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IV. CONCLUSION

Two Decades of Divergent Post-Communist Parliamentary Development

DAVID M. OLSON* and GABRIELLA ILONSZKI

Post-communist parliaments have become increasingly different from one another over their first two decades. This two decade review considers seven parliaments: four in Central Europe (Czech Republic, Hungary, Poland and Slovenia) and three in the former USSR (Moldova, Russia, and Ukraine). They have evolved over four dimensions of change: context of constitution and party system, rules and organisation, members, and civil society. At the end of the second decade, parliaments may be placed on two dimensions, of autonomy from the executive, and of party polarisation. Three background factors of transitions, legacies of communist era legislatures, and of international contacts are identified as sources of their divergent trends.

Keywords: post-communist legislatures; parliamentary contexts; legacies of communist legislatures; parliament-executive relations; parliamentary structure and rules.

Over the initial two decades of post-communist states, there has been a considerable differentiation among their parliaments. At the end of the first decade, the two main types of parliaments were the stable democratic parliaments and the conflicted parliaments. This differentiation coincided with their regional locations in Central Europe and the former Soviet Union (Olson and Norton 2008). This two decade review considers seven parliaments: four in Central Europe (Czech Republic, Hungary, Poland and Slovenia) and three in the former USSR (Moldova, Russia, Ukraine).

Post-communist parliaments have evolved through four dimensions of change, constituting a complex set of interactions over two decades: context, rules and organisation, members, and civil society. Though we discuss each in turn, they together constitute an interactive whole, which keeps changing. The rate of interactive changes has been especially high in the initial decade, but has continued into the second as well. Parliaments, at the end of the second decade, are placed on two dimensions of autonomy from the executive and of party polarisation. Three background factors can be identified as leading to the divergent trends among them.

Shaping the Contexts: The Intersection of Executive–Parliament Relationships and Party Systems

The political systems of post-communist countries began with communist constitutions and party systems at the time of communist system collapse. The one feature of all communist constitutions which could easily be changed was elimination of the ‘leading role’ of the Communist Party clause. Also easily removed were restrictions on candidacy nominations and on party formation in both the electorate and in parliament itself. Beyond these two elemental preliminary steps to open political space for electoral competition, nothing was settled about either the basic relationships between parliament and executive or the party system.

The initial elections were to undefined offices by undefined participants. For newly elected MPs, one of their responsibilities was to define their own office and the relationship between parliament and executive, and in so doing, to begin also to create their party system (Elster 1993). For countries emerging from collapsed federations, their additional task was to define their sovereign status in the international community.

Legislative–Executive Relationships

While the constitutions define the legislative–executive relationship in mixtures of presidential, semi-presidential, and parliamentary forms, their practices evolve through interaction with the emerging party system. The experience of post-communist parliaments is especially relevant to the argument that a semi-presidentialist constitution threatens democratic stability in new democracies (Garlicki 1997, Stepan and Skach 1993, Fisher 1996, Linz and Stepan 1996, pp. 176–183, Elgie 2004, 2008). The very different outcomes at the end of the second decade suggest that constitutional forms in many variations do not, by themselves, lead to either democratic or non-democratic practices.

The working relationships between parliament and the executive have several dimensions, in part depending upon the structure of the executive as parliament based or external as president, but in either case it also includes interactions with ministers, ministries, and a panoply of administrative offices. This review concentrates on parliaments in government formation and on legislation.

Governments in the four Central European parliaments have been formed in parliament, reflecting party strengths in elections. In each, governments of one party, or coalition of parties, have been replaced by other parties or coalitions, often in successive elections. Each parliament has experienced minority as well as majority government, while the Czechs have had a caretaker government lasting a year (Zubek, this issue, Table 1). Their duration has been subject to splits, both within government coalitions and within government parties.

Government formation in the post-Soviet states, by contrast, has been subject to the vicissitudes of protracted conflict over constitutional authority and political power in both government and parliament. While presidential authority over

Table 1: Government Bills Introduced and Passed: Four Post-Communist Parliaments, Two Terms 1998–2008

Parliament	Total Number Bills			Government Bills				Government Success Rate
	Introduced		Passed	Introduced		Passed		Government Bills Passed
	<i>N</i>	<i>N</i>	%	<i>N</i>	% of all	<i>N</i>	% of all	%
Czech Republic	1775	1215	68.45	1260	70.99	1022	84.12	81.11
Hungary	1759	995	56.57	962	54.69	867	87.14	90.12
Poland	2180	1546	70.92	1360	62.39	1179	76.26	86.69
Slovenia	1457	1238	84.97	1253	86.00	1196	96.61	95.45

Source: Zubek (this issue, Figure 1).

government cabinets in Russia has been stable in the second decade, government status has varied considerably in both Ukraine and Moldova. Towards the end of the first decade, for example, President Kuchma's decree subordinated the government to the president, and, under the 'Law on State Power' adopted by the Rada, the president could appoint the prime minister and Cabinet without legislative consent (Crowther, this issue).

