

Introduction. Democratic Transition and Transformation

EUP406 Czech Politics

Outline

1. A short overview of the history of Czech Politics
2. The fall of communism
3. Democratic transition and transformation
4. The end of Czechoslovakia

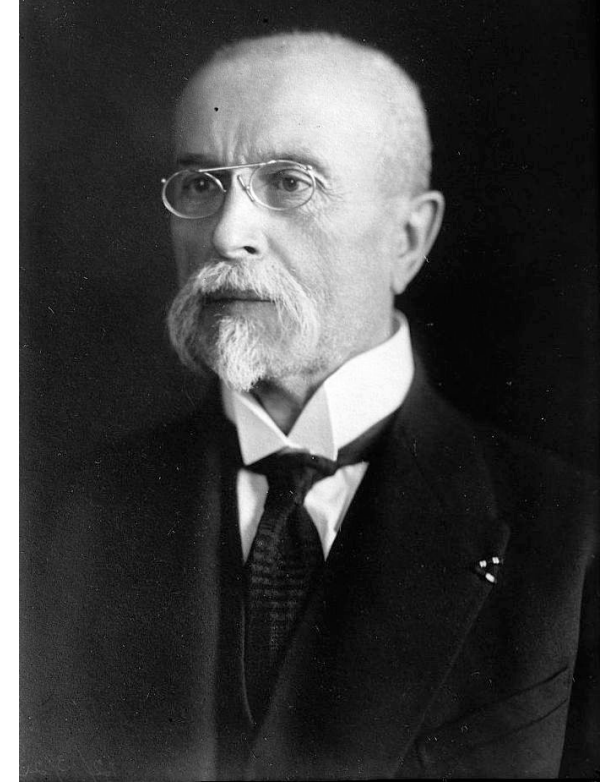
A short political history of the Czech Lands



- Czech nationalism in the 19th century Habsburg empire – Czech National Renaissance
- Politics of „passive resistance“
- The National Theatre, Czech language (Josef Dobrovský, František Palacký, Božena Němcová, ...)
- Unsuccessful fight for autonomy in a quite liberal multinational monarchy
- Establishment of the first political parties (*Young Czechs*,

The First Republic (1918 – 1938)

- One of the newly-born states after WWI (Pittsburgh Declaration)
- October 28 – Declaration of Czechoslovak Independence
- The „Czechoslovak nation“
- Multiethnic state
- Presidents of Czechoslovakia
- A democratic and economically successful exception of the interwar Central and Eastern Europe
- Democratic backslide since the second half of the 1930s – the Second Republic (1938 – 1939) and the Protectorate of Bohemia and Moravia (1939 – 1945)



Czechoslovak Communism

- Third Republic (1945 – 1948) and the „Victorious February“
- Totalitarian regime – the leading ideology, political monism, control of security forces, terror
- The position of the President preserved
- Gradual liberalization in the 1960 (Prague Spring of 1968) led to „normalization“
- Frozen posttotalitarian regime based on the tacit „social contract“



Roots of the transition

The change of the 1980s

The economy:

- Worsening of economic conditions (supply of even basic things)
- Breaking of the social contract

International context:

- *Perestroika* and *glasnost* in the USSR
- Emergence of opposition in the neighbouring countries (Solidarność)

Internal opposition

- Strengthening of the opposition and transformation of its goals
- Catholic demonstration in Velehrad in 1985 (200.000 people), the candle demonstration in Bratislava



The trigger

The 17th November 1989

- A student demonstration on the 50th anniversary of students' oppression during the Nazi occupation – approved by the regime
- Turned into an anti-regime rally
- A violent conflict between the students and the riot police
- Rumours about a death of a student (conspiracy theories) escalated the situation
- Public unrest and new demonstration
- The drama of Velvet Revolution started



Actors

The Party

- The unreformed party – intraparty gerontocracy
- Milouš Jakeš - as "the sole picket in a fence" (Jako kůl v plotě)
- The lack of "liberal" reformers willing and able to take over power
- Completely surprised by the situation
- Unable to react (the People's Militia)
- Quick disintegration of the National Front (Christian Democrats, the Czechoslovak Socialist Party)

The opposition



- Student demonstrations activated the dissent
- Joined by artists, philosophers
- The leading role of the Charta 77 with Václav Havel as the leader
- November 19 – the Civic Forum established
 - Broad *anti-regime* movement – Charta 77, catholic dissent, neoliberal economists, reform communists
 - Grassroot movement – hundreds of branches
 - Turned into the main opposition platform
 - Careful attitude, lack of experience
- Roundtable talks

While it took 1000 days in
Poland, 100 days in Hungary, it
took 10 days in Czechoslovakia.

