU matters were left to be determined by the national constitutions. This 'blindness' of the treaties regarding national parliaments caused a number of problems. Such a deficiency had an equivalent in domestic politics. European issues were considered to be part of external affairs and as such a prerogative of the executive. In the best case, European matters were dealt with in confidential manner within the Committees of Foreign Affairs, composed of selected MPs (Maurer and Wessels, 2001: 429). National parliaments were not given any ability to directly influence the passing of legislative acts at the level of the EU. No EU institution was required to consult them, nor were they allowed to give any assent to the acts taken by EU institutions. Their influence could only be indirect, since the ministers who participate in the decision making in the Council are elected by them. The marginalization of national parliaments is an additional factor in producing the 'democratic deficit', especially because they did not serve as a valuable link between the electorate and EU institutions (Krašovec, 2003: 27).

Besides an imbalance between institutions, the EU also suffers from a lack of transparency and from excessively complex procedures. The European Union uses a wide array of decision making procedures which differ from most of the procedures used in the national legislatures, where we find a much more limited set of rules. Some sources point to more than ten procedures used by the EU (Weatherill and Beaumont, 1999: 157), others identify about six (Craig and De Burca, 1998: 129). Four main procedures are most frequently employed - those of consultation, cooperation, assent and co-decision.

## **Changing role of national parliaments and modernization of their functions**

**R**ecent institutional changes in the EU finally brought about recognition of national parliaments (though the European Parliament was, at the same time, the greatest 'net beneficiary' of the reforms). They were given some power by the Maastricht Treaty's Declaration No. 13 on the role of national parliaments. The Amsterdam Treaty (1999) also dealt with their role. Its Protocol No. 9 determined the role of the national parliament to be that of a supervisor of the government in relation to the EU. The Nice European Council in December 2000 again stressed their importance. Declaration No. 23 on the Future of Europe, annexed to the treaty ratified at that council, stated that it should be a matter of debate to be resolved in a new Intergovernmental conference in 2004. In the meantime, in December 2001 the European Council adopted the Laeken Declaration and established the European Convention to prepare the proposals for institutional reform of the EU. The Laeken Declaration has exposed balance among the EU institutions and the role of the national parliaments to be among the main questions.

Because of slow institutional development within the EU, and several factors having to do with national parliaments, the parliaments are still considered to be slow adapters to the new situation in which the decision making process at the level of the EU is becoming more important than the one on the national level. Their role is thought to be below the potential level of participation (Maurer and Wessels, 2001 : 461). This is due mainly to the fact that their traditional functions were not adapted to the changed conditions.

Functions of national parliaments are in the broadest sense a consequence of the whole political system; they are not necessarily planned or formally determined (Norton, 1993: 6). These functions gain new dimensions as soon as the national political system becomes integrated into a wider supranational (as opposed to international) organization. The EU is intruding upon the functions which were previously performed by the national legislatures with particular consequences, such as determining the scope of specific functions, and in particular limiting the extent of legislative function. From the perspective of national parliaments, the formerly unique functions are to a certain extent divided between the two levels of decision making, getting new meanings and new importance. Relations among them are changing, and while some are while the relevance of some is lessening, that of others may be extending. When they are involved in the supranational decision making indirectly through their governments, there may be disagreements over the modes and extent of some functions.

In the next section changes in some of the main functions of contemporary national parliaments of the EU member countries will be examined, in particular the efficiency of the national parliaments in scrutinizing the government's activities at the level of the EU decision making. As well, we will try to evaluate how the new democratic parliaments of the entrant states are ready to perform these new functions.

## **Legitimization function of national parliaments and the EU policy of building its own legitimacy**

**L**egitimization function, one of the most important functions of parliaments, is traditionally broken in two. Latent function is performed by parliaments simply being directly elected (on the basis of some electoral system determined in advance by constitution or special law) and meeting regularly and uninterruptedly. It is in this way that the parliaments produce among the population and political elites a sense of the government's moral right to rule, no matter what decisions are made.

The legitimacy of the parliament and of the government derives also from the activities that the parliament undertakes (Norton, 1993: 136). Manifest legitimization occurs by way of actual decision making (putting stamps of approval on legislative initiatives). These functions are connected - lack of latent legitimacy may sometimes be replaced by manifest. For example, former 'socialist' parliaments of ECE countries gained, in the last period, some sort of manifest legitimacy by passing laws allowing free elections, etc. By traditional understanding, both functions are performed by parliaments with sovereign powers in regards to the international as well as domestic spheres (Pakenham, 1970: 527). It is also understood that some notion of efficiency is involved in the manifest legitimacy - if this function becomes for some reason inefficient (slow and undetermined legislative process, poor quality of laws causing difficult implementation and demanding frequent amendments) latent legitimacy may be endangered too.

It is believed that in the building of EU institutions, traditional understanding of legitimization function was compromised. According to general opinion, the EU institutions to which a large part of the national sovereignty was transferred lack the input legitimacy. The absence of this input is at the root of the democratic deficit (Norton, 2001). Besides, the structure of the EU institutions differs greatly from that on the national level. The only representative EU institution, the European Parliament, is unable to hold the executive of the EU accountable. European elections do not determine the political colour of the EU, nor how the structure of its government, since the power to govern is shared between the Council of Ministers and the Commission. Voters who know that their votes do not determine the executive don't regard the European Parliament as a full fledged legislative body capable of being democratically held accountable for the whole legislative process. The fact that they do not see it as a protector of their interests, but rather a part of the machinery of European bureaucracy, has probably contributed to the rise of 'Euro-skepticism' in EU member states. Support for the European elections was, paradoxically, diminishing in spite of the increase in the power and influence of the EU. Turnout for the elections to the European Parliament has been falling steadily and continuously since they were first held, so it is hardly possible for the European Parliament to be a fully legitimate institution or to have a mandate to represent the opinions of 370 millions of people (Bogdanor, 2002: 2).

Table 1: Turnout in European Parliament Elections, 1979-1999

Year	Number of member states	Turnout (%)
1979	9	63,0
1984	10	61,0
1989	12	58,5
1994	12	56,8
1999	15	49,4

Source: V. Bogdanor, 2001: 1.

While the EU institutional structure is evidently suffering from incomplete latent legitimacy, it also seems to be short of manifest legitimacy. Decision making is slow and inefficient, secretive, biased, technocratic and certainly not democratic. The efficiency of EU regulative acts might be questioned as well, though the system is not manifestly in crisis (Schmitter, 2001: 75). The effects of the common policies contribute to the general welfare of the member states. Positive economic trends may also be a consequence of the withering away of frontiers among member states and general increase of human rights and freedoms.

For both those who favor ‘federalization’ and those who support member state cooperation (intergovernmental,) the democratic deficit has more to do with the weak role of national parliaments in the EU decision making process. In each case, the legitimacy problem in the EU system seems to be an open issue, shifting partially from time to time because of new changes introduced regarding the role of particular institutions and relations among them. Additional contributions to the strengthening of legitimacy of EU institutions may be accomplished mainly by providing a greater role for the national parliaments in the decision making process at the level of the EU.

## Decision making function

According to common understanding, national parliaments are making important decisions which allocate values and determine the rights and obligations of the citizens (together with sanctions). They have been traditionally responsible for the entire legal order within the boundaries of the state, spending most of their time on legislative business. Though their impact on legislation was frequently evaluated as merely sporadic, their potential has been much greater (Norton, 1993: 80). Such definitions of the parliamentary legislative function evidently do not have the same meaning when a country joins supranational organization.

It follows from the manner of development and character of the EU that national parliaments in the member countries lost an important part of their primary legislative function and were, unlike executive bodies, excluded from direct participation in the decision making process at the EU level. Membership



transfers significant legislative powers to EU institutions - since the mid-1989 the legislative powers of EU institutions have increased and the scope of EU decision making has expanded into new policy areas. With the entering into force of the Single European Act in 1987 and the Maastricht Treaty in 1993 an increase of majority voting transferred political authority from member States to the Council of Ministers. This transfer went further in 1999 when exchange rates were fixed and when Amsterdam Treaty came into force. In the first pillar, covering the internal market and the Common Agricultural Policy, most decisions in the Council of Ministers are taken by qualified majority. In the second pillar (Common Foreign and Security Policy) and third pillar (Justice and Home Affairs) decisions are taken by consensus and have to be ratified by all parliaments before entering into force.

In comparison with the EU, the rules and structures of decision making of any existing national state look like models of rationality and simplicity (Schmitter, 2001: 75). The same is true of number and complexity of legal acts, regulations and directives. The quantity of the EU legislation has taken an impressive proportion. The number of EU laws (regulations and directives) has grown steadily over time and represents approximately 60% of legal acts and regulations implemented within the member countries.

Community (EU) legislation has a primacy over domestic laws and is immediately applicable in all Member States. EU directives are implemented according to the rules of the member states. If a legislative action is required, a bill will be three times read in the parliaments and handled by relevant committees between the readings. In some countries, like Denmark, most of the directives are implemented by administrative regulations (Bergman and Damgaard, 2000: 46).

## **Control - oversight function**

**C**ontrol over the government is considered to be one of the primary functions of the directly elected body of representatives (Norton, 1993: 89). Parliaments may not be very efficient in exerting this function, though the possibility exists for parliament to use some instrument of control in restraining the governments from taking actions not in accordance with the will of the parliamentary majority. Holding their governments accountable for their activity in the Union's decision making process is also one of the important competences of the national parliaments in the EU political structure (besides ratifying the Treaties and fundamental amendments to them, approving the accession of new member states in the Union, appropriating financial means, approving legislation in the Union framework or adjusting national legislation accordingly and elaborate secondary legislation). This task is considered to be politically and psychologically the most important (Dahl, 2001: 8). Since the competences which were taken away from the national parliaments also have great symbolic value, one could expect that these parliaments would be eager to perform their new function in spite of the fact that scrutiny could not always adequately follow the transmission of the national competences to the level of the Union.

Traditional control over governments remains basically the same, with all primary tools designed to hold the government accountable and answerable (questions, interpellations, vote of confidence and constructive vote of non-confidence). However, a distinction exists concerning control over matters within the scope of national level competences and matters which are transmitted to the EU level. At the EU level national parliaments can apply particular new methods of scrutiny in the form of advanced consultation with their governments. By using the possibility of monitoring their governments in all stages of the legislative procedure, they may substantially influence the common positions of the Council.

The importance of scrutiny over the governments when they act on the EU level lies simply in the fact that (1) political sensitivity and technical complexity of the EU decision making allow for a substantial degree of government irresponsibility toward the citizens, (2) EU legislation is of great importance for legislation on the national level, and has primacy over it, (3) EU legislative activity has been rapidly expanding. Nevertheless, there are several obstacles and limitations to the execution of the national parliaments' oversight over their executives. Parliamentary scrutiny is limited by several obstacles:

First, European issues are not yet fully considered to be part of nationally important matters - parliaments throughout Europe uphold the tradition of pre-eminent role of the executives with regard to international relations and 'foreign' European matters.

Second, particular constitutional arrangements may limit initiatives by the national parliaments.

Third, the underdeveloped internal structure of the parliament and poorly adjusted internal procedures consume much more time than necessary for expedient business as a consequence of an unfinished institutionalization. Some parliaments have parliamentary structures more appropriate for governments' oversight and scrutiny of the EU documents than others.

Fourth is the complexity of the procedures. In order to control the actions of their executives when they participate in the EU decision making, national parliaments must know which of the many possible procedures determined by the Maastricht Treaty is implemented in dealing with particular issues and which reading is being used under specific procedure. National parliaments have to adjust to each different EU procedures, consisting of different numbers of readings (cooperation procedure with two readings or co-decision procedure with three readings). The higher stage a proposal reaches in the legislative process, more difficult is for the national parliament to influence the outcome.

The mode and intensity of the national parliaments' scrutiny also vary in practice because of different traditions and particular experiences from the period of accession to the EU. The example of the parliaments of Finland, Sweden and Austria, which were very active in controlling their governments before the countries became full members of the EU, show that they have all retained substantial influence over their governments after accession. It is expected that the parliaments of the applicant countries which have developed

high level of scrutiny over their governments' actions before accession to the EU will try to retain power and be willing to retain stronger oversight over their governments after their countries become full members. Among the ECE new parliaments the National Assembly of Slovenia was particularly engaged in discussing all key documents such as 'Strategy of Slovenia for Accession to the EU', 'The National Program for the Adoption of the Acquis' and all negotiating positions of Slovenia. All issues regarding Slovenia's accession to the EU were currently and simultaneously discussed by the Commission on European Affairs and the Committee for International Relations, many were also included in the agenda of regular and extraordinary sessions of the National Assembly (Zajc, 2002: 26). The main reason for the National Assembly's strong role is that in the period of achieving complete independence from former Socialist Yugoslavia and full international recognition (1989 - 1992), all international matters became internal matters and frequently became the main issues of parliamentary debates.

Taking in consideration the national parliaments of the member states, we can find a large number of different practices. Many national parliaments exercise influence over their governments using *traditional methods*, attaching greater importance to post-decision control, they concentrate on selected issues. Others have gone far ahead by developing new *modern 'ex-ante' methods* of parliamentary oversight, monitoring closely the government's actions after the delivery of parliamentary positions. 'Ex-ante' control is intended to prevent the government from committing the country to the policies which are opposed by parliamentary majority, just as the parliament does not support a government which is unacceptable to its majority (Damgaard and Norgaard, 2003: 42). A great number of national parliaments and their EU committees have revised their rules of procedure and opened up their work to the public. There are also differences between the chambers - two upper chambers, the House of Lords and the German Bundesrat, are undertaking particularly informed scrutiny.

Some parliaments decided to supplement the information about the EU matters provided by their governments by sending their own correspondents and even special reporters to Brussels in order to get valuable tailor-made reports about the course of negotiations and their possible outcome, or current plans (Danish Folketing, Swedish Riksdag, Finnish Eduskunta and some others). No less important are new internal methods of work of national parliaments for insuring optimal organization of parliament, such as better information on the legislative activity of the EU institutions, especially in the preparatory stage. New ways of exchanging information and ideas between the Speakers, MPs, Secretaries-General and civil servants of the national parliaments may greatly help to make national parliaments more open in handling the EU matters and more effective (Dahl, 2001: 5).

One of such measure is the use of the Plenary as an open arena for discussing EU- related measures. Oral and written questions and interpellations are the best means for exposing governmental positions regarding the EU matters to

public control. All the parliaments of the member states have established special European Affairs Committees dealing with the EU matters with the advantage, that the members become experts in EU matters, able to bring the important issues to the attention of their colleagues. Recently, special arrangements have been made to ensure closer collaboration between European Affairs Committees and other relevant parliamentary committees. Parliamentary committees have become more interested and better empowered for the following of EU policies in general, maintaining closer contacts with relevant ministers. Specialized Commissions on European Affairs are able to secure positions which provide a ‘helicopter perspective’ over a wide range of policy areas. The parliaments of the ECE states in the process of accession to the EU have had to develop similar practices and structures long before being formally admitted. The obligation of the government to consult the parliamentary Committee on the EU Affairs has been written into most of the national constitutions of both the member countries and of the new entrant countries.

The experience of some parliaments of member states also shows interesting examples of exercising influence in the form of binding mandates given to the ministers before meetings of the Council regarding which issues which would be discussed and what could be decided upon. Such binding mandates, practiced in some parliaments (the Danish Folketing, the Austrian Nationalrat and to certain degree in the Finish Eduskunta and the Swedish Riksdag) are politically significant for two reasons - first, they bring the position of the parliament directly to the Council, and second, they increase the legitimacy of the decision making on both the national and supra-national levels. Nevertheless, this practice is extremely difficult to follow, even for the most informed parliaments. Though the national parliaments formally have no power of co-decision, such practices resemble at least co-decisional influence!

Table 2: Basic Methods of Parliamentary Scrutiny of EU Affairs in the Parliaments of EU 15

Parliamentary Consideration of EU Matters in the Parliaments	
Working style	Anticipative, ex-ante Reactive, ex-post examination of EU consideration of draft legislation EU legislation
Main focus on EU committee	DK, SF, A, UK, IR
Involvement of specialized committees	D, F, NL, S, I
Focus on Plenary	B, LUX, P, E, GR

Source: Maurer and Wessels, 2001: 449.

National parliaments of the EU Member States have become more active in the most recent period, strengthening their position in relation to their governments. Most of the parliaments can currently negotiate matters with governments that were previously in the domain of the executive. Now the governments must not

only inform them, but also have to consult them. They must respond to the demands of the parliaments in almost all matters, since there is hardly an important matter which is not at the same time national and European. It is expected that the parliaments of the ECE entrant states will more or less follow the example of the most recent entrants (Finland, Sweden and Austria) and will exert stronger control over their governments.

Besides the possibilities of increasing its input through the national government, a national parliament may effectively exert its influence at the transnational level. Operating alone in the European environment cannot hope to succeed, and even an action by two or three parliaments to block a measure decided under qualified majority voting may also be insufficient. But the power of national parliaments can be strengthened if a number of them join with the same purpose and influence the actions of their governments in the same direction, providing sufficient blocking minority (Norton, 2001: 8). Such multilateral contacts also help to strengthen the position of individual parliaments towards their own governments.

In addition to voluntary ad-hoc contacts, the national parliaments are establishing and developing structured contacts through a special form of cooperation with the European Parliament. National parliaments, when monitoring their governments in the various stages of legislative procedure at the level of EU, may effectively collaborate with the European Parliament and can intervene jointly (Laprat, 1995: 6). An important role of the European Parliament here is the provision of the most accurate and timely information about the stages in legislative process and possible changes to the initial proposal. The exchange of information between the European parliament and national parliaments in the last stage of co-decision procedure, when a Conciliation Committee prepares a compromise text, is especially important, since it may help to change positions of the national parliaments.

Among other forms of cooperation with the European Parliament is the Conference of European Affairs Committees of the Parliaments of the Member States and the European Parliament (COSAC). Established in 1989 the COSAC provides a system for the exchange of information between the parliaments and possible arrangements intended to increase the influence of the parliaments on the EU level. The COSAC can be effectively used to develop cooperation between the EU parliamentary 'old-timers' and parliaments of the newly accepted countries.

Finally, there seems to be another possibility for strengthening of the role of national parliaments. This possibility depends upon opening up the meetings of the Council of Ministers. Greater transparency would allow the national parliament to know better how a relevant minister is acting in the negotiations taking place in the Council.

This evidence of the possibilities that the national parliaments have at their disposal in order to exercise influence (through their governments and through multilateral contacts with other parliaments) might moderate the opinion that national parliaments have been transmitting a great deal of power to Brussels

without getting anything in return. National parliaments have acquired substantial power, and it is up to them to determine how, when, and with what purpose they will use it. It is difficult to foresee, what strategy they will use or to which matters they will concentrate upon the most. It is also difficult to imagine, that some new institutional arrangement will give national parliaments a more important role in the EU. Any other institutional arrangement, like the Second Chamber, is believed not to be the best way forward (Norton, 2001: 6). It is also hardly possible that other EU institutions would be sympathetic with such idea, and a number of national governments oppose it, arguing that the interests of the member states are already represented in the Council.

## **Educative and informative function**

One of the earliest functions of the parliament was that of informing the nation of what it is not, but should be, aware of. It is believed that teaching is important for the mobilization of popular support for various acts and policies which impose complex requirements on citizens (Norton, 1993: 187). Citizens who have to conform to the requirements of the economic, social and other policies will be more ready to accept and adapt to changes if they are informed about their necessity. With the cooperation of citizens, such measures will be implemented more quickly and with smaller costs, and with no excessive use of force. Educative and informative function has become more important in the second half of the 20th century, what with the increase of the volume and complexity of legislation. A great deal of the legislation was passed based on the examples of legislative regulation in other states. There are virtually no modern states with a 'self-centered' legislative regulation, that is, one unrelated to any other existing policies and arrangements in the international community - even Switzerland and Norway harmonize each bill with the EU legal system.

In order to meet these demands, parliaments have had to become much more open in their proceedings, and more able to acquire information from ministers and public servants which would otherwise not have been made public. Parliaments meet on open plenary sessions, and some on open committee meetings, where they try to gain the attention of the public and of interested organizations and bodies. Public meetings are not enough to make the matters public - media, especially TV, increase the knowledge of the citizens about the goals and substance of the policies under discussion. Greater specialization of the parliaments recently has helped to produce more attentive groups which are learning from the process and the substance of committee work. By increasing their openness, national parliaments have in fact acquired much greater capacity to mobilize support for particular policies and measures needed to achieve their goals. Citizens seem to understand better how the parliament works, and they feel more involved in what is going on inside the parliament. Parliaments and their committees have undoubtedly developed the potential of influencing the opinion of the citizens and particular groups. (Norton, 1993: 195).

Among the parliamentary committees of the EU Member States, the Committees on EU Affairs have particular role. They have already been informing the citizens about the important matters which are dealt with at the level of the EU, and about the proposals of the European Commission and their purposes. Sometimes they perform this function better than the Commission itself does. Their role in presenting the process of EU decision making and the substance of the proposed policies and acts to the public, especially in the course of negotiations in the Council of Ministers, is of utmost importance for popular understanding the EU goals and practices in the Member States. This is function is made even more important because most of the processes at the EU level are highly complex, non-transparent and hardly understandable to average citizens. The EU committees also provide information about the activities of governments when they are participating in the decision making process of the EU. This activity has profound consequences for the support of parliaments among the population - when they determine positions or scrutinize their governments, they in fact scrutinize the EU institutions. Uninformed citizens would not consider the national parliament a relevant institution in the decision making process at the EU level. Active communication of the process of EU decision making to the public contributes greatly to the parliaments' own legitimacy and legitimacy of the EU institutions.

The parliaments of the applicant states have already become important in the giving of information on matters concerning the EU to the general public in the rather long process of accession of their countries to the EU. This is true especially because they harmonized national legislation with the EU legal order. Their Committees on EU Affairs have been taking over similar tasks to the equivalent bodies in the parliaments of member states, and they have also been active in providing most relevant information on the functioning of EU institutions. Through representatives, parliaments actively participated in the Constitutional Convention, which had the task of promoting the European project and preparing a proposal for the new EU constitution. Some ECE Parliaments have organized special Forums on the Future of Europe where basic questions of the future development of the EU were discussed among the MPs, representatives of various organizations, experts and academics. In these various ways the ECE parliaments have already made important contributions to the mobilization of the citizens for the entry of their states into the EU.

National parliaments can also raise public awareness of EU issues by organizing workshops, lectures, and the initiation of general public discussions on important matters in cooperation with academics and experts (Rakušanová, 2003: 11). It is also important that parliaments form special bodies or 'think tanks' for dealing constantly with EU issues of importance to the member states. The capacity of a parliament to educate the public and mobilize support depends, of course, on the capacity and readiness of individual MPs to be informed on the issues discussed in the national and European levels, and to communicate with the electorate and specific audiences.

## Conclusion

The EU, a new kind of supranational organization with multi-layered governance, which demands huge transfers of national sovereignty from national to transnational institutions, has profoundly changed classic notions of democratic representation and accountability. The EU has replaced representation and accountability of directly elected bodies and governments with professionalism, represented by politicians and bureaucrats. Decision making at the level of the EU allows for a substantial degree of irresponsibility to the citizens. These decisions and regulations now comprise up to 70% of national legislation. New policy fields and modes of decision making at the level of the EU evade parliamentary control and increase democratic deficit at both levels. For instance, the 'third pillar' created. This is an area where intergovernmental activity excludes parliaments and bypasses traditional means of control.

These completely new relations between different levels of decision making have dramatically changed classic functions of national parliaments - traditional functions performed by national parliaments were reshaped, and divided between the national parliament and the EU institutions. In this process, the loss of some functions may have been compensated for by the strengthening of others.

Legitimization function has been divided between the national parliament and the EU institutions, predominantly the Council of Ministers. A situation has been created in which manifest legitimization function of EU institutions is covering their lack of latent legitimacy. The self inflicted loss of original legislative powers has most affected the role of the national parliaments. The shrinking of the traditional control function of parliaments (now limited mainly to the making of unilateral decisions) in the process of EU policy making may, however, be compensated for by the strengthening of their control over their own national governments when they participate in the decision making at the level of the EU. In this way the traditional control function is gaining a new dimension, and allowing for parliamentary participation in the making of transnational decisions.

At the same time the ability of national parliaments to influence developments in the EU is a fundamental democratic issue, and it may be the only possible solution to the 'democratic deficit'. The role of parliaments has steadily increased during the 90's. National parliaments have engaged in internal institutionalization, producing a number of institutions and norms and slowly acquiring the know-how necessary to influence the positions of their governments and thus the decisions made at the level of the EU. They have established proper bodies with specific competences and developed norms of behavior and complementary procedures in order to scrutinize negotiations between their governments and other ministers in the Council of Ministers. They have also learned how to increase their influence through bilateral and multilateral contacts, mainly COSAC and other ad hoc contacts. The new ECE parliaments, which have been from their appearance particularly central to the political life of the



newly democratic states, have already conformed institutionally and organizationally to their new role in the EU decision making process, though they will have to do more for their 'acclimatization' in the new EU climate by adapting their functions.

National parliaments have also become more aware of their responsibility to inform their citizens of EU issues. This does imply not only the work of the Committees on the EU Affairs, but also the necessity of much better informed parliamentarians with greater initiative and preparedness to participate in the making of EU policies. They must be at the same time available for continuous dialogue with citizens. The EU must give national parliaments more time for their scrutiny of EU matters.

By reshaping their original functions, the national parliaments have in fact to a great extent adapted to their new role in the EU. These changes have contributed greatly to their transformation from 'slow adapters' into 'national players,' though their real influence has still remained below its potential. National parliaments have to effectively use their opportunities to make their role more effective and to become an important link between citizens of the Member States and institutions in which transnational decision making takes place. They have to be active, instead of the reactive players which they often have been in the past. National parliaments still have to find ways to make their work and the work of their committees more efficient and more open to citizens. National parliaments and the European Parliament have complementary roles, and could be much more efficient if they collaborated in the process of preparing and making decisions at the level of EU. Their collaboration is contributing to the 'reparliamentarization' of the process of EU decision making.

The proposal for the new EU constitution is only one step in the ongoing process of constitutionalisation of Europe. Nevertheless, this step will have profound implications not only for the parliamentary climate in Europe and the role of the national and European parliaments, but also for the future of the world order.

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# Measuring and Comparing the Powers of Legislatures

Edward Schneider

This is an attempt to sketch the bare bones of a model for measuring the comparative powers of legislatures. Using indicators such as figures on government revenues and spending, it seeks first to establish the importance of the national government in the political system. It then turns toward an evaluation of the specific powers of various legislatures relative to those of state and local bodies, executives, and courts. Finally, by showing how these indicators apply, or fail to apply, to selected parliaments in eastern and central Europe, the paper raises what I hope will be interesting questions for discussion about the comparative study of legislatures.

Article I of the Constitution of the United States begins with the bold assertion that “all legislative powers herein granted shall be vested in a Congress of the United States.” The remainder of the document can be read as a long litany of limitations and checks on these powers and on the very doctrine of legislative supremacy so boldly proclaimed in Article I. The emergence of what has been called the “Imperial Presidency” has further weakened the case for the modern Congress, which remains widely regarded, nonetheless, as among the most powerful legislative bodies in the world. Ever since the publication of Woodrow Wilson’s *Congressional Government* in 1885, American political scientists have been evaluating and debating the relative powers of the Congress and other players in the American system. Only recently have they begun to ask “compared with what?”

As with virtually all studies in comparative politics, it must be acknowledged that however precise our institutional data, there will always be cultural variables indigenous to each system that make a mockery of the standardized findings. But the utility of economical, general models is found as much in focusing the reasons for marked exceptions as it is on whatever patterns they purport to find. In studies of legislatures, the problem of comparison is compounded by the very different dynamics of the formal systems themselves, in particular those that distinguish presidential, parliamentary and various hybrid systems. To one extent or another, at the same time, all world legislatures operate within a system of checks and balances that define the boundaries of legislative institutions. Even in Great Britain, where the notion of the supremacy of Parliament continues to hold sway in strictly legal terms, the combination of strong majority parties and cabinet control have made Tory Lord Hailsham’s phrase, “an elective dictatorship,” closer to reality. The so-called “third wave” of democratization has seen the empowerment of legislative assemblies in dozens of countries, but the extent to which these legislatures actually govern is not always clear, and the idea of legislative supremacy is increasingly in ques-

tion both in these newer systems and in “first” and “second” wave democracies as well. If the executive “branches” in these systems are not as institutionally distinctive as they are in, say, the United States, neither are they, in any real sense, simple appendages of the legislature. In short, as Lijphart puts it, “The parliamentary-presidential distinction does not bear directly on the distribution of power in executive-legislative relationships. In parliamentary systems one can find a rough balance of power between cabinet and parliament, as in Belgium, but one can also find clear executive dominance, as in the United Kingdom, New Zealand, and Barbados. The same range of variation occurs in presidential systems.”<sup>1</sup>

The theme of legislative decline runs through the literature of almost all mature democracies. The parallel notion, in the literature of development, that democratic legislatures are frail institutions whose survival is at best problematic, is also a familiar one. Yet surprisingly little attention has been given to the question of just what it is that makes a legislature viable and strong. If Congress or the British parliament or the Israeli Knesset has declined from some golden age, by what standards is this alleged? Or if the legislatures in some newer democracies have failed to become “institutionalized,” or to have adequately checked the executive branch, can these shortcomings be compared? What is a “strong” legislature? The purpose of this paper is to throw out some preliminary ideas—using various central European legislatures as a data base—on how one might go about measuring the relative powers of diverse legislatures.

The growing sub-field of democratization studies has as one of its central concerns the specification of the degree to which democratic reforms have become institutionalized. Implicit in many such studies is the notion that some transitions to democracy are more successful, more deeply embedded than others. Robert Dahl’s “rule” for evaluating democracy according to the extent “that in choosing among alternatives, the alternative preferred by the greater number is to be preferred”<sup>2</sup> has what I would call a Madisonian corollary. It goes something like this: “The greater the extent to which the legislative authority predominates in modern polities, the more fully democratic the system.”

Since this is not a treatise in political theory, I will not elaborate the meaning of this test nor discuss the rather obvious problems with it. “Tyrannies of the majority,” civil libertarian issues, intensity preference issues, federalism issues, and so on, are acknowledged. As with most models, the test of the utility of this proposition comes as much from its ability to shed light on real world democracies as it does from the internal consistency or logic of the ideal type itself.

That having been said, my argument in what follows is that whatever the limitations of the Madisonian corollary, it can serve usefully as a test of democratization. By developing a measure of the comparative roles of legislatures in both mobilizing participation and participating institutionally in the crafting of public policy, I think we can make interesting and useful statements both about the nature of legislatures and the scope and operation of democracy. While my ultimate objective is to extend this kind of analysis to a far larger number of the

world's functioning legislatures, the focus of this very preliminary study is on a limited sample of those in Eastern and Central Europe that are in geographic proximity to those that are the objects of study in these proceedings.

## **The problem of scope in the comparative study of legislatures**

**T**he attempt here, to devise measures of the comparative strength of legislative assemblies, is at once intellectually amusing in its own right, and important. It is important for both methodological and substantive reasons. As a question of methodology, the comparative study of legislatures is seriously compromised to the extent that we are, to use an old cliché, comparing apples and oranges. There are functioning legislatures in North Korea and the People's Republic of China that with good reason receive little or no scholarly attention. But despite a widespread understanding that legislatures vary from shams to truly predominant institutions, comparisons of committee systems, party cohesion, leadership, and so on, are generally conducted without such caveats. Clearly these caveats can be important: party discipline, for example, as measured by roll call voting data, is clearly a function of agenda control. Legislatures in which significant issues are decided are likely to be less inclined toward unanimity than those in which they are not.

Let me illustrate this by reference to an important aspect of the history of party cohesion in the United States House of Representatives. Party cohesion reached its apex in the United States in the period approaching the turn of the 20<sup>th</sup> century, most specifically during the "McKinley era" of 1896-1900. Party votes in which 90 per cent of the Democrats voted against 90 per cent of the Republicans "reached the all time high of 49.3 percent in the Fifty-fifth House and 50.9 percent in the Fifty-sixth House."<sup>4</sup> Virtually every student of party cohesion in the American congress, including myself,<sup>5</sup> has described the McKinley era as representative of the peak of party cohesion in the American Congress.

In technical terms this conclusion is virtually beyond dispute, confirmed not just by quantitative studies of roll call voting data, but by anecdotal accounts of party leadership in the period. In point of fact, however, high party cohesion in this period is probably less a indicator of sharply divided, cohesive parties than it is an indicator of the limited, relatively trivial role that the Congress of 1897-1901 played in the political life of the country. Examining the roll call record of the period shows that the majority of the votes taken were on normally partisan issues involving procedures, and on those directly or tangentially relating to tariffs. The kinds of issues that were beginning to confuse and confound party divisions in the states— issues involving the regulation of business for example— were, for the most part, not yet on the national agenda. It was the Supreme Court, not Congress, that decided that "separate but equal" school systems were constitutional, and so on. Woodrow Wilson's oft-cited observations on the supremacy of congressional government are meaningful only in the context of a larger system in which the Congress and the national government played at best

a marginal role in the lives of most citizens. Party leaders, it can be argued, were strong and party discipline was high largely because the Congress was simply not dealing with the kinds of controversial issues that might truly have put the issue to a test.

Federalism aside, this case raises a number of interesting questions about comparing legislatures over temporal as well as geographic dimensions. As the scope of government activity expands or contracts, so perforce do the powers of legislatures. A parliament that has seemingly “declined” in power, relative to the executive branch, may actually have increased its impact on society by having a smaller slice of much larger pie. Can such growth and decline be measured?

The most available and best-refined such statistics for comparative purposes are those that provide gross economic indicators. Gross Domestic Product measures, although they tell us less about a government’s capacity to regulate social conduct than about its role in the economy, do provide a fairly strong indicator of its capacity to provide public services, redistribute wealth, and more generally to conduct its business. Some states are simply so poor that neither the executive nor the legislature has more than a trivial impact on the lives of most citizens. A “marginal state,” such as this, is one that “exhibits certain outward attributes of statehood, but which can penetrate its territory only to a very low degree. Society here is highly autonomous. The state has but a minimal governance capacity. Its task may be primarily symbolic and ritualistic in nature.”<sup>6</sup>

In some Pacific Island states, and in very poor countries like Chad, the penetration of any and all national political institutions into everyday life is very small. Chad cannot afford to have an institutional foreign policy toward more than a handful of nations, it cannot afford a university nor a space program, biotech research regulation or a zoo. At the other extreme, the United States can hardly avoid diplomatic relations with virtually every nation in the world. With more than a quarter of world GDP it can and does undertake governmental programs in areas such as space exploration, health research, higher education, weapons development, and so on that are beyond the imagining of the government of a small or poor country. The G7 countries (China, France, Germany, Italy, Japan, the United Kingdom and the United States) whose GDPs exceed \$500 billion dollars are, I would argue, in a class of their own. Behind them, another 24 countries have total GDPs in excess of \$90 billion and can be classified as capable of having strong governments. 43 countries fall in a marginal category (\$10 to \$75 billion); and, at the other extreme are 55 whose GDPs stand at less than 10 million that are so highly constrained in their ability to provide basic services as also to stand in a class of their own.

A problem with this simple four-way classification is that it includes in the two lowest groups a number of micro-states that enjoy very high standards of living, and of public services. Countries like Iceland, Ireland, Kuwait and New Zealand have low total numbers, but are wealthy enough in per capita terms to have relatively large public sectors. Per capita Gross Domestic Product figures

thus provide another crude but accessible indicator system’s governance capacity which distinguishes between the government of a relatively small country like Switzerland, able to tap the resources of citizens earning an average of more than \$25,000 each, as capable of doing more in relative terms for each citizen than that of, say, Spain with the twice Switzerland’s aggregate GDP.

Combining the aggregate and per capita figures, a crude set of indicator points are calculated as follows: For aggregate GDP, 4 points to G-7 nations, 3 points for those with total GDPs in excess of 90 billion, 2 points for marginal nations (10 to 75 billion), and 1 point for the very poor. In terms of per capita GDP, the data break into three categories, with 3 points for nations above \$10,000; 2 points for \$1000 to 9999, and one point for below \$1000. Using these crude indicators, we would rank the governments of Central and Eastern Europe in terms of their economic capacity for governing as follows:

Overall Rank	Countries	Aggregate GDP Rank	Per Capita GDP Rank	Points
1.	Austria	2	1	6
2.	Belarus, Bulgaria, Czech Republic, Hungary, Poland, Rumania, Slovakia, Ukraine	3	2	5
3.	Estonia, Latvia, Lithuania, Slovenia	4	2	4
4.	Albania, Moldova	4	3	3

One can argue that gross resources are not really the independent variables in predicting the uses of government power in these cases: Albania— arguably the poorest of the old Communist bloc countries in Europe— was also in many senses the most thoroughly “governed.” Non-monetary, or relatively inexpensive policies— such as civil and criminal law restrictions on freedom— are available to states with relatively restricted economic resources. More importantly, many very affluent societies *choose* to spend less than they could: compare, for example, the Slovak Republic where total tax revenues are 32.3% of GDP with Austria where they are 45.4%. Is there a general relationship between affluence and government spending rates? I’m inclined to think not, but the current data set is too small to make any generalizations. But it is interesting to find fairly substantial differences between countries in roughly the same GDP categories, with the Czech Republic and Hungary’s tax revenues at 39% and 38.4% of GDP and Poland and Slovakia at 33.6% and 32.3%.

### Institutional power sharing

Most constitutions, to one degree or another, constrain the powers of the government in general and the legislature in particular. Indeed all but three contemporary democracies are governed by written constitutions that explicitly deny certain powers to the government. The “shall not” clauses, and



bills of rights, are not always enforced and, in many cases, are more aspirational than restrictive. What counts, I think, are the institutional checks, balances, rivalries and divisions of power built into the system. These are of two difficult to distinguish types: structural and political. I suggest that they are difficult to distinguish because the gap between formal institutional arrangements and political realities is often large. The Norwegian constitution makes the King the commander-in-chief of the Armed Forces using virtually the same language as that of the American constitution’s vesting of such power in the President. It is not the same in practice. As Madison wrote in *The Federalist*, “mere declarations in the written constitution are not sufficient to restrain the several departments within their legal rights.”

Constitutional structures are, however, a good starting point. The easiest of these to express in quantitative terms are those associated with federalism or other legally mandated forms of decentralization. The IMF regularly compiles figures on state and local as well as national tax revenues.<sup>7</sup> Looking at selected countries for which data are available in Central and Eastern Europe, the range of decentralization is large, from highly centralized 93% in the Slovak Republic to the Austrian federal system in which nearly half of all government expenditure decisions are made at the state and local level. In descending order, the percentage spent by national governments is as follows:

Slovakia	93%	Bulgaria	77	Hungary	70
Romania	88	Lithuania	75	Latvia	69
Slovenia	87	Czech Rep.	74	Poland	56
Croatia	78	Estonia	74	Austria	52

To what extent state and local expenditures and mandated or subject to national guidelines can, at this point only be conjectured. It would also be useful to know the extent, if any, to which there is local autonomy - as in the United States - in setting the penalties and procedures of the criminal and civil codes. But using the available data on local/national expenditures, I will simply rank countries on a centralization scale awarding 3 points to those over 80% national, two to those between 67 and 79%, and 1 to those below 67%.

The next constraint on legislative power can be expressed as a simple dummy variable where a score of 1 indicates that the actions of the legislature are not subject to judicial review. It would be nice to have a more nuanced indicator here that would distinguish, say, the Polish Constitutional Court, which, between 1990 and 1994, voided 31% of the parliament’s acts, and the typically less active courts of most other countries. My inclination is to rank all countries in the region as limited (a score of 0) with the exceptions of Romania and the Czech Republic where the independent powers of the courts are ambiguous at best.

Perhaps the most important constraints on legislative power come from the executive branch. The high preponderance of so-called “mixed” parliamen-

tary-presidential systems in this region is not typical of world constitutions; but there is a sense in which most systems mix powers. Presidential systems differ enormously from one another in the ways in which they mix legislative and executive powers. There are similar distinctions between “pure” parliamentary systems as well, though they are less easily discerned. Shugart and Carey, looking at countries that mix presidential and parliamentary forms, argue that there are two general dimensions on which to measure executive authority: a legislative dimension which includes veto powers, ability to propose referenda, budgetary powers, and so on; and a non-legislative dimension which includes the power to dissolve parliament, to form a cabinet, and so on. I would suggest that many of these dimensions apply as well to more purely “presidential” regimes as well, and perhaps— although here I am on shakier ground, to “parliamentary” regimes.<sup>8</sup> I would also add a number of dimensions of power that the Shugart-Carey and other formulations do not take into account, such as central bank independence, the extent and locus of patronage as opposed to civil service appointments, and the nature and extent of control over the military and police.

Steven D. Roper has recently compared a number of semi-presidential regimes along the dimensions suggested by Shugart and Carey.<sup>9</sup> In terms of central and eastern Europe, he includes six countries which for he scores executive power as follows:

Country	Veto	Decree	Referendum	Cabinet		Dissolution	Total
				Formation	Dismissal		
Austria	0	0	0	1	0	4	5
Lithuania	1	0	0	0	0	0	1
Moldova	0	1	4	1	0	1	7
Poland	2	1	0	1	0	4	8
Romania	0	1	4	1	0	1	7
Slovenia	0	2	0	1	0	0	3

Although they are not generally classified as “semi-presidential,” there a number of other countries that have chief executives who are drawn from parliament. In some cases they have powers comparable to those reported in the above table. The President of the Czech Republic, for example, has a limited veto power that changes the vote total required for passage of a bill from a majority of those present and voting to an absolute majority, which would him or her a point in Roper’s table, as would the Czech president’s limited power of dissolution. The Latvian president’s power of dissolution would also earn a point on this scale.

## Unmeasured aspects of legislative power

If we combine the variables discussed here, the parliaments of Bulgaria and Slovakia emerge as the strongest in the region. As unitary states they control, respectively, 77 and 88% of government revenues and confront weak executives whose limited powers can essentially be exercised only through the government. Their constitutional courts, despite seemingly broad powers, have not been particularly active. The power rating of the Romanian parliament needs to be downgraded because of its bicameral structure, and because it confronts a fairly strong presidency, but its freedom from most forms of judicial review and the absence of a federal system give it high marks as well.

Austria, despite its towering advantage in overall economic resources has one of the region's weakest parliaments, challenged by a very strong federal system, a presidency with middle-level powers, and an active judiciary. Latvia, Lithuania and Estonia have strong parliaments operating under serious economic constraints, active constitutional courts, and, particularly in the case of Latvia, strong local governments. How much does this tell us?

The key missing variable in these calculations is political. The power of the Czech presidency has, for example, tended to be as much a function of the incumbent's popularity than of his limited formal powers. Even in a cabinet system, power fluctuates even in well-established systems such as Great Britain. Strong, well-disciplined majority parties can make legislatures look more effective than they actually are. Highly fragmented parliaments, conversely may have the capacity to act but fail to do so because they are correctly reflecting a consociational "consensus" favoring limited government.

The problem of comparing regimes that are essentially presidential with those that are not, or— of particular interest in Eastern Europe— between those that mix presidential and parliamentary attributes in different ways, is also tricky, not so much because the essential questions of relative power are different as because the sources and measures of relative strength vary significantly. Lijphart's suggestion that "separation of powers tends to give the legislature more strength and independence than does fusion of powers" has never been tested, and was not repeated in Lijphart's subsequent studies.<sup>10</sup> The schema I am developing here leaves no room for any evaluation of the crucial relationships between the cabinet and parliament, which is always difficult to evaluate. Parliaments, as Rasch has argued, "differ with respect to their ability to actually *control* governments. In general legislatures of parliamentary systems are potentially strong if conditions enabling them to control— or serve as real *principals*— are met. The governments, then, are "reduced" to being *agents* furthering the interests of the legislative body".<sup>11</sup>

Nor does the model account for the role of the bureaucracy and the military. Further refinements to the model would deduct points for the existence of a strong central bank, and for conditions of membership in, for example, the EEC that require some surrender of sovereignty. In mixed systems, moreover, it seems that certain kinds of institutional arrangements that balance or blur the relative powers of presidents and prime ministers may empower parliaments by giving them the role of mediators. I'm not sure this can be quantified.

