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**THE FLORIDA STATE UNIVERSITY
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**MIXED ELECTORAL SYSTEMS: DETERMINANTS AND
POLITICAL CONSEQUENCES**

By

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**A Dissertation submitted to the
Department of Political Science
in partial fulfillment of the
requirements for the degree of
Doctor of Philosophy**

**Degree Awarded:
Summer Semester, 2000**

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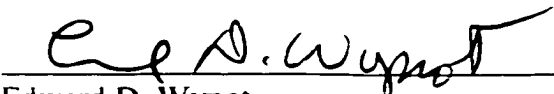
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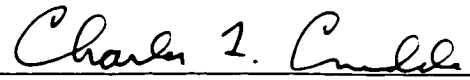
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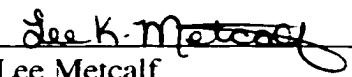
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ABSTRACT

Recent debates on electoral reform in some established democracies and in a number of countries in democratic transition have resulted in the introduction of a new type of rules, the mixed systems, which combine the majoritarian and the proportional formulae to translate votes into seats for election of the same chamber of parliament. No solid theoretical explanation from a cross-national perspective has been offered yet to explain these systems. The dissertation addresses three questions related to the new institutional phenomenon: under what circumstances a change in the electoral system occurs, how are mixed systems designed, and what are their effects on politics. Since institutions in general have been broadly studied as factors that shape political reality, the answers to these questions help to develop a better understanding about the prospects of successful democratic consolidation.

My theoretical approach is based on a rational choice perspective. Designers of institutional arrangements are assumed to be self-interested actors who pursue their own interests. According to the model of electoral reform, change in the rules is more likely to occur when the ruling coalition is split, the opposition forces are united and determined to compete for power, there are social divisions in the country and pressure from international organizations, and the level of uncertainty is low. The design of the mixed

systems is understood as a product of a complicated process of bargain and compromise. I advance a Nash-bargaining game to formalize this process and explain the outcome. The final agreement is determined by the mode of negotiation and the relative power of political actors. Assuming rational behavior of political actors in response to established institutions, I next argue that under mixed systems, parties consider strategies that are carefully balanced in order to respond adequately to the two parts of the ballot.

The theoretical framework is then applied to explain the emergence and the effects of mixed systems in Eastern Europe. The data sets are original; observations are made on fifteen countries from the region which have recently faced the problem of institutional change. Extensive case studies, logit analysis, and multivariate regression are used as methods to test the hypothesized relationships.

The results suggest that the most influential determinants of institutional reform in Eastern Europe are the organizational state of elites and the level of uncertainty. The new type of system has emerged as an acceptable solution in times of political crises. Pact negotiations over the mixed design lead to more efficient rules from which all participants expect to be better-off. Legislative negotiations produce mixed systems that favor only the strongest negotiator. The results also suggest that a moderately fragmented party system will emerge if a mixed system is introduced. Its components can be manipulated by elites to achieve their goals without changing the fundamentals of the system itself.

CHAPTER 1

INTRODUCTION

In the end of the 19th and the beginning of the 20th century, a broad wave of electoral reform swept over many European countries bringing the proportional representation rule (PR) to reflect changes in the distribution of voters' support generated by the introduction of universal suffrage. Until the early 1990s, this had been considered the last fundamental switch in the electoral systems of liberal democracies. The recent experience with electoral engineering in both emerging and consolidated democracies, however, shows preferences for rules combining the features of the previously prevailing major types of rules. Thus in the contemporary wave of electoral reform, the common formulae from the past do not always represent optimal solutions. This study focuses on the new type of electoral systems, the mixed systems, which has received little attention for two reasons: first, they are a very recent phenomenon, and second, their design is too complicated to easily incorporate them in the existing research schemes.

I seek answers to three interesting questions that help to better understand this new institutional phenomenon. First, why would different countries choose to change their electoral rules, a move that may result in the introduction of a mixed design? Second, how were the specifics of the new combined system determined? And finally,

what are the first consequences of the introduction of mixed systems for politics and the future consolidation of democracy?