T. G. Ash

The process of transition

- Quick resignation of the old cadres (Jakeš, Lenárt, Biřák, řtěpán, ...)
- KSČ pulled by the situation, ready to relinquish power
- OF – aim to "controll" the government, not to take over it
- Party – opposition talks: 15 + 5 government rejected by the public
- A change of the strategy of OF + the emergence of M. Čalfa as the new leader-in-talks of KSČ
- A new government led by Čalfa appointed – resignation of President Husák
- December 29 – Václav Havel elected unianimously the President of the Country by the Federal Assembly – the first period of transition completed

Political changes

- Renewal of political pluralism (small and big laws political parties) – acknowledgment of the existence of several political parties including KSC̣ (see also later)
- Constitutional changes – free mandate instead of the imperative one, abolition of the leading role of the Communist party and the Marxist-Leninist ideology, co-option of MPs on federal, state and local levels, proportional representation introduced
- Fair and free elections arranged – the referendum about the change

The 1990 election

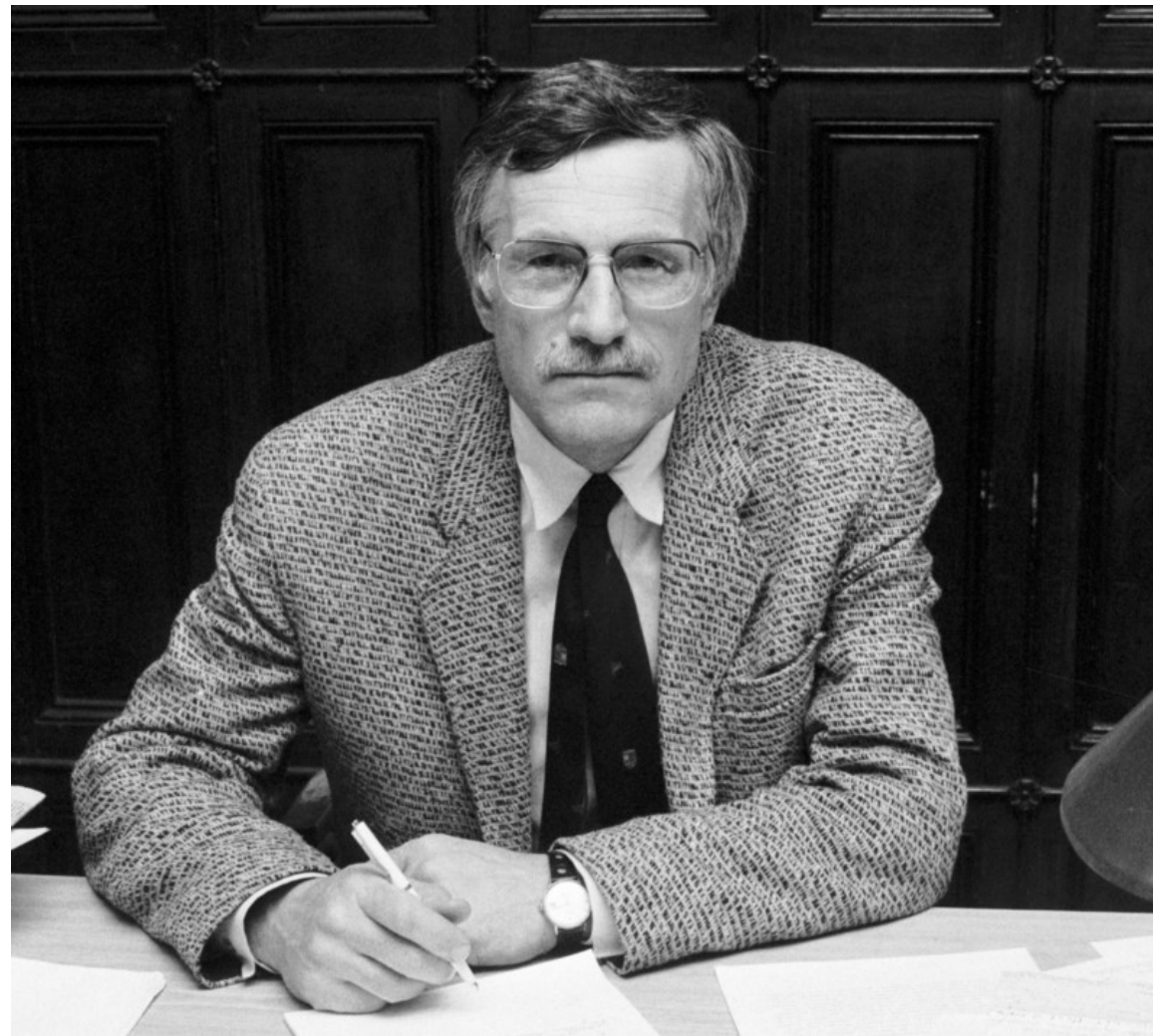
- Landslide victory for the Civic Forum (50 % of votes, 96 % turnout)
- Other parties also successful – Christian Democrats, Moravian regionalists and...
- ...the Communist Party of Czechoslovakia (13% of votes)
- A new government of OF, VPN (Slovakia), Slovak Christian Democrats and the Moravian Movement formed with Čalfa as the Prime Minister

Two Václavs and two approaches to politics

Václav Havel



Václav Klaus



Decommunization (and the fate of the Communist Party)

What to do with the communists?