## Politics and procedures

The most important of these missing variables are political. As the commentators in our conference sessions pointed out, the strong, single disciplined party cabinet of a country like Moldova simply trumps all other measures of parliamentary power. This is a tricky variable either to measure or apply. Conventional wisdom suggests that parliaments with fragmented multi-party cabinets are likely to be more powerful vis-a-vis the cabinet than those with single-party governments. This tendency would seem to arise out of both the dynamics of the bargaining process and the stability of the governments in question. “Prime ministers in single party governments,” as Blondel and Müller-Rommel say, “would seem to have greater opportunities to be truly forceful; in coalitions, prime ministers seem often more constrained to being consensus seekers.”<sup>12</sup> Cabinet durability may also be a factor. “A cabinet that stays in power for a long time is likely to be dominant vis-a-vis the legislature, and a short-lived cabinet is likely to be relatively weak.”<sup>13</sup> It is not, however, a zero-sum game in which the power vacuum created by cabinet instability is necessarily filled by the legislature. In Fourth Republic France, for example, it can be argued that it was the bureaucracy not parliament that filled the shoes of policy-making. There may be something of a U-shaped curve here, in which parliaments that are weakest in relation to the government at both ends of the fragmentation scale: i.e., in cohesive single-party states at one extreme, where the Cabinet can virtually ignore the parliament; and highly factionalized multi-party systems at the other, where parliamentary power is frozen in blocks of *immobilisme*. There are at least two significant problems with this line of argument.

Single party cabinets, to begin with, are not always as dominant as they might at first blush appear. Among world parliaments in 2003, roughly half (33 of 69) were governed by single-party cabinets.<sup>14</sup>

But a third of these were controlled by parties that did not have majority standing in the legislature as a whole, and the stability of the governments in question—on an impressionistic basis at least—seems as much related to the age of the parliament, the character of the society, and variables such as these as it does to patterns of party control. Minority governments, it would seem, would be as dependent upon coalition-building strategies as multi-party governments, and perhaps more so since they lack the buffer of a cabinet coalition. There is, more importantly, a conceptual problem that arises from attempts to relate the strength and durability of cabinets to the strength of parliaments. Quite simply, it might well be that those governments that survive the longest are precisely those that are most responsive to the legislatures from which they derive. Even in separation-of-powers systems, an argument can be made that those presidents who “win” the most are those who propose the least, or who consult most widely in preparing their legislative agendas.

## Testing the model

The late Hollywood film producer Samuel Goldwyn was known for his idiosyncratic ways of phrasing his thoughts. My favorite was his, “For your information, let me ask you a question.” In this spirit, I can think of few questions that could better inform me about the government of any East European democracy (or any democracy in the world) than that of asking how powerful its parliament is, both in relation to its own system and in comparison with other legislatures. If we collectively weighs the variable discussed, add a few idiosyncracies such as the Czech Republic’s Senate, or the Slovenian legislature’s power to remove an individual cabinet minister, we can develop a crude measure of parliamentary power.

If these measures can be used in an ordinal way to “rank” legislatures, the results can be tested against the common sense evaluations of scholars expert in various parts of the world. It should also be possible, if such rankings make any sense, to test them against what we might define as dependent variables. The most obvious of these relate to policy performance where the task is largely one of a rounding up the usual suspects: the ratio of parliamentary as opposed to government bills considered and passed, committee actions and floor amendments, inquiries and investigations, controls over executive and judicial appointments, budgetary roles, and so on. This kind of analysis is more complex than it might at first blush seem, but it can provide crude but plausible categories of legislative power that combine with some of the institutional variable we have discussed to fill in at least part of the picture.<sup>15</sup>

A second interesting set of dependent variables are those relating to the concept of legislative institutionalization. As parliaments become more powerful, it would follow that parliamentary careers would become more attractive relative to other government positions and to the private sector as well. If workloads increased, one would expect a greater need for staff assistance, and so on. Particularly in parliamentary systems, these variable must be handled with real caution if only because “the constitutional design of those systems militates against boundedness and the autonomy of legislatures as defined by Polsby.”<sup>16</sup> In all systems, moreover, there comes a point in the process of institutionalization where the legislature ceases to have a meaningful representative role. Without at least minimal levels of professionalism, however, it is hard to describe any kind of supposedly representative body as a true legislature. In Eastern Europe, for example, the inexperience of many parliamentarians has increased neither their ability to represent outside forces nor to become factors in the policy process.

Skepticism about the extent to which we can use any of these measure meaningfully to compare the powers of legislatures is certainly warranted. But when combine the constitutional variables with the behavioral and institutional, I think we can raise the level of comparative discourse and say something about individual parliaments as well. If we can make a fairly good case, let’s say, that the index numbers we have calculated show that the parliament of country X is more powerful than that of country Y, it should— if nothing else—

give considerable spice to a dialogue between experts in both systems. And attempts to refine the variables considered can, I would hope, give us larger insights into the nature of legislative power, and, measured over time, to the processes of democratization on the one hand, and to “legislative decline” on the other.

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# The Role of Political Parties in the Parliaments

## Section III.

### Party and Committee: Intersecting Structures in Post-Communist Parliaments

*David M. Olson*

The world's legislative bodies typically have two forms of intersecting internal organization: political parties and chamber committees. Parties and committees are often characterized as contradictory forms of organization, but they coexist to enable parliaments to function. The newly democratized parliaments of post-communist countries provide an opportunity to view the beginning stages of each form of internal organization separately and in relationship to one another.

This chapter begins with a discussion of parliamentary party groups and chamber committees as different types of organizations, and then develops a structural and statistical profile of each, examines their composition and activities, as well as their interactive relationships with each other and their external counterparts. The chapter concludes with a consideration of the sequential development of parties and committees in the beginning stages of institutionalization.

Party and committee are interdependent and interactive forms of internal parliamentary organization. They are parallel and linked structures (Longley and Davidson 1998 6). Though party and committee are typically viewed as rival forms of organization, with the power of each inversely related to the other (Shaw 1979 394), their working relationships are (or can be) far more subtle and complex, and thus more difficult to describe succinctly. They are linked and interdependent if for no other reason that the members of parliament have simultaneous memberships in both party and committee.

The internal workings of legislatures are not easily researched. Even if some committee meetings are open to the public, no parliamentary parties are. They meet "behind closed doors" (Heidar and Koole 2000a). In Canada, for example, "the weekly private caucus meetings held by all parties...remain largely impenetrable to researchers..." (Malloy 2004), and in Sweden, the norm is that intra-party matters are not discussed outside party meetings (Hagevi 2000). Committees, however, are more accessible to external researchers (Lees and Shaw 1979; Olson and Crowther 2002). While we do have some research on the internal decision-making process of committees, most research on parliamen-



tary party groups (PPGs) is devoted to the publicly visible votes cast in plenary sessions (Hazan 2004a; Olson 2004a). Both PPGs and parliamentary committees are parts of the critical “operational middle ground” of parliamentary life (Arter 2004).

A static description of parliamentary parties and committees is appropriate for stable legislatures in consolidated democratic political systems. In new democracies, however, the internal structures of parliament are at beginning stages. The post-communist democratic parliaments permit us to observe newly energized legislative bodies as they gain capacity to think and to act through a sequence of elections and parliamentary terms over time.

## **Interactive and different types of parliamentary organization**

Neither committees nor parties are single or simple forms of organization. Committees and parliamentary party groups are organized differently, and have different tasks within their respective legislatures. Parties provide vertical integration within a legislature, while committees are a form of horizontal coordination (Strom 1998 23). Parties are an hierarchical form of organization, oriented to, and stemming from, the aggregation of power as measured in votes and seats from elections and culminating in the formation of government and opposition alignments in parliament. Committees, with a functional specialization of labor, provide a more egalitarian structure of coordination cutting across, including most (if not all) party groups in the parliament.

A crucial difference between party and committee is expressed in the term “discipline”. PPGs have the means of obtaining party unified voting, both on the floor and in committee, while committees ordinarily do not have that capacity (Arter 2004). Chairpersons of committees, however, can exercise power within a committee, creating resentment among members, and can compete for power against other committees.

Parties or electoral formations and individual candidacies are formed in an election external and prior to parliament, whereas committees are a post-election formation within parliament. Parties have an almost schizophrenic existence: on one hand, they oppose and denounce one another in the electoral contest for power; while, on the other, once in parliament they must find allies, through compromise and negotiation, to adopt public policy while continuing their main goal of obtaining and retaining power. Committees, with limited jurisdiction, are well suited to the party-negotiation task (Olson 1994 32). Their policy concerns also permit committees as whole entities, and the parliamentary party groups which have members on a committee, provide links to external interest groups, to ministries, and to voting constituencies.

## **Parliamentary committees**

This paper concentrates on the permanent or “standing” (in Continental and American sense) committees concerned with legislation, policy and budgets,

excluding the many diverse ad hoc committees of short duration and limited functions. We thereby run the risk of excluding a sizeable portion of the work load of at least some Members (Zajc 1997).

The term “permanent” refers to the continuous existence of a committee during a whole electoral term of parliament. Most such committees, in practice, continue over several terms of office. In older parliaments, several committees (as in both the Swedish Riksdag and the American Congress, for example) can boast of a century or more of continuous existence. Permanent policy committees tend to parallel the structure of government ministries and are often characterized as “subject matter” or “departmental” committees.

As a corollary, the members of a committee in western parliaments may continue on the same committee through several terms of office. One consequence of committee permanence and personnel continuity is that the chairpersons may have long experience on the committee prior to their service as committee chairperson. The leading members on the committee of other (including opposition) parties have the same opportunity to learn through experience. The accumulated personnel experience, made possible by structural continuity, can be a vital resource in development of a legislature’s capacity to think and act independently of the executive (Barkan 2003 19).

Committees are flexible organizational devices. They are often formed for temporary and sometimes crisis purposes. The adaptability of this organizational form led, especially in the first several years of the newly democratized parliaments, to a profusion of number and form. Rules changes were an important step in organizing a comprehensive committee system.

## Parliamentary party groups

The “parliamentary party group” is a much more variable form of organization than the permanent committee. There is no standard or uniform terminology, at least in English, to designate the members of parliament who belong to any one parliamentary party group. The German term *Fraktion*, has been adopted in a variety of other languages, which is sometimes inaccurately translated into the English word “faction”. Examples of varied national terminology are the Lithuanian *fracija*, the Polish *klub*, and the Canadian “caucus”. The British have “parliamentary parties”, while their Conservatives also have the informal “1922 Committee”. This chapter, as does our chapter on German party unity (Patzelt) uses the generic term, “parliamentary party group” or PPG, to designate party or electoral organizations within parliament. (Heidar and Koole 2000a).

The PPG has been defined as “an organized group of members of a representative body who were elected either under the same party label or under the label of different parties that do not compete against each other in elections, and who do not explicitly create a group for technical reasons only” (Heidar and Koole 2000b: 249).

This definition, based largely upon western European parliamentary experi-

ence, does not encompass all of the fluid variations of new democracies in either their elections or in their parliaments. A less restrictive definition based upon the more varied experience of new democracies, is suggested by the Czech example: “a group of members of the parliament who are members of one party or have been elected on the ballot of the same party or have created a common PPG”. (Linek and Rakusanova 2002: 32).

The new democracies with unsettled party systems have less well grounded and defined PPGs than in older democracies with a more stable party system. The new post-communist democracies have coalitions, fronts, movements, blocs and many other variously named organizational formations which offer candidates. These electoral formations often eschew the very name, “party.” They are often, however, coalitions of other groupings, some of which fit their countries’ legal definition of political parties.

Once in parliament, the candidates of an electoral coalition may form a parliamentary unit of that coalition, or they may form their own party units, or, if there are not many of them, they may join other parliamentary party groups (Olson 1998). The Parliamentary Party Group is thus not necessarily congruent with a “party” outside parliament. There may be more parties represented in parliament than there are party groups formed in accordance with the rules of a parliament. In Slovakia, for example, elected members of small parties formed PPGs based upon their electoral coalitions (Malova and Krause 2000: 203). In Lithuania, several PPGs have names compounded of their several component parties, and one even carries the name (in English) of the “Mixed Group”. Parliamentary party groups sometimes have either split or disappeared entirely from the parliament to which they were elected. Further, in post-communist democracies, independents are elected; their number often increase during a term as members leave their original party groups within parliament.

Exits and party group changes during a term are subject to definition by the rules of parliament (Owens 2004). To define the rules to regulate PPG formation and member party switches is a conscious effort to bring order out of a very fluid if not chaotic set of behaviors in the early post-communist parliaments. There is learning through experience. That effort was designated as one of the key indicators in the institutionalization of committee systems (Crowther and Olson 2002: 197), and can be regarded as similar evidence of the growing institutionalization of parliamentary party groups as well. A similar effort has been noted in the relatively new parliaments of Southern Europe (Norton and Leston-Bandeira 2003).

## **Variations in numbers and size**

**W**hile the number of permanent committees tends to be about 20 per parliament, the number of parliamentary party groups is much more variable, though usually fewer than the number of permanent committees. The number and identity of committees has become relatively stable across terms in the new democracies. They vary in size, however, from 6-8 up to 40 and more members. While some committees are more popular or prestigious than others, which

would lead to a large size, some are more important than others, which in some cases results in a small size.

Committee size tends to vary with size of the legislature. In small bodies, the average size of the largest committees is about 14 members, while in larger legislative bodies, the average of the largest committees is 31 members (Crowther and Olson 2002 175-76). The largest single committee among post-communist parliaments was the temporary bicameral constitution drafting committee of Poland, consisting of 10% of the whole membership (Karpowicz and Wesolowski 2002).

In stable democratic parliaments, the number of party groups is fairly small (the “several” party system) and is also relatively stable both within a term of office and across terms. In new post-communist democracies, however, the number and identity of party groups is neither stable within a term of office nor continuous across terms. The party groups themselves may also be discontinuous. This fluidity, marked in the early terms in most of the new democracies, has declined in some (Czech Republic, Hungary) but continued (Poland) and even increased (Baltic states) in others during the first decade. Inter-party mobility has also markedly decreased in both the Czech Chamber of Deputies and the Slovakian National Council (Kopecky 2000; Linek, Rakusanova 2002: 27; Malova, Krause 2000: 203), as it did also in the early years of the Bundestag (Patzelt 2004).

The parliamentary groups of new parties in new democracies can also be small in size. Several party groups in the Czech Chamber of Deputies have fewer than 25 members, while party groups in the larger Bulgarian Parliament and the Polish Sejm have over 100 members. Likewise, in the Bundestag of over 600 members, the largest German parties have approached 300 members. In the Riksdag of 349 members, the largest Swedish party has held about 150 seats (Saalfeld 2000: 24; Hagevi 2000). At the other extreme, the largest party in the current Latvian Parliament of 100 members, has only 26 seats. The size of the legislature itself places an upper limit on the size of parliamentary party groups, while the size of small parties is a consequence of both parliamentary rules and vote results (Olson 1998).

In new democracies, the size of PPGs varies markedly from one term to the next, for the typical pattern is that incumbent government parties (which tend to be large) are defeated in the subsequent election (which makes them small). Likewise, the previously small parties balloon out in size as they win seats in the new election, only to suffer the same fate in the following election. PPGs in new democracies, even if they continue across terms, tend to have a wide swing in size (and in government-opposition status) from one term to the next. Their internal structure and decision-making processes are disrupted as a direct result.

Part of the disruption comes from the discontinuity of personnel. The previous government parties, reduced in size, are likely to have a large proportion of experienced incumbents. The new government parties, with a large share of new members, however, tend to lose their few incumbent leaders to government, doubly depriving them of experienced parliamentary leadership.

In sum, size is much more variable for parliamentary party groups than for the standing committees. Though both committees and party groups experience a high turnover of both members and leaders, parties more than committees have episodic existence and greater changes in size from one election to the next.

## **Internal organization**

**L**arge committees with broad policy jurisdiction tend to form subcommittees, while large PPGs tend to form internal working groups. Each form of subordinate internal organization is intended to develop a specialization on behalf of the larger group.

The overlapping membership between PPGs and committees results in a committee-like structure within the party groups. Each PPG needs policy expertise, which is accomplished through a specialization of labor among its members. Its members on any one parliamentary committee usually become that party's set of experts on the committee's topics. Large parties form a working group within their PPG among their several members on a single committee; small parties form a working group of their members on several related committees (Heidar, Koole 2000b: 267; Patzelt 2004; Arter 2004).

A party's members on a parliamentary committee have a dual function in western parliaments. On one hand, they are, or become, the party's experts on policy matters, and thus become the source of that party's policy position. On the other hand, they also become the negotiators with other parties on each committee to form inter-party agreements on those same policy questions. They thereby shape the committee's decisions, which in turn, through their respective parties, are often sustained in plenary debate and voting. In stable democratic legislatures, there is, or at least can be, a "complementary" relationship and a "two-way flow of influence" between party and committee (Arter 2004). A similar development has been noted in Hungary (Ilonszki 2002: 37), but has not been widely commented upon in other post-communist parliaments.

## **Recruitment and composition**

**T**he recruitment and composition patterns of parties and committees overlap but are not identical. Committees, though they do not participate in the election process, are directly affected by the results. Not only do the parties and electoral groups which win seats in parliament form the next term PPGs, those PPGs then define the committee system for that term of office and negotiate the member and chair composition of the committees.

The general principle in the distribution of committee seats is proportionality among the parties in accordance with their size in the chamber (Agh 1998: 93). The distribution of officer positions (chair, vice chair(s), and others) is more variable (Kraatz and von Steinsdorff 2002: 326). If, however, one party (or coalition) holds a clear majority of chamber seats, that party or coalition may take all (or most) of the committee chair positions, and perhaps an outsized share of

seats in some committees, as in Slovakia (Malova 1997). In the Czech Chamber of Deputies, however, opposition members chaired most committees when the government party split (Mansfeldova et al. 2002: 78). Whether a proportional or majoritarian principle is followed depends upon the election results (Crowther and Olson 2002: 184). In some instances, the instability of parliamentary party groups made the government-opposition distinction irrelevant (Russ 2002; Lukosaitis, Zeruolis 2002). The frequent increase of members as “independents” likewise confuses party distribution and coalition ratios.

PPGs have considerable leeway in deciding which committees they wish to chair, and on which ones they wish to place extra members. Small parties have a more acute choice: many of the parliamentary party groups have fewer members than the chamber has committees. As a result, the members of small parties either serve on several committees, or the party has to select those committees on which it shall expend its slender resources to the exclusion of others, as in Estonia (Russ 2002: 130).

In the Polish Sejm, the government coalition parties (which vary in size) as well as the several opposition parties obtain committee positions which seem to reflect both their policy concerns and also their voter characteristics (Olson et al. 1998: 109). These PPG preferences are subject to inter-party bargaining, and may very well be part of larger negotiations over formation of the government and the party allocation of the position of chamber presiding officers. In Bulgaria, for example, the opposition parties refused to accept committee chair positions; instead, they opted for the less visible positions of committee vice-chairs (Karasimeonov 2002: 97-100).

It is only following these inter-party negotiations that each PPG is able to select among its members to fill each of the allocated committee slots. Though committees are typically diverse in party composition, in the usual exercise of the proportionality principle, they vary in the homogeneity of their members in other respects. Some committees would be fairly homogeneous in some trait, relevant to their jurisdiction, across parties. For example, lawyers predominate in a judiciary committee, while educators and farmers would serve on the education or agriculture committees. The shared policy concerns and perhaps member characteristics would provide the basis for potential inter-party agreements on the policies within the jurisdiction of any given committee. In the Polish Sejm third term, however, members were frequently unhappy with their committee slots, feeling they had little aptitude for or interest in the committee topics (Olson et al. 1998: 111). In the early years, several parliaments permitted “external” members, especially of sub-committees. Rules reorganization eliminated that possibility.

Both committee and PPG chairs are subject to the same electoral swing effects. But in addition, the occupants of chair positions frequently have changed within a single term of office. While committee chair changes during midterm seem to have decreased over time, there is continued change in party leadership positions (Linek, Rakusanova 2002: 33-34; Crowther, Olson 2002: 178-80). We know little of either the reasons for or consequences of such leadership fluidity, at either the institutional or individual level.

## External relationships

Parliamentary party groups (or, individual members of mixed groupings) are part of a larger complex of party units in the country, referred to as extra-parliamentary party groups. The organizational and legal relationships among the several units within a political party vary among countries but are complicated in all. Parliamentary committees, by contrast, have no such formal or structured relationships to external units such as interest groups and ministries.

The parties of post-communism tend to be parliamentary-centric, though the locus of formal authority within a political party often is outside parliament. Many have been founded in parliament, and continue to be led by Members of Parliament. In some instances, the parliamentary unit and the executive committee of the external party are explicitly represented on each other (Kopecky 2002: 190).

Members of a PPG are often also active leaders in their external party units, from national to regional and local levels. The leaders of PPGs can themselves be active leaders, if not also creators, of the external party. Some opposition parties select “shadow ministers,” who may, as a result, acquire special responsibilities in the external party. Yet, members can be suspended or even expelled from their party by central party units (e.g., Civic Platform, Poland, on 18 September 2005).

There is no similar external source of authority for parliamentary committees; they are internal to parliament. They may, however, have close working relationships with ministries, interest groups, or more diffuse professional and clientele groupings of a society. For these reasons, committees are sometimes deliberately structured to not closely parallel the ministry structure as in Norway and the Czech Republic (Rommedvedt 1998; Mansfeldova et al. 2002).

Political parties and MPs seem to lack firm connections to their electorates in the new democracies; it may be that committees, precisely because they have a policy definition accompanied by departmental jurisdictions, have closer working relationships with their constituencies than do political parties.

## Party and committee in action

PPGs and committees interact, at least potentially, in all of the activities of parliaments. Their interactions, however, may vary by type of activity, as well as among parliaments and over time (Arter 2004). This section will consider legislation, budgeting, and administrative review and oversight.

## Legislation

The usual pattern in west European parliaments is that most legislation is proposed by the government, and most of that is enacted. Both proportions begin at about 70% and go up (Olson 1994: 84). The only exceptions (fairly common in Scandinavia) occur in minority governments (Isberg 1982; Rommedvedt 1998: 67-68).

The newer post-communist parliaments seem much more independent of governments than their western counterparts (Kraatz, von Steindorff 2002). The

location, as well as means, of amendment or rejection of government legislation is typically in the parliamentary committee system. At successive stages of legislative procedure, committees block and amend proposed legislation. Committees can have a filter function, reducing the number of bills at each successive stage (Karasimeonov 2002: 102-02; Ruus 2002: 125).

In addition, floor debate on a bill is usually led by a committee member who has had major responsibility for the bill from the time of its introduction. In some of the new parliaments, the proposed bill goes to a committee even prior to its formal introduction at a plenary session.

In west European practice (exemplified by Germany and Sweden), committees are the means by which PPGs negotiate common positions on legislative proposals. As a result, the party patterns at committee stage of legislation are predictive of party voting patterns in the plenary stage, as noted in the prior section on the intersecting internal structure of party and committee. The much discussed party discipline in European parliaments, both West and Central, seems more apparent in plenary and final stages of legislative consideration than in committee and earlier stages (Hazan 2004).

As a direct result, governments may actively attempt to sway committee decisions. Polish Sejm members, irrespective of party, felt that the government was overly interested in their committee work. An important step toward committee independence from government was to prohibit ministers from committee membership (Olson et al. 1998: 116).

## Budgets

While more committees consider the proposed government budget than any other single piece of legislation, government insistence upon adoption of its budget as proposed is much greater than on most bills. Budgets are commonly in the jurisdiction of a single (Finance) committee, which allocates sections of the budget proposal to the relevant committees for their advisory consideration. One common practice is that the subject (and departmental) committees ask that budgets be increased for their particular programs and departments (Mansfeldova et al. 2002: 80), while the Finance committee, more concerned with the macro questions of deficits and tax levels, protects the government budget as submitted, especially if it has a firm government majority.

PPG involvement in budget matters is problematic. One possibility is that Finance Committee members are major figures in their respective PPGs. Both the complexity and compressed time for committee deliberations with the government on the budget would preclude much intra-party consideration prior to floor action. Finance Committee members would more inform and instruct, rather than taking directions from, their respective PPGs. The Finance committee results could more depend upon negotiation among party leaders in the committee upon leader-member interaction within each separate party group. It may be that after the major policy decisions of the post-communist economic and political transitions have been settled, parliaments will give increasing attention to budget decisions.



## **Administrative review and oversight**

Perhaps the greatest opportunity for committees to take independent action from either party or government is in administrative review. This function is especially suited for specialized committees. Though it has been in decline in western Europe (von Beyme 2000: 85), it may be increasing in emerging legislatures in Latin America, Southern Europe and Africa (Barkan 2003; Norton, Leston-Bandiera 2003; Pelizzo, Staphurst 2004).

The most active committees in review and oversight of administrative implementation of policy among post-communist parliaments have been found in the Polish Sejm. Beginning with experiments during the Communist period, Sejm committees have developed, and extensively deploy, several means of obtaining information from and providing directions to (reluctant) government ministers and administrators (Karpowicz, Wesolowski 2002). In the Polish experience, PPGs take neither interest in nor action on committees in their administrative review activities. While committee member concerns are the dominant consideration, matters for committee attention come from many different sources and for many different reasons.

One concern is that committees which are homogeneous in some respect (e.g., occupation) become closely linked to outside persons, corporations and organizations. While PPGs would wish their members on committees to build bridges to relevant voter groups and district concerns, these external linkages also suggest a kind of insider lobbying by interest groups (Agh 1998 90; Rommedvedt 1998: 71-72; Crowther, Olson 2002: 174).

Administrative review is found in at least some of the other post-communist parliaments. In all, however, the frequency and extent of this type of activity through the committees varies with the circumstance of minority or majority government (Agh 1998: 90; Mansfeldova et al. 2002: 80-81; Karasimenov 2002: 105; Crowther, Olson 2002: 174), as it does also in western Europe (Rommedvedt 1998: 71-72).

## **Parliamentary committees and parties: the beginning stages**

The new post-communist democratic parliaments enable us to examine the internal structures of committees and parliamentary party groups at their beginning and subsequent stages over time.

They develop together, interacting with each other and with the wider parliament of which they are integral components. The party systems of post-communist democracies are, on the whole, less stable than were the party systems at equivalent time periods in the early stages of other new democratic systems in Latin America and West Europe (Bielasiak 2003). The seven-parliament review of committees in Central Europe found that the parliamentary party system had the largest immediate impact upon the formation of committee systems (Crowther, Olson 2002: 197).

Parliamentary parties have ranged in condition from united and majority to minority and inchoate. Committees have ranged from in condition from unstable and temporary to cohesive and permanent. They vary from independence to

subservience to either the government or to political party groups. The conditions under which different organizational forms occur, and under which either is predominant in legislative decision-making deserve further examination. The new evolving post-communist parliaments provide an opportunity to trace the development of both types of internal organization in relationship to one another and to the wide range of external forces which impinge upon parliamentary thought and action.

In the early years, neither parliamentary party nor committee were well developed. The flux of party groups and the prevalence of party switches – occurring within the term, not only at election time – was accompanied by flux in the committee system. New committees were created, while members and committee chairs changed frequently. Even if committee names persisted over time, their personnel did not. In addition, a plethora of ad hoc working formations were created, each in response to an immediate need. One result was a very heavy and fragmented work load for the Members; another was a very uneven distribution of work load among committees. It was in this situation that the external members often spent more time and energy on committee tasks than did the elected Members.

Further, the opening days of parliamentary sessions, and the opening hours of a daily sitting, were consumed by debate over agenda and rules. Members were not willing to cede even procedural, much less substantive, authority to party groups and officers.

Adoption of new rules of parliamentary structure and procedure were critical events to bring order out of organizational and procedural chaos. New rules were themselves the culmination of a long and complicated negotiation process inside each parliament (Ilonszki 2002: 24-26; Linek, Rakusanova 2002: 25-29). The importance of rules changes has also been noted in the development of newly energized legislatures elsewhere (Barkan 2003: 27; Norton, Leston-Bandeira 2003).

The new rules restructured both PPGs and committees. Committees were reorganized, the variety of ad hoc working groups consolidated into a new committee system, and committee membership eligibility defined (e.g. no external or ministerial members). At the same time, criteria for PPG formation were defined, and conditions for party switching regulated. The most visible immediate change was to increase the minimum size for the formation of a PPG from about five up to ten members (Linek, Rakusanova 2002: 26-27).

Party systems currently are fairly stable in some but not all post-communist parliaments. It is possible, however, that the formal structures and operating procedures of both PPGs and committees even in fluid party system parliaments (e.g., Lithuania) are more stable now than in their earlier years. That form of “structural” or “minimal” continuity results from a combination of internal experimentation and external example.

The committees themselves usually have meeting rooms and (small) offices and staff, though PPGs have more resources. The committees have developed record keeping procedures. They have developed precedents of how to organize themselves, of how to manage their plenary session responsibilities (and oppor-

tunities) and of how to interact with government ministers and administrative personnel. All of these features had to be organized from scratch (or transformed from their communist era predecessors) in their early years. After a decade of experimentation and learning, the essential building blocks of working parliamentary internal structures are now in place.

PPGs, however, were formed prior to committees, and obtained financial and physical resources in parliaments prior to committees (Ilonszki 2002: 24-26). Elaboration of the committee system came second; but restructuring of both sets of internal organizations occurred simultaneously through rules revisions.

Even though parties change, members switch, and high member turnover continues, the formal structure has become a received or prior-existing part of the legislative environment within which the new parties and new members learn to function. The structures and procedures have been created, and once created, persist. There is organizational learning through time. The more parties are in flux in the next decade, the greater the possibility that the committee structure is a source of stability for both the party groups and for post-communist parliaments as whole entities.

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# The More Parties Vote And the Bigger Their Majority is, the Less United They are<sup>1</sup>

Lukáš Linek, Petra Rakušanová

Theories of parliamentary democracy and party government presume that there are unified voting blocks in the parliament or more precisely unified parliamentary political parties (PPGs<sup>2</sup>). Shaun Bowler, David Farrell and Richard Katz caution that for most authors this presumption has acquired the status of a normative claim (Bowler, Farrell, Katz 1999). In view of this presumption we consider it necessary to examine the reasons for the presumed unity of parliamentary political parties. The objective of this paper is to explain the voting unity in the Chamber of Deputies of the Parliament of the Czech Republic building upon data from the years 1998–2002. First, we shall explain basic terminology frequently used in debates on the behaviour of parties in the parliament, i.e., the concepts of unity, cohesion and discipline, and the method of their measurement in parliamentary research. Then, we shall introduce the theoretical framework which offers reasons for the voting unity of parliamentary political parties. This framework builds mostly on the work of Reuven Hazan (2004) and Shaun Bowler (2002). Next, we present basic institutional rules which should lead to the unity of political parties in the Czech Parliament and data on the unity of Czech parties. The data on the voting unity of political parties in the Chamber of Deputies of the Czech Parliament give us a basis to present and discuss factors that reduce the expected voting unity.

## Semantics and theoretical approaches used to conceptualise the unity of PPGs

In parliamentary and party research several terms are used to describe the unity of action of a group of MPs: party unity (as opposed to party dissent), party discipline and party cohesion. This semantics base and the arrangement of relationships between the terms we shall use to re-conceptualise the unity of political parties was put forth by Ergun Ozbundun. Ozbundun defines party cohesion as “*the extent to which, in a given situation, group members can be observed to work together for the group’s goals in one and the same way*” (Ozbundun 1970: 305). On the other hand, party discipline, in his opinion, lies in that “*followers reg-*

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This text is an abbreviated and in places substantially reworked version of a more detailed study to which we will sometimes refer for more detailed description or argumentation (Linek, Rakušanová 2002).

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Knut Heidar and Ruud Koole defined parliamentary party groups as “*an organised group of members of a representative body who were elected either under the same party label or under the label of different parties that do not compete against each other in elections, and who do not explicitly create a group for technical reasons only*” (Heidar, Koole 2000b: 249). Where we mention a PPG, we have in mind the equivalent of the Czech term *poslanecký klub* or *senátorský klub*, German *Fraktionen*, and the English terms *parliamentary parties*, *parties in parliament* etc.

ularly accept and act upon the commands of the leader or leaders". Party discipline also means "*ways and means of inducing recalcitrant members to accept and act upon (leader's) commands*". Thus, discipline "*refers either to a special type of cohesion achieved by enforcing obedience or to a system of sanctions by which such enforced cohesion is attained*" (Ozbundun 1970: 305). Ozbundun uses the first term to define the second term and vice versa, and arranges these two terms in a hierarchical relationship where discipline is subsumed in cohesion, i.e., he sees discipline as part of cohesion. Thus, cohesion for him means "*an objective condition of unity of action among party members, which may or may not be the function of disciplinary repressions*" (Ozbundun 1970: 305).

Terminologically, Ozbundun does not address the possibility that a PPG may act in unity without the necessity to employ discipline. With respect to understanding the functioning of PPGs and with respect to analysing the unity of PPGs, we consider this negligence to be dangerous and therefore we re-conceptualise Ozbundun's terms (similarly, see Hazan 2004). According to the present authors, party unity means the observed unity of party members' actions, or unity of PPG actions (Ozbundun's cohesion). Party unity may be the result of both party cohesion and party discipline. We consider it necessary and proper to differentiate the terms *cohesion* and *discipline* but we do not agree with Ozbundun's proposition that discipline is a special type of cohesion, a subgroup of cohesion. Unlike Ozbundun, we consider the terms *cohesion* and *discipline* to be analytically different because they conceptualise party unity from two complementary points of view. If party unity is a result of party cohesion, it is a consequence of un-coerced decision of PPG members resulting from them holding similar opinions. It entails objective unity in the sense that it does not have to be coerced. If party unity is the result of party discipline, however, then it is a consequence of (1) the use of coercive means which either the party executive or the PPG leadership have at their disposal to enforce unity/discipline; or (2) institutional arrangements which lead MPs to maintain party unity.

If we see a PPG act in unity, it may be because its members agree on a party position (*party cohesion*), or because they were made to act in such a way although their preferences differed (*party discipline*). There are many ways to persuade MPs to vote differently than how they originally intended: from party or PPG leadership recommendation, motivating MPs with rewards in the form of appointments or election to a position, to motivating MPs with rewards from interest groups etc. Thus, this conceptualisation has the advantage of differentiating analytically between the terms *cohesion*, *unity* and *discipline*.<sup>5</sup> Ozbundun's

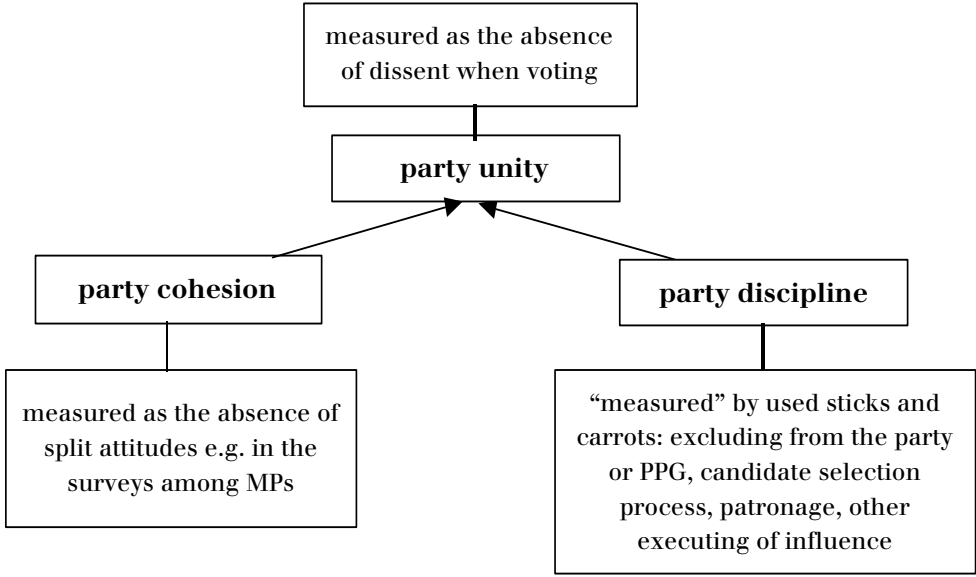
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A disadvantage of this conceptualisation (as well as Ozbundun's one) is its static nature which results in the inability to deal with the fact that the unity of parliamentary party groups when voting is a very dynamic matter where cohesion and discipline come together with the internalisation of partisanship norms. Such internalisation lies in the fact that MPs generally do not doubt and do not contemplate that they vote in unity because they consider it proper and normal. MPs strategically consider deviations from a party position and thus a breach of the partisanship norm, but they do not contemplate regular conformity. The partisanship norm may be understood as the exercise of disciplinarian power (for example, Weber 1972: 681–682 or Foucault 1975: chapter 3) – i.e., rationalised and methodically practised performance of accepted orders without the least sign of criticism, which is uniform and general. This, in a sense, then, involves both cohesion (un-coerced decision to act in unity) and the exercise of discipline (the partisanship norm puts external pressure on MPs' conduct).

term *cohesion* which covers our terms *unity* and *cohesion* provides no analytical tool to grasp the existence of un-coerced unity of attitudes. This cohesion is a condition of collective action where party or PPG leadership does not have to work to ensure unity. Such collective action is far less costly in terms of transaction costs for party leadership and as such it may be given intentional priority. Conversely, by introducing particular agenda it is possible to ensure that issues are not presented in the parliament on which a party is not cohesive and the leadership would have to achieve unity on such issues at great transaction costs.<sup>4</sup> All these three concepts may be examined and measured with different tools. For example, cohesion may be studied using questionnaire surveys of MPs, with the objective of discovering MPs’ attitudes to individual public policies. By classifying the responses obtained according to membership in a PPG, we will get a map of party cohesion. Unity can be measured using Rice’s Index of Party Cohesion or using other indexes (see Appendix 2, in Linek, Rakušanová 2002). Discipline can be analysed by examining the usage of tools serving to maintain the unity of MPs (see Figure 1).

Figure 1: Conceptualisation of the terms *unity*, *cohesion* and *discipline*



Reuven Hazan linked the theoretical distinction between cohesion and discipline as two sources of unity with two basic theoretical approaches which explain party unity in the tradition of parliamentary research studies (Hazan 2004). He terms the first approach a sociological approach; the sociological

4/ It can be expected that party A will intentionally introduce an agenda on which party B is not cohesive and consequently will force the leadership of party B to either demand unified vote from its MPs or to consent to disunity.



approach stresses norms and roles. According to this approach MPs act in unity due to normative reasons, for example, because of an ideological conviction, political socialisation or party solidarity. Authors who support this approach underline the role of informal rules, such as loyalty and solidarity, which restrain MPs' behaviour. On the contrary, the institutionalistic approach stresses strategic incentives and restrictions and finds the main cause of party unity in formal arrangements of political parties and parliaments as well as in the rational conduct of MPs which maximises utility. Parliaments and parties control the distribution of influence, benefits and re-election. According to Hazan, there is unity in PPGs provided that sufficiently strong common attitudes are shared – non-institutional reasons (sociological approach). When party cohesion begins to break down, there is a need for institutional mechanisms to keep the party together, and here is when discipline comes into play (institutionalistic approach) (Hazan 2004).

Unlike Hazan, Shaun Bowler does not consider sociological approaches to be relevant to explain the unified behaviour of parliamentary party members and prefers institutionalistic approaches. Bowler divides the explanations which Hazan includes in the institutionalistic approach into two groups, according to the arenas in which they seek to explain parliamentary party unity – a two-arena model and one-arena model (Bowler 2002). The two-arena model stresses the importance of the electoral competition as a factor that shapes politicians' behaviour. Unified PPGs are seen as a consequence of the demand to compete and win the elections, and political parties provide the basic tools for this: a label, funding, advice or organisation. On the contrary, the one-arena model highlights the role of incentives and instruments within the parliament as an explanation of the unity of parliamentary party groups. These incentives include nominations into positions, procedural advantages that make it possible to influence the agenda and thus policy, benefits and offices. Bowler shows that neither of these approaches is capable in and of itself of explaining the existence of party unity in parliaments and says that party unity does not rest only with the incentives within the parliament but also with the incentives provided by the candidate selection process in party organisations (Bowler 2002: 176–179).

When analysing the unity of Czech parliamentary parties we adopt Bowler's theoretical framework and take advantage of the fact that the common norms and attitudes (party cohesion) may but do not have to contribute to party unity. Conversely, if cohesion is lower, institutional incentives should ensure unity of PPGs. Therefore, we shall concentrate on the key characteristics of the one-arena and two-arena models, i.e., the political and electoral systems, the candidate selection in political parties, and parliamentary procedures. These are institutions that make it possible to meet the three basic strategic objectives of MPs: re-selection, re-election and advance up the parliamentary party ladder (Gaines, Garrett 1993: 116).

## Institutional and procedural incentives for party unity

### *Two-arena model variables: the political and electoral system and the candidate selection process in Czech parties*

The political system of the Czech Republic is a parliamentary system with a cabinet structure of government where, depending on the results of the elections, political parties negotiate the construction of a cabinet which must secure a majority support in the Chamber of Deputies (Mansfeldová, Müller-Rommel 2001). Jan Kysela characterises the Czech political system as parliamentarism without rationalisation elements to strengthen the position of the cabinet in relation to the Chamber of Deputies (Kysela 2003). Thus, for the formation and maintenance of the cabinet it is crucial to have united support of the cabinet in the ruling PPGs. After winning the vote of trust, the government is faced with the task of governance, which in modern societies occurs primarily through acts and legislation in general. Thus, government is again, and remains so for the whole electoral term, dependent on the support of PPGs. This dependence grows as a result of the position of the government in the legislative process; neither the Constitution, nor the Rules of Procedure ascribe any formal privileges to the cabinet in proposing and negotiating acts (see also Kopecký 2000).

After the 1998 elections the minority Social Democratic cabinet held office for the whole duration of the term (1998–2002) thanks to the Agreement on Creating Stable Political Environment in the Czech Republic, concluded between the Czech Social Democratic Party (ČSSD) and the Civic Democratic Party (ODS). For the ČSSD the agreement guaranteed a stable cabinet and that ODS would neither initiate a vote of ‘no confidence’ against the government, nor would it support such a vote. For ODS, the agreement guaranteed co-ordination during the appointments to important political positions, consultations with the government prior to adopting important decisions and, above all, the consent of ČSSD to an expansion of the majority elements in the electoral system and a limitation on the powers of the President of the Republic.

Table 1: Composition of PPGs in the third electoral term (1998–2002)

Party	Number of members
Civic Democratic Party (ODS)	63
Communist Party of Bohemia and Moravia (KSČM)	24
Czech Social Democratic Party (ČSSD)	74
Christian Democratic Party – Czechoslovak Peoples Party (KDU-ČSL)	20
Freedom Union (US)	19 (18, 17)

*Source: Chamber of Deputies P CR.*

In 1998 MPs were elected using the Electoral Act of 1995 with proportional system in eight constituencies, with between 20 and 60 candidates on party lists, depending on the size of the constituency. This proportional system was based

on the Hagenbach-Bischoff electoral formula applied in two scrutinies. Candidates could have been proposed by political parties, political movements, or their coalitions only. Parties had to acquire at least five percent of the votes nation-wide; a coalition of two parties had to secure seven percent; a coalition of three nine percent; and a coalition of more than four eleven percent of the votes. The party lists were binding but not strictly. A voter could vote for only one party list but within that party list could state his/her preferences for as many as four candidates. In the 1998 elections, if a candidate received more than ten percent of these preference votes, s/he was considered to have won a preferential mandate in the given constituency.

Although MPs in the analysed period were elected according to the Electoral Act of 1995, those thinking of re-election had to take into account – in their conduct and voting – the changes in the Electoral Act adopted in 2000.<sup>5</sup> After this amendment to the Electoral Act initiated by ČSSD and ODS, the number of constituencies increased from the original eight to thirty-five. In individual constituencies no less than four and at maximum eight mandates are distributed. Along with more electoral districts a modified D'Hondt electoral formula was adopted with divisors 1.42, 2, 3 etc. Thus, even though the proportional system has been preserved, there was an evident motion to strengthen the majority elements in it.