Over a two-term period, roughly 1998–2004, each of the four democratic parliaments considered roughly 2000 bills, of which approximately 1200 were enacted (Table 1). Governments introduced from 55 per cent (Hungary) to 86 per cent (Slovenia) of all bills, while government bills constituted from 76 per cent (Poland) to a high of 97 per cent (Slovenia) of all adopted bills. A minimum of 80 per cent of government bills were adopted (Czech Republic), while in Slovenia, 95 per cent of government bills were adopted.

The rates of government bill introductions and enactments increased rapidly through the early terms. The parliaments vary consistently, however, in the sheer number of bills introduced and passed over the two decades (Olson and Norton 2008, p. 170). Government bills are a higher proportion of all bills introduced than in four western European parliaments, while government bill success rates are more variable in the western parliaments than in the Central European parliaments (Bräuninger and Debus 2009, pp. 819–820) and in parliamentary systems in the post-War period (Cheibub *et al.* 2004). The increase in government bill introduction and enactment rates in Central European parliaments follow the same pattern in Spain and Portugal through their second decade as well (Leston-Bandeira 2004).

These bill numbers show not only busy parliaments, but also busy governments. A constant complaint by members is that government bills are poorly prepared and are often late. Governments themselves, not only parliaments, have had to develop internal procedures and working structures to prepare draft legislation

(Kopecký 2007, pp. 154–155). A recent theme emphasises the importance of the ‘core executive’ to exercise central control within government as a means of obtaining parliamentary approval, without delay, of government legislation (Goetz and Wollmann 2001).

The rules of parliament have also been shaped to enable the government parties not only to favour government bills but also to discourage opposition bills. Zubek (this issue) shows the resulting increasing success of governments in gaining parliamentary approval of their legislative proposals.

How to prepare and adopt legislation to meet EU schedules and standards (Mansfeldova, this issue, Fink-Hafner, this issue), has been a constant challenge for the four post-communist parliaments as both applicant, and then as new member, states of the EU.

The parliament’s legislative function for the new EU member states has been transformed in two ways. First, selected national policies have been shifted to the EU, thus removing the exclusive national jurisdiction of both governments and parliaments from those topics. Second, parliaments act more in an oversight capacity than in a legislative capacity in reviewing and advising on government negotiating positions in EU decisions. In response, both governments and parliaments have adapted new structures and procedures (Mansfeldova, this issue). Governments have developed internal legislative review councils, and parliaments have formed new European Union Affairs Committees, and Poland’s bicameral parliament experimented with a joint EU review committee, but only for one term.

Both government and parliament are developing new ways of interacting with each other in preparation for EU meetings. Parliaments can both help form government negotiating positions in advance of EU decisions, and review those decisions and government actions in the EU decision-making process. Often their interactions are both *ad hoc* and informal, especially in last-minute preparations for EU meetings on or immediately following weekends.

The constraints upon post-Soviet parliaments’ actions on legislation, by contrast, stem from conflicts over power and constitution. As Putin gained power in both constitution and party majority, his administration could informally discuss pending legislation with parliamentary deputies, thereby gaining approval in advance of formal proceedings (Remington 2008).

Clear ascendancy by Putin enabled the Duma to enact more legislation than previously, while continued conflict, both inter-branch and intra-party, in Ukraine brought legislative work to a halt (Crowther, this issue). The institutional fate of the parliament–executive relationship was more critical than the fate of legislation.

Neither budgetary review nor oversight of government administration has been emphasised in post-communist parliaments. Review of budgets has been perfunctory, though committees do examine budget requests (Mansfeldova and Rakušanová 2008), while only the Polish Sejm has developed specialised

means of reviewing the administration of government policy (Olson 2008, Remington 2008).

Elections, Parties and Party Systems: From Votes to Power

How the formal apparatus of power in constitutional text functions in practice varies with the party system (Linz 1997, Ágh 1998, pp. 139–170). The formal parliamentary system text of the Moldovan constitution, for example, is in practice a presidentially led system exercised through presidential leadership of the dominant political party (Roper 2008, Crowther, this issue).

Elections have a direct impact on the organisation and functioning of parliament through a multi-stage process. Each election system concentrates votes for many parties in elections into seats for a few parties in parliament (Loewenberg and Patterson 1979, pp. 97–105, Olson 1994, pp. 94–108). The vote concentration process only begins with elections; it continues beyond the election into parliament in the conversion of shares of votes into shares of power.

Electoral system rules and parliamentary rules taken together constitute a multi-stage single process to form a majority in parliament as an essential prerequisite to make decisions, either about government formation or policy questions. We measure the impact of these two sets of rules upon the emergence and development in the varied and variable systems of political parties over two decades.

Party systems are more concentrated at the end of two decades than in the beginning. The number of parties has declined steadily from the early to the later elections. At the end of the second decade, post-communist party systems range from the dispersed (Slovenia) to the concentrated (Hungary and Russia). These patterns, already developed by the end of the first decade, have, with variations, continued through the second.

Neither the number nor the concentration of parties alone, however, reflects polarisation or distance among the parties (Sartori 1976). From a political and parliamentary perspective, the level of polarisation indicates how they can cooperate either in legislation or in government formation. For example, the concentrated party system in Hungary is highly polarised which makes cooperation difficult and coalition formation uni-dimensional, while in Slovenia a dispersed but non-polarised party system (Enyedi and Casal Bertoa 2010) provides opportunities for coalition variance.