The Basic Choices

Majoritarian Systems

Historically, the first rules employed for parliamentary elections were single-member-district-based (SMD) systems where each electoral constituency elects one representative.¹ The plurality version which assigns the seat to the candidate with the most votes is still used in countries such as Great Britain, the United States, and Canada. The features of this system have been associated with stable and effective government and a linkage between voters and representatives, but also with a substantial waste of votes if more than two parties compete and insufficient representation of group interests (Duverger 1954; Lijphart 1984; Taagepera and Shugart 1989; Lijphart 1994). The European non-Anglo-Saxon version of the SMD type, the majority with run-off system, was used in the beginning of the 20th century in countries such as Germany and the Netherlands; currently it governs parliamentary elections in France and presidential elections in many other countries. This obviously more complicated system provides the advantage of re-voting; in cases without absolute majority on the first sincere-choice round, voters are given the chance to behave strategically and make a pragmatic move

¹ The typology of the major electoral systems used in this section and hereafter is based on the district magnitude. A detailed justification for this usage is presented in Chapter 2.

supporting their second preference in a run-off round (Sartori 1997, 11; Cox 1997, 125-127).

Proportional Systems

This type offers the opportunity of competing by party lists in multimember districts (MMD) and achieving a closer approximation of seat shares to vote shares. The appearance and broad exploitation of the PR systems since the end of the 19th century have made it quite clear that there is a trade-off to consider when one evaluates the merits of proportionality. Fair representation makes it especially attractive for "difficult societies" to prevent them from escalating into "impossible societies" (Cohen 1997; Sartori 1997). The accumulation of knowledge about the electoral rules has generated understanding about their inexhaustible variety, and mechanisms for correction of PR aimed at limitation of other political actors' access to the assembly were invented. In the post-war era first West Germany and then Greece, Spain and others used thresholds for representation² to prevent smaller extremist parties from reaching the parliament.

Thus, for a long period of time it had been believed that those were the main systems and institutional choices were to be made between them. In the late 1980s and the early 1990s, however, the long lasting SMD-MMD dichotomy was challenged by a third choice, at first misperceived as being based on the German model. The first effort to combine the two major types of systems was made in Germany. As of 1953, this

² The threshold for representation in a PR electoral system is a requirement for a minimum vote share which a party must obtain in order to win a seat (Taagepera and Shugart 1989, 36). Electoral thresholds can be set at different cutoff points. For example, Israel has a very low 1% threshold, Germany has employed a 5 % requirement, and the Greek system has imposed an extremely high threshold of 17%.

system provides for half of the seats to the Bundestag to be elected using the plurality rule and the remaining seats are contested on the basis of PR. However, the overall distribution of seats is determined by the results in the second part because the PR vote is used to compensate those parties who were less successful in the first, the single-member district, part. This linkage between the two tiers which gives a priority to one of its parts is the reason why some students of electoral politics refer the German arrangement to the PR group and distinguish it from the emerging "truly mixed systems" (Sartori 1997, 73-74).

Mixed Systems

The new systems differ from the SMD and the MMD types in that there is a combination of the two in a wide range of possible designs. Mixed systems are simply defined as rules which combine different electoral formulae to translate votes into seats for election of the same chamber of parliament. A certain proportion of seats is contested in SMD and the remaining part in MMD and the technical distribution of seats in each contest is independent from the other. The specification is extremely important and absolutely necessary. This is the neglected feature which made many politicians and even scholars equate the mixed systems and the German model. The former lack the compensatory mechanism of the latter that makes one of the components superior with regard to the final electoral outcome. Whether the two parts of the new mixed systems are absolutely independent in terms of their psychological effects on party leaders and voters is a different question to be addressed later in this study; what should be stressed

here is the separate competition for seats in SMD and MMD as provided by the electoral law.

Observing the Mixed Systems

By Distribution

At present, two major groups of countries, emerging democracies and developed democracies, use the combination of SMD majority and MMD proportionality to elect members of their assemblies. Hungary was the first to introduce such a system in 1989, followed by Bulgaria and Georgia in 1990 and Albania, Croatia, and Lithuania in 1992. The idea of the new phenomenon as a solution for transitional settings only was soon renounced when New Zealand, Italy, and Japan shifted towards similar institutional models as well. Mixed systems spread to new countries including Mexico, Russia, Ukraine, and Macedonia. In a recent attempt to reform the electoral rules and make them more democratic, the ruling coalition in South Korea proposed a new electoral system resembling the Japanese model.