Candidate selection in individual political parties reflect the electoral system and thus political parties prepare party lists according to the number of constituencies. Political parties represented in a given term in the Chamber of Deputies employ decentralised candidate selection where county and regional party organisations select candidates and determine their rank, with a lesser or greater degree of interference from the central bodies. Between 1998 and 2002 parties adopted two basic candidate selection models: (1) a decentralised decision-making model where a regional nomination convention or party members in the constituency decided on candidates and their rank (KDU-ČSL, US-DEU); (2) a pyramid model with three or more selection levels (from local through county, regional and national levels) with a great role played by party executive bodies at each level (ČSSD, KSČM and ODS) (Saxonberg 2003; Outlý 2003). In all parties, the support of regional leadership or the support of members at regional level are crucial for MP re-election, even if a national party body interferes in the candidate selection process because these are large party bodies formed based on regional representation. That means that MPs who oppose the party leadership or PPGs may still be re-selected for the party list.

To sum up, the functioning of the political system requires and anticipates the unity of PPGs, otherwise the cabinet position would be weak and the cabinet would not be able to push policies through the legislature. An electoral system with the only possibility to run on the party list strengthens the dependence of MPs on political parties. On the other hand, the electoral system with the prefer-

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We do not consider changes adopted during 2002 as capable of influencing MPs behaviour during the period 1998–2002.

ence voting and the candidate selection process do not necessarily push MPs toward greater unity. Due to the strong position of some MPs in regions, it is possible to ensure re-election despite disagreement with the party leadership or the parliamentary party group.

### **One-arena model variables: procedures, voting, and appointments within the chamber of deputies**

A one-arena model stresses the existence of parliamentary rules and institutional structures that are capable of increasing the unity of parliamentary political parties. Therefore, we shall concentrate on the procedural advantages of parties in the legislative process, mechanisms of appointments in the parliament and the status of parties in the parliament. In this regard, a key aspect is the official recognition of groups, which is followed by the allocation of special privileges and resources to such groups. The Rules of Procedure approved in 1995 do not perceive the PPGs as bodies of the Chamber of Deputies by legal definition. Formally, PPGs have not been defined as bodies of the Chamber of Deputies; in practice, however, they are. The Rules of Procedure stipulate that MPs may associate in PPGs on the basis of their affiliation to political parties and political movements on whose list they ran in the elections. The definition is stricter than in the previous Rules, which stipulated that MPs may associate in the parliamentary party groups on the basis of their political opinions. The minimum number of MPs required to form and run a parliamentary party group is 10; this is double the number required before 1995. The internal workings of PPGs are not regulated in any way, except for accounting of their expenditures (for more see Šimíček 1996; Kolář, Pecháček, Syllová 2002).

Furthermore, the Rules of Procedure stipulate that MPs belonging to one political party may create only one PPG. This is one of the provisions restricting the establishment of new PPGs. It is a safety mechanism against spin-off factions, which could then obtain contributions for their activities from the Chamber of Deputies and could present themselves under the same party name as the original PPG and as proponents of the party policy.<sup>6</sup> The Rules of Procedure allow for the possibility of forming a new PPG, which can be composed of MPs affiliated to a political party other than the party for which they were elected or of unaffiliated MPs. The new PPGs have the disadvantage of not being entitled to funds from the budget of the Chamber of Deputies to cover their costs.<sup>7</sup> However, they may use the premises of the Chamber of Deputies

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The Rules of Procedure partly helped to resolve the issue of the fragmentation of PPGs. Between the first and second electoral term (1993–1996 and 1996–1998) inter-party mobility dropped significantly, and there was a further decrease between the second and third term (more Linek, Rakušanová 2002; Linek 2001).

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The Chamber of Deputies approves rules for financial management of PPGs every year upon a proposal of the Organization Committee. The rules of financial management contain the amount of the contribution, principles for its obtaining, drawing, accounting, and auditing. PPGs that are not in the government are entitled to 1.5 factor of the standard amount of the contribution (for more detailed information see Kunc 2001).

and its technical equipment. These new PPGs are not entitled to proportionate representation in the bodies of the Chamber of Deputies, i.e. in committees or commissions, unless the Chamber of Deputies decides otherwise; this has a far graver impact on such new PPGs (more Linek, Rakušanová 2002; Linek 2001).

In addition to the status of PPGs and the related resources, procedural advantages which these groups have in the legislative process also influence the unity of PPGs. On the contrary, granting procedural authority to individual MPs is a strong incentive for more independent position of these MPs. Moreover, the cabinet and groups of MPs, individual MPs, the Senate and regional boards of representatives also have the authority to submit bills. The role of individual MPs in the legislative process is significant from another perspective, too: amendments to bills may be submitted by individual MPs, both in the plenary session and in a committee session.

The legislative process strengthens the role of PPGs as the main generator of attitudes toward proposed bills. There are three readings in the legislative process. After debating a bill in the first reading in the plenary session it is debated by committees. In the second reading, amendments to the debated bill are submitted by individual committees and MPs. In the third reading there is a vote on these amendments. The first reading is crucial for the fate of each bill because it is there where the attitudes of individual parties to the bill are presented and the debate is polarised among the proponents and opponents of the bill. As a result, polarised political attitudes precede potentially less politically polarised attitudes that could come out of a debate of the bill in the committees. The Rules of Procedure allows “an abbreviated debate of bills” whereby a bill may be adopted in the first reading. If two PPGs raise an objection, a bill of an act cannot be passed in the first reading. PPGs also have the power to intervene in a debate because a PPG chair has the right to demand the floor at any time and present the opinion of the PPG or request an interruption of a session for a consultation in the PPG.

We have found another strong privilege in the rules of voting, which may or may not help to achieve party unity in the parliament. In a secret vote unity may be relaxed and this may occur even during key or negotiated votes because parties do not have a tool to impose discipline. On the other hand, open voting is an instrument for party whips to control the unity. The basic document that sets forth the manners and rules of voting in the Chamber of Deputies are the Rules of Procedure. The Rules of Procedure define two possible manners of voting: open-public and secret. The manner of voting is proposed by the chair of the session.

Secret vote is used to elect the chairperson and deputy chairpersons of the Chamber of Deputies, the chairperson and deputy chairpersons of committees. Other cases may also be decided by secret vote if the Chamber so decides upon a proposal of the chair of the Chamber. In the case of a secret vote, voting tickets are distributed to all those in attendance and MPs then write the name of their candidate on the ticket. The quorum is calculated according to the number of voting tickets issued. Open-public voting occurs on all other occasions and may

take the form of electronic vote or roll call vote. In roll call vote, the names of MPs are read aloud in alphabetical order, starting with the letter drawn by the chair. MPs then indicate whether they abstain, are in favour of, or against a proposal. In electronic vote, MPs first register using the voting card and then vote for or against a proposal by pressing a button on the electronic voting device within a time period set by the chair.

PPGs also have considerable constitutive power when establishing bodies of the Chamber of Deputies, such as committees and commissions, the chairperson and deputy chairpersons of the Chamber, or ensuring the organisation of the sessions of the Chamber of Deputies through the Organisational Committee. PPGs are the only bodies that can submit proposals for the positions of the chairperson and deputy chairpersons of Chamber and members of committees and commissions. Committee positions are filled proportionately to the number of MPs in a PPG; MPs who are not members of any PPG cannot be proposed for such a position unless they offer their mandate to a PPG which shall then negotiate a membership in a committee on behalf of such an unaffiliated MP. If the number of members in a committee allocated for a given PPG is smaller than the proposal made by the PPG, the rank in which the members of the PPG were proposed decides. Proposals regarding the chairing of committees and commissions may be submitted both by PPGs and individual MPs. Committees elect a chairperson among their members but the chairperson must be approved by a majority of the Chamber of Deputies. Generally, however, coalition agreements signed by political parties prior to the formation of a cabinet contain an agreement on the number of members of committees and concrete chairpersons. Chairpersons and deputy chairpersons of the Chamber of Deputies are elected in a secret vote while the number of committee members and their chairpersonship is decided in an open vote; committee members are only confirmed in a vote at a session. It is possible to recall a member through a majority vote in the Chamber of Deputies.

From the overview of the legal status of PPGs it is clear that the ability of those who are not members of a PPG to have any impact on the workings of the Chamber of Deputies is very limited. Unless the Chamber decides otherwise, only PPGs established at the beginning of the electoral term and affiliated to a party elected to the Chamber of Deputies are entitled to be proportionately represented in bodies of the Chamber of Deputies. It can happen that an MP does not become a member of any committee if no PPG proposes such an MP into a committee or if a PPG makes a decision that such an MP will not be a member of any committee. The fact that the votes are public makes it possible for PPG leadership to attract attention of other party members and the public to the dissent of individual PPG members against such a PPG. For MPs who consider their political career in a long-term horizon a deviation from the position of party leadership, the PPG and their attitudes may well put an end to their political career or slow it down at minimum.

## Why is there less unity among Czech PPGs?

Having presented the basic institutions of the electoral and parliamentary arena that may strengthen the unity of Czech PPGs, we can now proceed to analysing their unity. We shall restrict the analysis of unity to the most easily measured variables – Rice Index of Party Cohesion and abstentions. This information will be supplemented with some other findings from questionnaire surveys conducted among MPs. Based on a questionnaire survey in the UK House of Commons, Edward Crowe defined votes against a party position and abstentions as the two most prominent manifestations of disunity (Crowe 1983). It is clear that there are also other ways to demonstrate disagreement, for example, critical texts and interviews given to the media, critical speeches inside or outside the parliament and expressions of disagreement within a PPG or privately to the chairperson of the PPG or to colleagues-MPs. The last two expressions of disagreement, in particular, are closely tied to the operation of a PPG but their covert and non-public nature prevents a systematic analysis. To use Erving Goffman's theatre metaphor, we will analyse the stage but not the backstage (Goffman 1999).

Overall data on unity and participation in voting based on analyses of all votes in the 1998–2002 electoral term of the Chamber of Deputies reveal a dominant voting pattern of Czech PPGs. PPGs are more in unity when they support the cabinet; thus, the PPGs of governing parties act the most in unity. In previous electoral terms, this pattern was disrupted only by the PPG of SPR-RSČ which was ruled by an authoritarian chairman of the party, and by the PPG of KSČM with a strong sense of partyness and loyalty. A similar pattern can also be observed with respect to the participation in voting (see Tables 2 and 3).

Table 2: Party Unity in the Chamber of Deputies (1994–2002) – Rice's Index

year, number of votes/ party	1994–1996	1996–1998	1998–2002 (15,594 votes)	selected votes* (226 votes)
ČSSD	71.6	80.4	<b>82.5</b>	<b>89.2</b>
KDU-ČSL	<b>82.4</b>	<b>87.4</b>	78.4	87.2
KSČM	82.6	86.4	83.3	86.3
ODS	<b>85.0</b>	<b>85.8</b>	79.4	84.2
US-DEU	–	82.0	80.0	88.2
ODA	<b>81.4</b>	<b>85.8</b>	–	–
SPR-RSČ	93.4	97.4	–	–
average**	–	86.5	80.7	87.0

Source: Parliamentary DICe for the period 1998–2002; for the period 1994–6 Kopecký, Hubáček, Plečtiny (1996), for the period 1996–1998 Linek (2002).

Note: \*votes selected from 7th, 8th and 9th session of Chamber of Deputies that concern amendment to the law or approval of the law (details see Linek, Rakušanová 2002); \*\* non-weighted average; the ruling party is given in **bold**.

Table 5: Participation in voting in the Chamber of Deputies (1994–2002) - %

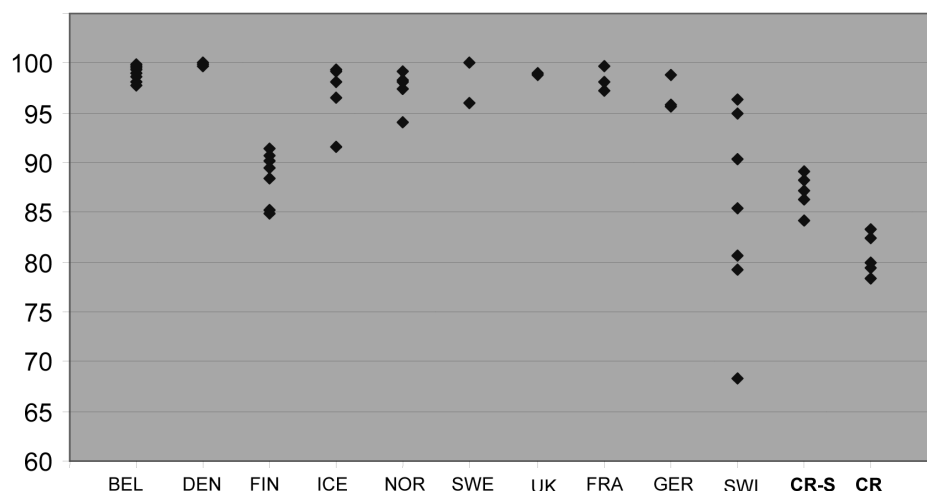
year, number of votes/ party	1994–1996	1996–1998	1998–2002 (13,594 votes)
ČSSD	64.2	87.0	<b>85.3</b>
KDU-ČSL	<b>75.2</b>	<b>85.8</b>	81.7
KSČM	76.0	90.6	86.1
ODS	<b>74.4</b>	<b>84.6</b>	85.4
US-DEU	–	75.4	76.3
ODA	<b>66.4</b>	<b>82.8</b>	–
SPR-RSČ	47.4	87.6	–
average*	69.9	86.2	84.2

Source: Parliamentary DICE, for the period 1994–6 Kopecký, Hubáček, Plecítý (1996), for the period 1996–1998 Linek (2002).

Note: \* weighted average; the ruling party is given in **bold**.

It is clear from the tables that PPGs are relatively united in voting. The average score of the Rice Index of Party Cohesion is around 80 points, which means that in a PPG of ten members only one MP on average votes differently from the rest of the PPG. However, when compared to several Western European countries we may conclude that the values of the Rice Index in the Czech Republic are relatively low (see Figure 2). We should keep in mind that a gross comparison to other countries has some pitfalls because of different voting procedures and the number and nature of analysed votes.

Figure 2: Comparison of unity of PPGs in selected countries – Rice's Index



Source: DePauw 2002, only for Czech Republic Parliamentary DICE.

Note: Dots represent values of Rice index for each party in the parliament of particular country. Dots labelled as CR-S represent values of Rice index for the Czech parties in selected notes (see Table 2) and dots labelled as CR represent values for Czech parties in all notes during the studied period.



The above presented relative disunity of Czech parliamentary party groups may be also illustrated using the answers to the question what the MPs follow in voting if they do not agree with the position of their parliamentary party group (see Table 4). MPs of ČSSD, followed by those of ODS, voted most frequently according to the resolution of the PPG, while MPs of other PPGs voted more according to their own opinion. We must be careful, nevertheless, when interpreting the answers of MPs to the general question about voting if they disagree with their PPG. In the responses concerning individual public policies, MPs more often responded that they voted in unity with the PPG. Nevertheless, the data suggest that MPs retain enough manoeuvring space in voting.

Table 4: Usual vote by an MP in the case of disagreement with PPG (%)

	ODS	US	KDU-ČSL	ČSSD	KSČM
<b>General</b>					
According to PPG	42.6	18.8	12.5	69.8	27.3
According to one's opinion	57.4	81.2	87.5	30.2	72.7
<b>Constitutional bill</b>					
According to PPG	64.8	52.9	56.2	90.8	90.5
According to one's opinion	35.2	47.1	43.8	9.2	9.5
<b>Budget</b>					
According to PPG	68.5	82.3	56.2	92.2	85.7
According to one's opinion	31.5	17.7	43.8	7.8	14.3
<b>Other economic issues</b>					
According to PPG	44.4	47.1	40.0	59.4	36.4
According to one's opinion	55.6	52.9	60.0	40.6	63.6
<b>Social policy</b>					
According to PPG	48.1	43.8	21.4	63.5	59.1
According to one's opinion	51.9	56.2	78.6	36.5	40.9
<b>Foreign policy</b>					
According to PPG	63.0	58.8	75.0	73.0	63.6
According to one's opinion	37.0	41.2	25.0	27.0	36.4
<b>EU Accession</b>					
According to PPG	54.6	35.3	53.3	82.5	54.6
According to one's opinion	45.4	64.7	46.7	17.5	45.4

Source: Institute of Sociology Czech Academy of Sciences, Survey of MPs in the year 2000.

Note: Answers to the question: "Deputy may be of a different opinion than his/her parliamentary party group; if so, according to you how should the deputy vote in general? And in other areas?"

With respect to Czech PPGs we achieve higher values of the Rice Index if we select only such votes that directly influenced the shape of public policies formulated through bills (votes on bills as a whole and votes on amendments to bills). There were approximately 7,000 of such votes in the 1998–2002 electoral term

and we chose votes only from 3 consecutive sessions for a detailed analysis (sessions 7, 8 and 9 in the year 1998 and 1999).<sup>8</sup> Still, these values do not reach those of Western European PPGs. The relatively low range of the Rice Index compared to Western European countries and the subjective perception of the manoeuvring space MPs have when voting on issues where they disagree with their PPG is especially striking if we take into account the institutional drive toward unity and the number of tools to enforce discipline among Czech MPs (for more detailed description see Linek, Rakušanová 2002: chapter 3). Moreover, these tools are not dramatically different from the tools available to parliamentary parties in Western Europe (see Bowler 2002, Heidar, Koole 2000a). What are then the reasons for the lesser unity of PPGs in the Czech Republic? And why do ruling parliamentary party groups not mind the relative disunity when voting on bills and amendments to these bills? If neither the outlined institutional relationships nor the mechanisms in Czech parties are the cause of the low unity, we have to look elsewhere. Lesser cohesion of PPGs<sup>9</sup> is not an explanation either because it is precisely the institutional rules and tools that should ensure party unity in moments of lesser cohesion.

In our opinion, the main reason is the nature of coalition majorities that approve individual bills. In literature, this was described by Robert Golembiewski, who in order to illustrate his concept of the power of political parties at the level of individual states in the US showed that in parliaments there was a strong relationship between the unity of political parties and the size of the majorities these parties had: the greater the majority of a party was, the lower the unity was and vice versa (1958: 500–503). Although Golembiewski used expert estimates of unity in individual state parliaments to measure unity, and indicators of political party power to measure the size of majorities (one of which is the number of seats the minority has in the parliament), his conclusions are persuasive and we can use them as a starting point to consider the relationships between the unity and voting majorities in the Chamber of Deputies. If we apply Golembiewski's argument to a multi-party system with a coalition type of government, the hypothesis is that the greater the coalition majority that approves bills, the lesser the unity within the parties that constitute the coalition. In view of the relative unity of Czech parliamentary party groups we can expect that majorities that approved bills were large and were not at all narrow.

The composition of coalitions that approved individual bills in the course of the 3rd electoral term (the calculation concerns the years 1998 to 2000, for 304 debated bills) reveals that the voting majorities were evenly balanced only in 15% of the cases (102:98). In the rest of the cases the majorities were so persuasive (no less than 113:87) that, in order to pass a bill, it was not necessary to enforce absolute party discipline among MPs. In the case of bills approved by the

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We decided to analyse votes from three sessions, and we randomly chose session 7 as a start one. For a detailed methodology of the selection of votes, see Linek, Rakušanová (2002: 62).

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We lack data on the attitudinal cohesion of PPGs (coming, for example, from questionnaire surveys among MPs) to be able to present more exact claims.

narrow margin of 102:98, we can see a near absolute unity within PPGs. The hypothesis about the role of the size of majorities is further supported by the voting pattern in the previous electoral term (1996–1998). A right-of-centre coalition was in office for three quarters of that term, and at the beginning it had a minority of 99:101 and later a majority of 100 + 1 unaffiliated MP: 99. By comparing the voting unity in the periods 1996–1998 and 1998–2002 we discover that during the period of the cabinet’s narrow majority (1996–1998), Rice’s Index was up 6 points (see Table 2).

Table 5: Winning and losing majorities in the Chamber of Deputies (1998–2000)

winning voting coalition/losing voting coalition	majority	%
ČSSD, KDU-ČSL, KSČM, ODS, US	200:0	33.3
ČSSD, KDU-ČSL, ODS, US versus KSČM	176:24	20.0
KDU-ČSL, ODS, US versus ČSSD, KSČM	102:98	12.5
ČSSD, KDU-ČSL, KSČM, US versus ODS	137:63	11.0
KDU-ČSL, KSČM, ODS, US versus ČSSD	126:74	5.0
ČSSD, KDU-ČSL, KSČM versus ODS, US	118:82	5.0
ČSSD, ODS versus KDU-ČSL, KSČM, US	137:63	3.0
ČSSD, KDU-ČSL, US versus KSČM, ODS	113:87	3.0
ČSSD, KSČM versus KDU-ČSL, ODS, US	98:102	2.6
ČSSD, KSČM, ODS versus KDU-ČSL, US	161:39	2.6

Source: Linek (2000).

Note: A total of 304 votes about all bills between 1998 and 2000 were analysed (these are votes that directly decided on the existence of the bill – rejection of the act, passage of the act); for detailed methodology, see Linek (2000:3).

The relationship between the unity of PPGs and the composition of the voting coalitions can be also considered from the opposite perspective.<sup>10</sup> The lower unity of PPGs is not only a consequence of the existence of large majorities in voting; the predominance of votes with large majorities thanks to which bills are approved may be a consequence of the fact that such votes have lower transaction costs than approvals of bills by narrow margins. It is not easy for PPGs to secure an absolute support for individual bills in each vote and thus leaders of PPGs might prefer votes with larger majorities. If a PPG leader demands absolute support, it is clear that a potential deviation from the party position will result in punishment (from the softest such as admonition to the harshest such as an expulsion from the party or a PPG). But punishment ultimately leads to a decrease in the number of PPG members or at least to a decrease in the number of members willing to support a party, which is what political parties want least. The transaction costs related to an

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Golembiewski also talked about correlation of unity of PPGs and size of voting majorities, not about causal relationship.

approval of bills by a narrow margin lies precisely in (1) ensuring unity; and, in the case that unity has not been observed, in (2) punishing those who deviated from the party position. PPGs, thanks to the fact that they may secure wider support for their proposals, may demand party unity only in those cases that are crucial for the party. The use of large majorities in vote may be a reason why most MPs are satisfied with the discipline in their PPG. Only the ruling party MPs (ČSSD) claimed that discipline should be greater (see Table 6).

Table 6: MPs' Evaluation of Party Discipline (%)

Party	should be greater	should remain the same	should be weaker
ČSSD	50.5	39.1	9.4
KDU-ČSL	23.5	70.6	5.9
KSČM	18.2	81.8	0
ODS	12.5	80.4	7.1
US	25.0	75.0	0

Source: Institute of Sociology Czech Academy of Sciences, Survey of MPs in the year 2000.

Note: Answers to the question: "In your opinion, what are the requirements on party discipline in your parliamentary faction?"

Beside the less transactional costs, there might be two reasons why parties took advantage of large majorities to approve bills in the Chamber of Deputies. The first reason lies in the fact that some bills are perceived as technical ones. Political parties are able to pass bills by large majorities because they interpret them as technical or because they are unable to interpret the content of some bills in terms of the *socio-economic cleavages/divisions*, which is the single most important cleavage that structures political conflict in the Czech Republic. In the surveyed period, the Chamber of Deputies debated a large number of bills (781 bills). The nature of the bills often lay in harmonising the Czech law with directives and resolutions of the European Communities. A large portion of these acts may be viewed as technical in nature in the sense that there was no other alternative, in fact, because the boundaries were given by the European directives and resolutions and by the agreed harmonisation deadlines. The nature of those bills was not related to party conflict as such. Or rather, political parties did not perceive them as political. The second reason lies in using the mechanism of the "Opposition Agreement". The fact that in the surveyed period there were various majorities that approved or rejected individual bills was also due to the Opposition Agreement, which allowed the existence of a minority ČSSD cabinet and ensured that it was not possible to recall this cabinet. As a result, ČSSD could selectively seek support for individual bills and make voting coalitions with different parties.<sup>11</sup>

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Čada, Hujer, Linek and Starý showed that different voting coalitions existed between 1998 and 2002 for individual sectors of the public policy (Čada, Hujer, Linek and Starý 2002).

## Conclusion

Our initial presupposition that institutional factors found within the parliament and political parties will result in an increased unity of PPGs in the Czech Republic has not been confirmed. Even though institutional incentives are similar to those in Western European countries, they do not secure the same level of voting unity within PPGs. In the end, we found the reason for the relatively lower party unity (the Rice Index of Party Cohesion in the 80 range) in the size of voting coalitions that approved individual bills. Large majorities made it possible for PPGs not to act in absolute unity. Large majorities result in lower transaction costs which the parties would otherwise have to expend if they wanted to ensure that bills be approved by narrow-margin majorities. It is not a problem to secure an absolute party unity for Czech parties, as can be gleaned from numerous votes. The problem is to ensure absolute unity when the number of votes is so large. A follow-up study of parliamentary politics in other electoral terms and a comparison of the results with other countries may reveal the extent to which the relatively low degree of unity of PPGs between 1998 and 2002 was influenced by temporary factors (the Opposition Agreement, the nature and number of debated bills) or by more permanent factors (the organisational structure of Czech parties and political institutions).

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# Cabinet Stability in Post-Communist Democratic Legislature

Csaba Nikolenyi

In parliamentary systems, the stability of the executive depends on the support and confidence of the legislature. Political parties, especially the parliamentary party groups, play a critical role in this relationship. When a single political party controls a majority of the seats in the legislature, it has a relatively easy task to provide the legislative support required by the executive. However, when no single party is in a majority position, the provision of legislative support to the executive and, ultimately, the maintenance of the executive in power, hinges on the effectiveness of inter-party coordination in the legislature.

Understanding the conditions under which the legislature fosters, or does not, executive stability is particularly important in the context of new democracies, where party politics and executive-legislative relations are embedded in the broader process of democratic consolidation. Przeworski (1991) has shown that democratic consolidation is intimately tied to political actors' calculus about both the value of political power as well as the future likelihood of controlling it. Since conditions that induce executive instability have a negative effect on both, they may also hinder the progressive consolidation and institutionalization of a democratic political order.

Despite its importance, the study of coalition and cabinet stability in the new post-communist democracies has not received systematic scholarly attention and treatment until very recently (Blondel and Muller-Rommel 2001). This is surprising for a couple of reasons. First, while an extensive comparative literature has developed on post-communist presidencies (Baylis 1996; Crawford and Lijphart 1995; Elster, Offe and Preuss 1998; Frye 1997; Geddes 1995; Lijphart and Waisman 1996; Taras 1997), and legislatures (Olson 1997; Olson and Norton 1996; Olson and Crowther 2002), the study of parliamentary party groups, and, in particular, the ways in which parties form and maintain coalitions on which the *parliamentary executive* depends, has remained understudied in the post-communist politics literature (Heidar and Koole 2001). Second, as an increasing number of post-communist democracies reach democratic consolidation, they also provide new cases that allow further evaluation of conventional theories of coalition politics, cabinet government formation and durability. To date, these theories have been tested almost exclusively in the context of established parliamentary democracies of Western Europe. Therefore, as the post-communist democracies become consolidated, the imperative of theory building also calls for a more systematic analysis of their cabinets and coalition governments.

Undoubtedly, part of the reason for this neglect of post-communist cabinets and coalition politics has to do with the on-going institutionalization of post-communist party systems (Lewis 2001, 2000; Moser 1999). In this light, much of what parliamentary party groups do in the legislature can be argued to be understood



as the product of the broader processes of party system institutionalization rather than the independent effect of coalition dynamics. Moreover, the central assumptions of conventional coalition theory, according to which political parties are unitary actors with fixed ideological positions, may not be realistic and tenable in weakly institutionalized party system, where political parties are characterized by organizational and electoral fluidity, and the absence of clearly defined ideological positions, goals and structures. Nonetheless, since the scientific merit of any theory depends at least as much on the accuracy of the predictions it generates as on the accuracy of its assumptions (MacDonald 2004), it remains a valid and important task to approach the study of post-communist cabinets from the vantage point of conventional coalition theory. The objective of this chapter is to build on earlier work that has applied the theory of dominant and central players (Einy 1985; Peleg 1981; Van Roozendaal 1997, 1993, 1992a, 1992b) to the study of cabinet stability in post-communist Czech Republic, Hungary and Poland (Nikolenyi 2004). These findings are further developed in this chapter in by examining the effect of dominant and central players in all democratically elected post-communist parliaments of Eastern and Central Europe.

The chapter will start with a brief survey of the record of coalition governments in the post-communist democracies of East and Central Europe. This section aims to demonstrate both that government by coalition has become the norm in the post-communist world, and as such it warrants systematic scholarly investigation, and that there is a significant degree of variation, both across and within states, in terms of the stability of cabinets, which needs to be explained. The second section shows that these variations cannot be understood by reference to conventional explanations based on legislative fragmentation and the size of the governing coalition. The third section defines the theory of dominant and central players. Finally, the fourth section provides an empirical assessment and evaluation of this theory in the context of the post-communist region.

## **Governing coalitions, cabinets and cabinet stability in post-communist democracies**

**T**he collapse of communism in Eastern and Central Europe did not result in the immediate inauguration of a democratic political regime everywhere. In some states, the regime change resulted in a successful transition to and a subsequent consolidation of democracy. In other cases, however, these processes were more problematic and resulted either in slower democratization or the mere replacement of communism with other forms of autocratic rule. In the former, governments are held accountable for their actions by the people who pass judgment on their performance at the ballot box. In the latter, however, the accountability of the rulers is at best tenuous and at worst non-existent. In such cases, the formal institutions of political democracy, particularly the electoral process and the party system, through which citizens can delegate authority to and can exercise control over the legislature and the executive, are used in ways and for purposes that are rather different from those in a genuine democratic setting.

This chapter is concerned with understanding cabinet stability in the former set of cases, i.e. in those states that have made a successful transition to democracy. Table 1 provides the list of these states and their degrees of political and civil freedoms by using the data from Freedom House. The Table shows that some states, such as Bulgaria or Romania, have made a commitment to democratic politics some time after the collapse of communism. In these cases, the states will enter the subsequent analysis only for the time that they were classified completely “free”.

Table 1: Freedom scores in the 10 states according to Freedom House, 1990-1999

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999
Bulgaria	3.5	2.5	2.5	2	2	2	2.5	2.5	2.5	2.5
Czech R	NA	NA	NA	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Estonia	NA	2.5	3	2.5	2.5	2	1.5	1.5	1.5	1.5
Hungary	2	2	2	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Latvia	NA	2.5	3	3	2.5	2	2	1.5	1.5	1.5
Lithuania	NA	2.5	2.5	2	2	1.5	1.5	1.5	1.5	1.5
Poland	2	2	2	2	2	1.5	1.5	1.5	1.5	1.5
Romania	5.5	5	4	4	3.5	3.5	2.5	2	2	2
Slovakia	NA	NA	NA	3.5	2.5	2.5	3	3	2	1.5
Slovenia	NA	2.5	2	1.5	1.5	1.5	1.5	1.5	1.5	1.5

Source: Freedom House at [www.freedomhouse.org/ratings](http://www.freedomhouse.org/ratings).

Note: The numbers in the cells show the average of the civil and political freedom scores,  $r$ , that Freedom House assigned to each state for a given year. The scores are based on a 7 point scale, in a descending order of the degree freedom. Based on  $r$ , three categories of states are established. First, a state is free in a given year if  $1 \leq r \leq 2.5$ . Second, a state is partly free in a given year if  $3 \leq r \leq 5.5$ . Third, if  $5.5 < r \leq 7$ , then a state in the given year is considered not free. The first cells in the cases of the Czech Republic, Estonia, Latvia, Lithuania and Slovakia are left empty because these states were not independent and sovereign at the time. All remaining post-communist states of Eastern Europe and the former Soviet Union have consistently remained in the partly free or not free category since the end of communism. These states are Albania, Armenia, Belarus, Bosnia-Herzegovina, Croatia, Georgia, Kazakhstan, Kyrgyzstan, Macedonia, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, and Yugoslavia.

The overwhelming majority of the cabinets in the 24 legislatures of the 10 post-communist democracies have been formed by coalitions of parties. Table 2 shows that single-party majority governments were formed in only 3 cases, and that the largest party controlled the post-election cabinet, in terms of supplying the Prime Minister, on all but four occasions. It is further interesting to note that in one instance (Hungary 1994), the largest party entered into a coalition in spite of winning a majority of the parliamentary seats on its own.

Table 2 distinguishes three types of cabinets in terms of their size. First, those where the combined legislative weight of the parties participating in the cabi-

nets remains less than 50% are classified as minority governments. Surprisingly, almost a third (29%) of all post-elections cabinets have been such. These minority cabinets do not seem to be the particular feature of any one state, although it is worth noting that both cabinets in the Czech Republic and two of three cabinets in Latvia were such. While the remaining minority cabinets are distributed across the various states, only 5 of the 20 states have not had a single instance of a post-election minority cabinet in the period covered: Hungary, Lithuania, Romania, Slovakia and Slovenia.

Table 2: Cabinets in post-communist legislatures

Legislature and election year	Majority party?	Largest party supplies Prime Minister?	Coalition or single party cabinet?	Cabinet type	Cabinet duration
Bulgaria 1991	No	Yes	Single party	Minority	0.25
Bulgaria 1994	Yes	Yes	Single party	Minimum winning	0.5
Bulgaria 1997	Yes	Yes	Single party	Minimum winning	1
Czech Republic 1996	No	Yes	Coalition	Minority	0.35
Czech Republic 1998	No	Yes	Single party	Minority	1
Estonia 1992	No	Yes	Coalition	Minority	0.5
Estonia 1995	No	Yes	Coalition	Minimum winning	0.15
Estonia 1999	No	No	Coalition	Minimum winning	0.69
Hungary 1990	No	Yes	Coalition	Oversized	1
Hungary 1994	Yes	Yes	Coalition	Oversized	1
Hungary 1998	No	Yes	Coalition	Oversized	1
Latvia 1993	No	Yes	Coalition	Minority	0.29
Latvia 1995	No	Yes	Coalition	Minimum winning	0.29
Latvia 1998	No	No	Coalition	Minority	0.17
Lithuania 1992	Yes	Yes	Single party	Minimum winning	0.96
Lithuania 1996	No	Yes	Coalition	Oversized	0.63
Poland 1991	No	No	Coalition	Minority	0.15
Poland 1995	No	Yes	Coalition	Minimum winning	0.35
Poland 1997	No	Yes	Coalition	Minimum winning	0.65
Romania 1996	No	Yes	Coalition	Oversized	0.33
Slovakia 1994	No	Yes	Coalition	Minimum winning	1
Slovakia 1998	No	No	Coalition	Minimum winning	1
Slovenia 1992	No	Yes	Coalition	Oversized	0.29
Slovenia 1996	No	Yes	Coalition	Minimum winning	0.81

Second, most cabinets (46%) have been of the minimal winning coalition type, which, by definition, did not contain parties whose participation would not have been absolutely necessary for the maintenance of the legislative majority are considered minimal winning (Riker 1962). Three of the eleven minimum winning cabinets were formed by a single-party with a parliamen-

tary majority; the remaining eight were genuine multi-party coalitions. Of the 10 states, Slovakia is the only one that is firmly rooted in this category. Finally, in one-quarter of the cases oversized cabinets were formed, which are defined by the presence of parties in the cabinet whose legislative support was not necessary for ensuring that the cabinet would control a parliamentary majority. It is also important to note that all governing coalitions in Hungary belong to this category.

The last column provides information on the stability of the cabinets that have been formed in the legislatures immediately after the election. Cabinet stability is measured by the length of time the cabinet stayed in office as the proportion of its mandated and scheduled term. It is calculated by dividing the number of months the post-election cabinet lasted by the total number of months that it could have lasted had it not been terminated prematurely. A cabinet is considered terminated when a status quo council of ministers formally resigns and a new formal procedure of cabinet formation starts, except in the case of the natural death of the head of government, as in the case of J. Antall of Hungary in 1993. Cabinet stability is expressed on the closed interval  $[0, 1]$ : if the post-election cabinet lasts for the entire duration of the scheduled term of the legislature, then its value is at the maximum of the range, 1. The causes of cabinet termination may be numerous, such as the resignation of the head of government, the dismissal of the head of government by the head of state; the departure of a party, or parties, from the post-election coalition agreement, the passage of a no-confidence vote (constructive or ordinary depending on the constitutional stipulation) against the status quo cabinet, or the latter's loss of a vote of confidence and so on. For more on the measurement and conceptualization of cabinet stability, see Lijphart (1984).

Clearly, cabinet instability has been a pervasive problem throughout the region. The average value for all 24 observations in the last column of Table 2 is 0.6, which means that the average post-election cabinet has barely managed to last for over half of the mandated term of the legislature in the post-communist democracies. Although there are no clear country-specific trends in terms of cabinet stability, it is worth mentioning that all post-election cabinets in Hungary and Slovakia have lasted their full term in office. In addition to these states, cabinets in Lithuania have also been consistently more durable than the group average, while the stability of Latvian cabinets has been consistently below it. All other states, except for Romania for which there is only a single observation, have had a mixed record of cabinet stability.

### **Alternative explanations: coalition size, parliamentary fragmentation and cabinet durability**

**T**he voluminous literature on cabinet stability has demonstrated that both the size of the governing coalition and the degree of parliamentary fragmentation have significant impact on cabinet durability in parliamentary democracies (Dodd 1976; Grofman 1989; Grofman and van Roozendaal 1997;

Sanders and Herman 1977; Taylor and Herman 1971). However, Table 3 questions the relevance of these variables in the context of post-communist democracies. Nonetheless, a few observations are worth making. First, on average, cabinet durability increases with the size of the governing coalition: minority cabinets have the shortest average duration (0.39), followed by minimal winning (0.67) and oversized (0.71) coalition cabinets. This is puzzling because in established democracies minimum winning cabinets are normally more durable than either minority or oversized ones (Dodd 1976; Grofman 1989). Moreover, even this apparent relationship between coalition size and cabinet durability disappears when parliamentary fragmentation is held constant. Table 3 measures parliamentary fragmentation by using Laakso and Taagapera's (1979) index of the effective number of parliamentary parties, calculated as follows:

$$(\sum p_i^2)^{-1}$$

where  $p_i$  stands for the per cent of seats controlled by party  $i$  expressed in decimal form. Thus, the effective number of parties sums the squared percentage of seats that all parties have in the parliament. In extremely fragmented legislatures, with an effective number of parliamentary parties above 5, minimum winning cabinets are actually more stable than oversized ones; while the sole minority government in the second least fragmented party system category, with an effective number of parties between 3 and 4, was more durable than other types of cabinet in the same row of cases.

Third, the fragmentation of the parliamentary party system appears to have an effect on cabinet durability only at very high levels. When the size of the coalition is held constant, the most fragmented legislatures, those with an effective number of parliamentary parties greater than 5, produce the least stable cabinets. However, there is no clear relationship between cabinet duration and party system format at lower levels of parliamentary fragmentation. In fact, the least fragmented party systems, those with an effective number of parties between 2 and 3, have produced less stable cabinets than those where the effective number of parties is between 3 and 5! Finally, the fragmentation of the party system does not seem to have a systematic effect on the size of the governing coalition. It can be observed, nonetheless, that the least fragmented party systems produce minimum winning coalitions most of the time while the most fragmented party system category appears to favor the formation of minority cabinets. Oversized coalitions have been formed in the majority of parliaments with an effective number of parties between 3 and 4, while minimum winning coalitions are the typical outcome in the more fragmented parliaments with an effective number of parties between 4 and 5.

Table 5: Party system format, the size and the duration of the cabinet coalition

Effective number of parties	Minority cabinet	Minimum Winning cabinet	Oversized cabinet	Total
Between 2 and 3	0.25 (N=1)	0.72 (N=3)	1 (N=1)	0.48 (N=5)
Between 3 and 4	1 (N=1)	0.655 (N=2)	0.74 (N=4)	0.75 (N=7)
Between 4 and 5	0.425 (N=2)	0.74 (N=4)		0.635 (N=6)
Greater than 5	0.2 (N=3)	0.49 (N=2)	0.29 (N=1)	0.35 (N=6)
Total	0.39 (N=7)	0.67 (N=11)	0.71 (N=6)	24

Note: The entries in each cell are average cabinet duration values. For the definition of the effective number of parliamentary parties and the measure of cabinet duration, see the text.

### A theory of cabinet stability: dominant and central players

The theory of dominant and central players combines the two central assumptions of conventional coalition theory according to which political parties are both office and policy-seekers (Laver and Schofield 1990; Laver and Shepsle 1997; Warwick 2000). It is derived from the more general theory of simple games, which are N-person cooperative games with a partition of players in two subsets: the winning (W) and the losing (L) coalitions (Shapley 1962). A winning coalition is defined by its ability to control the game and determine its outcome. A special type of winning coalition is the minimum winning coalition (Von Neuman and Morgenstern 1944; Riker 1962), each subset of which is a losing coalition. In other words, each member of the minimum winning coalition is pivotal in terms of maintaining the winning status of the coalition. A particular type of simple game is the weighted majority voting game, in which players do not have the same number of votes. The political game of forming and maintaining a governing coalition in a legislature can be appropriately modeled as such a weighted majority voting game. In this game the players are the political parties represented in parliament, the number of their votes is determined by the per cent of seats they have won in the election. The decision-making rule, or quota, in a weighted majority voting game is some majority criterion, for example, simple majority, absolute majority or super-majority. In a weighted majority voting game, the winning coalition must have a number of votes greater than the quota. If it does not, then by definition, the coalition is a losing one; if the number of its votes is exactly equal to the quota, then the coalition is a blocking one since it can stop any other coalition from determining the outcome of the game.

Peleg (1981) derives the concept of the dominant player from the desirability relationship between political parties, the players, and the various coalitions that they can enter or form. According to Peleg (1981), among the possible sets of coalitions that players can form in a simple game, coalitions P and S are equally

desirable for a player  $i$  if this player can form a winning coalition with either P or S. If  $i$  can form a winning coalition with P set of parties but not with S, then P is more desirable for  $i$  than S. If player  $i$  is a member of a winning coalition P and  $i$  can form another winning coalition outside P such that P-  $i$  cannot do the same, then P is strictly dominated by  $i$ . If P-  $i$  can form a winning coalition outside P and  $i$  can also do so then  $i$  is said to weakly dominate P. If there is at least one winning coalition in a simple game that is dominated by a player  $i$ , then the simple game is called a dominated simple game. Depending on whether  $i$ 's dominance is weak or strict, the game will be either weakly or strictly dominated.

Van Roozendaal (1992a) identifies three necessary conditions for a dominant player to be present. First, only the largest player in the game, i.e. the party with the most seats in the legislature, can be dominant. Of course, necessity does not imply sufficiency; in other words, it is not sufficient for a party to have the most seats in order to dominate the game. Second, the largest player can be dominant only if its weight is equal to at least half of the quota, i.e. the number of votes that a coalition needs to win the game (Einy 1985). In other words, if the decision-making rule is majority, which it is in most parliaments, then the largest party must control at least half of 50%+1, that is 25%+1 of the seats. This condition allows highly fragmented legislatures, ones where the largest party controls less than one quarter of the parliamentary seats, to be identified as non-dominated parliaments fairly easily and quickly. Third, as noted above, if P stands for the set of players with which the largest player,  $i$ , can form the minimum winning coalition with has the smallest overall number of seats in the legislature, then there must be at least one coalition of players outside P that can form a winning coalition with  $i$  but not with P-  $i$ . Again, this last condition is not necessary for weak domination. Formally, a player  $i$  is a dominant player of a game if

$$w_i > \frac{1}{2} q \text{ and } \forall_j \in N : w_i > w_j$$

$$A \neq B \text{ and } A \cup \{ i \} \in W, B \cup \{ i \} \in W \text{ but } A \cup B \notin L,$$

where  $w$  stands for the weight of a player in terms of seat percentages,  $q$  stands for the decision-making rule,  $\cup$  denotes the union of sets and  $\in$  means "the elements of set" (Van Roozendaal 1992a: 43).