In Hungary, for example, 11 parties gained over 1.5 per cent of the vote in the first election in 1990, while only five did so in the 2006 election (Table 2). The effective number of electoral parties in the first election of 6.7 had declined steadily to 2.7 in the 2006 election. In Poland, the effective number of electoral parties declined from 13.8 in the 1991 Sejm election to 3.3 in the 2007 election.¹

Slovenia, and Poland until the 2007 election, have consistently had the highest effective number of parties in both elections and in parliament (Szczerbiak 2008). Russia, by contrast, has had the most dramatic decline: The effective number of electoral and parliamentary parties in the 1995 election, of 10.57 and 5.6, had declined in the 2007 election to 2.22 and 1.92, respectively.

Table 2: Electoral Filters: Number of Parties by Votes and Seats in Seven Post-Communist Parliaments, 1989–2010 by Term

Parliament	Terms								
	Pre	1	2	3	4	5	6	7	8
Central Europe:									
<i>Czech Republic</i>									
<i>N</i> Parties over 1.5% of Vote	1990	1992	1996	1998	2002	2006	2010		
<i>N</i> Parties over Threshold	8	15	9	8	6	6	9		
Eff. <i>N</i> elec. Parties	4	8	6	5	4	5	5		
<i>N</i> PPGs	3.5	7.3	5.3	4.7	4.8	3.9	6.59		
Eff. <i>N</i> PPGs	4	8	6	5	5	5	5		
	2.2	4.8	4.15	3.71	3.81	3.17	4.51		
<i>Hungary</i>									
<i>N</i> Parties over 1.5% of Vote		1990	1994	1998	2002	2006	2010		
<i>N</i> Parties over Threshold		11	10	8	6	5	5		
Eff. <i>N</i> elec. Parties		6	6	6	3	4	4		
<i>N</i> PPGs		6.7	5.5	4.5	2.8	2.7	2.86		
Eff. <i>N</i> PPGs		6	6	6	4	5	5		
		3.78	2.88	3.45	2.5	2.61	2.55		
<i>Poland</i>									
<i>N</i> Parties over 1.5% of Vote	1989	1991	1993	1997	2001	2005	2007		
<i>N</i> Parties over Threshold	–	13	15	9	8	9	5		
Eff. <i>N</i> elec. Parties	–	9	6	5	6	6	4		
<i>N</i> PPGs	–	13.8	9.8	3.5	4.5	5.9	3.3		
Eff. <i>N</i> PPGs	5	20	7	5	8	6	4		
	3.38	10.96	3.88	2.95	4.14	4.34	2.9		
<i>Slovenia</i>									
<i>N</i> Parties over 1.5% of Vote	1990	1992	1996	2000	2004	2008			
<i>N</i> Parties over Threshold	–	12	9	8	10	9			
Eff. <i>N</i> elec. Parties	–	8	7	8	7	7			
<i>N</i> PPGs	–	8.4	6.2	5.2	5.9	4.9			
Eff. <i>N</i> PPGs	11	9	8	9	8	8			
	9.70	6.59	5.52	4.85	4.89	4.42			

(Continued)

Table 2: Continued

Parliament	Terms								
	Pre	1	2	3	4	5	6	7	8
Post-Soviet:									
<i>Moldova</i>	1990	1994	1998	2001	2003	2005	2009a	2009b	2010
<i>N</i> Parties over 1.5% of Vote	–	8	10	10	6	7	8	7	7
<i>N</i> Parties over Threshold	–	4	4	3	4	3	4	5	4
Eff. <i>N</i> elec. Parties	–	3.9	5.7	3.5	2.01	3.27	3.43	3.7	3.74
<i>N</i> PPGs	6	4	4	3	4	3	4	5	4
Eff. <i>N</i> PPGs	3.37	2.62	3.43	1.85	2.01	2.31	2.45	3.32	3.23
<i>Russia</i>		1993	1995	1999	2003	2007			
<i>N</i> Parties over 1.5% of Vote		10	15	9	9	6			
<i>N</i> Parties over Threshold		8	4	6	4	4			
Eff. <i>N</i> elec. Parties		8.1	10.57	6.48	4.7	2.22			
<i>N</i> PPGs		11	7	9	4	4			
Eff. <i>N</i> PPG		9.2	5.6	8.1	2.01	1.92			
<i>Ukraine</i>	1990	1994	1998	2002	2006	2007			
<i>N</i> Parties over 1.5% of Vote	–	–	14	9	6	6			
<i>N</i> Parties over Threshold	–	–	8	6	5	5			
Eff. <i>N</i> elec. Parties	–	–	9.78	7.31	5.55	4.2			
<i>N</i> PPGs	–	9	8	6	5	5			
Eff. <i>N</i> PPGs	–	8.11	6.3	3.91	3.41	3.31			

Notes: Corrections from Olson and Norton 2008, Table 1 for: Czech Republic, *N* of parties over 1.5% and Effective *N* PPG term 3; Russia, *N* parties over 1.5% 1999, 2003. *EN* electoral parties 1993, 1995, 1999, 2003, *EN* PPG 1993, 1999; Hungary, *N* parties over threshold 1998, *N* PPGs 1990, 1994, 1996. ‘Pre’ is last election under old rules leading to system change.