- Strong public demand to abolish the Party X the result

Reasons:

- The history – generally leftist public (although not necessarily communist)
- KSČ led by pragmaticians (a deal with Havel?)
- Havel's approach – rejection of of strong punishment
- The notion of the legal continuity
- The transition process – legitimation of the Communist Party confirmed by the election
- *Contradictio ad excludendum*

Decommunization

- Law on Restitution of the Property of the Communist Party to the Czechoslovak people
- Lustration laws – forbidding access of former communists and secret police members (collaborators) to positions in public administration
- Law on Crimes of Communism
- The Institute for the Study of Totalitarian Regimes (including the period of the communist rule)
- But also continuity (justice system, administration, economy,...)
- Anti-communism and evolution of the party system

The economic transformation

- Conflict of paradigms (gradualists vs radicals)
- The Czech Republic vs Slovakia
- The radicals won (Václav Klaus) – introduction of reforms inspired by neoliberalism including widespread privatization and liberalization of the economy
- The breeding ground of the later conflict between the losers and the winners of transition + conflict of Czechs and Slovaks

The end of Czechoslovakia

- Historical experience (A-H monarchy, First Republic, Communist rule)
- the lack of strong Czechoslovak identity
- separated party systems
- Religious differences
- economy
- Hyphen – war, several rounds of negotiations
- non-functional federal polity
- August 1992 – Declaration of Independence
- 1993 – the emergence of the independent Czech R. And Slovakia – one of the most peaceful ends of multiethnic states in the history

Discussion

- Rich history of democracy and undemocratic backlashes
- History and context matters
- Czech exceptionalism (Roberts)
- Smooth transition to liberal democracy after the fall of communism

Czech Parliamentarism

Political system of the new state

- Passed in December 1992 (intensive discussions)
- Unitary state (Moravist movement)
- Inspiration by the First Republic but also by USA, France...
- Basic principles:
 - Democracy
 - Republicanism
 - Stress on human rights (the Charter of Basic Rights and Freedoms)
 - Parliamentary democracy
 - Key role of political parties
- Duality of institutions (dynamic vs stable ones)

Bicameralism

- The Chamber of Deputies and the Senate
- Inspiration by the First Republic
- Senate as a stabilization institution
- Dominant role of the Chamber of Deputies
 - Legislation procedure (state budget)
 - Relationship towards the government
 - (election of the President)



Chamber of Deputies

- 200 MPs elected for a 4-year term using the „*principle* of proportional representation“
- Established in 1993 by transformation of the Czech National Council
- Organized by resort-oriented committees
- Party groups (at least 10 MPs)
- Can be dissolved under strictly defined circumstances
- Control power via the government (investiture vote, vote of no-confidence, questioning...)

Senate

- 81 senators elected for 6 years (1/3 each two years) by a majoritarian system
- At least 40 years – „the chamber of wise men“
- Established not earlier than in 1996
- Struggling with legitimacy (electoral turnout around 15 %)
- Not a clear position in the political system
- Important competencies – legislature, approval of constitutional judges, involved in the process of impeachment of the President
- Cannot be dissolved

Legislation procedure

- Legislative initiative
- 3 readings in the Chamber of Deputies
- Senate – approval, rejection, amendments, neglection (30 days)
- Chamber of Deputies (majority of all MPs)
- President – 15 days for signature, veto – Chamber of Deputies (majority of all MPs)
- Special position of Constitutional Laws, elections laws, state budget

Other competencies

- Approval of the government (more later)
- Approval of judges of the Constitutional Court (Senate)
- Election (ChoD) and nomination of the Ombudsman and her deputy

Executive

The President

- Directly elected for five years (two consecutive terms allowed)
- Formally rather weak but strong informal authority (history, Prague Castle, Presidents elected)
- Head of the State with representative function
- Appoints and dismiss members of the cabinet (see also later), members of the National Bank and of the Constitutional Court, judges
- Foreign policy
- Rather limited role in the legislative process, suspensive veto of ordinary bills
- Dissolves the ChoD
- Has the right to issue amnesty



CR towards semi-presidentialism?

- Direct election as a stronger source of legitimacy
 - Historical legacy
 - Strong persons willing to go beyond written constitution (ministerial appointments and dismissals, cabinet formation)
 - The case of Rusnok cabinet
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- Mixture of institutional setting + willingness to get power + context of the party system

The government

- Collective body appointed by the President but responsible to the Chamber of Deputies
- investiture vote X vote of confidence
- Headed by the Prime Minister (Primus inter Pares)
- Crucial role of political parties
- Low stability (694 days on average), often minority cabinets: reasons (anti-system parties, electoral system, personal animosities, intra-party cohesion)

Judiciary

- Four levels of the system of courts (counties, regions, 2 Upper Courts and the Supreme Court)

Supreme Administrative Court

Constitutional Court

- Protection of constitutional rights
- Can repeal laws
- 15 judges proposed by the President and approved by the Senate (10 years, 1 renewable term)

Conclusion

- The Czech Republic as a parliamentary democracy
- Assembly parliamentarism (Sartori)
- Asymmetrical bicameralism
- Real functioning strongly influenced by the party system (weak governments – more in lectures on executive and party politics)
- Concurrent locus of power in the Prague Castle
- Discussions over reforms (the Senate, number of MPs, electoral system...)
- Strong position of the Constitutional Court