What makes the dominant player so powerful and effective in inducing coalition and cabinet stability is its size. In most legislative games, however, interactions among parties are driven not only by office but also by policy-seeking motivations. The assumption that parties are interested in forming ideologically connected coalitions, in which the conflict of their interest (Axelrod 1970) will be kept at a minimum, has led to identifying another key player, the central player, who owes its strategic importance to its policy position rather than to its voting power. The concept of the central player is built on this assumption, i.e. that parties are interested in policy-seeking. It is further assumed that each player in the game has a reflexive, complete and transitive position on a single underlying policy dimension, denoted R. Following Einy's work, Van Roozendaal

(1997, 1993, 1992a, b) defines player  $i$  as the central player of a weighted majority voting game when the absolute value of the difference between the total weights of all players located to the left and to the right of  $i$  on  $R$  is less than the weight of  $i$  itself. It follows from this definition that any winning coalition that is connected along  $R$  must include the central player. The formal definition of the central player is given below:

$$|w(R_+(i)) - w(R_-(i))| < w_i$$

where  $w$  stands for the per cent of seats,  $R_+(i)$  denotes all parties located to the left of party  $i$  and  $(R_-(i))$  denotes all parties located to the right of party  $i$ . If the above holds, then party  $i$  is the central player of the legislature (Van Roozendaal 1992 a: 44).

Furthermore, since  $R$  is the underlying dimension of the most important values that the players are concerned with, the compatibility of the coalition members' respective positions on  $R$  will become a critical factor sooner or later in the coalition's life span. Thus, if there is a central player present in the game then it must be included in the cabinet so that the cabinet would be durable. Otherwise, if a central player is present in the legislative game but is left out of the governing coalition then it will always be able to engineer the defeat of the standing coalition on any issue related to  $R$ . In turn, it can negotiate the formation of an  $R$ -connected coalition in which it will be included. Since by assumption office-seeking parties prefer inclusion in government to exclusion from it, the central player will have an incentive to de-stabilize any cabinet of which it is not a part. Finally, it is important to note that although not every legislature has a dominant player, every parliamentary weighted majority voting game will have one central player as long as each player has a position on  $R$ , which by assumption must be the case.

By definition, a dominant player has considerable power and advantage over the other players. Therefore, if such a player is present, then it must be able to induce cabinet stability to a greater extent than what the degree of cabinet durability would be in the absence of such a party. This, in turn, leads to the prediction that cabinets should not be less stable in dominated than in non-dominated legislatures (Prediction 1). Furthermore, since dominant-central parties,  $DP = CP$ , combine the powers of both types of key players, legislatures with such a player present should not have less stable cabinets than parliaments where the dominant and central parties are not identical,  $DP \neq CP$  (Prediction 2). Taken together, these predictions provide for a complete ordering of legislatures according to the predicted degree of stability of the cabinets formed therein:  $DCP \geq DP - CP \geq CP$  (Prediction 3).

This theory is particularly closely connected with policy-seeking views of cabinet durability that stress the importance of the ideological dispersion and polarization among political parties in the legislature, in general, and in the cabinet coalition, in particular (Warwick 1998, 1994). The party system of  $DP=CP$  legislatures is, by definition, less ideologically polarized than the party system of either



of the other two types of parliament because of the strong position of the central party. In  $DP = CP$  parliaments, the largest party, is also centrally positioned, whereas the other two types of legislatures are characterized by a more feeble centre, and as a result, more centrifugal party competition (Sartori 1976). Thus, operationalizing parliaments in terms of dominance and centrality actually provides for a measurement of the degree of centripetal tendencies in the parliamentary party system. Moving from the  $DP = CP$  to the  $DP \neq CP$  and then to the non-dominated categories, the bargaining power of the central party declines, resulting in the enfeeblement of the center and a corresponding increase in the degrees of ideological polarization.

### **Parliamentary dominance, centralization and cabinet stability in post-communist democratic legislatures**

Appendix 1 provides a description of each of the 24 democratic legislatures in post-communist East and Central Europe as weighted majority voting games. In each case,  $q$  stands for the decision-making rule, 50%+1; the subsequent numbers stand for the percentage of parliamentary seats received by the parties, in a descending order of their weight, that secured at least 3% of those seats (Ware 1996). These numbers provide sufficient information to determine whether a given legislature is dominated or not. Of the 24 cases, there are only 4 (one-sixth of the entire set) instances of non-dominance (Latvia 1995, 1998; Poland 1991; Slovenia 1992).

Table 4 classifies all cases according to the presence of dominant and dominant-central players. The category of  $DP \neq CP$  legislatures, that is to say those parliaments where the dominant and central players are not identical, is the most crowded; it contains exactly half of all the cases (12 out of 24), followed by the  $DP = CP$  category. Where the two key players are one and the same party, which has precisely one-third of the cases. There are only four states that are consistently in the same category: all legislatures of the Czech Republic, Estonia and Romania belong the  $DP \neq CP$  group, while all Hungarian parliaments are of the  $DP = CP$  type. Slovenia is the only state with legislatures both in the  $DP = CP$  and the non-dominated category of parliaments. All other states that are represented in the  $DP = CP$  (Bulgaria, Lithuania, Slovakia) and the non-dominated groups (Latvia and Poland) also have legislatures in the  $DP \neq CP$  category. Finally, there is no state with legislatures in each of the three categories.

Table 4: Cabinet durability in different types of post-communist legislatures

Type of legislature	Non-dominated	Dominated
Identical dominant and central players		Bulgaria 1994, 1997 Hungary 1990, 1994, 1998 Lithuania 1992, Slovakia 1994, Slovenia 1996 (N= 8) $t_{av} = 0.91$ $t_m = 1$ $t_{min} = 0.5$ $t_{max} = 1$
Absent or non-identical dominant and central players	Latvia 1995, 1998 Poland 1991 Slovenia 1992 (N= 4) $t_{av} = 0.225$ $t_m = 0.23$ $t_{min} = 0.15$ $t_{max} = 0.29$	Bulgaria 1991 Czech R. 1996, 1998 Estonia 1992, 1995, 1999 Latvia 1993, Lithuania 1996 Poland 1993, 1997, Romania 1996 Slovakia 1998 (N= 12) $t_{av} = 0.52$ $t_m = 0.43$ $t_{min} = 0.15$ $t_{max} = 1$

N= 24

Note: For the definition of the dominant and central players, see the text. The terms  $t_{av}$ ,  $t_m$ ,  $t_{min}$  and  $t_{max}$  stand for the average, the median, the minimum and the maximum values of cabinet duration respectively.

The Table displays the average ( $t_{av}$ ), the median ( $t_m$ ), the minimum ( $t_{min}$ ) and the maximum ( $t_{max}$ ) values of cabinet duration in each category. The advantage of the median is that it is not affected by extreme outliers to the extent as the average is. Table 4 provides strong confirmation of the predictions made in the previous section. As expected, cabinet durability decreases, and it certainly does not increase, as the type of legislature changes from DP = CP, to DP  $\neq$  CP, and then to non-dominance. The differences in both the average and median values of cabinet duration across the three categories are quite considerable; they almost double in value between the non-dominated and the DP  $\neq$  CP categories, and between the DP  $\neq$  CP and the DP = CP categories. In consequence, the average post-election cabinet in the DP = CP legislature is almost four times as stable and durable as its counterpart in the non-dominated legislatures.

The predictions of the theory work very well at the level of the individual legislatures also. Of the 24 cases, there are very few parliaments with values for cabinet duration that would violate the predictions. In the group of parliaments with identical dominant and central players, the legislatures of Bulgaria 1994, Lithuania 1992, and Slovenia 1996 appear to be deviant cases because the post-election cabinets that were formed in these parliaments proved to be less durable than the most durable cabinets in the DP  $\neq$  CP category, particularly Slovakia 1998 and Czech Republic 1998. Considering, however, that the latter

two cases are extremes in their own category, it may be unfair to consider all former three to violate the prediction. However, since the post-election cabinet that was formed in the 1994 Bulgarian parliament was actually less stable than the average cabinet duration value for the  $DP \neq CP$  category, it is safe to consider that legislature as a deviant case indeed. There is no case in the  $DP = CP$  category that would not have positively more durable post-election cabinets than any one in the non-dominated category.

In the  $DP \neq CP$  category, the legislatures of Bulgaria 1991 and Estonia 1995 seem to violate the prediction in that both of them produced post-election cabinets that were less stable than some cabinets in the non-dominated legislatures. The Estonian case is a particularly poor fit because its value for cabinet duration falls below both the average and the median values of the non-dominated category.

The impact of parliamentary type on cabinet durability is independent of either the size of the coalition or the format of the legislative party system. This can be clearly seen in Tables 5 and 6. The former shows that holding the size of the governing coalition constant, cabinet durability increases as we move from non-dominated to  $DP \neq CP$ , and then to  $DP = CP$  parliaments. Within each of the three types of parliaments, however, coalition size does not seem to affect the durability of the post-election cabinet. According to Table 5, there is no clear relationship between the types of parliament and the size of the coalition that forms the cabinet therein; however, a few observations are worth making. In the non-dominated legislatures, two of the four cabinets were undersized (Poland 1991 and Latvia 1998), while the other two were minimal winning (Latvia 1995) and oversized (Slovenia 1992) respectively. Furthermore, while there is no case of a minority government in the  $DP = CP$  category, almost half of the  $DP \neq CP$  legislatures (5 out of 12) saw the formation of an undersized cabinet after the election. Interestingly, minority cabinets are found in  $DP \neq CP$  legislatures with the same frequency as minimal winning coalition or single-party cabinets.

Table 5: The effect of parliamentary types and coalition size on cabinet durability

Type of legislature	Minority	Minimum winning	Oversized
Dominant player is absent	Latvia 1998 Poland 1991 $t_{av} = 0.16$	Latvia 1995 $t_{av} = 0.29$	Slovenia 1992 $t_{av} = 0.29$
Non-identical dominant and central players	Bulgaria 1991 Czech R. 1996, 1998 Estonia 1992, Latvia 1993 $t_{av} = 0.48$	Estonia 1995, 1999 Slovakia 1998 Poland 1995, 1997 $t_{av} = 0.59$	Lithuania 1996 Romania 1996 $t_{av} = 0.48$
Identical dominant and central players		Bulgaria 1994, 1997 Lithuania 1992 Slovakia 1994 Slovenia 1996 $t_{av} = 0.85$	Hungary 1990, 1994, 1998 $t_{av} = 1$

Note: Cases are sorted according to coalition type in the rows and parliamentary type in the columns.

Table 6: The effect of parliamentary type and fragmentation on cabinet durability

Type of legislature	2<ENPP<3	3<ENPP<4	4<ENPP<5	5<ENPP
Dominant player is absent				Latvia 1995, 98, Slovenia 1992, Poland 1991 tav = 0.25
Non-identical dominant and central players	Bulgaria 1991 Poland 1997 tav = 0.45	Czech R. 1998 Lithuania 1996 Poland 1993 Romania 1996 tav = 0.58	Czech R. 1996 Estonia 1992, 1995 Slovakia 1998 tav = 0.5 Czech R. 1996	Estonia 1999 Latvia 1995 tav = 0.49
Identical dominant and central players	Bulgaria 1994, 1997 Hungary 1994 tav = 0.85	Hungary 1990, 1998 Lithuania 1992 tav = 0.99	Slovakia 1994 Slovenia 1996 tav = 0.91	

Note: Cases are sorted according to the effective number of parliamentary parties in the rows and parliamentary type in the columns. ENPP stands for the effective number of parliamentary parties.

The absence of minority cabinets in DP = CP parliaments is puzzling because, as Roozendaal notes (1992), dominant-central players should be able to exploit their power by forming a single-party minority cabinet in which their power excess, the difference between the combined legislative weight of the coalition partners that form the cabinet and that of the dominant player, is the greatest possible. It is particularly surprising that dominant-central players formed oversized surplus majority coalition cabinets in the three Hungarian legislatures. Apart from the Hungarian cases, however, all other cabinets in the DP = CP category ( 5 out of 8) are of the minimum winning type. In short, most cabinets in the non-dominated and DP = CP categories are undersized and minimal winning respectively; while both types of cabinets are formed with the same frequency in the DP  $\neq$  CP legislatures. None of the three types of legislature tend to produce oversized cabinets more often than any other type of cabinet.

Finally, parliamentary type in terms of dominance and centralization also drives cabinet durability in the predicted fashion when the format of the legislative party system is held constant. Table 6 shows that the average values of cabinet duration invariably increase, indicating an increase in cabinet stability, as we move down in each column. As in Table 5, however, the column variable, legislative fragmentation does not seem to have much of an impact on cabinet durability.

In general, as the parliamentary party system becomes more fragmented, the likelihood increases that the dominant and the central players will not be identical, and that, eventually, there will be no dominant player in the legislature at all. Indeed, in 3 out of the 5 post-communist parliaments with an effective number of parties between 2 and 3, the dominant and central players are identical. In legislatures where the effective number of parliamentary parties is between 3 and 4, there are almost exactly as many cases ( $N=3$ ) of identical dominant and

central players as there are instances where these two players are separate ( $N=4$ ). In the next group of legislatures, where the effective number of parties is between 4 and 5, the number of observations of identical dominant and central players is exactly half ( $N=2$ ) of the number of observations where dominant and central players are not one and the same party ( $N=4$ ). Finally, with the exceptions of the Estonian and the Latvian legislatures elected in 1999 and 1993 respectively, the most fragmented parliaments with an effective number of parties greater than 5 are actually non-dominated. It is worth stressing that there is no example of a legislature in this last group where the two key players would be identical. Overall, the average values of the effective number of parties increase as the type of parliament moves from  $DP = CP$  (3.39) to  $DP \neq CP$  (4.02) to non-dominance (7.6).

This is an important observation for it suggests that the format of the parliamentary party system actually does matter, although indirectly so, with regard to cabinet durability. In other words, legislative dominance and centralization act as intervening variables that drive cabinet durability, however, they are themselves the product of the degree of parliamentary fragmentation. According to the data, as the fragmentation of the legislative party system increases, so does the likelihood that the legislature will be moving from  $DP = CP$ , to the  $DP \neq CP$  and ultimately to non-dominance. As shown, cabinet durability does decline across these categories in exactly the same order. However, since there is no direct relationship between cabinet durability and parliamentary fragmentation, the relationship between the former on the one hand, and the dominance and centralization of the legislature on the other, is not spurious.

## Conclusion

This chapter has shown that the composition of the legislature, specifically its dominance and centralization, strongly effects cabinet stability in the post-communist democracies of Eastern and Central Europe. The theory of dominant and central players provides a robust prediction for the stability of the cabinet that is formed in the legislature in the aftermath of the general elections. In particular, it has been shown that this theory offers more effective predictions than either the fragmentation of the legislature or the type and size of the governing coalition that parties form. Although the theory of dominant and central players has received empirical evaluation so far only in the context of mature Western multiparty democracies, this chapter shows that it has strong predictive power in the context of the new democracies of post-communist East-Central Europe as well. Further research should investigate the relationship between parliamentary fragmentation and legislative dominance and centralization. In particular, since the electoral system has a strong impact on the former, its possible impact on dominance and centralization is worth further study and closer examination.

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## Appendix 1

Post-communist legislatures as weighted majority voting games		
Bulgaria	1991	{q; 45.8; 44.2, 10}
	1994	{q; <b>52.1</b> , 28.75, 7.5, 6.3, 5.4}
	1997	{q; <b>51.3</b> , 24.2, 7.9, 5.8, 5.8, 5}
Czech Republic	1996:	{q; 34, 30.5, 11, 9, 9, 6.6}
	1998:	{q; 37, 31.5, 12, 10, 9.5}
Estonia	1992:	{q; 27.7, 17.8, 15.8, 12.8, 9.9, 7.9, 7.9}
	1995:	{q; 40.6, 18.8, 15.8, 7.9, 5.9, 5.9, 4.9}
	1999:	{q; 27.7, 17.8, 17.8, 16.8, 6.9, 6.9, 5.9}
Hungary	1990:	{q; <b>42.5</b> , 25.8, 11.4, 8.5, 5.4, 5.4}
	1994:	{q; <b>54.1</b> , 18.1, 9.6, 6.7, 5.7, 5.2}
	1998:	{q; <b>38.3</b> , 34.7, 12.4, 6.2, 4.4, 3.6}
Latvia	1993:	{q; 36, 15, 13, 12, 7, 6, 6, 5}
	1995:	{q; 18, 17, 16, 14, 8, 8, 8, 6, 5}
	1998:	{q; 24, 21, 17, 16, 14, 8}
Lithuania	1992:	{q; <b>51.8</b> , 19.9, 12.8, 5.7}
	1996:	{q; 49.6, 11.3, 9.9, 8.5, 8.5}
Poland	1991:	{q; 13.5, 13, 10.6, 10.4, 9.8, 9.6, 8, 6.1, 5.8}
	1993:	{q; 37.2, 28.7, 16.1, 8.9, 4.8, 3.5}
	1997:	{q; 43.7, 35.6, 13, 5.9}
Romania	1996	{q; 35.6, 26.5, 15.5, 7.3, 5.5, 5.2}
Slovakia	1994:	{q; <b>40.7</b> , 12, 11.3, 11.3, 8.7, 6}
	1998:	{q; 28.7, 28, 16, 9.3, 9.3, 8.7}
Slovenia	1992:	{q; 24.4, 16.7, 15.5, 13.3, 11.1, 6.7, 5.6, 4.4}
	1996:	{q; <b>27.8</b> , 21.1, 17.8, 11.1, 10, 5.6, 4.4}

Note: For all entries above,  $q = 50+1$ . Entries are the party seat shares, given in percentages, in each legislature in a descending order. Sources: Paul Lewis (2000: 49-59, 62-65, 164-70); Parties and Elections in Europe; ; Siaroff (2000: various tables). The centrality of the dominant party was calculated by locating parties on the left-right scale using information about parties' ideological positions from the above sources. Dominant parties that are also central are indicated in boldfaced entries.





# Party Unity in German Parliaments

## Party Unity in German Parliaments

Werner J. Patzelt

### “Natural fact” of “riddle” in need of explanation?

Although there are 17 parliaments in Germany, 16 state level and the Bundestag as the national parliament, none of them keeps any systematic record of individual members' voting behaviour.<sup>1</sup> Exceptions are roll call votes, but these do not occur frequently.<sup>2</sup> In all other cases the official record – and there is no other record – will only say that a bill or motion has been approved or declined. Sometimes it is added ‘with great majority’ or ‘against a few votes’, and quite seldom we find something like ‘with the votes of parties<sup>3</sup> A and B against the votes of party C; party D practiced abstention’. Apart from rare exceptions, the result of a vote on the floor will not surprise any MP or observer, nor will there be any doubt about who was in favour or against a bill or motion. Usually it suffices to know on whose initiative it has been introduced: Cabinet bills and motions get their majority by votes from the parties in support of the cabinet,<sup>4</sup> and opposition bills and motions are usually voted down by the government camp. The names of dissenters are never noted; they are recorded only if such deputies make statements on their voting behaviour in the plenary, which they can but need not do.

On the whole, legislators' individual voting behaviour seems to be no issue of real interest in Germany.<sup>5</sup> This is true even though it is only the tip of a huge iceberg of party-loyal parliamentary behaviour. Cohesion in voting is apparently the ‘hardest’ evidence for party unity; but it is by no means what party unity is all about. Yet the cabinet's majority on the floor is taken for granted to such a degree that neither its margin nor its actual composition is treated as a topic worthy of documentation or analysis. This is sometimes amazing for foreign scholars, especially when they consider including Germany into comparative analyses of parliamentary party discipline. In turn, most German observers would be surprised that someone should be astonished at all by how votes are taken and documented in German parliaments. Deeply rooted parliamentary traditions and practices appear to be at stake, varying between diverse parliamentary cultures and different systems of government. Whenever they lead to a ‘missing interest’ in the voting behaviour of individual MPs, its reverse side may be a seeming ‘naturalness’ of the fact that cohesive parliamentary majorities are forged and party discipline is generated. But there is nothing like ‘naturalness’ in political structures or patterns of behaviour. On the contrary, it requires some analytic effort to give not only popular but also true explanations of *why* party unity seems to be no problem in the parliaments of contemporary Germany, and possibly not only there.

### Popular, sometimes misleading explanations

Now matter how ignorant they may be of most other features of German parliamentarianism:<sup>6</sup> Germans know very well that there is remarkably high party discipline in their legislatures and extraordinary cohesion in parliamentary voting

behaviour. But those are system features that most Germans dislike. A nation-wide representative survey from 1995 showed that only 30 per cent of Germans are in favour of the usual practice of MPs' uniform voting behaviour along party lines, whereas 54 per cent would prefer voting across party lines (no opinion: 16 per cent). On the normative level, article 38 of Germany's Basic Law opens a very plausible way to think about the whole issue. It stipulates: Deputies are representatives of the whole people (that is, not of any single party); MPs are not bound by any orders or instructions; and they are meant to follow only their personal evaluations and judgments. Given this constitutional clause, it runs against common sense that such a free mandate should end up in reliable party cohesion and voting discipline.

So there is a gap between what is considered as the constitutional 'ought' of good parliamentary practice and what is experienced as reality's seemingly distorted 'is'. Germans use to close this gap both with correct conjectures and with a more or less fictitious belief.<sup>7</sup> Shown below are three quite frequently supposed reasons for parliamentary party unity: There is voting discipline because the competing parties B and C would benefit from party A's failing to come to a common position ('frequently the reason': 53 per cent; 'sometimes the reason': 23 per cent; 'nearly never the reason': 9 per cent; 'can't say': 15 per cent); there is voting discipline because discussions in the parliamentary party caucus go on until an intra-caucus majority is forged to which the caucus minority defers ('frequently the reason': 40 per cent; 'sometimes the reason': 32 per cent; 'nearly never the reason': 13 per cent; 'can't say': 15 per cent); and there is voting discipline because deputies rely on those colleagues who are the parliamentary party group's experts on the topic under discussion and follow their voting suggestions ('frequently the reason': 32 per cent; 'sometimes the reason': 33 per cent; 'nearly never the reason': 13 per cent; 'can't say': 22 per cent). One further cause for unanimous voting on the floor, relevant when the government camp's parliamentary majority is not at risk, is much less known: Dissenting MPs will not cast their votes on the floor at all, thereby neither opposing their own party nor supporting a position they dislike ('frequently the reason': 9 per cent; 'sometimes the reason': 26 per cent; 'nearly never the reason': 38 per cent; 'can't say': 27 per cent). In addition, many Germans suppose that deputies share the basic policy positions of their (parliamentary) parties and, therefore, risk only in exceptional cases intense dispute and divergent votes on the floor ('frequently the reason': 33 per cent; 'sometimes the reason': 30 per cent; 'nearly never the reason': 16 per cent; 'can't say': 21 per cent).

In varying degrees, those are accurate explanations of party unity in German parliaments. Yet in addition we find a pure, but popular fiction: "The executive committee of the parliamentary party group formally decides that there is an urgent requirement to vote in accordance with the party line. This has a compulsory and enforced consequence that all members of the party group must cast their votes according to what the parliamentary party's executive committee decides". In German, such a tactical move – albeit fictitious – by the parliamentary party group under the leadership of its executive com-

mittee group is called '*Fraktionszwang*'. This word means literally that members are put under disciplining pressure (*Zwang*) on part of their parliamentary group (*Fraktion*) and its leaders. Actually, the word '*Fraktionszwang*' ('combined group and leadership pressure') sounds much more aggressive and constraining in German than 'getting a whip', and even a two- or three-line-whip, in English. Therefore the notion – and suspected fact – of '*Fraktionszwang*' appears in every German discourse as an open challenge to the clause of article 38 Basic Law guaranteeing a 'free mandate' to every deputy. So the threshold is high for the assertion of pressure being exerted on German MPs. Nevertheless, 38 per cent of Germans claim that 'being put under caucus pressure' is frequently the case for German deputies. 27 per cent consider this to happen sometimes, and only 14 per cent think this to be nearly never the case (can't say: 21 per cent). So there cannot be any doubt: Many Germans explain intra-parliamentary party unity with parliamentary practices that work overtly against a basic parliamentary principle formulated in the constitution.<sup>8</sup>

More detailed analyses show that voting discipline is explained with realistic arguments by politically interested and well-educated people in the first line, and then, in quite a different dimension, by those who are more on the right side of the political spectrum. But the explanation of parliamentary party discipline expressly by '*Fraktionszwang*' is affected neither by political interest nor by education nor by basic political orientations. Instead, the following explanation sketch can be detected across all parts of the populace: 'Normal deputies have no great say in their parties and in their party groups; they are like rank-and-file soldiers who are lead into battle by their officers as they decide'. In fact only a minority of Germans knows about the real leadership roles played by MPs in their respective parties.<sup>9</sup> No more than 22 per cent of Germans suppose deputies to be party leaders ('some yes, some no': 23 percent; 'is not the case': 42 percent; rest: 'don't know'), and no more than 17 per cent of citizens think that party positions would be shaped by MPs ('sometimes yes, sometimes no': 33 per cent; 'is not the case': 40 per cent; rest: 'don't know').

Of course it will be impossible to understand party cohesion and party discipline in German parliaments without understanding that MPs themselves are the corps of party leaders. Otherwise there will be great difficulty in understanding that there need not be any 'contradiction' at all between the 'free mandate' guaranteed by article 38 of the Basic Law, and the unquestionable fact that German deputies, especially when belonging to parties in support of the cabinet, behave like disciplined members of highly competitive teams throughout the processes of parliamentary deliberations and decision-making.

## How do German Deputies explain party Unity?

Unfortunately, quite a few German MPs give misleading cues to the people themselves. If they briefly describe in public statements and discussions how they think they should behave as members of parliament, many of them

find no better ‘first sentences’ than those of the Basic Laws’ article 38. Some among the most prominent German deputies have even repeatedly, and with enormous public resonance, insisted on confronting the ‘good principle’ of article 38 Basic Law with the ‘bad practice’ of parliamentary party discipline and of uniform voting along party lines.<sup>10</sup> In addition, many German MPs use the label ‘*Fraktionszwang*’ in public discussions in a way that simply cannot avoid making people believe that party discipline and uniform voting behaviour are really imposed by orders and pressure. The same pattern of interpretation can be found in TV news and even in leading newspapers.

At first sight, the puzzle of MPs’ survey statements on the reasons for party cohesion seems hard to disentangle.<sup>11</sup> On the one hand, 81 per cent of them claim to see themselves as exercising a free mandate (‘bound mandate’: 6 per cent; rest: ‘in between’). On the other hand, 29 per cent of German deputies say that ‘*Fraktionszwang*’ – as the issue was expressly called in the written questionnaire – is ‘basically necessary’ to make a parliament work (‘not basically necessary’: 40 per cent; rest: ‘in between’). In addition, 25 per cent report of ‘*Fraktionszwang*’ being actually practiced in their own parliamentary parties (‘not the case’: 54 per cent; rest: ‘in between’), and even 53 per cent affirm that ‘*Fraktionszwang*’ is practiced in other parliamentary party groups than their own (‘not the case’: 15 per cent; rest: ‘in between’). But at the same time, only 6 per cent among German parliamentarians feel that the very harsh label ‘*Fraktionszwang*’ is really helpful to depict whatever may lead to the common practice of voting discipline and party unity (‘not helpful’: 78 per cent; rest: ‘in between’). If they are offered alternatives, they prefer other words to describe what they mean: 81 and 77 per cent of German deputies on national and *Länder* level said that ‘solidarity with one’s party group’ or ‘loyalty towards one’s party group’ respectively would be (very) good labels for the reasons leading to parliamentary party cohesion (‘not a good label’: 4 and 8 per cent respectively; rest: ‘in between’).

In fact, open-ended interviews with more than one hundred German MPs have shown that many deputies simply tend to use the very popular notion of ‘*Fraktionszwang*’ as a handy synonym for ‘group discipline’, ‘group loyalty’, or ‘group solidarity’. Often they mean to talk simply about ‘team spirit’, or about practiced ‘team discipline’ when they speak of ‘*Fraktionszwang*’. Frequently it is really not ‘pressure’ or ‘constraint’ that MPs have in mind when they use the misleading concept of ‘*Fraktionszwang*’. Therefore they demonstrate a dislike this label if they are offered alternatives. At the same time, German MPs truly appreciate an attitude of ‘team spirit’ and ‘team discipline’: 49 per cent say that in case of important issues a deputy should cast his vote according to his party’s majority position even if this would cost him support back in his constituency (‘should not’: 17 per cent). No wonder then that no less than 46 per cent think that ‘softening’ intra-caucus discipline would not even be desirable (‘is desirable’: 26 per cent). So it is definitively not pressure by parliamentary leaders and fellow members in the first line what explains the great amount of party discipline. It is rather a deep conviction, forged and formulated in various ways, that

the best mode to make good use of one's 'free mandate' is to co-operate reliably with one's fellow deputies, that is, creating and building on 'team spirit'. To pull all these findings and interpretations together it will be wise to use the notion of 'party group discipline' (*Fraktionsdisziplin*) as the best possible label for what is going on between MPs and their parliamentary party groups, although only 41 per cent of German deputies appreciate this concept as a (very) good label (23 per cent hold quite the opposite opinion). It seems that in contemporary German 'solidarity' and 'loyalty' simply sound better than 'discipline'.

But we cannot ignore the great difference – across *all* parties! – between '*Fraktionszwang*' observed in the own party caucus ('exists': 25 per cent, 'does not exist': 54 per cent) and the amount of '*Fraktionszwang*' suspected in other party groups ('exists': 53 per cent, 'does not exist': 15 per cent). It is simply impossible that both observations are true. Either many more MPs are put under pressure to dishonestly support political positions than are ready to admit this embarrassing fact. Or the amount of leadership and group pressure in other parties than one's own has been widely exaggerated by deputies themselves. Based on detailed correlation analyses, one first plausible explanation can be excluded: It is not the case that most deputies, sharing their fellow citizens' belief in the existence of 'group pressure', would simply project '*Fraktionszwang*' into the other party groups because they do not experience it in their own party group. On the contrary: especially those deputies ascribe '*Fraktionszwang*' much *more* to their competing parliamentary groups who also report of '*Fraktionszwang*' in their *own* party group (Pearson's  $r = .39$ )! This gives a first hint where to look for a better explanation. Other hints from deputies themselves have been found in more than one hundred interview sequences on the reasons of party unity and in dozens of significant correlation coefficients between relevant variables.<sup>12</sup>

All these data suggest that there are two groups of MPs with different ways to organize that 'working vocabulary' with which they describe or explain how they and their fellow deputies create and maintain party unity. The first – and clearly smaller – group strongly dislikes those connotations of the label '*Fraktionszwang*' that put in doubt the deputies' desire to behave as a team. This group rather stresses intrinsic factors of that great amount of party unity that can be observed. By the same token, most forms of extrinsic motivation, especially if they come close to constraints or pressure, pass as unacceptable among this group or are at least not placed into the foreground. In sharp contrast to that, the other, larger group does not feel bothered too much by the negative connotations of '*Fraktionszwang*', although they are well known. Those MPs rather use this label as a well-known and convenient 'shorthand' to address that complex interplay of intrinsic and extrinsic factors out of which parliamentary party discipline does emerge. These deputies barely want to complain about 'pressure'. Quite to the contrary: they tend to understand themselves much more than their colleagues as voluntary holders of a 'bound' mandate, deciding to go with their party rather than with their constituents in case of policy conflicts between both. By no means would they think that a 'softening' of '*Fraktionszwang*' might be desirable. Yet MPs of both groups feel that there is really something misleading,

and even despicable, in the concept or connotations of *‘Fraktionszwang’*. The difference is that only the second group uses the word in quite an uninhibited way, whereas the first group rather avoids its use if alternatives are in reach. Both groups, however, are prepared to make use of the ‘critical’ and ‘degrading’ power of this label. Because the public sees *‘Fraktionszwang’* as something wrong, sticking this label to a competing party in the course of a political argument promises advantages in public and even parliamentary debates.

Putting the pieces together makes plausible that two factors are interacting whenever MPs use *‘Fraktionszwang’* as an explanatory variable for party unity. Looking at their interplay it must be recognized that they interact quite differently, depending on whether party discipline is to be explained in the own party or in a competing party. The first factor: Many MPs attribute *‘Fraktionszwang’* both to their own party caucus and to other parliamentary parties, but they do it in the casual way of using this concept as shorthand for a quite complex form of causation. The second factor: Many deputies describe and explain their own unity-generating processes in much more ‘favorable’ terms than *‘Fraktionszwang’*, that is, with notions like ‘party solidarity’ or ‘party loyalty’, but are inclined to use the concept of *‘Fraktionszwang’* when it comes to analysing how competing parties create party unity. Therefore the great difference between the amounts of *‘Fraktionszwang’* observed in their own party and reported on competing parties needs no longer to be a surprise: The same processes are described; but they are expressly put into a different light. The consequence is that the same things may finally even look different for the deputies themselves: We found that ‘softening group and leadership pressure’ is found much more desirable by those deputies who suspect *‘Fraktionszwang’* to be practiced in other party groups than in their own (Pearson’s  $r = .50$ ). So whatever merits the MPs’ own explanations of party discipline may have, it is highly improbable that *‘Fraktionszwang’* in the literal sense of the concept could be a serious candidate for a central explanatory variable.

## **An explanatory model of party Unity in German Parliaments**

Many average Germans seem to understand some essential causes of parliamentary party discipline quite well; yet their belief in the existence of *‘Fraktionszwang’* is overlying whatever else they think. Because the ‘cognitive maps’ of German MPs are much better known in this respect than those of average citizens, the subsequent look at them could make quite plausible why so many Germans are inclined to believe in the mere fiction of *‘Fraktionszwang’*: This concept itself can be understood in two different but closely intertwined meanings. Politicians and journalists use both of them, often in purposeful mixtures, and this fact invites further popular and ‘messy’ utilization of the term. After all, there are no good reasons for citizens to use any clearer concepts to talk about party unity than party politicians use themselves. Deputies could certainly tell in a much better way than citizens how cohesion and discipline are produced and reproduced in parliamentary parties. But as ‘practical’ and non academic theorists, MPs have every right to fall short of a satisfying and com-





Thus, only those members who are able to win a majority within their party group in secret ballot have a chance to get such a position. Most such elections are held twice per legislative term, usually at the beginning, and after the first third or half of the legislative term. So every deputy has ample opportunity to learn as a central rule of parliamentary life: 'If you want to get influence, you better cooperate!' Whoever wants to identify the most important form of 'pressure' that can be exerted on a deputy, will find it here: Solidarity and loyalty are two-way relations. Any purposeful hint that fair reciprocity might be jeopardized has, therefore, a very effective impact on a colleague's cost-benefit-considerations when it comes to supporting issues in debates or votes.

- b) Whoever has held a party group office is a legitimate candidate for the next term. But it is equally legitimate, even though not necessarily wise, for any other group member to challenge the position holder with whatever support he or she might be able to mobilize. Those who have not contributed to party cohesion while in office will usually have problems relying on voting discipline when their own interest for re-election is concerned.<sup>16</sup> The same is true for members of the party group's executive committee: Their re-election is put at risk either if they fail to cultivate caucus cohesion or if their ways and means to do so are felt to be offensive.
- c) Within the parliamentary group and its bodies nearly no limits of legitimate dissent or conflict exist. Yet such dissent and conflict must usually not become visible to a broader public. Especially feeding the media with dissenting views in order to mobilize support for a minority position is only acceptable within narrow confines and for short periods.
- d) Voting rules on the floor:
  - Members of party groups in support of the cabinet must never cause their cabinet and its majority to lose a vote on the floor.<sup>17</sup> Although the threat to do so gives considerable bargaining power to those few members on whom a required majority may depend, it is generally expected that compromising – and hence forging a majority – is still possible, albeit on terms of such increased bargaining power. In addition it is expected that such threats will be used only in exceptional cases that touch basic political convictions or questions of personal conscience. Only if such an assertion is plausible, a deputy has a good chance not to pass as a maverick or troublemaker who disregards the need for party cohesion in a selfish way. On the contrary, he may even be admired as a person making exemplary use of the rights guaranteed by article 38 Basic Law.
  - Members of oppositional party groups are expected not to weaken the credibility of their party's alternative positions by voting with the government camp, unless their party itself has decided to vote for a bill or motion initiated by the majority. Abstention will usually be acceptable.
  - Voting across the division between the government camp and the parliamentary opposition is acceptable only if the leaders and executive committees of the major parliamentary parties have expressly agreed to ignore this for a

specific bill or motion.<sup>18</sup> This occurs quite rarely. The most important reason is that a bill needs to be passed urgently but cannot get a reliable majority in the ranks of the cabinet supporting parties, whereas such a majority could be forged out of all parliamentary parties. This is typically the case when a policy issue cuts across usual party cleavages. Then public opinion may claim that settling the issue is more important than keeping the roles of the government camp and the opposition apart. Under such circumstances it will be rational to come to a decision that is not based on intra-party coherence, even though the transaction costs of those *ad hoc* procedures that are indispensable in such a case will be high. The necessary negotiations with opposition parties will then considerably reduce the bargaining power of policy minorities within the cabinet supporting parties, that is, of individual deputies, within the government camp: In case of cross voting their votes are actually meant to be substituted by votes from the opposition parties. This is why cross voting is highly unpopular among deputies themselves. In particular, minor coalition partners do not want to lose their bargaining power in this way. Therefore they increasingly insist on having clauses in the coalition contract that expressly exclude the possibility of cross voting. As a result, deputies themselves create pressure towards party unity.

- e) Legislators are meant to specialize on specific policy fields, defined according to both their own interests and the requirements of the party group. On their own fields of specialization, they are expected to work on the party group's policy positions and to give advice on how the party should vote. On all other policy fields, they are held to accept or at least seriously consider the advice of their colleagues who have assumed responsibility as caucus experts on that respective policy field. Whenever a member desires to initiate a motion, he is therefore required to consult with the party group expert for coordinated action. Doing so again and again, deputies develop, deserve, and rely on mutual trust. This is possible all the more because most deputies have known each other for many years. Often they have worked together in different bodies already before entering parliament. Although they may have been competitors from time to time, they have experienced more than once that they are members of a common team with common goals.
- f) Policy experts on different policy fields are meant to coordinate their views and projects on the expert level across their different policy fields. Afterwards, they are expected to come up with fine-tuned policy suggestions in the party group's plenary. If balancing divergent interests and compromising is not possible on their level, they are held to include members of the caucus executive committee into their deliberations and negotiations. Of course, all details of responsibility and procedure depend on the highly individualistic leadership structures of the different parliamentary party groups.
- g) After several rounds of deliberation in the meetings of the working groups<sup>19</sup> and of the parliamentary party's executive committee, it becomes clear whether a given policy issue will allow a consensual, or at least a compromised, position of the entire party group. If this is not the case, the issue will be dropped, in

particular if there is no compelling reason for a decision. Avoiding a decision, however, is sometimes not a good choice, especially in the case of cabinet supporting party groups. Then remaining dissent must be settled in informal meetings or even in plenary sessions of the party group. As a last resort, a majority vote may be taken if no common position can be fixed otherwise. In this case, the defeated minority is expected to support, or at least to tolerate, the majority decision. This includes in particular voting behaviour on the floor.<sup>20</sup>

- h) If a member thinks that he or she cannot support or even accept this majority position, this member may feel obligated to make this dissent public either on the floor or in the media, or in both ways. If a deputy intends to do so, he or she is expected to talk with high-ranking members of the caucus executive committee before taking any action. The goal is to find a way of expressing dissent that is acceptable both for the dissenter and for the party group as a whole. In such talks it is out of question that a deputy has every right to stick to his convictions and to protect his personal credibility. But the executive committee will insist on behaviour that reduces the political competitors' benefits from one's own failure to come to a common position. Actually, such 'questions of conscience', involving basic convictions and ethic principles, do not occur very frequently. Most parliamentary questions involve expertise, experience, priorities, practical political thinking, and tactical considerations. So there are not many instances of this rather dramatic form to handle dissent.
- i) Whenever they are handling dissent or conflict, deputies are expected to offer and to accept package deals across different policy areas and over time. Who has compromised yesterday should get compensation today or rely on it tomorrow.
- j) The ultimate possibility to maintain party discipline is to exclude troublemakers or to make them leave the party group on their own initiative. Yet exclusions are rare. In the Bundestag, only one has been enacted so far, namely in 2004.<sup>21</sup> Between 1949 and 1994, there were no more than 237 changes of party group membership in the Bundestag, among them 86 due to splitting up or fusions of whole party groups.<sup>22</sup> Most of such changes occurred in the Bundestag's three first legislative terms, that is, when the new German party system was not yet consolidated. 'Disciplining' members is apparently not among the relevant means to generate party cohesion. Much more efficient are 'softer' means like giving or withholding support on policy and career issues, or – to a much lesser degree – considering and disregarding personal desires when it comes to the distribution of scarce resources like additional money or attractive travelling opportunities on behalf of the party group.

Many of these rules show that intra-party group structures themselves operate as important incentives for cooperative and disciplined behaviour on part of individual deputies. In this respect, the most important structures include the following:<sup>23</sup>

- k) All policy issues are discussed in formal, standing and specialized working groups that all parliamentary parties create. Depending on the size of the

party caucus, these working groups will mirror, for better or worse, the parliament's committee structure.<sup>24</sup> Each deputy is assigned to one or two working groups. This is done, as much as possible, according to his own preferences, yet based on the tacit consent of the party group's plenary. It is expressly expected that all policy views, and especially all dissenting ones, are first discussed in the respective working groups before the executive committee or the party group's plenary gets to deal with such dissent.

- l) Depending on the size of the parliamentary party group, there are up to three further and mostly informal organizational structures that involve rank-and-file members as well as party group leaders:
  - *regional* groups bring together MPs from the same *Land* in the *Bundestag* or from the same region in a larger *Landtag*;
  - '*sociological*' groups are bodies that usually assemble the female or younger deputies of a party group;
  - '*political caucuses*' are informal associations where right wing, centrist and left wing members separately discuss policy and personnel questions. More often than not they are very important units in the intra-party decision-making process.

Because these informal bodies, especially the political caucuses, cut across the responsibilities of the working groups, they serve in the same way as the 'political infrastructure' of a (major) parliamentary party group as each party group serves itself on the level of the whole parliament.<sup>25</sup> Whenever a deputy's loyalty to his party group as a whole may undergo a crisis for political reasons, these informal bodies will remain important reference groups that make him feel, and keep him, as a part of the team.

- m) The basic structure of a German parliamentary party group – formal working groups, complemented by informal regional, 'sociological' or political groups – is mirrored in the leadership structure of the party group. In the *Bundestag* and in most *Länder* parliaments, party groups have a two-layer leadership system. On top, there is an executive committee; and this is based on an enlarged executive committee. The executive committee usually comprises the chairperson, two or three deputy chairpersons, and the chief whip of the party group. This committee will be enlarged by the chairpersons of the working groups and by the formal or informal spokespersons of the informal bodies. Therefore it is possible, and even expected, that all discussions in the party group's formal and informal bodies are continuously connected with the regular discussions in the leadership bodies.<sup>26</sup> The higher the leadership level, the more the interests and policy positions of the fellow members have to be aggregated and condensed. It passes as a good indicator of leadership capacity if such reduction of various interests into common positions and coherent party policy is achieved reliably and smoothly.
- n) The plenary meetings of a parliamentary party group play the same role for the group sessions on the floor for the parliament as a whole. Party caucus and working group leaders have to report to their fellow deputies; common positions are formally fixed, usually as they have been prepared in the informal talks

between working groups, informal bodies and the (enlarged) executive committee; and whenever such preceding settlement was not possible, a final decision is made after more or less heated discussions. Of course, the executive committee is expected to spare the party group such time-consuming trouble as often as possible.