Sources: University of North Carolina, Greensboro, Center for Legislative Studies, ‘The Initial Decade: Elections and Parliamentary Parties’ (<http://libres.uncg.edu/ir/listing.aspx?id=332>), updated from each country’s electoral commission and parliamentary website.

There has also been a progressive reduction in the number of political parties through five successive stages in any one election from votes to seats, also shown in Table 2. In each of the several elections over two decades, the number of parties usually declines from the election to party group formation in parliament. In the Czech Republic, for example, 15 parties and electoral slates obtained a minimum of 1.5 per cent in the 1992 election, while only eight parliamentary party groups were formed; the effective number of electoral parties was 7.3, while the effective number of parliamentary party groups was 4.8. The post-communist parliamentary elections show a greater decline in the number of parties through successive stages of any one election than is found at comparable times in western Europe (Birch 2001, p. 361, 2007).

The progressive concentration of the party system over two decades has occurred in spite of variations among countries and in spite of many changes in election system rules within any one country. While the communist election practice was to employ single member districts requiring a majority vote (except Hungary and Poland), most parliaments by the end of the second decade employ multi-member districts using proportional seat allocation systems (Luong 2000).

The three post-Soviet republics, and Slovenia as a post-Yugoslav Republic, have made the greatest electoral system changes, for the early democratic elections in each country were based upon the continuing practice of their former communist federations. Ukraine faced a particularly difficult hurdle in its first post-independence election in 1994, retaining the Soviet requirements of both a 50 per cent voter turnout for the election to be valid, and 50 per cent of the vote for a candidate to win (Birch 1995, Bach 1996, Wise and Brown 1996, Herron 2002).

Changes from the communist single member district system with majority voting to multi-member districts and proportional representation were made early in the parliamentary democratic countries. One reason was the expectation that communist leaders and party apparatus would be given advantage in single member districts in the sudden initial election. This argument was clearly discussed with respect to the debate about the Hungarian electoral system during the transition (Benoit and Schiemann 2001) which eventually concluded in a compromise to implement a mixed electoral system. On the other hand, there was no way of knowing which of the many non-communist electoral groupings and aspiring candidates would enter, much less win, in the early free elections. They, too, were in conflict with each other. Variations of proportional representation systems were the solution (Jasiewicz 1993, Olson 1998, Kopecký 2001), while Russia opted for a mixed system in its early elections (Remington and Smith 1996).

Two sets of rules seem to make the greatest difference to filter the scattered party vote in elections to concentrated party seats in parliament. The electoral threshold, the first, defines the minimum proportion of the vote in multi-member districts required for a party to enter parliament. The second rule is

the definition of the minimum number of seats required to form a parliamentary party group. Both rules, defined by parliament, the former before an election and the latter following, are intended to encourage voters and candidates to pool their efforts to form parties few and large enough to function within parliament (Moraski and Loewenberg 1999, Moser 1999, Lewis 2001). Though seat size (and other) rules are beyond voter control or even knowledge, and thus appear 'arbitrary' to voters (Horowitz and Browne 2005, p. 691), they are purposive and integral to the multi-stage effort to build parliamentary majorities.

The long term consequence of both sets of rules, one in elections and the other in parliament, has been to simplify and concentrate the party system. As context for parliamentary development, the party system has emerged as a relatively stable feature of parliamentary life by the end of the second decade for parliamentary democracies and in Russia. In Moldova and Ukraine, however, flux in the party system is an essential feature of the continuing struggle for power in both parliament and the presidency. The number and relative size of parties are, in the beginning, contingent, varied and variable outcomes, not a fixed context, even if 'the beginning' lasts over two decades beyond the initial regime change events.

In all seven countries under review, the intersection of the structure of parliament–executive relationships and party system has been the key dynamic in the formation of each other. Struggles over the drafting, adoption and implementation of constitutions were themselves part of the process through which new and tentative political parties developed. Though relatively stable in some parliaments, party systems and the degree of parliamentary autonomy continue to be developed together in the 'conflicted' parliaments, through their interactions over two decades and perhaps beyond.

Types of Parliaments

By the end of the second decade, we find increasing variations among the seven post-communist parliaments included in this study. At the end of the first decade, the three major types of parliaments were the democratic, the presidentially dominated, and the conflicted (Olson and Norton 2008). At the end of the second decade, cross-cutting those categories are the distinctions of degrees of party system polarisation and levels of autonomy of parliament from the executive (Table 3).

We have chosen party system polarisation and autonomy against the executive as the two dimensions of the typology because parliament is in the intersection of these two institutional contexts. Parliament absorbs and identifies with parties (and their conflicts) and it both creates and interacts with the executive.

The first source of division is the EE–ECE divide. In the East European (EE) countries parliaments have a low level of autonomy but this will conclude in different conditions in terms of conflict depending on the level of party polarisation.