By Design

A simple observation shows that the existing mixed systems, although following the same principle of design, exhibit a wide variety in their two major components. First, the SMD/MMD ratio varies. Some countries chose the majoritarian rule in single-member constituencies for more than a half of the assembly seats (Albania, Italy, Japan, and Macedonia), others reduced their share to about one-third (Croatia and Georgia in

1992 and 1995), and the third, biggest group, preferred equal or almost equal proportions of mandates to be distributed by the two main electoral types (Hungary, Lithuania, New Zealand, Russia). The second distinction is within each of the two component parts themselves: the district magnitude of the MMD and the seat-allocation formula in the SMD competition. The electoral laws of a group of countries including Albania, Croatia, Lithuania, Macedonia, New Zealand, Russia, and Ukraine provide for one nationwide PR district, while Bulgaria (1990), Georgia, Hungary, Italy and Japan have used a greater number of MMD. These systems also differ by the necessary majority of votes for winning an SMD seat, plurality in Croatia, Italy, Japan, New Zealand, Russia, and Ukraine, and absolute majority of 50% + 1 in two rounds in Albania, Bulgaria (1990), Georgia, Hungary, Lithuania, and Macedonia. Finally, all current mixed systems impose a legal threshold for representation in the MMD part that varies from 2% for Albania (1997) to 5% for Italy, Russia, and many others. The combination of two types of districts has offered opportunities to mold the rules in an almost infinite range of constructions.

Why Study Mixed Systems?

To offer a sound explanation of the occurrence and the effects of mixed systems requires an investigation of the process of institutional change in general and electoral reform in particular. Revealing the determinants of electoral system changes toward a middle ground and away from the basic existing formulae enriches the body of

knowledge we possess about institutional preferences. Studying the process of electoral engineering when reform has become a salient issue uncovers some of the complicated mechanisms of political competition relevant to the development of democracy in the end of the 20th century. Starting an inquiry on the effects of the new electoral system type serves to assess to what extent expectations are being met and achievements are being accomplished. It can also suggest some early forecasts about the prospects for establishing a stable pattern of democratic consolidation. The present study is intended to focus on the questions associated with the phenomenon of mixed electoral systems because they require appropriate scientific attention. In the remaining part of this chapter, I first review previous studies on electoral reform and the introduction of mixed systems in a search for suggested explanations. Then, some of the basic features of my theoretical approach are presented. In the next section, I discuss the design of the analysis and the final section outlines the organization of the dissertation by chapters.

Our Present Understanding

Since Duverger's "Political Parties: Their Organization and Activity in the Modern State" (1954), in which the author formulated his famous propositions about the relationship between electoral systems and party systems, considerable attention has been paid to the study of electoral rules as determinants of politics (Duverger 1954; Rae 1971; Jackman 1987; Grofman and Lijphart 1986; Taagepera and Shugart 1989; Lijphart 1994). Fewer efforts have been made to uncover the factors behind the politics of electoral

system choice (Quintal 1971; Bogdanor 1983; Lijphart and Grofman 1984; Bawn 1993). These studies first suggested that the selection of electoral rules can be explained through the self-interested behavior of decision-makers.

The scant literature on electoral reform has been dominated by the idea of the "last" wave of change with the introduction of PR and by a conservative bias toward "freezing" and maintaining the status quo (Nohlen 1984; Norris 1995). Electoral reform in earlier democratic transitions has been theorized as a price the bourgeois parties had to pay for accepting universal suffrage and lowering the threshold for representation of the mass of new voters entering the electoral process (Rokkan 1970; Bogdanor 1983; Nohlen 1984). The resulting reform has been seen as shaped by pressures from below and from above, from the young socialist parties challenging the incumbents and from the threatened old parties seeking survival. More than twenty years later, Lijphart (1992) redefined Rokkan's hypothesis to explain constitutional changes in three East European countries. The obvious parallel with the historical context of crucial events, the entrance of new political actors, and the high uncertainty about the election results suggests a similar approach and extends the argument in time and space.

Even less has been done to study the emergence of mixed systems because of their very recent appearance. The post-war choice of Germany has long been considered a peculiar case of a combination aimed at a compromise between the British and the German pre-war electoral traditions (Burkett 1975), ignoring the fact that in practice it has very much a PR character (Lijphart 1984; Sartori 1997). Few efforts to explain the strange combination called mixed systems were made in response to the recent burst of

such systems in some countries in Central and Eastern Europe and in some of the liberal democracies. A reform of such magnitude has been seen by some authors as an obvious challenge to the dominant conservative bias towards discouraging electoral system changes (Norris 1995; Dunleavy and Margetts 1995; Vowles 1995; Shiratori 1995; Donovan 1995).