In this way, the organizational structures of a parliamentary party group, along with the established rules of this group, define to a great extent what the group leaders have to do and what will pass as 'skilful leadership practices'. On balance, parliamentary caucus leaders must meet quite different challenges. If they succeed in meeting them, party unity will efficiently emerge:

- o) Caucus leaders on all levels must treat their fellow members respectfully as equals. Each has a full and constitutionally protected right to any form and degree of dissent. Apart from that, all leadership positions depend on majorities that are tested by secret ballot in each legislative term twice.
- p) Leaders are expected to organize efficient and effective work. Their mastery of standing orders is continuously tested; waste of meeting time will be appreciated even less than cutting lengthy discussions. In addition, leaders are held responsible for anticipatory conflict management, since otherwise issues must be put on the agenda again and again. Therefore they have to overlook better than rank-and-file members the factual and political consequences of positions and decisions. This entails time-consuming reading, networking, and discussion.
- q) Parliamentary leaders must organize and repeatedly re-organize never-ending communication processes across the different bodies of their party group, such that none ever feel overlooked or excluded. By the same token, they must manage bargaining processes among all those who want to be involved, and they must end up with gains and losses being fairly distributed. At least they must create the credible *impression* that nobody has 'really' been omitted or duped. Therefore many rather 'symbolic' activities are of no less importance than straightforward 'instrumental' behaviour.
- r) Fulfilling all these tasks, leaders must make sure that the party group really comes to common, publicly defensible, and coherent positions in due time, with the rank-and-file members practicing unity because they really want to behave as a disciplined, well-led team.
- s) Throughout these inside activities, challenging outside activities are expected from parliamentary leaders. These include appealing self-presentation in the media and on the floor no less than convincing representation of the party group and its positions. In addition, leaders are meant to be respected and influential partners, or opponents, of the other parliamentary parties and of cabinet members. Nothing will better preserve party unity than the impression, even if not so well founded, to have good and dependable leaders.

It is true that all these rules, structures and tasks can be modified or changed. Then more or less different patterns of party leadership and party unity would emerge, although they would probably not be as reliable and stable as the 'modal' structures and procedures described in this analysis. The reason is that

these latter ones are results of trial and error; they are based rather on experience than on ideological convictions or on doctrine. This is why new parliamentary parties, like the GREEN party formerly, are inclined to ignore them and to experiment with alternatives. Usually they end up with reinventing the wheel.

One reason is that there are no possibilities to generate parliamentary party discipline. The other reason is that Germans, whatever else they will say about the 'good principle' of article 38 Basic Law and about the 'bad practice' of *'Fraktionszwang'*, clearly dislike enduring lack of parliamentary party discipline. Polls show an impressive parallelism in time series data that depict, on the one hand, how much cohesion and discipline Germans attribute to a given party, and – on the other hand – how much ballots this party would get if Election Day were close.<sup>27</sup> The nexus is obvious: The more party discipline, the more ballots. As soon as a party has learned to take this nexus seriously, which is nothing but a question of time, this party proceeds in steady anticipation of public reactions to any form of overt lack of unity. This, in turn, defines the central tactical task of (parliamentary) party leaders: Keep your troops together and in good order behind the flag, and then try to disrupt the lines of the rival! Rank-and-file members feel the same incentive: As regional party leaders they meet an analogous challenge in their constituencies themselves; and if they owe their seat to a certain percentage of ballots cast for their party list, it would be simply irrational not to generate and maintain party unity. Of course, this lesson on politically rational behaviour must be learned at some point in time. In well-established parties this is usually done in quite early stages of one's political career, which otherwise comes to a premature end. Only deputies of recently emerged 'protest parties' will still have to learn this lesson after arrival in parliament. Here, they either learn or disappear after their first legislative term.

But on part of ambitious deputies, there is a second consideration as well. Getting into the media means getting attention, and getting attention entails good chances to receive additional support for one's ideas and further career. Because dissenters have better chances than streamlined rank-and-file members to get into the media, there is a considerable incentive to engage in limited public conflicts with one's party group. Doing so can be particularly rational for an individual MP if there is a stable majority position in his party group. In this case, public dissent cannot do too much harm to his party group, whereas all benefits will fall to the dissenter. Yet public dissent can be even more rational in the opposite situation. If a deputy's party support the cabinet, the government camp's majority be small, or the majority is not guaranteed because of quite a few possible dissenters: then any individual dissenter's bargaining power will dramatically increase. Since gaining and exercising bargaining power is recognized as a legitimate goal, it is a question alone of timing and degree, and not of principle, whether the individual deputy's behaviour will pass as smart, as quite risky, as lack of loyalty, or even as sheer betrayal of party and voters. Whenever anticipation of public reaction leads to such forms of behaviour on the part of individual deputies, parliamentary leaders have to withstand a serious challenge of their authority and leadership qualities.

The final and most fundamental factor of parliamentary party unity in Germany is, without any doubt, the type and working of the country's system of government. It is a parliamentary system of government, and this system is based on strong parties with parliamentarians as their leaders. As a parliamentary system of government, it is working along the functional logic of 'new dualism'.<sup>28</sup> This means that the most important checks and balances are established between the 'government camp', comprising the cabinet plus the cabinet supporting party groups in the parliament, and the opposition parties. As a consequence, the central political battle line crosses the parliament and is not drawn along institutional boundaries like in a presidential system ('executive branch as a whole' vs. 'legislative branch as a whole'). This fact turns all parliamentary politics into a 'team sport', with highly competitive teams – 'government camp' vs. 'opposition'<sup>29</sup> – fighting for points that help to win the next election. Experience has sufficiently demonstrated that undisciplined teams are doomed to lose.

But in a parliamentary system, parliamentary parties are the central political actors. If an electoral system of proportional representation is added, as in Germany, party organizations outside parliament become important as well, and not only as electoral machines. Then it becomes desirable to link intra-party policy-making as effectively as possible with intra-parliamentary policy-making. Otherwise, coherence between party positions outside and inside parliament could not be warranted, and this would have highly negative consequences for electoral success.<sup>30</sup> In Germany, such linkage is guaranteed by the fact that deputies nearly always are party leaders: rank-and-file MPs on regional level, parliamentary leaders on *Land* or national level.<sup>31</sup> This entails party unity as a major concern for the deputies themselves. By the same token, only parliamentarians without any party leadership functions can be inclined to behave as mavericks. But only a very small minority of no more than 13 percent among German deputies is without any party leadership position, and closer analyses reveal that they are no less loyal to their parties than their colleagues.

Knowing that most German deputies are party leaders prevents one being misled by one of the most popular suspicions: Dissenters would not risk being re-nominated by their parties, since high-ranking party leaders would maintain party unity by threats to withdraw from the dissenter his seat. Yet German nomination processes are basically local, and there are no nation-wide party lists. Those deputies running in a voting district for a 'direct mandate' need not even care for support from party leaders on *Länder* level, because nobody else decides on nomination than the members (or delegates) of those local and regional party organizations whom they control as regional party leaders themselves. Things are slightly different when it comes to getting a 'safe' position on the *Land* party list. This is important for MPs of minor parties, that is, of all parties except the Christian and Social Democrats (additionally in Eastern Germany: the post-communist PDS), since these have no realistic chance to win a 'direct mandate'. Safe list seats are also attractive for those deputies of the major parties who run in contested districts. Yet the *Land* party list is fixed, posi-

tion after position, by secret ballot at party conventions on *Land* level. There, the convention delegates are offered a finely-tuned proposal on whom to place in which position. This proposal is the result of informal negotiations between the leaders of the regional party organisations, that is, including the deputies themselves. It is true that the delegates can make modifications, and sometimes really come up with remarkable alterations of the original proposal. But in such cases it is just not the top party leaders on *Länder* level, not even to mention those on federal level, on whom the candidates depend for re-nomination on a safe list position.<sup>52</sup> Rather, they depend on those active party members of the regional and local party organizations who constitute the majority among party convention delegates. So there is simply no handle for national or *Land* party leaders to interfere with nomination procedures. If they try to exert influence nevertheless, experience has shown that they risk getting the opposite of what they wanted. Dissent and conflict can occur when high-ranking parliamentary party leaders make a deputy even more attractive for those on whom he depends for re-nomination. This explains why dissenters empirically have greater chances for re-nomination and re-election.<sup>53</sup>

### Good game, outraged spectators

**I**t is evident that the functional logic of Germany's system of government has strong disciplining effects on parliamentary members and leaders. This logic moulds their cost/benefit-considerations and those patterns of behaviour that emerge from such considerations. It also gives shape to most parliamentary rules, structures, and procedures. These include the uniform voting behaviour along party lines and the ritual of 'pseudo-debates' on the floor, where a rather formalized exchange of well-known arguments is going on for the public and for the records. They also include the compatibility of a seat in parliament with serving as cabinet member, and they make it highly desirable to combine a parliamentary mandate with a leadership position in one's party.

German parliaments are fully adapted to these system requirements, and they meet the structural and behavioural challenges of the 'new dualism' quite well between the parliament's government camp and the parliamentary opposition. In this respect, their performance was quite good during the last decades: they ensured cabinet stability, and they contributed to good long term governance. Party unity was an important prerequisite for this success. Unfortunately, a majority of Germans neither appreciates the functional logic of the established parliamentary system nor recognizes the creation and reliable maintenance of parliamentary party unity is a major achievement of German parliamentarianism. On the contrary, many Germans blame their deputies for this achievement and believe them humiliated by '*Fraktionszwang*'. This is the not so amusing punch line of the success story on how party unity is achieved in German parliaments.



## References:

- 1/ The reason is sheer impossibility to do so: By far the most votes are cast by show of hands, some by standing up, whereas roll call votes (or calls for a division) are quite rare.
- 2/ Between 1949 and 1994 there were only 1006 roll call votes in the *Bundestag*, that is, no more than roughly 22 per year. In addition, there were 497 divisions in the same period, without any documentation of the voting behavior of single parliamentary parties (see *Datenhandbuch zur Geschichte des Deutschen Bundestages, 1949 bis 1999*, 3 Volumes. ed. P. Schindler (Baden-Baden: Nomos), here vol. II, p. 1728. T. Saalfeld, *Parteisoldaten und Rebellen. Fraktionen im Deutschen Bundestag, 1949-1990* (Opladen: Leske+Budrich, 1995), p. 60, gives slightly different numbers for methodological reasons. There are no other data on votes taken in the the Bundestag. On the state level, the situation is similar.
- 3/ Actually the notion of 'Fraktion' will be used. In German, it has no negative connotations as may be the case of the English word 'faction'. To avoid such connotations, labels like '(parliamentary) party (group)' or '(party) caucus' will be used throughout this text.
- 4/ Cabinet ministers are usually taken out of the ranks of leading deputies. They maintain their seats and remain members of their parliamentary party groups.
- 5/ Of course there is extended research on the relationships between parliamentary members and their party groups. Most of the relevant literature is quoted in W.J. Patzelt, 'Wider das Gerede vom „Fraktionszwang“. Funktionslogische Zusammenhänge, populäre Vermutungen und die Sicht von Abgeordneten', *Zeitschrift für Parlamentsfragen*, Vol. 29 (1998), pp. 323-47; in Saalfeld, *Parteisoldaten und Rebellen*; and in S.S. Schüttemeyer, *Fraktionen im Deutschen Bundestag. Empirische Befunde und theoretische Folgerungen* (Wiesbaden: Westdeutscher Verlag, 1998). Nearly all references in this literature are in German, because there are generally not many publications on German MPs in English. Most of the latter are quoted in W.J. Patzelt, 'What Can an Individual MP Do in German Parliamentary Politics?', in L.D. Longley, R.Y. Hazan (eds.), *The Uneasy Relationship Between Parliamentary Members and Leaders* (The Journal of Legislative Studies, Vol. 5, Special Issue (1999), pp. 23-52.
- 6/ For the data and analyses that underlie this section see Patzelt, 'Wider das Gerede vom „Fraktionszwang“', and W.J. Patzelt, 'Ein latenter Verfassungskonflikt? Die Deutschen und ihr parlamentarisches Regierungssystem', *Politische Vierteljahresschrift*, Vol. 39 (1998), pp. 725-57. A shorter English version of the latter article is W.J. Patzelt, 'Germany's Latent Constitutional Conflict', in Arthur B. Gunlicks (ed.), *German Public Policy and Federalism. Current Debates on Political, Legal, and Social Issues* (New York and Oxford: Berghahn Books, 2003), pp. 110-134.
- 7/ See Patzelt, 'Wider das Gerede vom „Fraktionszwang“', p. 331.
- 8/ With respect to parliament and parliamentarians, there are even much more political practices and structures that are believed by a majority of Germans to challenge basic ideas of the German constitution. The common denominator of such beliefs is that the functional logic of the constitutionally established parliamentary system of government not understood or not accepted. This is equally true for many of its factual consequences, among them the important role played by strong political parties. In the German discussion, the label of a 'latent constitutional conflict' has been stuck on this whole issue. See Patzelt, 'Ein latenter Verfassungskonflikt?', resp. Patzelt, 'Germany's Latent Constitutional Conflict' (in Gunlicks, *German Public Policy and Federalism*, op. cit.).

- 9/ For details on these leadership roles, see Patzelt, 'What Can an Individual MP Do in German Parliamentary Politics?', pp. 31-39, and below.
- 10/ The most outstanding example is H. Hamm-Brücher, *Der Politiker und sein Gewissen. Eine Streitschrift für mehr parlamentarische Demokratie* (Munich: Piper, 1987).
- 11/ All figures on deputies in this section are based on a survey that covered all roughly 2800 German MPs on national and *Länder* level in 1994. For details and much more data see Patzelt, 'Wider das Gerede vom „Fraktionszwang“', pp. 339-344, and W.J. Patzelt, 'Deutschlands Abgeordnete. Profil eines Berufsstandes, der weit besser ist als sein Ruf', in: *Zeitschrift für Parlamentsfragen*, vol. 27, 1996, pp. 462-502.
- 12/ For a detailed demonstration see Patzelt, 'Wider das Gerede vom „Fraktionszwang“', pp. 340-345.
- 13/ For this purpose, the author has carried out a number of empirical research projects with hundreds of open-ended interviews with MPs on nearly all aspects of their job. An extended collection of interview excerpts can be found in W.J. Patzelt, *Abgeordnete und ihr Beruf. Interviews, Umfragen, Analysen* (Berlin: Akademie-Verlag, 1995).
- 14/ Broad comparisons with great relevance to this topic can be found in S. Bowler, D.M. Farrell, R.S. Katz (eds.), *Party Discipline and Parliamentary Government* (Columbus: Ohio State University Press, 1999); L. Helms (ed.), *Parteien und Fraktionen. Ein internationaler Vergleich* (Opladen: Leske + Budrich, 1999); Longley and Hazan, *The Uneasy Relationships Between Parliamentary Members and Leaders*; and W.C. Müller, T. Saalfeld (eds.), *Members of Parliament in Western Europe. Roles and Behaviour* (London – Portland, Or.: Frank Cass).
- 15/ A detailed analysis of parliamentary groups as 'opportunity structures' can be found in Schüttemeyer, *Fraktionen im Deutschen Bundestag*, pp. 248-310, where empirical evidence can be found for most of the rules and considerations listed below. A concise similar analysis is given in L.D. Longley and R.Y. Hazan, 'On the Uneasy, Delicate, yet Necessary Relationships between Parliamentary Members and Leaders', in Longley and Hazan, *The Uneasy Relationship Between Parliamentary Members and Leaders*, pp. 1-22, esp. pp. 3-14.
- 16/ Note that the issue here is re-election into party group office, not into parliament. On this latter issue see the end of this section.
- 17/ The reason for this and the following rules is nothing else but acceptance of the functional logic of a fully-fledged parliamentary system of government.
- 18/ In the language of popular German political discourse this procedure is called 'suspending *Fraktionszwang*', that is, 'deciding not to exert pressure towards party unity'. Those who believe in the existence of '*Fraktionszwang*' feel confirmed in this belief whenever that expression is used by journalists or even deputies themselves. Unfortunately, this is quite often the case, even on the part of leading parliamentarians themselves.
- 19/ See below, paragraph k.
- 20/ An alternative to this quite harsh procedure may be, under particular circumstances, an agreement on cross voting, as described above.
- 21/ The CDU/CSU party caucus excluded its member Martin Hohmann. But no policy conflict led to this exclusion, but public pressure: Hohmann had given a speech in his voting district that was considered as 'politically incorrect'.
- 22/ See *Datenhandbuch zur Geschichte des Deutschen Bundestages, 1949 bis 1999*, Vol. 2, p. 939.

- 23/ The best available data on the *Bundestag*'s parliamentary party groups can be found in *Datenhandbuch zur Geschichte des Deutschen Bundestages, 1949 bis 1999*, Vol. 2, pp. 895-1015. Similar data are available for the *Länder* parliaments in S. Mielke / W. Reutter, eds., *Länderparlamentarismus in Deutschland* (Wiesbaden: VS-Verlag für Sozialwissenschaften, 2004).
- 24/ This is how the institutional design of *all* German parliaments 'follows' the 'prescriptive lessons' drawn by J.M. Ostrow, *Comparing Post-Soviet Legislatures. A Theory of Institutional Design and Political Conflict* (Columbus: Ohio State University Press, 2000), from his comparative study of post-soviet legislatures: For effective parliamentary conflict management, the 'party channel' must be carefully linked with the 'committee channel'. Nothing can be less surprising for somebody familiar with German parliaments.
- 25/ Using Ostrow's term, one could talk of a 'double dual structure' of intra-parliamentary conflict management.
- 26/ In the *Bundestag*, the overall flow of communication is organized as follows: Monday morning meetings of the national executive committees of the German parties; Monday afternoon meetings of the executive committees of the *Bundestag*'s parliamentary party groups; Monday evening more or less formal meetings of the party groups' regional or other caucuses. Tuesday morning is reserved for meetings of the formal working groups, Tuesday afternoon for plenary sessions of the party groups. On Wednesday morning, the *Bundestag*'s committees are in session. From Wednesday afternoon throughout Friday, early afternoon, there are plenary sessions of the *Bundestag*. These are accompanied by many formal and informal meetings that lead to frequent absence from the floor.
- 27/ See the impressive examples in E. Noelle-Neumann, R. Köcher, eds., *Allensbacher Jahrbuch der Demoskopie, Vol. 10, 1993-1997* (Munich: K.G. Saur, 1997), pp. 846-849, and in E. Noelle-Neumann, R. Köcher, eds., *Allensbacher Jahrbuch der Demoskopie, Vol. 11, 1998-2002* (Munich: K.G. Saur, 2002), p. 774.
- 28/ 'Old dualism' is the proper label for balance-of-power systems with checks and balances being set up between the executive and the legislative branches of government. Such systems, most notably the US system of government, came into being *before* the parliamentary system of government was fully developed in England's 19th century constitutional history. This is why the latter's form of dualism between the executive and the legislative branch of government is called 'new' and the former's form of dualism is labelled 'old'.
- 29/ There are only minor modifications if there are, like in Germany, more than two parties.
- 30/ On this whole issue cf. S. Bowler, D.M. Farrell and R.S. Katz, 'Party Cohesion, Party Discipline, and Parliaments', in: Bowler, Farrell, Katz, *Party Discipline and Parliamentary Government*, pp. 3-22, and P. Mitchell, 'Coalition Discipline, Enforcement Mechanisms, and Intraparty Politics', in: Bowler, Farrell, Katz, *Party Discipline and Parliamentary Government*, pp. 269-287.
- 31/ This is true for many cabinet members as well, especially for the federal chancellor and the prime ministers of the *Länder*.
- 32/ For all details and their consequences for an individual MP's intra-party group position see Patzelt, 'What Can an Individual MP Do in German Parliamentary Politics?', pp. 35-40.
- 33/ See Saalfeld, *Parteisoldaten und Rebellen*, pp. 298-308.

# The Role of Political Parties in the Parliaments

## Section IV.

### Moldovan Legislative Elites in Transition

*William Crowther*

#### Introduction

This chapter examines the process of legislative elite consolidation in the Republic of Moldova. The analysis is based on member biographies from four the four post-communist legislative sessions of the Moldovan parliament (1990, 1994, 1998, and 2000). These data are employed to determine to pattern of change in membership across the first post communist decade. Which members are more likely to achieve reelection? What are the characteristics of the legislative leaders, and how have these characteristics changed over time? The initial analysis focuses on the influence of incumbency, ethnicity, gender, legislative leadership, and professional experience. It is argued that as a consequence of Moldova's extremely volatile political environment little progress has been made in the direction of developing either a professionalized core of MPs, or an experienced institutional leadership. Furthermore, lack of legislative development has been a central factor in the pattern of poor governance that has impeded democratization efforts in the republic.

#### Legislative elites and the post-communist parliaments

At the time of political system transformation, legislatures have the potential to be the key institution within which all of the other uncertainties of the political system find expression and through which attempts are made at resolving these uncertainties. Parliaments are both products of, and contributors to the broader political transformative process. The character of the new parliaments is clearly shaped by the broader political system transformation. At the same time, however, what they do reciprocally contributes to the transformation process (Olson and Crowther 2002; Olson and Norton 1996).

The rapidly changing parliaments of Central Europe and the former Soviet Union present an opportunity and challenge to understand how democratic institutions begin and develop in the context of authoritarian system transformations. Careful attention to these parliaments will contribute to our understanding of the process of democratization within the broader political system (Olson and Crowther 2002; Olson 1997, 1998).

Communist system collapse and the democratic transitions created unusual conditions within which parliaments now exist and function. In the course of the first postcommunist decade, the newly revitalized legislatures have become the critical policy and political institutions. The major political actors of each country are in parliament; it is parliament which enacts the new policies of new democracies and in which the major political issues and new parties are developed.

Given the central role that the emergent legislative elite plays in the political life of the postcommunist democracies, its quality and character are of crucial importance. Members in the newly democratized parliaments were not initially well equipped to face the tasks confronting them. The new legislatures were confronted with the task of recruiting and socializing large numbers of new members, developing leadership. The new members came from quite diverse backgrounds, ranging from the former communist elite, to the former opposition, to those with little or no prior political experience of any sort. What factors shape elite selection? Which social groups are most represented in the new parliaments? How do those in leadership positions differ from rank and file MPS? Does the character of the legislative elites affect institutional performance and policy outcomes? All of these questions are best examined in the context of a collaborative effort comparing trends across the region.

The importance of elites to democratic transitions in general has been well established. Higley, Kulberg, and Pakulski (1996), Kolankiewicz (1994), and most recently Higley, Pakulski, and Wesolowski (2000) all address this issue. Examination of the emerging legislative elites, however, is as yet quite limited in both scope and coverage. Welsh (1996) and Yoder (1999) examine legislative elites from the former German Democratic Republic. Brokl and Mansfeldova (1998) and Simon, Krause and Mansfeldova (1999) provide initial analyses of the Czech and Slovak cases. Loewenberg (1994) explores the initial period of elite transition in the Hungarian Assembly, as does Holc (1995) for Poland. This paper represents an effort to add to accumulating information on the postcommunist MPs by providing an examination of emerging legislative elites in Moldova, which represents a very different pattern of transition from those countries which have been the focus of most research thus far.

## **Legislative politics and Moldova's stalled transition**

**T**he Soviet Republic of Moldova was formed when Bessarabia was annexed from Romania by the USSR as a consequence of the Ribbentrop-Molotov pact. Its population is ethnically diverse. According to the last Soviet census (1989), the Romanian speaking majority comprised 64.5% of the republic's inhabitants. The main minority groups, Ukrainian (13.8%), Russian (13%), Gagauz (5.2%) and Bulgarian (2%), were largely russophone or bilingual in Russian and their native language. On the eve of the transition from communism, Moldova suffered poor economic development, serious ethnic divisions within the population, and a very wide gap separating the population as a whole and the entrenched Soviet era political elite. Furthermore, unlike the Central

European states emerging from Soviet dominion, Moldova had no history of independent national government to fall back on. Its inter-war experience of rule from Bucharest provided little useful guidance in developing sovereign institutions.

Serious opposition to Soviet rule emerged quite late. In June 1989, under growing pressure both locally and from Moscow, the Moldovan government recognized the Popular Front of Moldova, which championed the Romanian-speaking majority, and which seized the political initiative in the early phase of the post-communist transition. The heavily nationalist appeal of the anti-Soviet opposition almost instantaneously generated a sharp increase in inter-ethnic conflict. In localities with a Russian-speaking majority, the authorities began to set up independent political institutions. The cities of Tiraspol, Bender and Ribni\_a all passed laws suspending the application of central government edicts within their boundaries. In August 1990 the Gagauz minority went even further, declaring the formation of an independent republic in the southern region. The local Communist Party leadership on the east bank of the Nistra river (Transnistria) followed suit, forming the Nistrain Moldovan Republic.

As in many post-Soviet republics, Moldova's newly emerging political elite was deeply fragmented, and lacked coherent organization. While the Popular Front gained control of the state, nothing like the institutionalized civil society produced in Poland under the sway of the Solidarity movement was in evidence. When the effectiveness of Soviet-era institutions inevitably eroded, Moldovan politics became increasingly disordered. Competition for power took place in an environment of escalating social crisis. As elsewhere during the first phase of transition, the economy suffered massive dislocation. In part this was a result of the generalized failure of the Soviet economy. Simultaneously, the loss of the territory to the secessionist Transnistrian regime dislocated industrial production throughout the republic.

As the economic crisis deepened the government vacillated. Pro-reform and anti-reform factions proposed radically different policy directions, and failed to reach any consensus. President Mircea Snegur, a key figure within the reform faction, took a first step toward developing an independent power base by distancing himself from the more extreme nationalist faction within the Popular Front. President Snegur cast himself in the role of an advocate of efficient reform. Arguing that strong executive leadership was required to direct the transition, he successfully called for direct presidential elections. In December 1991 he was confirmed in the office through a national ballot which he contested unopposed. Rallying support from among the ranks of former communists, Moldova's penultimate Communist Party leader, Petru Lucinschi, began to make his way back into power, challenging Snegur's hold on the leadership. A second prominent former communist, Andrei Sangheli, assumed the Prime Ministership in June 1992. Sangheli increased Russophone representation in the government and pursued a strategy based on reducing inter-ethnic tension. The new government promised to formulate and deliver a more efficient reform program and to reign in corruption. However, it failed utterly to do so.

Changes at the pinnacle of the political system generated a reordering of the legislative branch. The new leadership's supporters in parliament, organized as the Agrarian Democratic faction, introduced a vote calling for the dissolution of the legislature. New elections to a smaller (104 as opposed to 380 deputies) parliament were called for 27 February 1994. A closed list proportional representation system was employed in the election. In order to avoid any impasse concerning representation from Transnistria and the Gagauz region, the legislature established a single national electoral district.

In these elections, the Agrarians enjoyed significant organizational advantages over their competitors. Many Agrarian deputies shared a common origin in the agricultural sector, having been either as village mayors or collective farm managers, and enjoyed a powerful organizational base in the Ministry of Agriculture. In contrast to Agrarian's main competitors for power, the Popular Front, progressively broke apart. Moderate supporters of the Front defected to form an alternative electoral vehicle, the „Congress of the Intellectuals.“ Those concerned primarily with reform were discouraged by the Popular Front's failure to pursue an effective economic policy, and established center-right parties promoting their agendas.

The outcome of the 1994 legislative election reflected a sharp reversal from the politics of the initial transition period. While committed minorities continued to support extremist positions, the overall distribution of popular opinion worked substantially to the advantage of the more moderate Agrarian Democratic Party. The Agrarians won 43.2 percent of the vote and 56 of 104 parliamentary seats. The Socialist Bloc (the Socialist Party and *Edinstvo*) won 22 percent of the vote and 28 seats. The formerly dominant Popular Front took only 7.5 percent of the vote and was reduced to nine seats in parliament. None of the other parties and blocs met the 4 percent threshold requirement. These results ended the first phase of post-communist realignment in which ethnic extremists were effectively marginalized.

The Agrarians came to power with an explicit commitment to political and economic reform. Their electoral victory provided a majority in the parliament, allowing them to enact previously deadlocked legislation. A new constitution ratified by the parliament on July 29, 1994, established Moldova as a democratic republic with a semi-presidential system, separation of powers, judicial review, and guarantees for basic human rights (*Constituția Republicii Moldova*, 1994). The „Moldovan“ national orientation of the new legislative majority was incorporated into the document by removing references to Romanian language that had appeared prominently in earlier drafts. References to a „national“ state were similarly eliminated. Initially the new leadership gave the appearance of decisive action on the economy, moving to reorganize and invigorate Moldova's privatization program.

Despite the appearance of progress, a number of factors came together in the wake of the 1994 elections to undermine reform efforts. First, among these was the unrelenting struggle for power among the highest-ranking members of the political elite. In a country as yet only loosely constrained by the rule of law,

influential politicians were quick to form personalistic factions linking civil servants, powerful individuals in the private sector, and elected leaders. Increasingly, it was the interests of these \_elite cartels\_ that determined political outcomes. Secondly, the leadership conflict carried on between these cartels was exacerbated by flawed institutional design. As in the Russian Federation prior to the constitutional crisis of 1993, Moldova's semi-presidential system left the division of authority between the president and the legislature unclear, creating a situation in which no actor was able to impose definitive decisions. Lines of responsibility blurred, and policy stalemate rapidly ensued. Finally, the unresolved Transnistrian issue added to the perception of governmental incompetence.

Given this uncertain environment, it is hardly surprising that an open struggle for power broke out during the run-up to the 1996 presidential election. President Snegur began his campaign for a second term by shifting toward the pro-Romanian political niche formerly occupied by the increasingly marginalized Popular Front. Taking nearly all political observers by surprise, Snegur reversed his previously-held position on the highly sensitive national language issue. Putting his confrontation with the rest of the leadership at the center of his campaign, Snegur argued that his rivals were using the legislature to block reform. He proposed that the constitution should be amended to turn Moldova into a presidential republic. Snegur also came out in favor of more thoroughgoing economic reform and more rapid integration into West European political and economic structures.

The 1996 presidential contest became the focus of popular dissatisfaction with the country's direction and highlighted the continued influence of conservative tendencies in political culture of the electorate. Much of the population remained attached to socialist-egalitarian values of the soviet period, and hostile to economic reforms. President Snegur gained only a plurality in the first round on 16 November, with 38.75 per cent of the vote. He was followed by the two strongest left wing candidates, Petru Lucinschi, with 27.66 per cent, and Vladimir Voronin,, leader of the Communist Party (which returned to activity in April 1994 as the Party of Communists of the Republic of Moldova), with 10.23 per cent. In second round voting, President Snegur was able to garner only approximately an additional 6 percent, bringing his total to 46 percent. With support in both the Romanian-speaking and minority communities, Lucinschi took 54 percent of the second round vote, winning the presidency.

Despite the hopes invested in him by the electorate, Petru Lucinschi did not manage either to bring an end to the infighting and institutional deadlock that had plagued Moldova for the previous four years, or to resolve the Transnistrian conflict. And while the configuration of leadership changed following the election, the prevailing pattern of elite politics immediately reasserted itself. Factionalism and institutional disorder continued to undermine policy-making. The new government, established under Prime Minister Ion Ciubuc and backed by President Lucinschi, was composed largely of holdovers from the previous cabinet, but with the addition of two ministers from the Party of Communists of



the Republic of Moldova (*PCRM*). While officially pro-reform, Ciubuc's government proved largely indecisive, especially with regard to privatization and the anti-reform faction and the growing political fragmentation of its membership.

The depth of popular discontent with these conditions was unmistakable in the 1998 parliamentary contest. Of the 15 parties and electoral blocs that campaigned, only one could claim as much as 15 per cent of popular support in the months leading up to the election and that was the revived communist party, the *PCRM*, which became the primary outlet for popular discontent. *PCRM* resurgence presented a significant threat to President Lucinschi, who had thus far benefitted from the lack of any credible alternative to his left. Now forced to compete, he established the Movement for a Democratic and Prosperous Moldova (*MDPM*), which described itself as a social democratic party, and campaigned in support of strengthening the presidency. Like Lucinschi, former President Mircea Snegur established a new party, the Party for Revival and Conciliation in Moldova (*PRCM*). In addition to promoting Snegur, the *PRCM* espoused a pro-reform and pro-Romanian agenda. To compete more effectively, the *PRCM* entered into an electoral alliance, the Democratic Convention of Moldova (*CDM*), that united Snegur in an uneasy partnership with his former Popular Front allies, the Christian Democratic Peoples Party (*PPCD*). A third right-wing party, Party of Democratic Forces *PFD*, headed by Valeriu Matei, contested the elections separately. Matei took an extremely critical stance on the political establishment, and argued for eventual (but not immediate) reunification with Romania. By doing so, he hoped to become the choice of the disaffected Romanian-speaking majority.

Like the presidential contest that preceded it, the 1998 parliamentary outcome reflected the deepening of political divisions in the society. Four parties surpassed the four per cent threshold: the Communists with 30.01 percent (40 seats), the Democratic Convention with 19.42 percent (20 seats), pro-Lucinschi's Bloc for a Democratic and Prosperous Moldova with 18.16 percent (24 seats), and finally the Party of Democratic Forces with 8.84 percent (11 seats). This outcome hypothetically gave the main left-wing parties 48.9 per cent of the vote and potential 64 seats in parliament, and the main right-wing parties 28.26 percent of the vote and a potential 37 seats. But while ideological considerations would have suggested a left-wing coalition government, intra-elite politics dictated otherwise. Despite their substantial differences, the leaders of all of the non-communist parties united to create a new organizational vehicle, the Alliance for Democracy and Reform (*ADR*), through which the Communists could be blocked from government. The *ADR* was comprised of 61 members of Parliament representing the *CDM*, the *PFD* and *MDPM*. Bringing together as it did reform and anti-reform, and nationalist and anti-nationalist factions, this "alliance" proved to be anything but functional. Dumitru Diacov and the *MDPM* were (at least initially) a pro-presidential party, but the leaders of each of the other coalition parties were longstanding opponents of Lucinschi with no interest in promoting the President's agenda or in seeing his governmental proposals succeed.. Further complicating the situation, Dumitru Diacov very quickly came to see his position

as Parliamentary Chairman as an institutional base from which he might be able to pursue power and broke with President Lucinschi, further aggravating the factional dispute within the legislature. Thus, rather than clarifying lines of authority and providing a stable bases for governance, the 1998 legislative outcome condemned Moldova to a further round of infighting and institutional deadlock.

The course of legislative politics following 1998 is a testament to the dysfunctionality of the anti-Communist coalition. Blocking an effort by Mircea Snegur's supporters to name one of their own as Prime Minister, President Lucinschi initially engineered the retention of Ion Ciubuc as head of a new government that included ministers from the three coalition parties. While the Ciubuc government struggled meet the minimum reform requirements of international lenders, his ability to either cut services or reduce subsidies to failing enterprises was limited by the its reliance on left-wing MPs. Furthermore, the politicization of the Republic's ongoing corruption scandals bitterly divided the elite, and spilled over into parliamentary debate, deadlocking legislative activity.

Given these conditions, the *ADR's* ability to govern was limited at best. Three governments failed in quick succession, adding to the country's distress. Under constant attack from both right and left, Prime Minister Ciubuc found his position untenable, and resigned in November 1998. A successor government formed under Ion Sturza were hardly any better. Considered a moderate reformer, Sturza served as Deputy Prime Minister under Ciubuc, and retained all but four members of the Ciubuc cabinet. His government was voted into office only after two failed attempts, and with great difficulty. While his pro-reform stance gained the support of the Western governments and multi-lateral lenders, his appointment ultimately did little to break the deadlock that had plagued his predecessor. The Sturza cabinet was brought down in its turn on November 9, 2000, through a vote of no confidence engineered by the Communists working in conjunction with the Christian-Democratic People's Party. Under threat of dissolution from an increasingly frustrated Lucinschi, on 22 December, legislators accepted the President's nomination of Dumitru Braghi\_ as Prime Minister. But like his predecessor, Prime Minister Braghi\_ was hamstrung by the seemingly interminable infighting, and his nomination failed to alter the underlying pattern of instability.

President Lucinschi, in the meantime, ever more openly questioned the viability of the constitutional order and moved to establish a presidential form of government. This scheme predictably further alienated his opponents who argued that it would transform Moldova into an authoritarian state. The *PPCD* put countered with a proposal for a „parliamentary republic.“ This move was supported by the Communists and consequently, on September 22<sup>nd</sup> 2000, legislation was passed according to which the Moldovan president is elected by the members of the parliament.

By enacting this change legislators sought to block Lucinschi from winning a second term through direct national elections, and to place his successor more firmly under parliamentary control. Instead, the new electoral procedure precip-

itated the dissolution of parliament. In preparation for December 2000 presidential elections, the *PCRM* deputies nominated their leader, Vladimir Voronin, while the Democratic Convention and the Party of Democratic Forces jointly put forward Pavel Barbalat. Neither candidate gained the necessary three-fifths majority in first round balloting. The same result was repeated in the mandated second round. After a third failed ballot on December 21<sup>st</sup>, parliament was dissolved and new legislative elections were set for 25 February 2001 (See *East European Constitutional Review*, 2001).

With no acceptable alternative on the horizon, the revived Moldovan Communist Party became the overwhelming victor in the elections, and heir to the faltering state (Crowther and Josanu, 2003). The *PCRM* took 50.7 per cent of the vote and 71 of 101 seats in Parliament. The Braghis Alliance came in a distant second, with 13.36 per cent of votes and 19 parliamentary seats. Only one other party, the *CDPP*, surpassed the 6 percent threshold, gaining 8.24 percent of the vote and 11 seats. This electoral outcome completely redefined Moldova's political landscape. After being first banned and then held in check for a preceding decade, the *PCRM* was now transformed into an utterly dominant political force. Its 71 seats not only gave it the numbers required to choose the country's next President, but also provided more than the 2/3 majority required to amend the country's constitution. The new parliament immediately set April 4<sup>th</sup> as the date for presidential elections. Vladimir Voronin was selected as President of Moldova with the support of all 71 Communist deputies. These two elections gave the *PCRM* control over both branches of government, and Moldova the distinction of being the only post-Soviet country to return an unreformed communist party to power through the electoral process.

Moldovan domestic politics have been tumultuous throughout the post-Soviet period. Factional conflict is rife, corruption widespread, and authoritarian tendencies are evident. This pattern in itself is hardly unique. It is in fact characteristic of other "partly failed transitions" seen in the region. But unlike the majority of these cases, in Moldova the legislative branch remained at the center of the political fray. The executive, while powerful, did not monopolize power; during the 1990s no single party dominated the political life of the country. Therefore, the incessant upheaval in the society was played out inside the parliament. Each election produced a new political configuration, no stable pattern of government and opposition emerged.

## Data and analysis

Data for this examination of how Moldova's post-communist legislators have been shaped by this political environment were drawn primarily from membership directories of the 1990, 1994, 1998, and 2001 sessions of the Moldovan Parliament. The Moldovan legislature provides relatively limited information including MP's age, gender, education, party affiliation, and committee and leadership assignments. Additional information is in some cases available from party and NGO sources. The initial transition Parliament (origi-

nally elected as the Republican Supreme Soviet) was made up of 380 members. Relatively complete background information is available on 365 of those members. Since 1994 the parliament has been made of 101 MPs; thus the total data set consists of 683 cases.

Table 1 provides a general picture of the make-up of the legislature in these four sessions. The some aspects of the broad profile that emerges, increasing age and low levels of female membership for example, reflect a pattern consistent across most of the postcommunist world. These changes will be discussed in more detail below, as will the shift in minority representation.

Table 1: Legislative Characteristics

Session	Number of Deputies	Number of Leadership Positions	Number of Minorities		Female Membership		Average Age
			N	%	N	%	
1990 – 1994	365	51	102	27.9	15	4.1	44
1994 – 1998	101	45	25	24.7	5	4.9	47
1998 – 2000	101	53	20	19.8	8	7.9	48.2
2001 -	101	38	48	47.5	16	5.8	51.6

Table 2 examines overall reelection rates for the Parliament. The numbers presented reflect the numbers of incumbents in the legislature following the intervening election. The pattern of the first three elections is clear. Reelections rates are low, even in the initial transition election. Then, unlike the prevailing pattern in postcommunist legislatures, reelection decreases over time, from a little over 30% in the transition from the last republican Supreme Soviet to the first democratically elected parliament to less than a quarter of deputies in the most recent elections. Only seven members of the parliament elected in 2001 had served in two previous legislative sessions. Rather than stabilizing, legislative membership has remained highly volatile throughout the transition period. High levels of turnover among legislators reflects the general fragility of the Moldovan transition. The magnitude of membership turnover in Moldova is unique in the region. Other post-communist countries have experienced increasing membership stability over time. In the Czech Republic, to take one example, incumbency in the first postcommunist transition was 30%, and rose to 50% in the third electoral transition (Crowther and Haygood, 2001). This pattern of increasing membership stability emerged despite the fact that party politics in the Czech republic during the ten years that followed the dissolution of Czechoslovakia was quite volatile. It is consistent with trends of legislative membership consolidation and professionalization across the region.

Table 2: Incumbency Rate in the Moldovan Parliament

	%	N
Post – Transition 1	30.7	31
Post – Transition 2	26.7	21
Post – Transition 3	24.7	25

The more interesting question of which deputies are most likely to reappear in successive legislative sessions is addressed in the following three tables.

Legislative leadership often stands out as a critical variable in reelection. In general, one would expect legislative leadership to confer an electoral advantage. Leaders are defined here as those holding leadership positions in the parliament as a whole, chairmen, vice-chairmen or secretaries on parliamentary committees, or as the chairmen or vice-chairmen of parliamentary party groups. The initial transition, in particular, was devastating to legislative elites. Leaders were reelected at higher rates than non-leaders in the first postcommunist election, but this must be taken in the context of the downsizing of the larger Soviet period institution to the smaller current parliament. In absolute terms, relatively few actually survived the transition. Not only did a mere 13.7% retain their parliamentary positions, only two of their number assumed leadership positions in the new parliament. The second transition represents a significant shift in the impact of leadership, in which the debacle of the Agrarian period is evident. While the reelection rate of those holding leadership positions improved slightly (from 13.7% to 17.8%), ordinary MPs were returned to parliament at double the rate of the legislative leaders. On the other hand, all of those who survived the electoral hurdle retained leadership positions in the succeeding legislative secession. Only in the 2001 does leadership appear to confer substantial electoral advantage, with those holding leadership returning to parliament both in larger numbers than in previous years, and at higher rates than normal MPs.

Table 3: Legislative Leadership Reelection in the Moldovan Parliament

	Non - Leaders			Legislative Leaders		
	N	Reelected	% Reelected	N	Reelected	% Reelected
Transition 1	314	24	7.6	51	7	13.7
Transition 2	56	19	33.9	45	8	17.8
Transition	48	10	20.8	53	15	28.3

The tendency of female access to leadership in all sectors to suffer in the immediate wake of the postcommunist transitions has been widely noted. This trend is generally reflected by the Moldovan legislative member data. No female members of the transition legislature survived the first postcommunist electoral

contest. In all probability this reflects the symbolic role that women where playing as CPSU delegates in the Supreme Soviet. Representing the conservative wing of the party, and less individually competitive, they were unable to negotiate the shift to a competitive electoral environment. In the succeeding elections, the fate of female MPs mirrors more closely that of their male counterparts, despite the fact that their overall representation remains low. The disproportionate success rate of women in the most recent electoral transition once again reflects their over representation in the resurrected Communist Party (*PCRM*) which dominated the 2001 elections.

Table 4: Gender and Reelection in the Moldovan Parliament

	Female			Male		
	N	Reelected	% Reelected	N	Reelected	%Reelected
Transition 1	15	0	0	351	31	8.8
Transition 2	5	1	20	96	26	27.1
Transition 3	8	4	50	93	20	21.5

The impact of ethnicity on candidates' chances for reelection in the first three electoral transitions in Moldova appears clear. In the initial postcommunist election, minority deputies, like those holding leadership positions, suffered massive electoral losses. In part their failure to gain positions in the succeeding legislative term came as a consequence of the Transnistrian secession. As ethnic conflict escalated in the early 1990s, a number of deputies in the last Supreme Soviet withdrew from Moldovan politics in favor of the Transnistrian structures. Dissolution of the *PCM* also worked against minority candidates, who where heavily represented it its ranks, as did the general environment of heightened ethnic competition. The second legislative transition also proved difficult for non-Moldovan deputies, reflecting the overall volatility of the electoral environment. The reelection rate of majority and minority candidates, however, was approximately half that of ethnic majority deputies. The most recent electoral transition, however, saw a fundamental shift in the prevailing pattern, with minority MPs achieving reelection at rates (31.3%) far exceeding those of their Romanian-speaking counterparts (18.9%). As with the case of gender representation, this outcome clearly stems from the extent of the *PCRM*'s 2001 electoral victory. Drawing its leadership as it does heavily from the Russian speaking-population, the party almost inevitably produced a legislative delegation skewed in favor of the minority population, with thirty-six, or slightly more that 50%, of the communist MPs being minorities.