Table 3: Types of Legislatures – Post-Communist and Post Soviet: The Second Decade

		Autonomy from Executive		
		Low	Medium	High
Party System Polarisation	Low	Russia		Slovenia
	Medium	Ukraine	Poland Czech Republic	
	High	Moldova	Hungary	

Of the three presidential cases, Moldova shows the highest level of party polarisation – and as such this is also in the conflict category identified in the first decade. This conflict included challenges to the constitution and recurring attempts to parliamentarise the regime. In Russia, at the other extreme of low party polarisation, the low level of autonomy of the Duma against the president is not subject to challenge.

Among the four parliamentary systems in East Central Europe (ECE), the low and medium levels of party system polarisation among them partially explains the medium and high level of autonomy of their parliaments: executive dominance is more explicit when parties are more polarised. The Hungarian parliament and the three other Central European parliaments are in different categories, as also in the first decade. Only in Hungary has no party ever crossed the political line between left and right in coalition formation, while in the other cases, government coalitions occasionally have included both. These categories are subject to change: Slovenia has moved towards the medium level of autonomy as a result of organisational changes (Zubek, this issue).

At the end of the second decade, high levels of party polarisation occur with high levels of party concentration, which makes parliament the prisoner of a highly centralised government and the government's party, while opposition parties are too weak to challenge either the government or its supporting party effectively.

Internal Structure and Procedures

Both internal reorganisation and rules revision are striking features of the seven post-communist parliaments in the first two decades. They began with both buildings and rules inherited from the communist era. Neither was sufficient to meet the needs of an active parliament; the rules were overwhelmed by the sudden formation of many and constantly changing party groups and by the sudden expression of individual opinions on both substance and procedures (Olson 1997, Khmelko, this issue).

Agendas at the beginning of sessions were debated and revised. Every new problem was resolved by *ad hoc* procedures and through *ad hoc* structures. The inherited rudimentary structure of committees was superseded by special

committees, each with a different composition, a different task, and different procedures.

Both procedural and structural chaos in the democratic parliaments was resolved through extensive rules revision, usually in the second or third term, though later in Slovenia (Mansfeldova, this issue). Committees and parliamentary party groups were standardised, steering bodies created, and procedures for introduction and debate of bills defined. Rules and organisation provide the basis of parliamentary activity and for future development (Crowther and Olson 2002, Bach 2009).

The Central European parliaments have modified both rules and structures to adapt to accession and membership in the EU, while post-Soviet parliaments have faced a very different external environment of president–parliament conflict (Mansfeldova, this issue, Fink-Hafner, this issue). Structure and rules have been continual objects of controversy in both Moldova and Ukraine (Crowther, this issue).

Parliamentary party groups (PPGs) have become the basic building blocks of both internal organisation and of government formation (Heidar and Koole 2000, Hazan 2006). They are not immutable, however, for old parties disappear or disintegrate (Czech Christian Democrats, Polish Democratic Left), split (Polish AWS), or new ones appear (Czech VVM). New parties (United Russia, Polish PiS) may be closely linked to presidential election politics. PPGs are also subject to extensive changes in both leadership and internal structure, depending upon election results.

The allocation of leadership positions in post-communist parliaments is a multi-stage process. The first stage is the distribution of the major leadership offices, especially Speaker but sometimes also committee chairpersons, as part of inter-party government formation negotiations. In the second stage the other positions of vice-speakers and committee vice-chairs tend to be shared among all PPGs on the principle of party size proportionality.

The development of parliamentary leadership councils (PLCs) has been an important step in the institutionalisation of new parliaments. The powerful presidium and its Speaker were unsuited, as noted by both Khmelko and Crowther (this issue), to manage political diversity. The centralised internal leadership system was neither democratic nor efficient (Kask 1996, Olson 1997).

Accompanying early changes in the constitutional and political authority of post-Soviet presidencies, parliaments changed from presidium to Council, and from committee chairs to PPG leaders as dominant positions in the Councils. The Reconciliation Council formed in the second decade by the Ukrainian Verkhovna Rada is an example. The Polish Sejm, by contrast, had a Council of Elders from the Communist period to advise the Marshall. The formation of PLCs was an important step to decentralise power from the Speaker (Khmelko, this issue).

Leadership bodies, however, can exclude minority or opposition parties as well as include them. How, and to what extent, to include all parliamentary

parties is an unresolved question of both organisational efficiency and of political power. In deeply conflicted parliaments, the party proportionality principle mainly includes only PPGs in the majority coalition, while other parties have only minor shares in chamber leadership positions.

Party allocation principles follow the election returns. When, for example, United Russia won a clear majority, the proportional formula for party group representation on the Duma Council was abandoned, while proportionality was restored for Permanent Bureau and committee positions in Moldova when the 2009 election yielded a small multi-party majority (Crowther, this issue).

The goal of assembling shares of power to form a majority of parliamentary seats only begins, as noted above, in an election. The process of assembling a majority in parliaments can create conflict, with disputes lasting for days if not weeks, both expressing and linked to struggles for power outside parliament, especially in our set of post-Soviet states. The conflicts, as Khmelko notes (this issue) may be of majority vs. minority, or government vs. opposition, or internal parliamentary majority vs. external president, as in Ukraine. The longer internal conflicts persist, the greater the opportunity for external presidents to intervene, as in the Duma, not only as negotiator and party leader, but also through decree power.

Parliamentary rules are not exclusively a matter for parliaments' own decisions. Constitutions can define not only parliamentary authority but portions of its structures and procedures. In addition, presidential decrees can impose procedural constraints upon parliament (Olson 1995).

Though both chamber and party leadership have been temporary in the initial two decades, the development of collective structures and work procedures can become the basis for a stable organisation. Through leadership and member change, leadership councils, committees, and procedures of legislative consideration can develop incrementally through a succession of electoral terms. As Zubek notes (this issue), rules of agenda access persist into subsequent terms, even though party majorities in succeeding terms may change. For each new set of members and leaders, the structures and procedures of predecessor terms can become the fixed reality within which they learn to work, to which they adapt and from which they may continue to innovate.

The Members

While post-Soviet parliaments have experienced a 'continuist transition', the Central European parliaments experienced a 'turnover transition'. In the former, members of the Soviet Republic legislatures remained in office in the midst of the collapse of the USSR and of Communist Party rule, while in the latter, new free initial elections brought sizeable portions of new and reformist members to parliament.

The degree of member turnover in the initial elections varied among the four democratic parliaments. In Poland, the initial 1989 compartmentalised election

brought entirely new members to the newly created Senate, but in the Sejm the majority coalition continued with the addition of new reformist members. In Slovenia, the replacement of members was more gradual, with the continuing members of the previous ruling parties transforming their old party into new social democratic parties, while new reformist members also entered parliament through new political parties. The Czech and Hungarian parliaments had the most extensive and abrupt replacement of members in their 1990 elections (Shabad and Slomczynski 2002, Iłonszki and Edinger 2008).

By the end of the second decade, the circulation of parliamentary elites from the initial elections was complete. The average age of deputies in the four Central European parliaments, as noted by Mansfeldova (this issue), is mid-to-late 40s. The generation attaining adulthood at the moments of change two decades ago has now largely displaced the members who entered parliament during the transitional events.

The deputy incumbency rates, of 45 per cent to 71 per cent per election, have been highly dependent upon changing party fortunes in the four democratic parliaments. The disappearance of some parties and emergence of new is part of the changing mix of experienced and novice members. The new practice in the Czech 2010 elections (Mansfeldova, this issue) of voting for candidates placed fairly low on the party list has also lowered the incumbency re-election rate.

The majority of members of the Central European parliaments have had university educations, with Hungary having the highest level. The proportion of women members has been fairly low in the democratic parliaments, though with an increase in the Czech Parliament as a result of not voting for leading candidates on party lists.

In the three post-Soviet legislatures in the second decade, the constant changes in party majorities in Moldova and Ukraine contrast with the continuing majority position of the leading party in Russia. The period of 'constitutional recalibration' in the post-Soviet parliaments (Crowther, this issue) has led to high turnover rates for members and especially for leaders (and prime ministers). Incumbency rates, however, vary among post-Soviet parliaments, as do their associations with both the old Communist Party and with nomenklatura based institutions and practices (Olson and Norton 2008, pp. 161–162; Crowther and Matonyte 2009; Khmelko, this issue).

The term, 'clientelist networks' is often used to characterise political elites generally, including parliamentary members, in the three post-Soviet states. In the democratic parliaments, members are similarly thought to have personal connections to industries and interest groups and act on their own behalf across party lines (Fink-Hafner, this issue).

Speakers and vice-speakers have a tenuous hold on their offices in all parliaments. PPG leadership is doubly subject to electoral results. If successful, parliamentary leaders may become speakers, or ministers in the new government, and even presidents; if unsuccessful, however, they may either resign from party leadership or be defeated at the next party meeting.

The relatively high turnover rate, with members seeking other offices, suggests that parliaments are a training ground for subsequent careers. Recruitment from, as well as to, parliament, is an important dynamic. What members learn in parliament can be transferred to other settings and for other applications.

One important function of internal structures and rules, discussed above, is to provide stable anchors for parliamentary activity in the midst of constant changes in parliamentary leadership. During two decades, continuing high turnover rates leave new parliaments with continuously new members and leaders.

From Civil Society to Interest Groups

Though the broad term ‘civil society’ is used in democratisation studies (Staniszki 1984, Linz and Stepan 1996, Rengger 1997, Mudde 2007), the narrower term ‘interest group’ is associated more with the promotion of public policy preferences in parliament and government. Over two decades, in increasingly divergent transitional political systems, the organisation and expression of private preferences has ranged from organised interest groups to a ‘blurred distinction between private life and public office’. Private–governmental relationships also range from corporate representation to corruption (Fink-Hafner, this issue).

Parliamentary systems lead to interest group organisation as external lobbying groups, as shown by the four parliamentary democracies in this study, while the three presidential systems lead towards a mix of personal gain and state power. The four parliamentary systems, however, vary in types of lobby regulations to structure the interactions of groups and MPs, similar to Western European parliaments. The four countries also vary in the degree of corporatism and in the viability of ‘social partnership’ relations among labour, business and government.