Table 5: Ethnicity and Reelection in the Moldovan Parliament

	N	Moldovan Reelected	% Reelected	N	Minority Reelected	% Reelected
Transition 1	262	22	8.4	103	9	8.7
Transition 2	75	22	29.3	25	5	20.0
Transition 3	81	17	20.9	20	9	45.0

How has the leadership of the Moldovan Parliament evolved in comparison to the general membership of the legislature in the course of the first postcommunist decade? The main trend that stands out is the generally low number of experienced leaders in the Moldovan legislature. This pattern reflects both the volatility of the electoral environment and the instability of party politics, and its impact on legislative and committee leadership.

In the first two electoral transitions, leadership incumbency was significantly lower than incumbency rates for parliament overall. Only in the most recent election has leadership incumbency surpassed that of ordinary MPs. This level of turnover among those responsible for organizing critical activities of the parliament, committees, and party groups, can hardly add to the efficient functioning of the institution. Minority representation in leadership positions also deviates dramatically from representation in the overall legislature. This arguably, is an artifact of party politics rather than electoral competitiveness of minority candidates. While large numbers of minorities were elected to the 1990 Supreme Soviet, that body was subject to highly polarized ethnic voting, which produced a nearly uniform Moldovan nationalist representation at the level of leadership. Minority under-representation in leadership relative to the number of minority MPs reappeared in the most recent legislature, following the 2001 elections. In this case however, control of the Parliament had passed back to the Communists. At least arguably, based on the numbers available, the *PCRM*, chose to place ethnic Moldovans in positions of legislative leadership in larger numbers than their weight in the party faction would have warranted because of their sensitive to charges of “Russian” domination of the republic. The *PCRM* leadership would be well aware that decisions of political weight would now be made in Party bodies, and then implemented by the legislative leadership, hence reducing the role of leaders in parliament in any case.

Table 7: Legislative Leadership Characteristics

Session	Number of Leadership Positions	Number of Minorities		Previous Leadership		Number of Female Leaders		Average Age
		N	%	N	%	N	%	
1990 – 1994	51	4	7.5	-	-	4	7.4	43.8
1994 – 1998	45	11	24.4	3	6.0	1	2.2	48.4
1998 – 2000	53	9	17.0	8	17.0	5	15.0	49.3
2001 –	58	12	31.6	12	31.6	7	18.4	49.7

A further stage of analysis of the Moldovan data will focus on the role played by professional and previous political experience on the course of legislative elite consolidation. It is worth mentioning on a preliminary basis however, that the professional profile of Moldovan MPs diverges dramatically from the Central European cases.

In terms of member background, Moldova's legislature after a decade of independence appears remarkably similar to the last republican Supreme Soviet, with its heavy representation of the rural party apparatus and industrial power structure. A decade after the fall of the former Soviet Union, at least forty of the legislature's one hundred and one members were identifiably former members of the CPSU. Nineteen members of the 2001 legislature are drawn from the agricultural sector. Many of these are managers in cooperative farming enterprises with experience in the former Kolkhoz system. Nineteen identify themselves as economists, and another seventeen are engineers. Seventeen Moldovan MPs are members of the *PCRM* Politburo or are Raion Committee First Secretaries. Clearly, the Communist Party of the Republic of Moldova has succeeded in the current legislative session, reproducing the pattern of legislative politics that characterized the Soviet system of governance.



## Conclusion

This analysis suggests the utility of analyzing MP biographies as a means of better understanding the process of legislative elite consolidation in the Moldovan context. It lays the basis both for a more in depth analysis of the Moldovan transition, and for comparative analysis. While more work clearly remains to be done, this survey indicates important characteristics of the Moldovan transition. Legislative recruitment and retention reflect the instability of the republic's political environment. Rates of turnover among MP's remain extremely high throughout the post-communist period. Incumbency provides little electoral advantage. Legislative leadership is markedly unstable, and professionalization has progressed only slowly. Only seven members of the 2001 legislature had survived two successive elections. Only slightly more than one in five legislative leaders had any previous parliamentary leadership experience.

This lack of legislative stabilization has had an evident deleterious effect on the quality of legislative performance in the central realms of oversight, representation, and lawmaking. It has also placed the legislative branch at an obvious disadvantage to the executive authority, hence contributing to the generally low level of democratic development in the country.

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# Recruitment of the Parliamentary Elite<sup>1</sup> in the Course of the Nineties

*Adéla Seidlová*

Until November 1989, the Czechoslovak Socialist Republic was a federation, with the Czech and Slovak Socialist Republics as provincial level units. The Federal Assembly, consisting of two chambers (House of the People and House of Nations) and each of the two republic legislatures (National Councils) had separate jurisdictions.

The first change that took place after November 17, 1989 in the legislative bodies was the “co-opting” of deputies. The change in the Deputies to the Federal Assembly and in the Czech and Slovak National Councils was based on agreements between the most important political parties and citizen movements. These agreements stipulated how many deputies would represent each of these parties and movements in the new legislatures.<sup>2</sup>

In January 1990, the Constitutional Law on the Revocation of Deputies No. 14/1990 Coll. (Collection of Laws) was passed, according to which deputies could be recalled by the central bodies of the political parties or the central body of the National Front. In the majority of cases, the deputies surrendered their mandates themselves. In all, 48 % of the deputies in the Federal Assembly and 32 % of the deputies of the Czech National Council left. The first free elections to the federal and national parliaments were held in June 1990.

With the establishment of the independent Czech Republic on January 1, 1993, the authority of the Federal Government and of the Federal Assembly ended. The Czech National Council became the lower house of the Czech Parliament, the House of Deputies of the Czech Republic. The second chamber, the Senate, was not constituted until the autumn elections in 1996.<sup>3</sup>

The elections to the House of Deputies of the Czech Parliament in the summer of 1996 did not result in a clear majority. The Czech parliamentary parties were in a complicated situation. The parties of the existing coalition government<sup>4</sup>

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The article is based on the paper delivered at the 18th IPSA World Congress in Quebec in the year 2000: Z. Mansfeldová, L. Brokl, A. Seidlová: “Parliament as a Place of Interest Representation and Political Integration”.

2/

It was also part of these agreements that at least half of each body must be preserved so that the house should always be capable of passing a resolution.

3/

The first senatorial elections in the history of the Czech Republic took place in the autumn of 1996. In these elections all the seats in the Senate were filled, but in order to comply with the system for elections to this house one third of the senators was elected for a period of 2 years, the next third for four years and the last third for six years.

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The political parties of the ODS (Civic Democratic Party), ODA (Civic Democratic Alliance) and KDU-ČSL (Christian Democratic Union – Czechoslovak People's Party).

acquired a total of 99 out of 200 mandates and formed a minority government. This minority government did not rule for long. After a year and a half the coalition fell apart, and on January 3, 1998 the so-called „semi-clerical“ or technical Tošovský government was formed on the condition that elections would be held before the end of June 1998.

These early elections did not help the political situation very much. Neither the winning party, Czech Social Democratic Party (ČSSD), nor the Civic Democratic Party (ODS), which received the second largest number of votes was successful in forming a majority government. The result of the post-election negotiations was the „opposition“ agreement between the ČSSD and the ODS, which enabled the ČSSD to form a minority government. Its goal was to create a stable political environment in the Czech Republic.

### **The new Czech political elite**

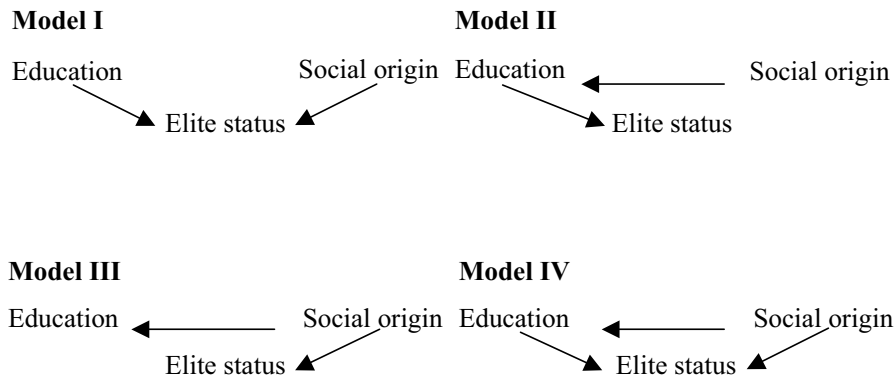
**I**n the first decade of democratic development in the Czech Republic, the process of institutionalisation and professionalisation of the political elite could be seen clearly. It was concentrated in the parliament of the Czech Republic. There was a high rate of change in the government, parliamentary and high party elites. The Parliament of the Czech Republic was the institution which influenced both the constitution and the establishment of the new Czech political elite the most.

The study and analysis of the deputies themselves is the key to understanding the processes that occurred in the course of the nineties in the Czech political elite. This group of politicians has another advantage for the researcher. It is easy to define the group and to use it for the analyses. We will examine the deputies of the Czech Parliament, particularly their qualifications and careers, and will compare the recruitment pattern of the Czech parliamentary elites with the recruitment pattern of the communist regimes.

### **Theoretical models**

**A**ccess to elitist positions in societies is usually opened or closed by various combinations of social origin and the level of education acquired. In the analysis of these processes four alternative models have been used since the middle of the seventies (Putnam 1976). They were taken over, investigated and used in Ursula Hoffmann-Lange's analyses of elites (Hoffmann-Lange 1992: 129). The authors of the „Potsdam Project for Investigation of German Elites also used this causal model of the relationship between social origin, the level of education and elitist status „ in their study of the recruitment of elites.

Diagram 1: Models for recruitment of political elites



(Schnapp 1997: 83-84)

The four models of recruitment of elites are based on the following postulates:

- Model I: Origin and education determine the possibilities for filling certain elite positions. These two influences, origin and education, are independent of one another.
- Model II: Social origin determines the degree of education acquired and thus the opportunity to acquire elite positions.
- Model III: Completed higher education and the opportunity to fill an elite position are determined by social origin. No connection exists between education and the elite status.
- Model IV: Social origin influences the level of completed education and the opportunity to acquire an elite position. The special effect of origin on elite status exists apart from this influence. (Schnapp 1997: 83)

Democratic societies strive for the distribution of opportunities for mobility independent of social origin. The direct influence of social origin on holding an elite position may be the result of social origin equipping the elite with social capital (Rebenstorf 1993:85). The influence of higher education on the opportunity to acquire an elite position is the central element of the model that does not depend on having social capital.

Democratic societies create the prerequisites for upward mobility independent of social origin. Models I and II are characterised by the exertion of individual performance. Model IV includes the restriction of individual performance by origin, but the limited significance of the factor of individual performance in model IV is softened by the possibility of obtaining education. Model III does not contain the education element and is in opposition to the democratic requirement.

There are three alternative theses to the theoretical approaches to the circulation of elites: a) reproductive, b) transitive and c) democratic circulation of elites. [Welzel 1997: 202-205] The reproductive thesis claims that a change in the political system does not alter the reservoir of political elites; only the individuals change, not the recruitment base. The transitive thesis speaks of the shift in

the recruitment base from the formerly privileged to those who were persecuted or neglected. The thesis of the democratic circulation of elites consists of a shifting of the reservoir to an alternative democratic reservoir of elites.

**Analysis of the characteristics of the group of deputies and senators<sup>5</sup>**

**a) Education**

The level of education attained<sup>6</sup> is a characteristic which plays an important role in the analysis of recruitment. The decisive role of a university education is confirmed for recruitment of both left and right wings in parliament. Approximately three quarters of the deputies have a university education. This ratio tells us on the one hand about the human potential of the political parties, about who devotes oneself to a political career and is successful in the internal hierarchy of a political party, and on the other hand about the preferences of the voters who decide on how educated the candidates are who become their representatives in the supreme legislative body.

Table 1: Education of MP's, Chamber of Deputies (Czech National Council) 1986 –2003

	Academic degree	Secondary education
ČNR 1986	70	130
PSP 1994	146	54
PSP 1996	150	50
PSP 1998	146	54
PSP 2003	158	42

Source: Parliamentary DICE.

In the course of the nineties the number of deputies without university education declined as did the numbers of senior lecturers, professors and candidates or doctors of science, who entered politics mainly in the first period after the revolution.

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The data presented in this article was acquired by investigation within the framework of the following projects: in 1993 the project was financed by the GA ČR in co-operation with the Centre for Electoral Studies, University of Amsterdam; in 1996 the research was financed by GA ČR grant No. 403/96/0388 in co-operation with the East Carolina University in Greenville and Charles University in Prague; in 1998 the project was financed by the Sociological Institute of the Czech Academy of Sciences (AV ČR); in 2000 the research was financed from the means of the grant „Parliament in the Third Period of Office“, GA ČR 407/00/0747. Use is also made of the information amassed in the centre of the Parliamentary DIC in the Sociological Institute of the AV ČR (project GA AV ČR No. S7028003 „Information and documentation centre on the parliaments of Central Europe“).

6/

The information on the education of a deputy is considered to be part of his personal data and is inaccessible. The results acquired through investigation of deputies and senators are therefore impossible to verify and supplement.



An important indicator is not only the level of education attained, but also the type of education. Here too, there have been significant changes. In the nineties there was an increase in the number of deputies who graduated from university in the fields of social sciences and natural sciences. A significant number of deputies and senators acquired their university education in a technical subject (until 1998 this included education in economics).

Table 2: Type of Education of MP's, Chamber of Deputies (PSP) and Czech National Council (ČNR) 1986 – 2003.

	ČNR 86	ČNR 90	PSP 94	PSP 96	PSP 98
Technical	37	54	73	76	86
Social sciences	8	47	52	50	43
Natural sciences	9	21	32	25	18
RSDr.	15	2	2	3	2
University degree	9	11	7	12	10
Scientific Degree	15	23	12	21	21

Source: Reserach of MP's, Parliamentary DiCe.

## b) Previous experience in politics

Before their election to parliament in the 1992 elections, 59 % of the deputies to the Czech Parliament had political experience at various levels in the years 1948-92. Fifty percent of the deputies began their public careers after 1989. About 10 % of the deputies had experience in a public office before 1989. The number of these deputies and senators is dropping. In 1993, 24.2 % of the deputies questioned had such experience, and in 2000 only 4.5 % of the deputies and 5.8 % of the senators.

In the 1996 - 98 electoral period there was a marked increase in the number of deputies who had experience in office after 1990. The experience of senators before their election was generally less than the experience of deputies.

The number of deputies who acquired experience at the level of local or regional politics before their election to parliament is increasing from one election to the next. In 1993 this applied to 5.5 % of the deputies in the study, in 2000 it was 32 % of the deputies and 18.5 % of the senators. There is a clear trend towards professionalisation and the number of those deputies who already have experience at the highest national level is growing.

Table 3: Previous experience in politics (in percent.).

	PSP 1993	PSP 1998	PSP 2003
To '68	1,4	0,0	0,6
'69 – 10/'89	12,5	2,5	7,5
12/'89 – 5/'90	17,6	11,2	3,0
6/'90 –	27,9	56,8	59,7
No prior experience	40,4	29,0	30,2

Source: Reserach of MP's, Parliamentary DICE.

The possibility of a „new man“ entering politics at the highest level is the exception. The last time this happened was in the case of Unie Svobody (Freedom Union), which was formed by deputies who left the ODS over a platform dispute. In 1998 Freedom Union brought several deputies without previous political experience into parliament.

The proportion of re-elected deputies is rising. In the present House of Deputies which was elected in 1998, 55 % of the deputies have previous experience in the supreme representative body.

Of the deputies elected to the federal and republican (Czech National Council) parliaments in the 1990 elections 5.1 % of the deputies had experience from the previous electoral period.

In the elections in 1992 34.8 % of the deputies were re-elected (to the Federal Assembly and the Czech National Council).

In the election to the House of Deputies of the Czech Parliament in 1996 there were 50.5 % of the deputies with experience from the preceding electoral period.

In the election of 1998, 52.5 % of members in the House of Deputies were re-elected. (Seidlová 1999).

If we were to trace all the previous experience of deputies and senators, these figures would be even higher in the second half of the nineties.

Table 4: The level of the first political experience (in percent.).

	PSP 1993	PSP 1998	PSP 2003
State, federal level	22	58	33
National level (Czech, Slovak)	23	-	-
Prague authority	2	2	2
Other regional authorities	3	1	2
District authority	17	9	8
Local authority	33	30	55

Source: Research on MP's, Parliamentary DICE.

### c) Basic social-demographic indicators

As far as age is concerned, the average age of the deputies entering parliament has dropped by approximately two years since the change in the political system. In 1986 the average age of the deputies was 46.8 years, in 1998 it was 45.2 years. The average age of the rightist deputies has constantly declined (in 1998 it was 42.2 years), while among those on the left is rising (48.3 in 1998) and is already higher than the average of the last communist parliament of 1986. (Seidlová 1999)

Table 5: Demographic characteristics – average age.

	<b>total</b>	<b>right</b>	<b>left</b>
ČNR 1986	46,8	-	-
PSP 1994	45,2	44,8	45,7
PSP 1996	44,5	43,1	45,8
PSP 1998	45,2	42,2	48,3
PSP 2002	47,4	45,2	49,2

Source: Parliamentary DICE.

It is not only age composition of the parliament that has changed, but also gender composition. In the time of the communist parliaments quotas were set for the number of women on the electoral lists. These were mainly women who were „factory workers and farm workers.“ Of the total number of 55 women (27.5 % of all the deputies) who were elected to the Czech National Council in 1986, only four (7 %) had a full university education. In comparison, of the women elected in 1998 to the House of Deputies, 24 out of the 30 had a university education (80 %). In the post-revolution parliaments (the Czech National Council and the House of Deputies of the Czech Parliament) the number of women was between 10 - 15 %. Only one of the parliamentary parties, the ČSSD, had a quota of 20% for women in the candidate electoral lists in the nineties. (Seidlová 1999)

Table 6: Demographic characteristics – gender.

	<b>No. of Men</b>	<b>% of Men</b>	<b>No. of Women</b>	<b>% of Women</b>
ČNR 1986	145	72.5	55	27.5
ČNR 1990	172	86.0	28	14.0
PSP 1994	181	90.5	19	9.5
PSP 1996	173	86.5	27	13.5
PSP 1998	170	85.0	30	15.0
PSP 2002	167	83.5	33	16.5

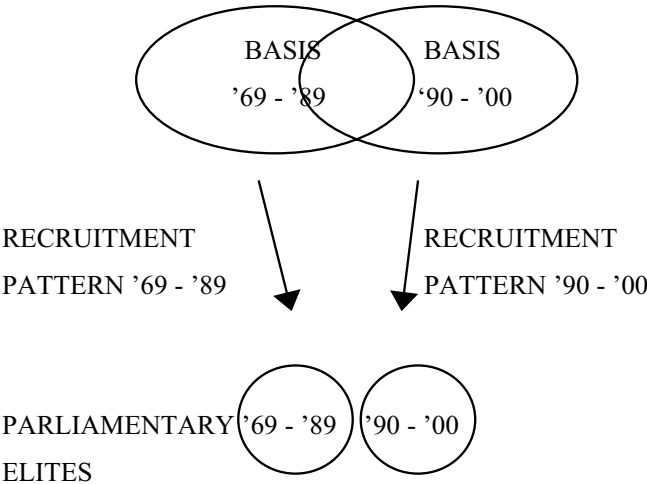
Source: Parliamentary DICE.

Before election to parliament the deputies worked in a variety of occupations. Whereas in the Communist parliament there was a varied professional composition with strong representation of workers, during the ten years of the democratic parliament the occupational composition has changed considerably. In the elections in 1992 deputies who came from high political positions and from scientific and academic spheres had the greatest representation in parliament. In the current parliament, more than half the deputies come from the high political positions. The occupations not requiring a secondary education are very seldom represented.

**Discussion of the recruitment models in the introduction**

We will now look at the individual parts of the model for recruitment of parliamentary elites so that we can determine whether and in what manner there has been a change in the recruitment of parliamentary elites with the change in the political system in the Czech Republic.

Diagram 2: Models for recruitment of parliamentary elites.



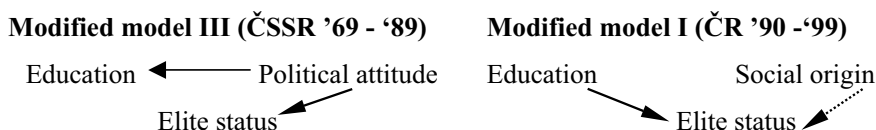
First we will look at the last components of the model of parliamentary elites. By the recruitment basis of the parliamentary elite we mean a relatively free group of persons who have the opportunity to become the parliamentary elite. These are the ones who can become candidates of the political parties in parliamentary elections, but of course only the candidates of the relevant political parties, are the ones who move in theoretically eligible areas.

On the basis of our research, we can say that the part of the elite that is common to both systems contains only a few individuals (one deputy and one senator who are at present in the parliament). The parliamentary elites of the nineties are therefore quite different from the elites of the two preceding decades.

The recruitment pattern of the seventies and the eighties was strongly influenced by the Soviet occupation in 1968 and dedication within the communist party. The influence of social status (a fundamental factor in the fifties) was quite insignificant, as was the influence of education. Of the four models (Ursula Hoffmann-Lange) the closest to reality in the period 1969 – 1989 is the third model, but with the provision, of course, that social origin must be replaced by political attitude.

In the transformation period of the nineties, the influence of political attitude is unequivocally suppressed. On the contrary, the adequate model for this situation is the first, although the influence of social origin on elite status is very weak.

Diagram 3: Recruitment models for ČSSR 1969 – 1989 and ČR in the nineties



The recruitment bases are the last part of these models. We can judge them only indirectly on the basis of the characteristics of the parliamentary elites, especially the age and education structure and also gender and employment before entering parliament. As we have already observed, in the course of the nineties the age composition of the deputies altered, and in addition, there was an age difference between right-wing and left-wing deputies (the difference in the average age is 6.1 years in favour of the left-wing deputies, who are older). In education, in 1986 35% of the deputies in the Czech National Council had a university degree (but of these 7.5 % of the deputies had, of course, the title of RSDr. – Doctor of Social-political Sciences), while ten years later 75% of the deputies in the House of Deputies had a university degree.

As stated previously, the characteristics of gender and profession before entering parliament have undergone great changes. We therefore assume that the greater part of the recruitment base was altered, but we also assume that a certain part (probably small) remained the same.

The altered recruitment base and the completely different recruitment pattern have resulted in the parliamentary elites of the nineties being very different from the parliamentary elites of the seventies and the eighties.

We can, then, agree with the thesis of the democratic aspects of the circulation of elites – democratic in the sense that access to the reservoir and election of parliamentary elites is not in any way artificially regulated. There are no restrictions, not even with regard to the socialist elites. Different recruitment patterns have resulted in the parliamentary elites in the Czech Republic currently being completely different from the parliamentary elites of the seventies and eighties.

## Possible variants of the further development of the Czech parliamentary elite

At the beginning of the second decade of the democratic development of the Czech Republic, the „transitional“ period of the constitutionalisation of the new political system ended. The political system in the Czech Republic can now be described as a „formally democratic political system“ (Beichelt). We assume that in the first decade the development of the parliamentary elite began and went in a known direction. We can only hazard a guess at where this development will go in the future. According to Model II, further development of the Czech parliamentary elite is dependent on how the recruitment base and the recruitment pattern change.

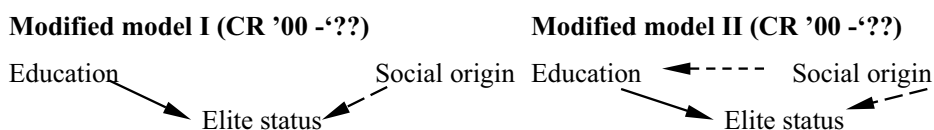
If we accept the thesis about the democratic aspect of the circulation of elites in the Czech Republic, we start from the fact that access to the recruitment base is not restricted at the beginning of the second decade of the democratic development of Czech society. There is only one change that might occur, the restriction of free access.

One kind of restriction is the newly passed law on state service, which applies to posts in government defined as clerical, not political. These constitute all posts except those of the ministers and deputy ministers. Since the middle of the nineties, attention is no longer paid to the political past of the candidates of the political parties either in the parliamentary elections or in the elections to regional or local representative bodies. A negative screening certificate from the candidates of the political parties is no longer required by internal party regulations.

Restricted access to the recruitment base because of an unsuitable communist political past is not very probable. In the same way the patronising aloofness with regard to the „sixty-eighters“, which was evident at the beginning of the nineties, has also disappeared. This age group is reaching the time when it cannot enter politics and can only make use of a position achieved earlier. Unless there is some significant change in the political system, the recruitment base will not change in the next few years or decades.

We must consider possible changes in the recruitment pattern of the parliamentary elite. First of all it is necessary to settle the importance of the partial factors in the recruitment formula, then of the links among the factors and between them and elite status.

Diagram 4: Possible models for the recruitment of the parliamentary elite of the Czech Republic in the future.



The importance of social origin in the recruitment model is conditional on and restricted by the development of the social classes. The influence of an established social class will be delayed in time as the children of the new middle and upper middle classes grow to adulthood. We may expect the gradual strengthening of the weight of this factor in the recruitment model. The other factor in this model, education, will continue to be of key importance for a long time to come.

It is a matter for debate whether and in what manner the relationship between the factors of social origin and education will develop. This relationship could be strengthened both by restricted access to education for all social strata and also by the continuing derogation of the social significance and value of education.

So far the significance of education in the recruitment pattern is irreplaceable. Its weakening could occur only if social origin became more important, or if a new factor, such as political opinion, entered the recruitment pattern. At the beginning of the second decade this possibility does not seem very probable. The importance of education in the recruitment model will continue to be irreplaceable and the dependence of elite status on this fact supreme.

Parliamentary elites will change in the next few years or decades in the direction indicated very slowly and in a democratic manner, because the role of individual performance will continue to be irreplaceable in the process of the recruitment of the Czech parliamentary elite.

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# Career Patterns and Career Preferences of Romanian MPs

*Laurentiu Stefan*

## Introduction

The Parliament is at the heart of any democratic system; its members are the representatives of the people and together they embody the popular sovereignty. With this background, becoming an MP should represent the climax of a political career, a critical and major political achievement.

This reasonable expectation is, however, contradicted by several facts of political life. There are, first of all, important politicians who hardly, if ever, contemplate candidacy for a parliamentary seat. Second, and probably more important, there are many politicians who decide to step down, abandoning their legislative mandate, after being elected to the Parliament.

Why is that? Is a parliamentary seat not - contrary to our initial expectations - the most coveted public office? If the answer is yes, then we have to accept that the informal structure of opportunities (the aggregate of career preferences) is different from the formal structure of opportunities concerning the position of a legislative mandate in the hierarchy of preferences of various politicians.

Some evidence points in this direction, but, to my knowledge, nobody has systematically investigated this matter. This chapter is a step forward in this direction. The data on which it is based comes from one political setting. Investigations of other political settings will be necessary before more general conclusions are drawn.

The following are the research questions guiding this research: 1. Do the elected representatives enjoy being Members of the Parliament. 2. Do they strive to continue their parliamentary career, or are they only in “political transit”, waiting for much more appealing and rewarding office opportunities? 3. Why do they run for parliament, if this is the case? 4. Why politicians that are generally considered important and influential, at the local and national level, do not run for parliament? 5. What is their vision of parliament and parliamentary activities? 6. What is, more generally, the place of a parliamentary mandate in the career preferences and plans of various politicians?

## Research strategy and types of data

The objective of this investigation was to gather and analyze the evidence about the perceived status of the legislative office in the democratic politics of Romania. The focus of this investigation is mostly on Members of Parliament, on their opinions and past behavior.

The research has two distinct stages. In the first one, the circumstances in which MPs resign from Parliament before the end of their mandate are unveiled. For a broader picture of the reasons behind these resignations, all the democrati-

cally elected parliaments have been scrutinized. A comprehensive analysis of the circumstances of resignation since May 1990 will provide a first assessment of the position of a legislative office in the career preferences of Romanian MPs.

In the second stage, the opinions of current MPs will be examined. This is an alternative but complementary strategy to the previous one. Resignation is the most powerful but not the only indicator of the low status assigned to a parliamentary mandate. MPs that have not resigned may share a similar outlook on what a parliamentarian really is. They did not resign because better alternatives have not been offered to them. This is why it was deemed important to inquire into the opinions and preferences that have not been translated into actual behavior.

The following analyses largely draw on my work within the Research Group on Political Parties and Elites established within the research structure of the *Romanian Society of Political Science*. For the first stage, public data was used. The basic elements of MPs' political careers (including party affiliations, chamber and constituency represented, length of the parliamentary mandate) have been taken from the comprehensive database of Romanian legislators, called ROMELITE<sup>1</sup>. This database contains information about the background, party and public careers (before and after 1989) of 1561 MPs<sup>2</sup>. Major sources of information have been The Official Gazette, the parliament website, and various Who's Who (the so-called *Blue Books of Democracy*, edited by Pro-Democracy Association in 1995, 1997 and 2001, or the *Dictionary of Public Personalities*, published by the Rompres News Agency in 1995). Along with the newspapers, these sources provided valuable information about the circumstances of resignation of various MPs.

For the investigation of MPs' opinions, career patterns and preferences, a parliamentary survey was specifically designed. It was part of this author's doctoral research and was mainly carried out in the spring and summer 2003. The survey provided excellent opportunities for discussions or in-depth interviews with some of the subjects of the survey.

The survey was carried out under the auspices of the *Romanian Society of Political Science* and its research structure, *The Center for Advanced Studies and Research in Political Science (The Invisible College)*. It was directed at the members of the Chamber of Deputies active in the first parliamentary session of the year 2003. The distribution and the collection of questionnaires took place between the end of February and the beginning of August 2003. In early August, when the phase of data collection had to be closed, 177 deputies (51.45% out of a population of 344 deputies at the time of research) had answered the questions and returned the questionnaire. Table 1 presents the response rate of the members of all the parties and organizations represented in the parliament. Because many questions referred to the party careers and to the specific circumstances of their selection for parliament in 2000, the political affiliation at the time of election was considered even in the cases of respondents that have defected and joined another party in the meantime.

Table 1: Parliamentary survey on recruitment and political careers: number (n) and percentage (%) of respondents by party (affiliation at the time of election).

	PDSR	PSDR	PUR	PRM	PNL	PD	UDMR	Minor.	ALL
N*	137	11	6	84	30	31	27	18	344*
n	68	6	1	41	20	19	19	3	177
%	49.63%	54.54%	16.66%	48.8%	66.66%	61.29%	70.37%	16.66%	51.45%

\* N represents the number of MPs active in the parliament at the time of research (February-August 2003) according to the party affiliation at the time of election (November 2000). The Parliament had in that period 344 MPs as compared to the initial 345, because one MP resigning from Parliament was not replaced.

### Dimensions of parliamentary mobility

I will start by briefly introducing the five dimensions of what I call parliamentary mobility. The most radical type of mobility that affects the career of MPs is resigning their seats before the end of their terms. There are many other types of mobility. First, there are cases of MPs who change their party affiliation - move from one party to another - during their parliamentary career. There is strong evidence that the careers of these MPs are seriously affected by this “move”. They suffer demotions in the party hierarchy, in the new party they are only exceptionally granted the positions held in the former party. They are not reelected. In those cases when they run again, they are elected either to the other chamber, or by another constituency.<sup>3</sup>

Second, MPs may run successively in two different chambers. They “move” to the Chamber of Deputies after one or more mandates in the Senate and vice-versa.<sup>4</sup> We note that most of the MPs found in this situation have been “mobile” along other dimensions as well. They have moved from one party to another, or have served non-consecutive terms..

Third, during their parliamentary career, members of parliament move from one constituency to another. This type of mobility usually indicates a lack of local background, weak party credentials, but the strong support of the central party leadership. It appears to be correlated with one of the types of mobility previously mentioned. Among those that abandon their former constituency and decide to run in a new one, we find most of those who switch from one party to another. Some of them also run consecutively in different chambers.

Fourth, there is the structural mobility of the MPs who terminate their mandate. The very idea of a limited mandate gives a strong normative connotation to the legislators’ political mobility in and out of the parliament. A limited mandate means that there is a reasonable expectation that MPs will end their careers and be replaced, or at least that they must prove their worth to the electorate again. Parliamentary careers are not a continuum; they are interrupted every four years by electoral competitions. At the end of their mandates, all the MPs leave parliament, whether they are reelected or not.<sup>5</sup>

Finally, there is a group of MPs who decide to leave their mandate before the completion of the four year term.

This paper is largely a discussion of this last dimension of parliamentary mobility. I will explore why and under what circumstances elected representatives made the decision to resign from parliament after all their efforts be elected. Using data from the parliamentary survey, interpretation of *effective* past behavior will be set against the larger background of MPs willingness to and *potential* for abandoning the legislative mandate.

## **Effective mobility: resigning from parliament**

**I**t is not uncommon for MPs to resign from parliament before the end of their mandate. The question is why? Usually, these MPs have won difficult electoral battles and spent a lot of energy, time and money to make sure that they got into parliament. Formally and symbolically, the membership in the core democratic institution is the most important public function. An investigation into the reasons that lie beneath the decisions of MPs to leave parliament prematurely leads us to very interesting findings about patterns of political careers and the career preferences of different officeholders. I will not consider the cases of those Members of Parliament who died during their parliamentary mandate.

Table 2 presents the breakdown by party of the number of MPs who resigned from the parliament (Chamber of Deputies and Senate) between June 1990 and July 2003. Each number is compared with the number of mandates each party won in the respective general elections.

Table 2 shows a decreasing rate of resignations, from over 15% in 1990 to around 5% in 1996 and 2000. One reason can be found in the volatility of the first parliament, due to the novelty of legislative roles in a democratic setting. Another reason is a significant change in the incompatibility rule. In 1990, members of the government were not allowed to sit in the parliament. This rule was dropped in the 1991 Constitution, which allowed the ministers to remain members of parliament. If we add the number of ministers sitting in the parliament to the number of resignations, the figures for 1996-2000 and 2000-2003 go up to 8 % and 9 % respectively.<sup>6</sup>

Table 2: Romanian MPs (deputies and senators) resigning from Parliament (1990-2003)

	1990-1992	1992-1996	1996-2000	2000-2003*
PSM	-	2/18	-	-
FSN	64/355	-	-	-
PD	-	6/61	6/65	1/44
PDSR	-	24/166	7/132	20/198
PSDR	0/2	0/11	1/11	0/12
Green parties	5/22	0/4	0/8	-
PDAR	2/9	0/5	-	-
PUR	-	-	-	0/10
PNL	4/39	-	2/42	2/43
Other Liberals	-	1/39	0/16	-
PNTCD	1/13	2/62	4/109	-
PUNR	0/11	4/44	1/25	-
PRM	-	1/22	1/27	3/121
UDMR	3/41	3/39	1/36	1/39
Ethnic Minorities	0/12	0/13	2/15	0/18
Other parties, independents	2/13	-	-	-
<b>ALL PARTIES</b>	<b>81/517=15.66%</b>	<b>43/484=8.88%</b>	<b>25/486=5.14%</b>	<b>27/485=5.56%</b>

\*Source: the ROMELITE database. For the current parliament, at the end of July 2003.

Another finding illustrated by Table 2 is that “the winner takes all”, i.e. the greatest share of resignations was in the governing party. In 1990-1992, more than three-quarters of all the resignations (79%) were from the leading National Salvation Front. It has a similar share (74%) in the current parliament.<sup>7</sup> In 1992-1996, PDSR, the governing party, was responsible for only 56% of all resignations recorded in that period. The low number of resignations in the PNTCD, the leading party of the 1996-2000 government (16%) is striking, but if we take into account all the parties of the governing coalition the percentage increases to 56%. The data is not entirely comparable across time because of the change in the rule of incompatibility, the variations in the size of the parliament, and the fact that the current legislature has not ended yet. Other resignations are expected after the local elections scheduled for June 2004.

Now, it is time to address the major question: why do MPs resign from Parliament? Unfortunately, not all the circumstances leading to the resignations could be fully clarified. There are cases in which the reasons remain unclear. Due to the amount of missing data, it was impossible to obtain relevant statistics for the four legislatures. This should not prevent the attempt to assess the relative importance of the various rationales behind the resignations.

I was able to document cases of MPs leaving the parliament for personal reasons such as emigrating to the United States. The first parliament (1990-1992)

presented a special case, as most of its members had no idea about what a legislative role might imply. A small number of MPs swiftly discovered that they were not fit for a political career, and decided to resign from parliament. In May 2003, the anti-corruption package adopted by the Parliament brought new restrictions: MPs and other officeholders could no longer have an active role in the management of state or private enterprises. A limited number of MPs put their businesses first and left parliament.

The majority of MPs that resigned over the years from parliament abandoned their parliamentary seat for other public offices. This crucial finding is supported by the data available, as presented below. Another finding is that there is a wide string of offices for which MPs decide to terminate their mandate.

Of the five dimensions of parliamentary mobility described above, this is the only one that provides us with some hints about the career preferences of MPs. The elected representatives indicate the type of office they prefer when they resign from parliament to assume other public responsibilities. The evidence collected points to the fact that, for a sizable number of MPs, a seat in Parliament is not the most desired public office. For some, having their names on the lists of candidates for the Parliament is nothing more than a “strategic candidacy”, and a seat in one of the chambers only a “refuge”, a “shelter” until other public positions become available.

To assess the proportion of MPs that resign to take other public responsibilities as opposed to those that abandon their parliamentary career for personal reasons, I decided to look into the patterns of resignations in major political parties across time.

Table 3 tries to answer the question of how many MPs resigned and what kind of office they took? The data included in this Table came from the leading parties, FSN (1990-1992) and PDSR (1992-2003).

Table 3: Offices assumed after resignation from Parliament: FSN (1990-1992), PDSR (1992-2003)

Office after resignation	No of MPs from FSN 90-92	No of MPs from PDSR 92-96	No of MPs from PDSR 96-00	No of MPs from PDSR 00-05
President		1		
Minister	7			
Secretary of state	6	2	1	2
Other appointed central	3	1		6
Prefect	10	6		6
Other appointed local	3	1		
District councilor (president of the district council)	17	1	1	3
Elected mayor	6	0		
Ambassador	3	3	1	3
Total public offices	55	15	3	20
Personal, or unknown reasons	9	9	4	0
Total resignations	64	24	7	20

This Table supports the previous assertion that most of the resignations were prompted by the desire of MPs to occupy other public offices at the national or local level. Although the figures are only for FSN and PDSR, they sum up to more than half of the total number of resignations recorded between 1990 and 2003. As I will show below, MPs from other parties have chosen to abandon their parliamentary career for a more promising office to a similar extent.

In the next sections, some examples will illustrate the “moves” of MPs to various other public offices.

## Moving to other elective offices

The wider public in Romania is familiar only with the situation of presidential candidates who “head” their parties’ lists of candidates for one of the chambers of the Parliament. Once successful, they had to give up their parliamentary mandate.<sup>8</sup> This has become a common fact of political life. Not so common was the decision of one unsuccessful presidential candidate in the elections of 2004. Although elected to the parliament, he publicly expressed his disinterest in taking seat in the legislative body.<sup>9</sup> The message he conveyed was that a seat in parliament did not feature prominently in the career plans of politicians with a specific profile or very specific political aspirations.

Besides the presidential office, there are other *elective* positions for which Members of the Parliament give up their legislative seat. Odd as it may seem at first sight, many politicians abandon national politics (the parliament) to go back to local politics, but only if some specific offices appear to be within their reach such as the mayoralty of an important city, or the chairmanship of the district council<sup>10</sup>. They run in the local elections, and unless they get one of these two major local offices, they continue their career in the parliament. These career preferences explain why the number of resignations rises abruptly after local elections which, in Romania, take place roughly six months before the general elections.

The office of mayor is very appealing and highly rewarding in practical and symbolical terms, but at the same time very difficult to get. In February 1992, during the first free local elections, FSN, the leading party, lost five deputies because they successfully ran for the mayoralty of their local cities. Victor Murea, a former deputy minister of oil under the communist regime became a minister in the first Petre Roman government (December 1989 – June 1990). He was elected as a deputy for Gorj in May 1990, but ran in the local elections in February 1992 and became the mayor of Targu Jiu, the capital city of Gorj. Of course, he resigned from Parliament as a consequence. The first elected mayors of Iassy, Calarasi, Caracal and Barlad also abandoned their seats in the first democratically elected legislature. At the end of his first mandate, in June 1996, Ioan Ghise from PAC won the mayoralty of Brasov and left his new parliamentary career. He was reelected mayor in June 2000. At the same time, the Democratic Party has “lost” two other deputies, Radu Mazare, elected mayor of Constanta, and Traian Basescu, elected general mayor of Bucharest.

Even when they cannot win the office of mayor, MPs and other politicians are still interested in getting key positions at the local level. One of the most desirable local offices is the *chairmanship of the district council*. Many MPs from all the parties have resigned from parliament to take this position. Stefan Popescu-Bejat (PD), Ion Stefan, Timotei Stuparu (PSD), to name only MPs that sit in the current legislature, started their parliamentary career as early as May 1990. They became presidents of the district councils after the local elections of February 1992, and resigned from parliament. They ran again for the parliament only when this local position was no longer theirs (Popescu-Bejat in 1996, Stefan and Stuparu in 2000). Ten other FSN MPs resigned from parliament in March-April 1992 in similar circumstances. Very indicative of the hierarchy of preferences is the case of Gheorghe Ionica, a FSN deputy in the first Parliament. He followed a similar career path and left parliament to take the leadership of the district council of Olt, as the other MPs mentioned above. In September 1992, he ran for another parliamentary mandate while president of the district council. He won a second mandate as deputy, but he immediately resigned, thus indicating a clear preference for the local office. A similar situation occurred in 2000, when three presidents of district councils elected in June 2000 (Nicolae Mischie, Gheorghe Savu, and Aurel Cucu) also ran in the parliamentary elections of December 2000. They were elected to the parliament but resigned the day of the validation of their mandates. This is, I think, a clear indication of their career preferences. Mischie could have been a “veteran” of the Romanian parliament as he had six years of parliamentary experience by September 1996 when he resigned to take over a local office. He has been the president of the district council ever since. One PD Senator with a good record of parliamentary activities, Aristotel Cancescu, left his parliamentary career to take the chairmanship of the district council of Brasov.

## Moving to appointive offices

**I**n other cases, there is a passage from Parliament to *appointive* positions. In 1990, the internal regulations of the two chambers did not allow the members of the government to sit in the parliament at the same time. The 1991 Constitution, revised in 2003, allows member of parliament to serve in the government. This is why, when seven deputies were appointed *ministers* in June 1990, they had to give up their parliamentary seats. The incompatibility rule stipulated in the Constitution forced other MPs to give up their parliamentary seat when they were offered positions in the central or local administration (*secretaries of state, prefects*), or on the executive boards of other public institutions (intelligence services, central agencies etc.). In few cases, MPs have been sent abroad as *ambassadors*.

There are MPs that are appointed to the government as *secretaries of state*. As this office is incompatible with the parliamentary mandate, they left the latter. Gheorghe Albu, a PD deputy in the current parliament, resigned in May 1992 from the first parliament to become a secretary of state. Cristian Ionescu, a PDSR



deputy in 1992, left parliament to assume governmental responsibilities (first secretary of state and then minister). At the beginning of the current legislature, two freshly elected members of parliament were co-opted in governmental departments at the beginning of the year 2001 (Sergiu Sechelariu, Ovidiu Natea).