The external relationships of the seven countries are also sources of variation. The European Union, in particular, seems to have the effect of weakening both parliaments and interest groups in favour of the executive within its member states. Further, the emphasis of international agencies upon a private economy and a limited budget policy also emphasises the decision-making responsibilities of the executive during the two decades in all of our seven post-communist states (Mansfeldova, this issue, Fink-Hafner, this issue).

Labour, business and local institutions are the predominant organisations and clusters of interests active in national governmental affairs. The broad concept of ‘civil society’ during the transitions has been replaced by economic and regional concerns, expressed through both personal action and interest group formation.

Sources of Divergent Parliamentary Trends

Of the many and varied background factors considered as explanations for post-communist politics extending from centuries of history to today’s economy

(Elster *et al.* 1998, pp. 293–295), three are especially relevant to two decades of post-communist legislatures: transitions, legacies, and international influences.

Transitions and Legislatures

No single pattern characterised the transitions of post-communist nations. Of the seven countries reviewed in this study, the four nations with democratic post-communist parliaments had ‘breakaway’ transitions; the three post-Soviet countries and parliaments had longer-term ‘continuist’ transitions.²

The four democratic parliaments in Central Europe began their very different transitions from communist rule in the compressed 1989–90 period. Perhaps Hungary had the only genuine single ‘founding’ election among all the post-communist states (Hibbing and Patterson 1992). The other three countries had not a single ‘founding’ election, but rather, an initial breakaway election in a series of decade-long steps resulting in their current political systems and parliaments (Olson 1993, Bunce 2003, Tworzecki 2003, Nalewajko and Wesolowski 2008).

The four democratic parliaments were active participants in the system transition. While none of these four parliaments elected under communist rules initiated the transition, each authorised election law changes in the initial elections to permit multiple candidates, parties and electoral coalitions which, in turn, became participants in the longer road to the completed transition. The Central European pattern was clear, and each country closely monitored the others; both the party reformers and the opposition groups had several decades to think about political system changes (Fisher 1996).

In the continuist transition states of the former USSR, the Republics became internationally sovereign, not as a result of their own decisions (unlike the three Baltic states) but from the collapse of the Soviet Federation. Each of their Republic level legislatures, elected under Communist Party rules in 1990 and organised under Soviet practices, had the same tasks of coping with domestic and international policies as did the parliaments of Central Europe. But what was not clear was how they should be elected and organised (Way 2004). The sudden combination of political system uncertainty with national independence placed the post-Soviet Republics as new countries in precarious and uncharted territory, leading to protracted conflict over the allocation of power among parliament, cabinet and president (Ishiyama 2000).

As the only existing governmental body, the republic Soviets were the location and object of political action. The new republic office of the president, modelled after the Gorbachev USSR innovation, emanated from the powerful position of the Presiding Officer of the Supreme Soviet. As Crowther shows (this issue), their pattern of shared experiences was that of the USSR improvisations morphing into the Russian constitution with Yeltsen as president.

There was a double transition in political life for many of the post-communist and post-Soviet states: not only from communism to another form of rule, but also from provincial to sovereign international status. The new condition of statehood

imposed upon the previously provincial legislatures (and governments) a completely new range of tasks and responsibilities for which they were ill prepared.

One of the most important potential functions of all seven parliaments was to become the arena in which nascent political parties developed. The parliamentarisation of parties (Ágh 1995) proved to be a major instrument of party consolidation but happened with a different speed and outcome in the ECE and EE countries. While in the four Central European countries the first democratic elections were for parliament, in the post-Soviet republics the newly created office of president was the first opportunity for contested elections. Their first contested independent state level legislative elections were not held until 1994.

Independence also freed the new nations from the previous party system; the centre, whether Moscow, Belgrade or Prague, had disappeared as a constraint upon expression of provincial opinions on provincial level problems through independent political organisations.

Basic constitutional questions about the definition and allocation of power were undecided at the time of the earliest competitive elections. In the democratic parliaments, these questions were resolved by reformist members within the first decade. In the post-Soviet parliaments, improvised political system decisions were made with the same members and legal structures as in the late Soviet period.

Legacies: The Communist Legislatures

The most immediate communist legacy for post-communist parliaments is the 'real-existing' communist legislature. Over time, communist legislatures had gradually increased in organisational complexity, especially in the formation of committees (Simon and Olson 1980, Nelson and White 1982, Racz 1989). The same organisational development of committees, coupled with acceptance of one-party rule and its leaders, are also found in the contemporary communist legislatures of Cuba and China (Gasper 1982, O'Brien 1988, Roman 1999).

The political party, too, was gradually formed in communist legislatures as an organised tool to manage legislative activity. At one early point in Poland, even the ruling party was prohibited from forming an organisation in the Sejm, resulting in the 'Silent Parliament' (Burda 1978, p. 163). By the end of communist rule, by contrast, Poland had even developed an organisational structure for each of its three parliamentary parties, among whom floor proceedings and votes were negotiated. In Hungary, the last communist parliament, with opposition and reform-oriented MPs in the lead, initiated many legislative decisions concerning systemic change (Ilonszki 1993).