Other MPs were appointed as the *head of governmental agencies* or other central institutions. In August 1992, two FSN MPs were called to the board of the newly established National Council of Audiovisual (Titus Raveica, Alexandru Piru). The same pattern occurred four years later, when Romul Vonica, a PDSR MP was appointed to the same board. Two of the former Directors of the Romanian Intelligence Service, Virgil Magureanu and Costin Georgescu, seemed to be interested in a parliamentary career and ran successfully in the 1990 and 1996 parliamentary elections respectively, but left the parliament within days or weeks. The current Director, Radu Timofte, was also drawn from the Parliament, with the difference that he had a long career in the Senate serving continuously since May 1990. In the early days of 2001, three PDSR MPs, elected in 2000, were called to serve as presidential councilors (Corina Cretu, Octavian Stireanu, and Gheorghe Fulga).

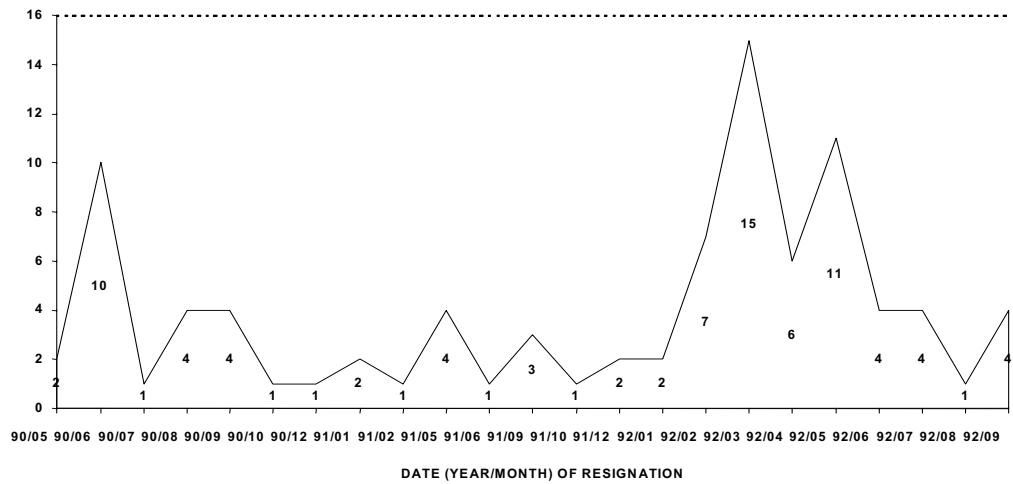
One of the largest categories of those that resign from Parliament (see Table 3) is made up of those that are appointed *prefects*, representatives of the government in the country departments. Any time a new government takes office, it looks to the parliamentary benches for the best candidates for this position. Six deputies and four senators from the first parliament switched to local politics when the government appointed them as prefects. Among them, Stefan Ilie, Nicolae Gradinaru (PDSR), Vasile Blaga and Nicolae Nan (PD) returned to parliament, when their parties lost control of these positions. It is interesting to note that they started their parliamentary career in one chamber, paused to take over the office of prefect and returned to the other chamber of the parliament. Another PDSR MP elected in the Senate in 1992, Ioan Bancescu, fits in this career profile: he resigned in February 1993 to take up the seat of prefect, and successfully ran again in 2000, this time for the Chamber of Deputies. Five other deputies were appointed prefects by the Nicolae Vacaroiu government in the early weeks of 1993. One of them, Marin Diaconescu (PDSR from Olt), made similar moves in 1992-1993 and in 2000-2001. Elected to the Chamber of Deputies, he was appointed within weeks to the prefect of Olt.

Lastly, MPs are sent abroad as *ambassadors*. From the first legislature to the current one, the parliament provided one of the pools from which ambassadors were been selected. In 1990-1992, Radu Homescu (FSN) left the parliament to be the Ambassador to Israel, Gelu Voican-Voiculescu (FSN) was sent to Tunis, and Nicolae Olteanu (FSN) has been appointed as the head of the Romanian Embassy to Ecuador. Three PDSR MPs elected in 1992 have been in a similar situation (Nicolae Serdin, Florea Dudita, and Ion Vasile). In 1996-2000, it was the turn of the parties of the new governing coalition to send MPs abroad: Mariana Stoica (PD) to Israel, Radu Boroianu (PNL) to Switzerland, and Tudor Gavril Dunca (PNTCD) to Germany. The most recent cases are those of Oliviu

Gherman and Liviu Maior (PDSR senators reelected in 2000, and sent to Paris and Ottawa, respectively) and of Aurel Constantin Ilie (PDSR deputy since 2000, sent to Moscow in 2002).

Based on the considerable number of resignations during the first parliament (1990-1992), I decided to plot the number of MPs that resigned from the first legislature according to the date (month and year) when they have left parliament. See Figure 1 below.

Figure 1: MPs resigning during the term of the first legislature (1990-1992)



It is easy to note the small peak occurring in the aftermath of the May 1990 elections which is mainly an indication of MPs resigning to assume ministerial responsibilities. The bulk of the resignations, however, took place after the first free local elections of February 1992. In the meantime, prefects, secretary of states and some ambassadors had to resign from their parliamentary seats before the assumed new responsibilities. On a smaller scale, the same scenario repeats itself in the following legislatures, less the impact of ministerial appointments, because from 1992, the ministers were allowed to keep their seats in the parliament. Rather the turmoil was produced by local elections.

### Potential mobility: the career preferences of sitting MPs

From the previous analyses, we see that for a significant number of politicians and MPs, a parliamentary seat is only a transit station on the way to much more rewarding public offices. Running for parliament is, on this basis, nothing more than a “strategic candidacy”. Local or national politicians decide to run for a seat in the parliament, not because they want to assume legislative roles, but because they want to remain in the pool of those eligible for other public offices. When all other opportunities are closed, especially for members of parties that

have a small chance to govern, a parliamentary mandate is the best alternative to oblivion and the political wilderness. People have to stay on track if they have decided to have a political career. They need to occupy public offices to acquire experience, to remain a public figure and, equally important, to demonstrate to the party recruiters that they continue to be successful, available and effective party members. They have to remain active in politics and the parliament provides a safe haven for politicians who are less secure of their public status. Once a better opportunity opens to them such as a seat in the local or central government, or high-level offices in other state institutions, MPs from this category do not hesitate make the change.

Another finding that emerges from the previous analyses is the relatively low status attached by some politicians to a parliamentary mandate. Other facts that appear to support this conclusion, as well as those analyzed in the previous sections. Journalists and political analysts constantly “dissect” the words and deeds of the “local barons”, those influential and politically powerful local politicians. In most cases, they are elected presidents of the district councils such as Nicolae Mischie (Gorj), Constantin Bebe Ivanovici (Ilfov), Dan-Lilion Gogoncea (Galati), Ion Vasile (Buzau). It is not so surprising to find that these politicians have run successfully for the parliament in the past. They have some parliamentary experience and can realistically compare the costs and benefits of the two offices. Their experience, influence and high political profile make them eligible for a legislative role. However, they have opted to not run for the parliament, or to run in order to push the whole candidate list further up in the voters’ preferences (the case of Mischie in 2000). In these cases, the career preferences are obvious, and the parliamentary mandate is clearly not to first choice.

So far we have analyzed the past behavior of MPs, and especially the career moves of those MPs who have been offered the opportunity to take other political responsibilities. In the case of those MPs, we can infer their order of preferences, as they are translated into *reality*. This provides solid evidence for our argument. It is necessary, at the same time, to step back and explore the *potentiality* for mobility, by investigating the career preferences of the deputies who still sit on the parliamentary benches and have not been offered any opportunity to leave. the data analyzed in the following sections comes from a parliamentary survey carried out in the Spring-Summer of 2003.

## Running for a new mandate?

The first question asked in the investigation of the career plans and preferences of the MPs refers to the possible continuation of a parliamentary career. The survey contained the question: “In 2004, do you plan to run for a new mandate in the parliament?”

Most of the respondents (68.4%) had already made up their minds to run again in the next parliamentary elections. A small number (7.9%) said that they have no intention to run again, while almost a fifth (18.6%) were unde-

cided. Some MPs indicated that a new candidacy was conditional on whether or not they received other public responsibilities (5.1%). The opinions of this group of MPs, together with those who decided not to run again, provide another instance in which a clear order of preferences is explicitly stated: the parliamentary mandate comes second after other unspecified public responsibilities.

## Legislative or executive offices?

In order to probe into this matter, and go beyond what can be extracted from an analysis of past career patterns, I have included in the survey direct questions about the MPs' order of preference regarding various public offices. The answers to one of these questions are presented in Table 4.

Because an obvious bias is embedded in the question, a majority of MPs declared that the parliamentary mandate is "the most important public function". More than a quarter of our respondents were cautious about setting a hierarchy ("all are equally important"). Perhaps they were convinced that all the offices mentioned were important, suggesting that they are equally available for all of them.

Table 4: Q61 "Compared to other public functions, how important is the function of legislator for you?"

	PD*	PDSR	PSDR	PUR	PNL	PRM	UDMR	Total
1. It is the most important public function.	27.77	63.07	33.33	-	29.41	55.26	58.82	52.76
2. I prefer the executive functions in the local administration.	27.77	9.23	0.00	-	11.76	2.63	0.00	8.58
3. I prefer the executive functions in the central administration, in the government.	27.77	7.69	0.00	-	41.17	15.78	5.88	14.72
4. All are equally important.	22.22	24.61	66.66	-	17.64	34.21	35.29	28.22
<b>Total n</b>	<b>18</b>	<b>65</b>	<b>6</b>	<b>1</b>	<b>17</b>	<b>38</b>	<b>17</b>	<b>163</b>

\* Valid percentages of party members (out of the total n included in the table) mentioning the respective variant. Their sum adds up to more than 100% because some MPs checked more than one response.

Not so surprising after the previous discussions and analyses is that only a small majority acknowledged that legislative activities were the most important. Almost another quarter of our respondents expressed their clear preference for executive positions, either at the central (14.72%), or at the local level (8.58%). In the previous section, we dealt with the under 5% of the MPs who were offered the chance to move in their careers according to their prefer-

ences, now we are considering the MPs that are still waiting for this chance. This group of MPs is 21%<sup>11</sup> of our sample population of 177.<sup>12</sup> For various reasons, these MPs are not very satisfied with their current political status and would be happier and fulfilled as politicians if they had the opportunity to work at the highest levels in local or central administrations. Bearing in mind the examples discussed earlier, it is easy to imagine them swiftly resigning from parliament after winning or being appointed to an executive office. The first such opportunity will be provided by the local elections of 2004, and it will be interesting to see to what extent this interpretation holds. As of January 2004, many MPs already have made public their intention to run for mayoralities or for district councils.

### **Subjective hierarchies of offices**

Yet another question of the survey intended to elicit more clarification of the MPs' career preferences. I asked them to rank the offices they would accept if they were asked to choose from a list of twelve offices which they were guaranteed to obtain.<sup>15</sup> The twelve offices, according to the order ascribed in the questionnaire, are the following:

1. Mayor
2. District councilor
3. President of the district council
4. Prefect
5. Deputy
6. Senator
7. High public servant
8. Secretary of state
9. Minister
10. Ambassador
11. International public servant
12. Presidential councilor

In order to establish the aggregate order of preferences I used various scales. For the first scale, I set up an index of preference. First, for each office, I multiplied each rank given by MPs with its frequency. Then the sum of these partial results was divided by the total number of valid responses (175). Other scales were provided by the frequency of MPs ranking a specific function on the first position, by the frequency of MPs ranking the same function on the first and second position, and on the first, second, third and fourth position. Table 5 summarizes the values each public function has taken on these various scales. The number of respondents was 175.

Table 5: Hierarchies of preferred offices

Public Function	Aggregate order of preference (index)	Mentioned on the 1st position (n)	Mentioned on the 1st and 2nd positions (n)	Mentioned on the 3rd and 4th positions (n)	Mentioned on the 1st to 4th positions (n)
Deputy	2.88	117	135	15	150
Senator	6.98	10	67	19	86
Minister	7.8	16	31	27	58
President of the District Council	8.69	12	22	27	49
Prefect	8.93	6	12	26	38
Ambassador	9	4	10	30	40
Secretary of State	9.41	5	10	11	21
Presidential Councilor	9.72	2	3	25	28
International Public Servant	9.81	6	9	12	21
Mayor	10.21	7	13	9	22
High public servant	10.53	1	2	6	8
District councilor	10.98	2	2	13	15
<b>Total number of mentions</b>	-	<b>188</b>	<b>316</b>	<b>220</b>	<b>536</b>

Source: parliamentary survey (question Q64)

In aggregate terms, the office of deputy the most desirable on all the scales I have used. This is not too much a surprise, because our respondents were deputies and a normative pressure is at play. The second public function in the aggregate preferences of our respondents was another legislative function, the senatorial office. In fact, more than a third of MPs mentioned the two legislative functions as their first two positions in the order of deputy first and senator second. This is why, the most interesting findings about the MPs' career preferences came when we pursued the investigation beyond this normative barrier.

What is lower in the hierarchy is much more significant. Ministerial responsibilities were in third choice, followed by the most important public function at the local level, the presidency of the district council. Lower on the scale are the functions of prefect and ambassador, with a greater number choosing the first. On all the scales, the order of preference between these four offices remains unchanged. Although I have not provided statistics from the previous section, the results are that these are the offices for which most MPs resign from parliament.

In the lower half of the ranking there are four other offices that are close in the aggregate hierarchies of preferences: secretary of state, presidential councilor, international public servant, and mayor. Their rank varies with the scale used. At the bottom of the scale there are two public functions that are not of much interest for the MPs: public servant and district councilor

There is another way of approaching the data. It should be noted that not all the MPs have chosen the legislative mandate as their top preference. Almost a third, 55 out of 175, have not selected the legislative offices as their top choice<sup>14</sup>. Sixteen would become ministers rather than deputies; while five others would be happy “only” with the position of state secretary. Twelve prefer the presidency of the district council; seven would see themselves elected mayors, and six others wait for the next government to appoint them prefects. Ten would like to work in foreign environments as either ambassadors or international public servants. A few would rather become district councilors or simple public servants than continue their career in the parliament.

What is the profile of those deputies aspiring to other public offices? Is there a congruence between their most favorite office and their political background?

The answer is that for some offices there is indeed congruence between the favorite office and the previous political background. In some cases, the MPs’ previous political experience is a relatively good predictor of their top preferences. Not in the narrow sense that, if they have been local councilors or secretaries of state they would like to occupy the same position, but in the sense of an expected and deserved promotion. Former district councilors expect to be promoted to presidents of district councils, or secretaries of state look forward to a ministerial seat. It is a good predictor mostly in the sense that “local” politicians have preferences for local offices, whereas politicians with previous experience in the central administration would prefer to “stay” at this level. This is a new confirmation of two distinct types of political careers, at the local and at the national level.

## Conclusion

**I**n this paper, I set out to investigate the place of a parliamentary mandate in the informal structure of opportunities, and the perception of Romanian MPs about their legislative office, given the background of their career plans and preferences. Earlier in the chapter I have shown that parliamentary activities were affected by a certain degree of volatility spurred by a high turnover. In the rest of the chapter I turned to another cause that lays in a phenomenon not been systematically researched so far, mobility between various political offices. This mobility is a fact of political life even in mature political systems.

I have tried to document the effective and psychological mobility of Romanian MPs, and to assess its proportions. Other research should establish how seriously this mobility affects the quality of parliamentary activities and the process of professionalization of the Members of Parliament. As we have noticed, a number of MPs abandon their parliamentary mandate prematurely. An even larger group of MPs have their minds set on other offices, while sitting in parliament,. In both cases, their commitment to a parliamentary career is questionable.

Following the career patterns of former MPs that have resigned from the parliament during the four post-communist legislatures, I found that, over the years, an important number of MPs abandon their parliamentary seat for another

er office. In the last section, exploring the opinions of those still sitting in the parliament, I found that the potential for resignation is much higher, probably reaching 30% of all MPs. How these MPs who are ready to leave the parliament for another office perform their legislative role is a question that requires a separate and thorough investigation. This significant number of MPs that wait for the first train to quit their parliamentary jobs transforms the parliament into a transit station. I do not know to what extent party recruiters are aware of this phenomenon, but this is clearly one of the causes of the very high turnover. People run for the parliament when they do not have better options, and leave as soon as better opportunities arise. If these opportunities do not arise, those who long for other types of offices may disregard their parliamentary responsibilities.

## Annex

Acronym	Original name (and the English translation)
PSM	Partidul Socialist al Muncii (Socialist Party of Labor)
FSN	Frontul Salvării Naționale (National Salvation Front)
PD	Partidul Democrat (Democratic Party)
PDSR	Partidul Democratice Sociale din România (Party of Social Democracy in Romania)
PSDR	Partidul Social Democrat Român (Romanian Social Democrat Party)
PER	Partidul Ecologist Român (Romanian Ecologist Party)
FER	Federația Română Ecologistă (Romanian Ecologist Federation)
MER	Miscarea Ecologistă Română (Romanian Ecologist Movement)
PDAR	Partidul Democratice Agrare din România (Agrarian Democratic Party of Romania)
PUR	Partidul Umanist Român (Humanist Party of Romania)
PNL	Partidul Național Liberal (National Liberal Party)
PNLCD	Partidul Național Liberal Convenția Democrată (National Liberal Party - Democratic Convention)
PNLAT	Partidul Național Liberal - Aripa Tineră (National Liberal Party - Youth Wing)
PAC	Partidul Alianței Civice (Civic Alliance Party)
PAR	Partidul Alternativa României (Romanian Alternative Party)
PNTCD	Partidul Național ărnesc Creștin Democrat (Christian Democratic National Peasants' Party)
PUNR	Partidul Unității Naționale Române (Romanian National Unity Party)
PRM	Partidul România Mare (Greater Romania Party)
UDMR	Uniunea Democrată a Maghiarilor din România (Democratic Alliance of Hungarians in Romania)



## References:

- 1/ I was the initiator and, together with Razvan Grecu, the supervisor of this project. I would like to acknowledge the crucial contribution of Bertha Nita in this endeavor. At various stages of the project, Radu Iacob and Maria Victoria Cristache have provided a valuable input. The process of data gathering was part of our contribution to a collective comparative endeavor called *Eurelite. European Political Elites in Comparison: The Long Road to Convergence*. The *Eurelite* project was initiated and is coordinated by Heinrich Best (University of Jena) and Maurizio Cotta (University of Siena). Anytime I would use the information from this database, I would mention the source: ROMELITE database.
- 2/ All the politicians elected in the bicameral Romanian Parliament (in the Chamber of Deputies and in the Senate) and their substitutes.
- 3/ Since May 1990, in the Romanian Parliament, we counted 45 MPs that have successfully run under two different party labels. Obviously, this figure does not include MPs that changed their party affiliation but (most probably due to this fact) have not been reelected.
- 4/ For the record, 76 MPs out of the 1561 included in the ROMELITE database have a career in both chambers.
- 5/ Romanian parliament is characterized by a high turnover (56.7% of the deputies elected in 2000 are complete newcomers to parliamentary life), according to the data gathered in the ROMELITE database.
- 6/ The government formed in the aftermath of the 2000 elections featured no less than 19 elected members of the parliament. Another MP was appointed minister in the Fall of 2003.
- 7/ The figures are from July 2003. Other resignations have occurred since then. The actual share is even higher.
- 8/ It was the case of both Ion Iliescu and Emil Constantinescu, the two Romanian post-communist presidents.
- 9/ Theodor Stolojan, PNL, elected deputy of Bucharest in 2000. After having lost the presidential contest, he declared that he has no intention to sit in the parliament. His mandate was not even validated.
- 10/ Usually they decide to run as heads of the lists of party candidates for the district council, with the promise that - if the party wins - they will be voted chairs of the district council.
- 11/ At least some of the MPs that prefer to remain ambiguous, stating that all functions are important, show – as we will see – preferences for other political functions. Should we include them as well, the percentage goes even higher. An estimate will be provided below: one third of all the MPs display a potential for leaving the parliament.
- 12/ In the table only valid percentages have been included.
- 13/ Question 64 reads: “Imagine that in 2004 you are in the position to choose between various public functions and dignities. Suppose that, for any of them, the success of your candidacy can be taken for granted. Please, indicate the order of preference in which you would choose, granting 1 to the function or dignity you would choose in the first place, and 12 to the one you would choose in the last place.”
- 14/ Five deputies only mention as their top preference a legislative office (deputy or senator) *and* something else.



# The Central Core in the Hungarian Parliament'

*András Schwarcz*

## Introduction

**F**ourteen years have passed since systemic change in Hungary became official by the proclamation of the Republic on October 23, 1989, and more than 13 since the first free and democratic elections were held on March 25 and April 8, 1990. The creation of a new political elite started some years earlier, but the opposition groups that had been formed before the real changes were rather small. The majority of today's political elite entered politics not long before the first free elections.

To the question of whether or not this period of time is long enough to create a stable democracy, there are contradictory answers. On the one hand Robert Dahl (Dahl 1989: 312-315) considers a system a “young” or unstable democracy in the first 20 years, Arend Lijphart (Lijphart 1984: 38) in the first 30 or 35 years. On the other hand Hungary has fulfilled the Copenhagen criteria of democracy for many years, and joined the European Union on the 1st of May 2004, and can be rated among the stable and consolidated democratic countries. Also her membership in the EU further stabilises the system. An opinion of the European Council shared by organisations like Freedomhouse (Freedomhouse 2000).

Regardless of which opinion we support, after this considerably long period of time it is a legitimate question to ask whether the parliamentary elite has consolidated or not. First, I will look at the institutions of the Hungarian parliament and the party system. The great institutional reform of 1989/1990 was followed by a significant change in the Standing Orders of the legislature in 1994. Since that time only minor modifications have occurred, so we can definitely say the institutions have consolidated. The party system has undergone some changes after 1990, but compared to other East Central European countries it has been stable since the beginning (Ágh 1998a and 1998b). By the second half of the fourth legislative term a two and a half party system has developed, and evidence seems to suggest that there will not be further changes.

Has the parliamentary elite itself achieved consolidation in the aforementioned period? The answer to this question is positive. There are several phenomena on which this statement is based:

- The incumbency rate is getting higher. After the first elections following a democratic legislative term, 1994, the incumbency rate was 36%, for the current term it is 68.7%. This is close to the normal rate for established European democracies. For details see table1.

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On the basis of the research conducted in the framework of OTKA T032829

Table 1: Incumbency rate

<b>Incumbency rate</b>	<b>1990</b>	<b>1994</b>	<b>1998</b>	<b>2002</b>
MDF	3.6%	67.6%	47.1%	70.8%
SZDSZ	1.1%	76.5%	87.5%	90.0%
Fidesz	0.0%	70.0%	13.6%	79.9%
MSZP	8.2%	15.4%	82.8%	55.9%
FKgP	0.0%	26.9%	35.4%	-
KDNP	0.0%	43.5%	-	-
MIÉP	-	-	35.7%	-
<b>Altogether</b>	<b>3.6%</b>	<b>36.0%</b>	<b>51.3%</b>	<b>68.7%</b>

Source: own calculations

- The number of MPs resigning during the legislative term has been dropping, from 20 in the 1990-94 term, to 16 in the 1994-98 term and to 4 in the 1998-2002. It is increasing in the current term as 5 MPs have already resigned because they preferred state or business positions incompatible with parliamentary service. The number may rise also because of the elections to the European Parliament in July 2004.
- Partially in accordance with the previous points the average number of terms in office per MP is rising. That means that incumbency does not mean having served only one term, but two or three.
- The number of MPs elected before 1990, both before and during the state-socialist regime, who gathered their experience in substantially different type of parliaments and expected the democratic legislature to function in a completely different way, has been falling from 31 in 1990 to four in 2003. One of the five MPs belonging to this group elected in 2002 passed away in the summer of 2003. Most of the parliamentarians serving during the state-socialist regime were elected only to the last, 1985-90 term, some of them as opposition politicians. The number of those deputies, who were first elected in 1990 has fallen. Among them were many parliamentarians who became politicians and MPs by chance. Only 64 MPs present in the current parliament were able to cope with the challenges of the work in the democratic legislature. (Information System of the Hungarian National Assembly)
- The rate of re-election from the same constituency or the same county party list has been growing from 56.1% among re-elected MPs in 1994 to 84% in 2002, and from 2.8% of all parliamentarians in the first elections<sup>2</sup> to 57.3% in 2002. This indicates a stabilisation in the parties' candidate-election strategies, and correlates with the growth of incumbency and the development of a two party system.

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Despite the radical changes in the election system the many of the SMDs are the same as at the 1985 elections. This percentage represents the proportion of those MPs who were unambiguously re-elected at the same constituency in 1990 as in 1985 or during that term

- The Hungarian election system consists of 176 single seat constituencies, 20 county party-lists and a national compensational party-list. Most MPs use all three types to get into the parliament; thus the analysis can only use the specific election results. To get elected either in the same constituency or on the same county list every time suggests some kind of local affiliation, as well as the stabilisation of the parties' candidate-selection strategies. The high percentage mentioned above is calculated from deputies elected by both SMDs and county lists. The same percentage calculated for SMDs only would be even higher, 72% for all MPs and 93% for the re-elected in 2002. On the other hand, the number used here shows more clearly that the candidacy is not decided on an ad-hoc basis even on the county party list.
- The high percentage for the incumbents in the first democratic elections is based on a very small number of MPs (23) serving in the socialist parliaments.
- The number of MPs switching party groups during legislative terms has been decreasing. During the first term 91 MPs left their Parliamentary Party Group (PPG) for another one. In the second term 49 switched, 25 switched in the 1998-2002 term, and two in first one and half years of the current one (Villám - Samu 2003). The reason for this is that the MPs who leave their party are re-elected in significantly lower proportions than the average.
- A *core group* within the parliamentarians is emerging. These are the politicians who have been in parliament for the longest time, and are the most integrated in the political class.
- A *new elite group* has also been formed from the politicians who got involved in parliamentary politics only after the first elections. They do not have the characteristics of those politicians who were involved in the systemic change.

## The groups of the central core

The central core of parliamentarians of the 2002-06 term can be divided into two major groups according to their political past and present, and other qualities. Both the *core group* and the *new elite* are more embedded in the political class than the average MPs. A third group of politicians can be described, that of the returnees, who managed to be elected after missing one or two legislative terms.

As a *core group* I included those MPs who had been elected in all free and democratic elections, and are spending their 14th year in parliament. These are the only people who remained in parliamentary politics without interruption since the systemic change of 1990. They were the exceptions.

The majority of the politicians who won a mandate in 1990 did not have the attributes or abilities for professional political work under democratic circumstances. Many of these politicians became MPs only "by chance", because there was not enough time before the first elections for the organic development of parties and the recruitment of candidates. This is also the reason why the parlia-

mentary party group is still the main political actor and decision maker, not the party organisation. The opposition in the second half of the 1980s was a small group of intellectuals, mainly living and working in Budapest. Even after the formation of parties in 1988-89 the local branches did not have time to develop before the elections in March 1990.

On the one hand, in many cases it was not the lack of attributes that led to the disappearance of these MPs from parliamentary politics or politics in general. The other main reason was their disillusionment about the possibilities of their influencing the country's future, the work of parliament, parties, or democracy itself. Thus my hypothesis is that the politicians who managed to remain in parliament for such a long period of time had some special characteristics that made them more suitable for this work than the other MPs. I also supposed that, as they are the key players in the legislature and the party is mainly run from the parliament, they are much more embedded in the political elite, since they have acquired more parliamentary and party positions than the other MPs.

The *new elite group* consists of those parliamentarians who have been active in the legislature for a long period, but not from the beginning. As a result their careers are not connected to the chaotic times of the systemic change and the formation of the parties. These politicians did not take part in the creation of the institutions, working out the rules and habits of the democratic parliament. These politicians have prepared for working in parliament and consider politics as a profession or a career. They had the opportunity to decide to become parliamentarians with some idea of how a democratic legislature works and what the tasks and possibilities of a deputy are; therefore, they had a better chance to avoid disillusionment. My hypothesis is that the career path of the new elite group members to parliament is likely to have been different from that of the core group, yet the elite group should be more embedded in the political class than the average MP.

### **The attributes of the core group**

**A**ltogether there are 52 MPs (5.3% of all representatives) who served in the House for all four terms, or 13 years (see table 2). Four parties were present in the parliament throughout the whole period, so members of the core group belong to one of the four. Nearly one out of ten (96 MPs, 9.7%) of the members of all the Hungarian parliaments since 1990 was successful in three elections. Seventy nine parliamentarians out of the 96 successfully competed for the third time in the 2002 election. There are 68 MP who are in their third consecutive term legislative term, these politicians (6.9% of all MPs) belong to the new elite.

Table2: Long serving Mps

Long serving MPs	serving all terms = core group	Serving 3 terms	New elite
MDF	5 (2.5%)	2 (1.0%)	1 (0.5%)
SZDSZ	14 (11.2%)	9 (7.2%)	1 (0.8%)
Fidesz	16 (7.8%)	9 (4.4%)	7 (3.4%)
MSZP	17 (5.0%)	65 (19.1%)	59 (17.4%)
<b>Altogether</b>	<b>52 (5.3%)</b>	<b>96 (9.7%)*</b>	<b>68 (6.9%)</b>

\*11 MPs belonged to parties not listed in the table

Source: own calculations

One can find most long term MPs among the members of MSZP (17) and Fidesz (16). There are fewer in SZDSZ (14) and very few in MDF. The fact that only five MPs of MDF served all four terms, could be explained by splits in the party (MIÉP formed its own parliamentary group in 1991, MDNP in 1996), radical changes in the leadership, and the loss of the majority of its mandates in the 1994 elections (see table 3). In the case of SZDSZ, the last part of the explanation above applies, so the 13 people remaining in the parliament since the first term were the core of a shrinking party (one MP joined SZDSZ in 1993, after leaving Fidesz). For Fidesz the story is rather different, because the party had only a small group in the first and second parliaments (21 and 20 mandates respectively). The majority (12) of the initial MPs of Fidesz is still in the parliament now and they are represented in the steering bodies of the party while the remaining four deputies came from other parties (three from KDNP, and one from SZDSZ). The same applies to a lesser extent to MSZP, where 17 out of those who served in the first parliament are still present. Although the Socialists had only 33 mandates in 1990, these were filled by a total of 44 parliamentarians, reflecting fluctuation and instability in the parliamentary party.

Table 3: Election results

Election results	1990		1994		1998		2002	
	Mandates	%	Mandates	%	Mandates	%	mandates	%
MDF	164	42.5	38	9.8	17	4.4	24	6.2
SZDSZ	92	23.8	69	17.8	24	6.2	20	5.2
Fidesz	21	5.4	20	5.1	148	38.5	164	42.5
MSZP	33	8.5	209	54.1	134	34.7	178	46.1
FKgP	44	11.4	26	6.7	48	12.4	-	-
KDNP	21	5.4	22	5.7	-	-	-	-
MIÉP	-	-	-	-	14	3.6	-	-
Other	11	2.8	1	0.2	1	0.2	-	-
<b>Total</b>	<b>386</b>	<b>100</b>	<b>386</b>	<b>100</b>	<b>386</b>	<b>100</b>	<b>386</b>	<b>100</b>

Source: National Election Office

The 52 MPs of the core group are older and better educated than the average (see table 4). They are more than five years older than the average parliamentarian in the current term. Most of them belonged to the first post-war generation, which was the most deeply involved in the negotiated transition. Their average age is under 55, because the average age of the Fidesz founders was only 27 when they entered parliament. Women are underrepresented among the core group. There are only four of them, 7.7% as opposed to 9.7% in parliament, two from SZDSZ, one from MDF (the head of the party) and a one from MSZP. Nearly every third (30.8%) member of this group was born in Budapest, where one out of five Hungarians lives, and 23.4% of all MPs were born. Even more (34.6%) were elected in the 32 constituencies or the party list of the capital. Both of these numbers are the result of the fact that the opposition in the late 1980's was mainly based in Budapest. Also 30.8 per cent of these MPs were elected on the national compensation list indicating that they had leading roles in their parties, but were less connected to a constituency. Only one third (34.6%) of the core group was elected from the countryside<sup>5</sup>. In addition, 80% of these parliamentarians were elected from the same constituency or list as in 1998, which means that this phenomenon is not new. In the first term, 43.4% of the core group of MPs was elected from outside Budapest or the national list. Every one of the core group of MPs has a university diploma versus 89.8% of all MPs, and most of them have degrees in the field of law (39.2% as opposed to the 18.8% average) or economics (21.6% as opposed to 15.8%). These fields can be considered more suitable for a politician. Occupations, regarded as more helpful for a parliamentarian, such as economist, lawyer, journalist, teacher or intellectual freelancer are much more common among the core group than among the average deputies (71.4% of all occupations of the core group and 46.3% of all MPs).

Switching to political characteristics, among the core group MPs there are a higher percentage of party leaders (82.4%), former ministers (42.3%) and secretaries of state (26.9%) than among the MPs of the 2002-2006 legislative term (36.4%, 11.5% and 11.7%), but the proportion of local political leaders is lower than the average (37.3% as opposed to 60.8%). This shows that the typical route to a parliamentary career was not through local politics at the beginning of our democracy. This is not an unexpected result, and was indicated by the high percentages of MPs who were elected from the national list. One of the reasons for this is that the opposition movement was based in the capital. Even more important is that the municipal elections took place a half a year after the parliamentary ballot, since the law about local self government was created by the new legislature. Therefore, parliamentarians in the 1990-94 term could not run for local political positions. The characteristics we have found do not only describe the qualities of the long term MPs but also the circumstances of the formation of the democratic parties in the late 1980s.

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that is in one of the 144 constituencies out of the total number of 176, or 19 lists out of 20.



Table 4: Elite of the elite

Elite of the elite	Core group	New elite	Average*	Returnees*
Average age	51.0	50.2	46.7	48.7
Women	7.7%	13.2%	9.7%	11.5%
Born in Budapest	30.8%	23.5%	23.4%	26.9%
Elected in Budapest	34.6%	26.5%	21.9%	15.3%
Elected on national list	30.8%	16.2%	20.1%	34.6%
Re-elected at the same place	80.8%	80.9%	57.5%	73.1%
Higher education	100%	97.1%	89.8%	96.2%
Law/economics degree	60.8%	42.6%	34.6%	38.4%
“Politician’s” occupations	71.4%	58.8%	46.3%	50.0%
Leading party position	82.4%	33.8%	36.4%	50.0%
Ministers	42.3%	11.8%	11.5%	11.5%
Secretaries of state	26.9%	25.0%	11.7%	3.8%
Local political leaders	37.3%	64.7%	60.8%	73.1%

\*in term 2002-2006, above the average, below the average (by 10%)

Source: own calculations

Analysing the distribution of all party-donated positions held by politicians, it is clear that MPs of the core group and the new elite occupy nearly one third (see table 5). If we include cabinet positions (minister and secretary of state), committee posts and multiple committee seats (Ilonszki 2000), and parliamentary or party group posts, each MP serving all four terms held an average of six positions. Most of these rewarding posts were shared among the politicians, who managed to stay in the parliament for a long period, as the legislature is the most important arena of politics in Hungary. Out of the 52 MPs of the core group there are only 10 who acquired less than five posts counting each post each term. Among those with fewer posts are such important persons as two former prime ministers and three ministers, politicians with no time to occupy a diversity of positions. There are only two MPs who occupied only one type of position, four that had two, and all the others acquired at least three types (mostly committee chair and vice-chair positions, multiple committee seats or party group leading posts). Nearly all (98.1%, see table 6) of the core group of parliamentarians have at some point of their legislative careers been rewarded by a committee chair or vice-chair position, and three quarters of them by such posts at the party group. The high proportion of former ministers and secretaries of state has already been mentioned, but also the percentage of core group MPs holding parliamentary posts of chairman, deputy-chairman or notary is relatively high, taking into account that the number of these offices is very limited, and the rotation is much slower than that of the government positions.

Table 5: Distribution of post

Distribution of post	MPs		Posts		post/person	post/term/person
	N	%	N	%		
core group	52	13.3%	311	31.6%	6.0	1.50
new elite	68	17.3%	220	22.4%	3.2	1.08
Returnees	26	6.6%	70	7.1%	2.7	1.13
Others	246	62.8%	382	38.9%	1.6	1.03
<b>altogether</b>	<b>392</b>	<b>100.0%</b>	<b>985</b>	<b>100.0%</b>	<b>2.5</b>	<b>1.15</b>

Source: own calculations

Table 6: Posts of MPs

Posts of MPs*	Ministers		Secretaries of State		Parliamentary Posts		PPG posts		Committee Post		Multiple committee	
	N	%	N	%	N	%	N	%	N	%	N	%
core group	22	42.3	14	26.9	10	19.2	39	75.0	51	98.1	45	86.5
new elite	8	11.8	17	25.0	3	4.4	24	35.3	48	70.6	54	79.4
returnees	3	11.5	1	3.8	3	11.5	6	23.1	18	69.2	22	84.6
others	12	4.9	14	5.7	10	4.1	30	12.2	93	37.8	151	61.4
<b>altogether</b>	<b>45</b>	<b>11.5</b>	<b>46</b>	<b>11.7</b>	<b>26</b>	<b>6.6</b>	<b>99</b>	<b>25.3</b>	<b>210</b>	<b>53.6</b>	<b>272</b>	<b>69.4</b>

\*number of MPs in certain posts

Source: own calculations

## Attributes of the new elite

The characteristics of the new elite are not as outstanding as the core group's, but these parliamentarians are still above the average in most attributes. The first striking difference is the uneven party distribution of the new elite (see table 2). This is clearly the result of electoral volatility (see table 3). The members of this group of the central core of the parliament were selected on the basis of having been elected for three consecutive legislative terms beginning in 1994. At the second free elections after 1990 the socialists achieved a landslide victory, taking 209 seats in the parliament. To be able to fill all these mandates MSZP needed nearly two hundred new parliamentarians, since in 1990 it only won 33 seats. In the following terms the party had 134 and 178 mandates, thus maintaining a large party group. On the other hand both MDF, SZDSZ and FKgP lost many of their seats in 1994 (126, 23 and 18 respectively) so they did not introduce a large number of newcomers to the House. Fidesz and KDNP maintained their proportions in the parliament, and did not bring many newly elected MPs into the legislature. This difference is the main reason why 59 of the 68 politicians in the new elite belong to MSZP, seven to Fidesz-MPP, and only one apiece to MDF and SZDSZ.

The new elite is not much younger than the core group in average age (50.2 as opposed to 51 of the core group and 46.7 of the whole parliament: see table 4). These MPs are better educated than average (97.1% of them has a college or university diploma), and as well as the core group. The difference in the percentage of those having a “politician’s” education is much larger among these two groups, 42.6% of lawyers and economists among the new elite and 60.8% among the core group, but the deputies serving their third consecutive term are still above the average (34.6%) in this attribute. In occupations suitable for politicians, the difference between the new elite and the core group is somewhat smaller (71.4% of politician-like occupations for the core group, 58.8% for the new elite and 46.3% for parliament as a whole). There are more women among them than in the parliament or in the core group (13.2%, 9.7% and 7.7% respectively). This difference can be clearly explained by the party distribution, as the proportion of women is generally higher in MSZP and SZDSZ than in the conservative parties; actually the percentage in the new elite is very close to that of the Socialist Party (13.3%).

Despite the finding that the percentage of those born in Budapest is not higher among the MPs belonging to the new elite than in the whole parliament (23.5% as opposed to 23.4%), a greater percentage was elected in Budapest (26.5% as opposed to 21.9%). This means that the political socialisation and the political career of a higher percentage of these parliamentarians started in the party’s centre. These politicians are not tied tightly to the party leadership, but to the capital city. This is shown by the low percentages elected from the national list, 16.2% compared to 20.1% of the whole House, 30.8% of the core group and 34.6% of the returnees.

This point can be also proved by the comparatively low proportions of party leaders in this group, which is lower than that of any other group and the average of parliamentarians of 33.8%, and the relatively high percentages of local political leadership positions. The later attribute shows the different career patterns of these politicians, as opposed to the core group. These MPs did not enter the political scene at the dawn of Hungarian democracy, but a few years later, thus having an opportunity to run in the first local self government elections in September and October 1990 at the start of their political career. This is the main reason why this group was named the “new elite”, as they represent a political career route more typical of western democracies, and not influenced by the chaos and rush of the systemic change. These politicians mainly gained positions in local party organisations or were elected to local self governments before running for a mandate in the Parliament.

The political career of the new elite is not as glamorous as the core group’s, but still impressive. More than one out of ten (11.8%) MPs of this group has or had a leading post at one of the ministries, and exactly a quarter of them a post in the second highest level. The first percentage is not significantly higher than the average (11.5%), but the second is nearly as high as the same proportion for the core group (26.9%).

Among the 68 parliamentarians currently serving their third term only 27 have

four or more party-appointed posts, and there is one without any positions, but the average it is still 3.2 positions per MP (see table 5). There are 14 MPs with only one type of positions, and only nine with four types. Altogether the MPs belonging to the new elite occupy or occupied 220 positions during their parliamentary career, that is 22.4% of all posts divided among the parliamentarians of the current legislative term. Adding up the posts of the MPs of the core group and the new elite the result is 531 (counting multiple committee seats as one post), that means 1.29 for each parliamentarian for each term served. Of course, most of these positions are concentrated in the last two terms, for most of the politicians of this group climbed up the party ranks only in the last five to eight years.

Like the core group, the types of positions most frequently held by the MPs of the new elite are multiple committee seats and committee leadership positions (79.4% and 70.6%, see table 6), but the proportions are significantly lower than for the core group politicians (86.5% and 98.1%, respectively). Leading positions in the party group are much fewer in the elite group than among the core group (35.3% vs. 75%), and the rate of parliamentary offices held by the new elite is not comparable with the core group's and lower than average (19.2% for the core group, 6.6% for all MPs and 4.4% for the new elite).

The data presented above shows that the new elite is well embedded the political class, as the numbers are higher than average for most of the attributes. But this integration is not as strong as that of the core group, which has higher percentages in most comparisons. This difference is not symmetric for all fields of political integration. The new elite performs well in governmental positions and parliamentary committee work, but is far less embedded in the party and the party group. This results from the different career patterns, and the disadvantage of these politicians not being in leading opposition positions. It is also the consequence of the party distribution of these MPs, leading to the overrepresentation of the socialists, who were not active in the opposition movements of the late 1980s. On the other hand the local political background of this group is much stronger than the core group's, and are more likely to be elected in their respective constituencies even in case of a change in the party leadership as a relatively small part of them is elected from the national party list.

We have to consider these politicians as a new wave of professional or career politicians who have western career and recruitment patterns and may become the most important actors in the legislature in a few years.

## Attributes of the returnees

**I**t is rather clear, that MPs who dropped out of the legislature usually do not return. There are only a few exceptions (see table 7); 25 MPs of the current legislative term were re-elected after missing a term and one after missing two terms. The typical reason for MPs missing a term was their party's loss at the elections: 11 socialists and two liberals, but also nine conservative MPs had to miss a term at least partially because of electoral volatility. Five parliamentarians changed their party to Fidesz. before getting re-elected.

Table 7: Returnees

Returnees	1994-1998*	1998-2002	1994-1998 1998-2002	Sum
MDF	1	1	1	3
SZDSZ	1	2	0	3
Fidesz**	8	1	0	9
MSZP	0	11	0	11
Sum	10	15	1	26

\* the term missed

\*\*MPs ending up in Fidesz-MPP (1 coming from KDNP, 2 from MDF and 2 from SZDSZ)

Source: Information System of the Hungarian National Assembly,

[http://www.mkogy.hu/internet/plsql/ogy\\_kpv.kepv\\_cvl?P\\_CKL=37&P\\_CIKLUS=null&P\\_CIKLUS=37](http://www.mkogy.hu/internet/plsql/ogy_kpv.kepv_cvl?P_CKL=37&P_CIKLUS=null&P_CIKLUS=37)

Among MPs who missed a term, we can find some characteristics different from the average, but they do not differ to such a large extent from the long serving MPs (the core group and the new elite, see table 4). In regard to most variables examined in this study the returnees are above the average, and only are average or below on a few. These people showing closer to average characteristics, but still have more distinctive characteristics than those serving only once, as the average is calculated by adding the core group, the new elite, the returnees and all other MPs. Therefore, it is not surprising that these people return to the parliament when the party needs them and can offer a mandate. This is the reason why the returnees are not considered as part of the central core, but as a group in between the core group and the other deputies.

The hypothesis that the party chooses these politicians to become MPs when it is able to supply them with mandates can be supported by the large proportion of these parliamentarians who were elected from the regional and the national lists (73.1%). This means that when the politicians of this group are given places on the lists that they can get mandates if their party does well in the election. The fact that nearly three quarters of them were re-elected from the same place or list as before also proves this theory.

Some of the typical fields of education are present in this group (economist or teacher) but some atypical ones also (theology or arts). The same can be found regarding professions. Managers and economists are over-represented, as well as artists, priests and doctors. But the percentage of lawyers and economists added together is still higher than average MP's (38.4% vs. 34.6%), also the politician's occupations' percentages are little above the mean (50% vs. 46.3%), as is the percentage of MPs with higher education.

Looking at their political background, half of the returnees holds or held a leading party position (36.4% among all MPs in the 2002-2006 term), which is more than the percentage of the new elite, but less than the core group. The proportion of MPs with local political background is the highest among the returnees (73.1%), compared to any other group (60.8% for the current parlia-

ment, 64.7% for the new elite and 37.3% for the core group). Appointment to leading cabinet position is just as high as in the whole Parliament, but secretaries of state are very rare among the returnees, rarer than in any other group, and the whole (3.8% as opposed to 11.7% on average, 25% for the new elite and 26.9% for the core group). In the division of the positions after the elections the MPs in the “returnee” group are not in the first row, they do not get significantly more positions than the average deputy (2.7 positions per capita as opposed to 2.5, see table 5), and divided by the terms served, the result is even a little bit below average (1.13 vs. 1.15). Regarding committee positions and multiple committee memberships, returnees are doing as well as the central core (84.6% of them has more than one committee seat and 69.2% received a leading position, see table 6). With regards to cabinet positions the situation is rather different, but returnees are not often in the leadership of the PPG either (23.1% as opposed to 25.3% on average).

Thus we can say that the returnees are a group somewhere below the central core in the level of political integration, but they do have the capability to acquire more political positions. Their skills are not questioned by the party, but they are not as well known, or maybe not as popular.

## Conclusion

The Hungarian Parliament and the parliamentary elite has consolidated. The central core together with the returnees, represents both the elite of the time of the systemic change, and the elite of the democracy. These politicians not only have the longest record of successful elections but also the longest list of positions and offices inside and outside of the legislature. These parliamentarians are well integrated into the political class and strongly embedded in the elite. These MPs bring stability to the parliamentary work and the political system. The core group is backed by the new elite, at the same time, however, the position of the core elite of the systemic change is challenged by the new elite, which has more modern political career routes. The returnees might also pose a threat to the positions of the central core parliamentarians.

On the other hand the central core of the parliament seems to monopolise the core positions which does not allow fresh political ideas enter the arena. The general unpopularity of politicians and the strong distrust of parties and political institutions (especially the parliament) (Hahn - Karácsony 2001: 789) may have its roots in the inability of the political elite to change. The people might be tired of the same politicians making promises and not fulfilling them for the fourth parliamentary term.

As we can see, the consolidation of the parliamentary and political elite has two sides. It is stabilising the democracy and the parliamentary institution itself. The experienced MPs are an asset in providing committee expertise, and in filling government and parliamentary posts. The other side is that this consolidation preserves the democratic deficit which lies in the weak communication between the political class and the citizens due partially to the distrust of poli-

tics. Stability, so much appreciated in this region, might become an inability to change or to disregard new ideas and people. The central core in the Hungarian Parliament is trying to gather all the important posts and responsibilities. This means that most party, parliamentary, committee and governmental leading positions are held by a small group of people, who have been in the political elite since or before the time of systemic change. These politicians have given up their civil occupations and have nothing to return to, thus they have to cling on to politics as long as possible. All these phenomena together might lead to the development of a closed elite among the elite and which would block the organic development of the elite, hindering democracy. On the other hand there is a public need for professional parliament that makes laws that work and do not have to be changed and is effective in controlling the executive. These functions need experienced deputies and help strengthen democracy.

Accession to the European Union may bring a radical change to the political elite. There will be new positions opening up for politicians both inside and outside the central core, not only in the European Parliament, but also in the European Council. Politicians embedded in the Hungarian political elite may leave for Brussels, and fresh faces may take their places in the parliament. As the next general elections are scheduled for spring 2006, there is even a possibility of new, unknown politicians returning from the EP running for mandates. Thus the conclusion can only be that a study of the central core of the Hungarian Parliament should be done again after the 2006 elections, and it will surely bring some fascinating results.

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# **Beyond the First Decade: Research Directions in Post-Communist Parliaments**

*David M. Olson*

**T**he new democratic parliaments of post-communist Central Europe encourage the examination of the entire range of relevant questions about legislatures in a unique manner: they permit – indeed, stimulate – comparative questions about origins of, and changes in, parliamentary institutions. Their very existence as new institutions pose questions about comparative parliamentary change and adaptation in their beginning stages.

In older legislatures, questions of origins and early critical decisions are often asked but cannot be directly answered. At the time of their origins, they were not concerned about the questions we would subsequently ask about them, nor would they keep the records we now need. In the newly formed post-communist legislatures, by contrast, we have a unique window of opportunity to view the development of legislative bodies from their beginnings over a sequence of elections and parliamentary terms. Furthermore, the simultaneous emergence of democracies in several countries enables us to trace variations in formative influences upon them.

No other set of newly democratized parliaments in the world has generated the sustained and comprehensive set of data and studies now available on post communist parliaments of Central Europe (Leston-Bandeira 2003b). The result is a uniquely rich source of information and analysis on the newness of parliaments and how they develop and change over time.

The main empirical question concerns similarities to and differences from the parliaments of Western Europe. The older democratic parliaments provide the measures of both parliamentary institutionalization and democratization. The newly democratized parliaments increasingly resemble their western counterparts in formal structure, while their practices and procedures vary considerably (Agh 1998). These characteristics vary among parliaments and through the accelerated time of the initial post communist decade.

This paper is based upon, but speculates beyond, the cumulative work of research teams over the past decade on post-communist parliaments. One of the initial books (Olson and Norton 1996) examined the early years of ten newly democratized parliaments in former Communist countries, while the second of that series (Olson and Crowther 2002) was a more intensive look at the committee systems of seven post-communist parliaments. The set of four volumes initiated through the Hungarian Center for Democracy Studies at Budapest University of Economics is a rich resource (see series list), as is the set on elections in post-communist states sponsored by the Wissenschaftszentrum Berlin (see series list). There is, in addition, a large literature of research on selected aspects of single post-communist parliaments. Much of this research has been either organized or stimulated by the Research Committee of Legislative

Specialists of IPSA (see series list), while the research stream is now increasingly enriched by projects initiated by both West and Central European scholars (Kraatz and von Steindorf 2002a).

The initial research task in the first post-communist decade has been to chronicle events. The emphasis has been upon the collection and documentation of facts as they occur, without either the parliamentary participants or the outside researchers knowing, in advance, what their meaning and significance might become. To record election numbers and party seat distributions, for example, and to list and to count the titles of bills introduced, amendments offered, and bills finally adopted, were (and remain) meticulous tasks. Given the difficulties of newly activated parliaments to keep their own records, this task was a major one.

A decade of post-communist development permits a broader and more comparative view of legislatures and their political systems than previously. We have witnessed twin developments: on one hand, the parliaments themselves have learned how to exist and work in the initial decade of uncertainty, while on the other, the capacity of social science research in Central Europe has also developed and broadened. In the coming decade, systematic comparative research on post-communist parliaments is both more needed and possible than previously.

This chapter suggests three sets of topics for research in the second decade: members and structures, the immediate constitutional environment, and functions. This chapter also considers post communist parliaments in the context of democratic consolidation and globalization. Finally, we will suggest research strategies and design questions.

## **The members and structures of post-communist legislatures**

**R**esearch is needed on several topics about the structure and functioning of legislative bodies: the members, internal working structures of committee and party, staff organization, and external support agencies.

### **Members**

Some of the earliest research on post-communist parliaments consists of interviews and questionnaires with Members in single parliaments. Increasingly, we are able to design and administer questionnaires which are consistent and thus comparative among several parliaments over time. With the passage of time – now four elections and ensuing parliamentary terms – comparisons can be made among members in any one parliament through different time periods as well as among parliaments.

Who are the members of parliament now, and how do they compare with the initial entrants into the newly democratized parliaments of post-communist parliaments? The initial members — often depicted as the physician and the musician — as anti-communist reformers, but without either ambition or talent for political life, have been succeeded, but by whom and what? The continued high turnover of members continually raises this question. Do we perhaps see differ-

ent types of members over time, with the initial set displaced by intermediate types of member, who then give way to a more permanent member profile, and if so, when and why?

Retention rates are now above 50% in at least some parliaments, and it is possible to identify a subset of continuing “core” members (i.e., three terms of continuous service). They tend to be more active than new members in committee membership and in leadership positions. (Wesolowski 2001; Ilonszki 2002; Best and Edinger 2003). Our Hungarian chapter (Schwarcz) explores the continuing core in one parliament, while our Czech paper explores the changing bases of candidate recruitment in another (Seidlova). Our chapter on European-wide parliamentary recruitment (Wessels) shows a high proportion of members have had prior experience in both other official and party positions, a higher rate than could be expected in new democracies.

Continuing high turnover rates in many of the post-communist parliaments, and high turnover in leadership and committee positions within parliament, as noted in our Moldova chapter (Crowther), together raise the further question of post-parliamentary careers. How does service in parliament relate to occupation and position beyond and after parliament? Perhaps service in parliament can be regarded as a parliamentary “product” of training in deliberation, negotiation, and decision-making for use in post-parliament occupations? Would continuing members develop a career orientation within parliament, and be more inclined toward independence from the executive than if they were oriented toward careers outside parliament?

Our chapter on Romania suggests that parliament is a “transit station” for those persons seeking higher office (Stefan). Recruitment research has concentrated on attributes and events affecting MPs prior to their election to office; we now need research on after-office careers and events which, in turn, leads back to our initial questions about the impetus to parliamentary membership in the first place.

The topic of career orientation is linked to the electoral system, the party system, and the degree of party leadership control over nominations. Each of these variables is, in turn, linked to executive relationships.

### **Internal structures – committees**

While the Washington-Westminster dichotomy suggests that parliamentary party groups (discussed immediately below) and committees are inversely related in their importance, the west European democratic parliaments show an intricate balance between these two major forms of internal organization (Lees and Shaw 1979; Patzelt 2004). In the initial post-communist years, the newly energized parliaments improvised a wide variety of internal working structures in response to new and immediate circumstances. A major event in the stabilization of the new parliaments was the development of new rules to bring order to organizational chaos (Crowther and Olson 2002: 177).

There are, in addition to committees and to parliamentary party groups, a variety of other internal structures in which at least some members participate,

such as ad hoc investigatory bodies, special election groups, constituency and issue related configurations, and international delegations. All of these working and task-oriented formations require the energy and time of parliamentary members and staff.

The members and activities of committees in the second decade may increasingly resemble those of western continental parliaments. In the newer parliaments, however, incumbent members change committees, and committee chairs often have not previously served on their committees. Chamber incumbency is not the same as committee level incumbency (Crowther and Olson 2002 178-79). These questions of committee fluidity also apply to other internal working groups referenced immediately above as well as to parliamentary party groups.

### **Internal structures – parliamentary party groups**

The relative instability of party systems is one major difference between post-communist and west European parliaments. Parties are episodic in appearance, and members in some post-communist parliaments switch parties within a term of office. Our chapter on party and committee (Olson) suggests that committees can provide a greater degree of stability and continuity than do parliamentary party groups in the beginning years of highly unstable parties.

How parliamentary party groups (PPGs) form and make internal decisions are continuing questions in all parliaments, but have a particular salience in the post-communist parliaments. One decision made by a parliamentary party group is the placement of its members on committees. As noted above, there is considerable movement of members among committees; how the PPG makes (or permits) such decisions is an open question. We know little of how policy views of PPGs and committees are coordinated. Our chapter on the Bundestag (Patzelt) shows that a very complex pattern of mutual dependence between party and committee is possible in more stable systems.

Likewise, how a PPG relates to the Government, whether of its own party or not, is also an open question. Given the alternation in government, following changing election results, most parliamentary party groups have served in government at one time or another, which could lead to a broadly experienced parliamentary party leadership, with consequences for both their committee involvement and interactions with governments.

Though studies of voting in either plenary or committee meetings in the new parliaments are not available, party voting appears less common than in the older democratic parliaments. Research on the extent of party voting, and the mix of cohesion-discipline factors which contribute to variable party voting in the new democracies would provide useful comparisons with research on western parliaments and on other new parliaments (Hazan 2004; Morgenstern and Nacif 2002).

PPGs are critical players in the selection of parliamentary leaders, including presiding officers and steering committees. Which parties occupy these positions can be part of inter-party negotiations in the formation of a government. If so, occupancy of parliamentary leadership positions is more a function of external

than internal factors. What are the consequences for parliament with episodic leadership? Their concerns could center more on external party and electoral developments, and perhaps also their own career advancement, than upon immediate questions of parliamentary leadership.

How do external party activity and parliamentary membership complement one another? How does this latter question vary between stable and unstable parties?

The strategic position of parliamentary group leaders in providing direction to the internal affairs of parliaments suggests a broad topic of inquiry in the second post-communist decade of how parliament and party group leaders develop agendas for parliament and both define and manage the rules (Döring 2004).

We may also ask, do leadership positions now attract a different type of member than in the initial terms of office? Do leaders become stable for either committees or parties? Does the core of continuing members begin to provide a source of stable parliamentary leadership? Does a sense of career-in-parliament develop in addition to the desire to seek other office or other occupation?

### **Staff for parliament**

A multi-member parliament (even if fairly small) with many tasks and a correspondingly complex internal structure, requires space, equipment, supplies and skilled staff. The internal staff structure is itself evolving over time, becoming larger, more diverse, and more complex. Staff can be assigned to central bodies (e.g., presiding officer and steering committees; library; research; legal drafting), to committees, to parliamentary party groups, and also to individual members. We do not know how staff units in the new parliaments are organized or coordinated; neither do we know the extent to which staff have a continuing professional responsibility to parliament as a whole, contrasted with temporary political appointments to subunits of the parliament.

### **External support agencies**

Irrespective of size and age, parliaments typically rely upon external agencies to audit and investigate ministries and other state organs, of which the Supreme Chamber of Control in Poland is an example. We do not know the distribution of such external assisting organizations among post-communist parliaments, nor the range of their activities, nor the uses a parliament or government makes of their reports. Neither do we know how the leadership of such external bodies is selected.

### **Constitutional structure**

A second major set of topics for research and analysis concerns the larger constitutional structure within which parliaments exist: the government – parliament relationship, the Constitutional Court, the cameral structure of parliament, and the electoral system. The first set of topics discussed above are internal to parliament and can be regarded as dependent variables; the topics in

this section are external and are usually treated as independent variables. The relationship, however, between parliament and its external setting can also be regarded as interactive in process and dynamic over time as suggested in our chapter on the measurement of legislative power (Schneier).

### **Government – parliament system**

Post-communist democracies tend to resemble those of western Europe, with one important constitutional difference: while government cabinets stem from, and are responsible to, parliament, most new democracies also have the office of President, which holds varying degrees of authority in relationship to Parliament (Taras 1997). How presidents interact with both cabinet and parliament is an important topic of research; the examples of Poland and the Czech Republic each show how different persons can use the unchanged office very differently.

Cabinet stability has a dynamic interaction with attributes of parliaments as noted in our chapter (Nikolenyi), and can be compared to the same phenomenon in western Europe. How parliaments permit their members to be ministers also varies among both new and older parliaments.

Not only legislatures, but also governments, learn through time and experimentation. One of the notable features of post-communist parliaments is the relative independence of legislatures from both presidents and cabinets. Governments may be as little prepared for their tasks as are legislatures in new democratic political systems. As both government and parliament become active and complex institutions in the second post-communist decade, how do their interactions change over time?

### **Constitutional court**

*Constitutional Courts can become involved in highly contentious policy and partisan issues as various participants appeal to the Court. Intra-parliamentary disputes can come before the Court as well. How participants in a nation's politics use both parliament and court seems to vary among countries, and to perhaps be rather different in the new from the older European democracies (Bugaric 2002).*

### **One or two chambers**

Many of the new democracies have a two chambered parliament in which, with the exception of Romania, all of the second chambers (*Senat*) have limited powers in legislation, and usually have no authority over either budget or government formation (Olson 1998 139-42). To have a uni- or bi-cameral parliamentary structure has been controversial from the very beginning, and remains so now. Both the logic and politics of the original post-communist creation of the chamber structure and how the current arrangement works in practice seem to be relatively ignored topics in research in the initial decade.

### **Electoral system**

Though the electoral system is subject to episodic legislative change, the elec-

toral law is often regarded as a “Constitutional Law,” and once in place, has a formative impact, though perhaps not as intended, upon ensuing elections and parliaments. Many of the new democracies, even small ones, utilize a mixed electoral system, combining multi-member districts and proportional representation with single member districts and majority voting. How parties place candidates in the two sets of districts, and the consequences for parliamentary member stability and leadership experience, can better be examined in the second decade than during the initial years.

Many objectives of a second chamber express dissatisfaction with the party-centric electoral law to the major chamber, and attempt to develop different ways of electing members. What are the consequences, in very different chambers with very different election systems, for parliamentary party group leadership and cohesion? What are the consequences for parliamentary-government relationships?

## **Functions of parliament**

**T**he third major set of topics for research and analysis of post-communist parliaments concerns the functions of parliament: representation, law-making, and government relations. The list of varied functions of parliaments is a long one; the few offered here are basic. In the era of globalization, however, international contacts can now be added as parliamentary function. We might expect that new legislators would have many opportunities to experiment with their functions in new legislatures, especially in the context of a fluid society and unstable party system.

### **Representation**

Parliament is the major representative body in the official state structure; elections are the means by which citizens select deputies to express in parliament the public policy views of the public (Pitkin 1967). Irrespective of the election system, members of parliament and their electorates have the mutual problem of trying to understand one another's preferences and actions.

Even if the demographics of representatives and citizens were closely matched (which they normally do not except in previous Communist legislatures), public policy views are much more difficult to calibrate between public and parliament than the demographics. The usual distinctions in western research among party, district and conscience as constraints upon MPs voting decisions might be more variable and fluid in new democratic parliaments than in older ones.

There has been much less attention in the new democracies, compared to established ones, on the Member-constituency relationship (Crowther and Olson 2002 181-82). Neither voters nor Members are certain about each other in the new democracies, with unstable electorates, unstable parties, high turnover of Members and unclear policy choices. How these elements of the political system stabilize over time is a major research question. A more immediate question

concerns the sources of direction for MP action and voting, both in the plenum and in committee, in the absence of clear cues from either party or district.

### **Law-making**

Draft legislation is much more variable in both sources and results in the new democratic parliaments than in western parliaments. Members and committees introduce many more bills, and government bills are much more often amended and defeated, in the new than in the older parliaments. Why? (Kraatz and von Steinsdorf. 2002b 322-25). The experience of Southern European parliaments is that governments come to dominate the legislative process (Norton and Leson-Bandeira 2003); will the same dynamic occur in post-communist parliaments?

Case studies of proposed legislation would be very helpful in tracing how bills are handled at all stages of the legislative process. Our chapters on the Czech Republic (Mansfeldova) and the EU (Zajc) suggest both the opportunities for and constraints upon parliaments in different sectors of public policy. The new parliaments apparently have innovated in the elaboration of steps and procedures in processing legislation, which give committees more latitude for independent thought and action than is commonly found in established parliaments (Crowther and Olson 2002). How committee independence relates to either parliamentary party decisions or government preferences are open questions.

### **Government relations**

The sudden collapse of communist rule created a vacuum in both parliament and government. The relative weakness of governments in the new democracies, compared to those in established western European states, created an opportunity for the new parliaments to be much more assertive than their western counterparts. The new parliaments, on the whole, have been more stable bodies than their governments in the first decade of post-communist democracy (Kraatz and von Steinsdorf. 2002b).

Parliaments interact with the government in and through all of their other activities. Parliaments simultaneously represent the public and interact with government. They do so in initially approving a government, in considering legislation, in budgeting, and in reviewing the conduct of administration. In budgeting, the post-communist parliaments show a wide capacity for independent action and for adopting budget amendments (Wehner 2004). These varied interactions occur through both committee and parliamentary party. What parliaments and their component parts actually do in these varied activities is not well known in established parliaments, much less in the new ones.

Furthermore, we know little of the origin of draft government legislation in the new democracies. Government proposals can have a long and complicated background of negotiation with outside actors and intensive inter-ministerial bargaining. Members and staff of parliaments may themselves participate in these pre-legislative stages of legislation. If so, we do not know the characteristics of members who are active in this respect, as defined (for example) by



incumbency, committee membership, PPG leadership position, or external constituency relations.

The Polish Sejm has developed, over a span of decades, an elaborate *desiderata* procedure for committees to use in questioning ministers and administrative units (Karpowicz and Wesolowski 2002). As public policy questions become resolved – at least the major issues in the post-communist transition – it may be that the retrospective review and oversight relationship will become more common in the new parliaments in the second than in the first decade (Olson 2004) as it has in the parliaments of Southern Europe (Norton and Leston-Bandeira 2003 183). It may be that each parliament will develop its own distinctive procedures (Remington 2004).

### **International contacts**

In the era of globalization, international contacts at all levels of society and state including parliaments assume increasing importance. There is already an extensive set of bilateral relationships among parliaments, political parties and interest groups (Pridham 2001). There has also been an increase in purposive activities through delegations to international bodies representing the parliaments of member states. The Council of Europe and the OSCE are major continental structures. As post-communist democracies join NATO and the European Union, their parliaments are directly represented in the NATO Parliamentary Assembly, and their publics are now represented through direct elections to the European Union Parliament.

In preparation for EU membership, parliaments have adopted (rapidly) a large body of legislation to bring their societies and economies into conformity with EU standards. One immediate consequence is that both the volume and the success rate of government legislation, as noted in our Czech chapter (Mansfeldova), has increased. MPs and their committees, however, have been active participants in the EU accession process, thereby broadening their own scope of action and decision-making as noted in the European Committees chapter (Kolar and Syllova). The party systems of post-communist states seem to have been more disrupted by their initial EU direct election in 2004 than have those of longer term member states, with an immediate impact upon government and parliament in at least some of the new member states..

### **Democratic consolidation in a changing international environment**

**T**he distinctive attribute of post-communist parliaments is their beginning condition at the moment of the collapse of communist rule. They were propelled into significant action without benefit of advance preparation. How a complex and active structure, as the embodiment of a new democratic political system, gets started is the major question to be examined. We have the analytic advantage of numbers: not just one or two, but a dozen and more new parlia-

ments and new democratic political systems were launched simultaneously, but with significant variations among them. The parliaments of Poland and Hungary, for example, were in very different circumstances in their democratic beginnings than those of Romania and Bulgaria; those in Central Europe very different than those in the former Soviet Union (Crowther and Olson 2002; Bunce 1999).

The theme of transition dominated social science review of the change of political system, with a concentration upon the “founding election” as the critical event marking the introduction of a new democratic political system (Dawisha and Parrot 1997). Our examination of parliaments as one of the essential institutional ingredients of democracy, however, suggests that the political system transition is much more than a single event. The efforts to energize legislatures and to prepare them to become serious decision-makers, has taken more than a single election and has lasted for more than a single term of office. The initial post-communist decade has for parliaments become the founding decade.

The entire initial decade has been one of institutional experimentation and development. If system change occurs, many lesser changes must also occur to make the new system work; the “outer” or system change, which might be sudden and quickly accomplished, requires many other “inner” changes which occur and stabilize over time.

In the beginning years, post-communist parliaments were confronted with an opportunity-capability gap. The opportunity was to craft a new democratic political system and to design accompanying policy changes to replace the discarded previous system. The responsibility was theirs, for no other structure, including an effectively organized government, was in place to make those decisions. Parliaments lacked the capability, however, of internal structures and procedures; those internal instruments had to be constructed as they worked on substantive policy decisions. Paradoxically, they had more opportunity for independent thought and action than the established parliaments of western Europe, but had less ability to take advantage of that opportunity.

Government structures, too, can change and develop over time. As they develop a capacity for thought and action, would the relative balance of initiative and decision-making shift from parliament to government, on the pattern of many of the western European parliaments? The current contrasts between Central European and post-Soviet parliaments suggests very different paths of learning by parliaments and governments as they interact with each other (Remington 2004).

The themes of democratic consolidation and institutionalization mark the context and the goal of post-communist legislatures. The process of institutionalization of legislatures, however, can lead in many directions. The communist era legislatures themselves were highly institutionalized at a very low level of activity. If, when, and how democratic legislatures develop, how they become stable and work-oriented bodies, and how they build upon and contribute to the

process of democratic system consolidation, are the major theoretical questions which the initial and now the second decade of post-communist parliaments encourage us to consider.

There is a simultaneous set of major national status changes in state and parliament to be considered. On one hand, new countries have emerged from communist collapse, with the result that the communist-era legislatures have been elevated from provincial to nation-state levels of responsibility. They have experienced a double transition, from communism to democracy, and from provincial to national status (Olson 1998).

On the other hand, both the new and existing nation-state legislatures are being supplanted by the European Union in selected sectors of public policy. The desire of Central European states to enter the European Union (and also NATO) has led to strong international influences upon the internal development of each nation, as indicated in our EU chapters (Zajc, and Kolar and Syllova). Our chapter on European MPs (Wessels) suggests that research attention to these developments will be as important for the existing as well as for the new member states and their parliaments (Norton 1995).

## **Next research steps**

**T**he newly democratized parliaments which have emerged since the demise of Communist rule raise anew, in a distinctive time and setting, the perennial questions of legislative research and analysis. Legislative research around the world is experiencing both rapid growth and change. The theories and methods of one period are supplanted by those of succeeding periods, in reaction to both the internal dynamic of the research enterprise and to the external events which we attempt to chronicle and understand (Shepsle 2002). The wide variety of legislative research in this volume reflects a decade of concentrated and internationally collaborative research stimulated by the collapse of communism.

Post-communist nations and their parliaments provide a type of natural field experiment: within a common region and with a common recent history, more than a dozen nations have experienced an authoritarian system transition. Their transitions were not similar. Neither are their present circumstances, which vary from consolidated democracy to renascent authoritarianism. These circumstances present the opportunity for both intensive intra-regional and extensive cross-regional comparisons as well as single parliament research through time. This set of new parliaments presents the opportunity to test old theories in new settings to develop new research strategies and new understandings of the structure and functioning of legislative institutions in changing political systems and societies.

The main opportunity presented by post-communist parliaments to comparative legislative research is that their origins are occurring before our very eyes. We may interview and observe the participants, we may obtain their reactions to and comments upon our research, and we can obtain and archive often-fugitive documentary records. Their beginnings are now.

*Below we consider five major topics for research in the new post-communist parliaments, through both comparative and single parliament research designs.*

## **Major topics**

Data from post-communist parliaments in their early decades are uniquely suited to the examination of five major topics of legislative research: the members, internal structures, relationships with the executive, the electoral-constituency nexus, and constitutional structures.

*Membership.* Where do members come from, and where do they go? What are the consequences for parliament and for the wider political system of personnel movements into and out of parliament? What career patterns emerge, how, and over what period of time? How do developing legislatures attract the type of personnel who have the aspirations and skills to help those bodies develop their full potential?

*Internal structure of committees and parliamentary party groups.* How does work get done? How are decisions made? If committees are the repository of policy expertise in established parliaments, and parties the organization of power, how do both types of internal structures get established in new parliaments, and how do they relate to each other? What are the interaction effects with both membership (above) and executives and constituencies (below)?

*Legislative-executive relations.* How do both governments and parliaments become sufficiently organized to make policy recommendations and to make authoritative decisions? Do governments tend to dominate legislative decisions through party control over committees, or do parliaments develop both internal policy competence and external autonomy? How do these relationships develop and perhaps change over time?

*The election-constituency nexus.* To what extent, and how, are electoral choices related to policy decisions? What impacts do different election and district systems have upon membership, legislative-executive interaction, and the party-committee relationship within parliament? How does a sense of constituency develop?

*The constitutional structure.* How do variations in constitutional provisions for presidents and cabinets affect how parliaments act and develop, especially under the unique features of post-communist constitutions, societies and policy needs? We need to know how formal rules are adopted, and once in place, what informal behaviors occur within the constitutional structure?

Post-communist parliaments, as do those elsewhere, vary both in their internal attributes such as degrees of party volatility, extent of incumbency, and stability of committee system, and in their external relationships with executive and electorate. Each of the variables discussed in this chapter could be examined in a multi-parliament design. Any one or combination of variables would be suitable as either independent or dependent variables, to examine the interactive relationships between parliaments and their environments.

We have a dual research opportunity: one is to continue to carefully chronicle events and assemble basic data on all aspects of parliamentary existence and

life in each country; the other is to begin careful comparisons with other parliaments and through successive time periods. We discuss comparative research strategies first.

## Comparative research

**R**esearch on post-communist parliaments can be conducted on any of the above topics with five different sets of parliaments.

*Within Central Europe.* Comparisons among the post-communist parliaments of Central Europe address questions of the many variations of structure and procedure among them. Comparisons likewise permit examination of broader topics of variations in current social and economic attributes (Grzymala-Busse 2002; Olson and Crowther 2002).

*Varieties of communist experiences.* The very different kinds of post-communist political systems suggest a rich source of comparative studies. The “communist legacy” often explored in Central European studies is very different for the ex-Soviet or ex-Yugoslav states (Remington 1994). In this respect, the Baltic states are a unique subset of countries and parliaments (Ostrow 2000).

*New and established democracies.* Post-communist parliaments can be compared to established western European parliaments. Though western parliaments differ among themselves in many respects, they as a group provide the main empirical measures of stable, consolidated democratic parliaments to which new post-communist parliaments in their second decade can be compared (Döring 1995; Beyme 2000). Though the post-communist parliaments in their first decade rapidly adopted the structural features of their western counterparts, they are also developing unique ways of making those structures work and of interacting with chief executives (Haggard and McCubbins 2001, Olson and Crowther 2002). The new parliaments are not only imitators of the west but are innovators.

*Varieties of post-authoritarian Parliaments.* Other new parliaments provide beginning experience comparisons in other regions and at earlier times. There are differences in types of authoritarian systems and in the timing and dynamics of post-authoritarian transitions (Linz and Stepan 1996). The post-dictatorship parliaments of Latin America and the post-colonial parliaments of Africa would be suitable for this type of comparative research (Pridham and Lewis 1996; Morgenstern and Nacif 2002). What types of parliaments, and what types of political systems, develop in the wake of military, colonial, and single party, rule?

*Intermediate Stage Parliaments.* An undefined period of time between the status of “beginning” and the designation of “established” characterizes the parliaments of Southern Europe (Leston-Bandeira 2003). As the new parliaments of former Communist countries now in the middle of their second decade, develop within, and adjust to, their consolidating political systems, we have the direct opportunity of comparing dynamics, structures and processes in the two distinctive sets of Central and Southern European parliaments, each at different stages of early growth and adaptation.

Research quality evidence on the first decades of existing democratic parliaments would be most helpful in each type of comparison, and illustrate the critical importance for future research of providing basic and systematic data on the current post-communist parliaments in their early decades.

## Single-parliament research

In addition to comparisons among two or more parliaments, there is need for intensive research on each single parliament, with comparison through successive election-term sequences in the first two decades. Three examples will illustrate the range of topics and methods suitable for cross-term analysis within any one parliament:

*Case studies.* Studies of parliaments in action are largely missing from the extant research literature. As illustrated by our chapter on the Czech Parliament (Mansfeldova), economic policy (or any other topic) could be used to trace structures and members in action. Economic policy has also been used in cross-regional comparisons (Haggard and McCubbins 2001; Olson and Mezey 1991). Legislation in response to EU directives are a rich source of comparative case studies as well (Ruus 2002). Most comparative policy oriented studies in established democracies are based upon comparisons among single country and single episode case studies.

*Legislative voting:* Floor and committee votes are an important, if elusive, source of evidence concerning both party cohesion and legislative-executive relationships. Both party cohesion and alignments, as indicated in our Czech paper (Linek and Rakusanova) can vary considerably over time within the initial decade. Given the highly variable party systems within any one country, legislative vote analysis, if difficult to calibrate across parliaments, is particularly well suited for cross-time comparisons within any one parliament.

*Members.* As the final example of single parliament research, data about the members require intensive country-specific evidence. Not only do we need to know their recruitment patterns, but we also need to know their within-parliament career paths and their post-parliament careers. If there is a nascent career opportunity structure within each country, is there also one developing within the parliament? Career structures are difficult to examine comparatively, until there is a firm basis of knowledge of what are patterns are (or are becoming) within each country and its parliament.

These three examples illustrate the range of topics which can be examined, and the variety of data needed, through research on any one parliament, with special attention to comparisons through the several successive cycles of parliamentary elections and terms of office (Karpowicz and Wesolowski 2002).

## Beginnings and beyond

Inherent in all of these research possibilities (there are many others as well), the key dynamic which can be examined in the post-communist set of newly democratized parliaments concerns change over time in their initial stages.

Once an authoritarian system transition begins, how do new institutions change through successive experiences of election and office? All parliaments adapt and change (Copeland and Patterson 1994). The processes of adaptation and change, however, are more visible and more rapid in new parliaments than in older ones, and more easily measured and assessed with a set of new parliaments than if we had only one or two examples of newness and adaptation.

The relative newness and instability of the whole governmental structure, and the relative weakness of both external political parties and interest groups, provide legislators with more personal choices than customarily found in established democratic parliaments. Members of new legislatures appear to face fewer structured constraints upon their personal behaviors and votes than do members in more established legislative bodies. What constraints emerge, and how do legislators and legislatures learn to adapt?

**In the second decade, the main question for research is how the dynamics and behaviors of post-communist parliaments relate to their beginning experiences in the first decade.**

Across the several cycles of election and terms of office, how and what do institutions and members learn about the possibilities for thought and action available to them within parliament and in the context of the differing political systems and of different paths of post-communist transition?

**The question we ask of post-communist parliaments in their initial two decades is: what is the logic of these institutional and human developments through time?**

The Research Committee of Legislative Specialists of the International Political Science Association is proud to have actively encouraged post-communist parliamentary research from the very beginning. The RCLS is likewise pleased to have acted as co-sponsor of the Prague 2003 conference which this book reports. This chapter, stimulated by the conference, includes a variety of additional perspectives and suggestions generated through several rounds of drafts and reviews: William Crowther, Louise Davidson-Schmich, John Owens, Thomas Remington, Paul Rundquist, and Woldzimierz Wesolowski. I greatly appreciate their thoughts, suggestions, and good cheer.

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## **Members of the German Bundestag in Perspective: Recruitment, Representation, and European Integration across Time and Countries**

*Bernhard Wessels*

Three topics re-occur regularly in the debates about politics and parliament in Germany: first, the quality of politicians, second, the crisis of representation, and third, the decline of the role of parliament in policy-making. Using surveys among members of the German Bundestag of 1988/89, 1996, and 2003, the first topic is dealt with by investigating the quality of recruitment, the second by looking into the role orientations, policy-representation and contact patterns of MPs, and the third by reviewing the evaluations of EU democracy and views of the future political order by members of the German Bundestag. To put German MPs in place, results are compared to an international comparative survey among parliamentarians. Results show a surprisingly high stability through time as well as high congruence among West European parliaments. Recruitment is characterized by increasing professionalization of politics, representation does not face crisis in substantive terms, but the internationalization of governance due to European integration seems to be a real challenge for national parliaments.

## **The Politics between Parliament and Government – the Institutional Framework and the Reality within the Czech Parliament**

*Zdenka Mansfeldová*

Accountability is a problem in every democracy, and particularly in countries currently building a democratic system and market economy. The paper analyses the policy between parliament and government in connection with the problem of responsibility and accountability in the Czech Republic. Special attention is paid to the institutions that are accountable to the Chamber of Deputies of the Czech Parliament in the area of economy. Not only the institutional arrangement, but also the political practice and real interaction between the government and the parliament and its evaluation by deputies are examined.

## **Parliaments of Central and Eastern European Candidate Countries and the EU Enlargement**

*Jindřiška Syllová, Petr Kolář*

As well as the other nine candidate states, the Czech Republic has undergone the process of preparation to access the EU. The process has brought considerable institutional and procedural changes in both chambers of the Czech Parliament. The goal of the chapter is to identify the most important institutional

changes, including changes in the course of the legislative process and changes in the Parliament's control over the government in the field of „European“ activities. In this context, the chapter also deals with the power of the „European“ Parliamentary Committees of the candidate countries as well as the establishment of new forms of scrutiny.

## **Changing Functions of National Parliaments**

*Drago Zajc*

**T**he process of globalization and internationalization has influenced profoundly the process of institutionalization of the EU. These changes have deeply affected the position and role of national parliaments of the member countries. Their traditional functions - providing legitimacy, legislative, control of the government or education of the citizens were reshaped and divided between the national parliament and the EU institutions. In this process the loss of some functions may have been compensated for by strengthening the others, especially by the control of the government. While controlling their governments when they participate in the decision-making at the level of the EU, they may take part in the shaping of common EU decisions. While the parliaments of the old member states have had some time to accommodate in the new EU parliamentary climate, the new democratic parliaments of the ECE new entrant states are not yet fully prepared to these changes, they may have sufficient 'institutional capacity' but lack 'cultural capacity'. It is also important that parliaments of the new entrant states form special bodies or think tanks for dealing continuously with EU issues of importance.

## **Measuring and Comparing the Powers of Legislatures**

*Edward Schneider*

**O**ne of the more serious, yet often overlooked problems in the comparative study of legislatures arises out of the very different roles that seemingly comparable institutions play in different systems. While most scholars acknowledge the differences between legislatures in parliamentary as compared with presidential systems, and few include, say, the National People's Congress of China with more fully "legislative" bodies, it is all too easy to equate institutions that perhaps should not be. This paper represents a very crude, almost whimsical, attempt to use the legislatures analyzed in this volume as a lens for examining the key parameters of such comparison. Using largely formal criteria of power-ranking, the indicators developed here do not coincide very well with scholarly evaluations: Moldavia, to give one clear example, emerges here as having a far stronger legislature than close observers would suggest. As with most formal models, deviations from the ideal type can be as revealing as those that fit; my hope is largely to stimulate thought and discussion of the kinds of questions we should be asking on a broadly comparative basis of what makes legislatures strong.

## **Party and Committee: Intersecting Structures in Post-Communist Parliaments**

*David M. Olson*

**A**s the critical internal working organs of legislatures, permanent committees and party groups with different tasks and different principles of organization are closely linked to one another. The new post-communist democratic parliaments permit us to examine these internal structures at their beginning and subsequent stages over time. In the early years, neither party nor committee structures were clear or stable. Parliamentary party groups developed first, while a variety of committee structures were improvised. Both sets of internal organs have since been reorganized through rules changes, with the result that, though parties often remain in flux, the committee system has come to provide structural continuity. The post-communist democratic parliaments appear to be evolving toward the west European model of “mutual dependence” of party group and committee.

## **The More Parties Vote and the Bigger Their Majority Is, the Less United They Are**

*Lukáš Linek, Petra Rakušanová*

**T**he contribution aims to explain the voting unity in the Chamber of Deputies of the Parliament of the Czech Republic building upon data from the years 1998–2002. Upon introduction of basic terminology and theoretical framework used in literature on the behavior of parties in the parliament, the article presents basic institutional rules which should lead to the unity of political parties in the Czech Parliament and then data measuring the unity of Czech parliamentary party groups. The initial presupposition that institutional factors found within the parliament and political parties will result in an increased unity of PPGs in the Czech Republic has not been confirmed. Even though institutional incentives are similar to those in Western European countries, they do not secure the same level of voting unity within PPGs. In the end, we found the reason for the relatively lower party unity in the size of voting coalitions that approved individual bills.

## **Cabinet Stability in Post-Communist Democratic Legislature**

*Nikolenyi Csaba*

**T**his chapter examines the effect of the presence of dominant and central players on the durability of post-election cabinets in post-communist democratic legislatures. The chapter provides a three-fold typology of legislatures: those without a dominant party; those where a dominant party is also central in terms of its ideological location; and those where the dominant party is not central. The central finding is that the most favourable conditions for executive stability in the democratic legislatures of East Central Europe are provided by those parliaments where the central party is also dominant in terms of its bargaining power.

## **Party Unity in German Parliaments**

*Werner Patzelt*

## **Moldovan Legislative Elites in Transition**

*William Crowther*

**T**his chapter examines the process of legislative institutionalization in the Republic of Moldova. The analysis is based on member biographies from four the four post-communist legislative sessions of the Moldovan parliament (1990, 1994, 1998, and 2000). These data are employed to determine to pattern of change in membership across the first post communist decade. The analysis focuses on the influence of incumbency, ethnicity, gender, legislative leadership, and professional experience. It is argued that as a consequence of Moldova's extremely volatile political environment little progress has been made in the direction of developing either a professionalized core of MPs, or an experienced institutional leadership. Furthermore, lack of legislative development has been a central factor in the pattern of poor governance that has impeded democratization efforts in the republic.

## **Recruitment of the Parliamentary Elite in the Course of the Nineties**

*Adéla Seidlová*

**T**o verify one of the elite circulation theses, the author concentrates on following components of the elite recruitment model: recruitment base, recruitment pattern and parliamentary elite. All components were compared for MPs of Czech National Council from 1986 and MPs elected during the 1990's to the Chamber of Deputies. The possibility that "new person" enters highest echelons of politics is rather rare. Simultaneously there is an obvious trend towards professionalization – there is a growing number of MPs experienced on the highest – national level. Following conclusions are accepted: 1) the recruitment base of the Czech parliamentary elite during the 1990's differs from the recruitment base during the 1970's and 1980's; 2) recruitment pattern of the Czech parliamentary elite during the 1990's significantly differs from the recruitment base during the 1970's and 1980's and 3) parliamentary elite in the 1990's is similarly to its recruitment base both physically and structurally different from parliamentary elite during the 1970's and 1980's.

## **Career Patterns and Career Preferences of Romanian MPs**

*Stefan Laurentiu*

**T**his chapter is an investigation into the career patterns and career preferences of Romanian MPs. The objective is to acquire a better perspective on the position of the parliamentary mandate in the informal structure of opportunities. The study is based on public information and a specially-designed parliamentary survey. First, all the instances of MPs resigning from Parliament since

1990 are analyzed. The major finding is that, over time, significant percentages of MPs abandon the parliamentary mandate to take over other public offices. Second, the inquiry shifts the focus to the potential of current MPs to abandon their seats and on their hierarchy of preferred offices. For almost a third of the current MPs, the legislative office(s) does not come on top, as initially expected, being outranked by executive offices at the local and national level. These findings could partially explain the high rate of turnover and the low quality of the legislative output.

### **The Central Core in the Hungarian Parliament**

*András Schwarcz*

**P**olitical consolidation in Hungary has started in every area. The hypothesis of this paper is that for the parliamentary elite this process will come to an end by the 2002-2006 legislative term. After the disappearance of the MPs unable or unwilling to cope with the work and style of the democratically elected Hungarian parliaments a rather stable central core has emerged. This central core can be divided into two major groups: the MPs that have been serving since the first democratic elections are termed the *core group*, while those serving their third consecutive term are the *new elite*. These two groups, especially the first one, differ significantly from the average MPs in most of their sociological and political characteristics and are present in most of the leadership of the parties, the parliament, and the government. A third important group is that of the *returnees*. The politicians who missed a term have attributes between those of the central core and the rest of the MPs. The existence of these groups shows that there is a level of consolidation among the members of the Hungarian parliament.





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