The 'leading role' of the Communist Party meant that there was no inherited parliamentary experience in either rules or structure of how to accommodate the open and organised existence of more than one legitimate political party. While disagreements on policy choices were expressed, especially within committees, those disagreements were topical and *ad hoc*, not in disagreement against either the party or its government. The Polish and Hungarian parliaments, in particular, could become active in both plenary and committee forums. Martial law

in Poland was a particular occasion for assertive parliamentary action (Mason 1991). The current Polish Parliament is the most active among our set of seven parliaments in administrative review and oversight, based upon communist era organisation and procedures (Olson 2008).

We have, however, little information on provincial level legislatures, greatly limiting our understanding of their preparation for post-communist sovereignty. The corporatist second chamber in Slovenia, for example, is based on the Yugoslav experience (Fink-Hafner, this issue).

Though the level of activity of communist legislatures varied in each country through alternating party crises and reforms, the organisational structure, especially the presidium and the committees, was the inheritance of post-communist legislatures. Especially in post-Soviet states, it was the authority and composition of the presidium that was rapidly abandoned, while the more functional committee system, at least as an organising template, was continued.

International Resources and Constraints

The impact of the European Union upon the Central European democratic parliaments has been two-fold. First, the EU has encouraged and supported the development of independent, active, and democratic parliaments. The 1993 Copenhagen declaration required each candidate country to guarantee 'democracy, the rule of law, [and] human rights' (European Council in Copenhagen 1993). The EU in general, and the EU Parliament in particular, has been active in working with, training, and conducting conferences and workshops with their post-communist counterparts. This broad support by the EU has been reinforced by other European entities, such as the Council of Europe, and by international organisations, such as the UN's Development Programme, the Commonwealth Parliamentary Association, and the International Parliamentary Union (Ware 1995, Bunce 2003, Mudde 2007). National programmes, especially the 'Frost-Solomon Task Force' of the US House of Representatives, have also been actively engaged with the members and staff of post-communist parliaments (Hibbing and Patterson 2006).³

The second type of international impact has been an increase in the power of the executive over parliament. To support economic policies consistent with EU objectives, the EU has encouraged the development of 'core executives' to lead both in cabinet and parliament. The consolidation process automatically brought about the strengthening of the executive – as was also observed in the southern European newly democratising countries' parliaments (Liebert and Cotta 1990). At the same time, as noted by both Mansfeldova and Fink-Hafner (this issue), this emphasis began with the EU membership accession process and continues with full membership. While speed of gaining membership was viewed as an acceptable if inevitable parliamentary price to pay, there is increasing notice of, and disquiet with, EU-induced constraints upon the parliament–executive relationship (Brusis and Dimitrov 2001, Grabbe 2001, Lippert *et al.* 2001, Kabele and Linek 2004, Zajc 2004, Fink-Hafner 2007).

The EU impact upon post-Soviet parliaments is negligible, for there have been no accession negotiations, excepting the three Baltic states, during the two decades following the collapse of the USSR. The impact of international influences on new democratic post-communist parliaments, in pursuit of both democracy and efficiency, international organisations, has been ambiguous.

The impact of all three sources upon divergent post-communist parliaments has been cumulative. The capacity of communist era parliaments to act in the transitions was an amalgam of their communist era attributes and of the transitions themselves. International actors responded to support democratic parliaments but also to increase executive authority both in cabinet and parliament.

Beyond the Second Decade

By the end of the second decade, the all-encompassing term of ‘post-communist’ has outlived its usefulness. The varieties of hybrid post-Soviet states, the varieties of Balkan states and the institutionalised parliamentary democracies of Central Europe and the Baltic states require their own understandings. They differ not only in their current political systems and conditions of parliament, but also in their transitions, and in the types and duration of communist rule, suggesting cumulative differentiation in their future political systems and in parliamentary organisation and activity.

If the first decade was the transitional decade, and the second was the consolidation decade for some but the decade of conflict for others, the third decade begins as the decade of uncertainty.

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Notes

1. The ‘effective’ or equivalent number of parties is an index to measure the degree of concentration/dispersal of the party system, based upon both the number and relative size of parties (Taagepera and Shugart 1989, pp. 77–91). This index can also be inverted to form a party concentration index (Horowitz and Browne 2005, p. 691). It is not, however, a count of the number of parties which are effective – that is a very different question. It is genuinely difficult to wrap the fluid and varied

- phenomena of post-communist parties into statistical measures, as illustrated by the many critics of this specific measure, the different ways in which the index is measured, and by the different numbers reported in the literature (Linz and Stepan 1996, p. 278; Lewis 2000, pp. 87–88; Birch 2001, 2007; Brusis 2004; Millard 2004; Gel'man 2006, p. 546; Grzymała-Busse 2007, pp. 51–54; Mainwaring and Zoco 2007, p. 162). Some of the controversy arises from the fact that average figures or snapshots at one particular date cannot reflect changes during a term.
2. The initial events in each post-communist country are reviewed in the four-volume series by Dawisha and Parrott (1997) and in Kraatz and von Steinsdorff (2002).
 3. The US House Democracy Assistance Program currently works with the post-communist parliaments of Georgia, Kosovo, Macedonia, Mongolia and Ukraine (Price 2009).

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