At present, there is not a comprehensive theory of institutional choice in transitional democracies which successfully explains the dynamics of preference regarding mixed systems in countries such as Hungary, Russia, Croatia, Mexico, etc. The few authors who touch on the problem seek explanations in the level of pluralization and the dynamics of the democratization process in general (Simon 1997; Ishiyama 1997). Some contextual characteristics, such as timing and uncertainty, are proposed as important variables with a special relevance in cases where mixed systems emerged as a compromise between elites (Ishiyama 1995; Geddes 1996; Nohlen 1996; Remington and Smith 1996b). Considerably less has been written on the effects of mixed systems, one of the reasons being their recent adoption. The issue has been discussed more in terms of identifying the goals pursued through the innovation, mitigating the consequences of the extremes, and promoting political liberalization. The first studies of results in Italy and Russia report interesting findings and suggest some unexpected effects where fragmentation is reduced more through PR than through plurality (Remington and Smith 1996b; D'Alimonte and Bartolini 1997).

Although some efforts have been made to explain electoral reform in general and the recent shift toward mixed systems in particular, there is a substantial lack of a deep

understanding about this fact of reality. The preliminary evidence shows that two different types of countries have made the same institutional choice at obviously different stages in their development. Previous studies avoid offering a sound explanation about the time and place of adoption of mixed systems; why they were preferred in some countries and not in others; why for the founding elections in some cases and later in the democratization process in others. Nor is the varying combination between SMD and MMD seats adequately addressed. Finally, students of electoral politics have not studied yet the consequences of this institutional innovation on politics. As mixed systems become more popular, a better knowledge of their effects will be of profound importance for the future consolidation of democracy. In the next section I discuss the approach which will be used to explain this institutional change.

The Rational Choice Approach

The theoretical approach used in this study is based on a rational choice explanation of the emergence of mixed systems and their political consequences. An institutional shift toward a mixed format is seen as a result of efforts to reform existing electoral rules in time of political crisis. The possible consequences are theorized with respect to the behavior of the participants in the electoral process in response to the rules for translation of votes into seats. In both instances, the choice of a system and the resulting effects, political elites take important decisions expected to provide them with improved access to the policy-making arena. The rational choice perspective offers an

opportunity to focus the explanation on this strategic behavior of actors. Institutional choices are seen as a product of a conscious desire to manipulate institutional mechanisms; selection of an appropriate electoral strategy is understood as a response to the constraints imposed by the specific rules. Since election results determine the future government, substantial assets are at stake and group interests collide over them.

Therefore the behavior of those who design the rules and those who participate in the game governed by these rules is goal oriented. The emphasis on goal achievement has made the rational choice approach a powerful tool when explanations of electoral politics have been sought (Downs 1957; Taagepera and Shugart 1989; Tsebelis 1990; Cox 1997).

Assumptions

I use several fundamental assumptions about political elites as rational actors that were broadly used in the literature drawing from Downs (1957). First, those who design the institutional arrangements, are self-interested actors, i.e. they pursue most of all their own interests. Second, the individual interests of actors/politicians are directed toward securing their political careers, i.e. they seek to be elected. Third, actors are able to formulate their preferences based on calculations of chances to win under alternative arrangements. And, finally, they rank their preferences in a transitive order. In other words, electoral engineers prefer specific arrangements, and parties prefer election strategies that would maximize their electoral success. Thus, reasonable choices are made using available resources and knowledge in order to reach desired ends.

Actors and Options

Electoral systems reflect both the basic characteristics of a political system when its fundamentals change and the interests of those who design them (Geddes 1995). Decisions for change and over the specifics of the new rules are taken by two sets of elites as major players, the incumbent coalition and its challengers. The appearance of a new majority alternative imposes a threat and causes consideration of change. In the case of reform, the actors face two options: retaining the old system or introducing new rules. How different an alternative system should be in order to be considered "new", needs clarification here. I define a system as new, or changed, if it introduces a different district-magnitude competition for all or at least part of the seats.³ Attention here is paid to the district magnitude since recent studies suggest and provide abundant evidence in support of the proposition about the decisive role of electoral district size (Taagepera and Shugart 1989; Lijphart 1994; Sartori 1997; Cox 1997). Thus, a reform towards a mixed system is defined in terms of a shift from an SMD system or from an MMD system to a combination of the two.

In the case of mixed system design, the main actors choose from a close to infinite set of options. The two parts of this electoral type offer an extremely high number of

³ This definition is based on the idea that an electoral system change takes place when the principal method of seat distribution has been transformed. There are other electoral system elements including the threshold for representation and the allocation formula that can be subject of change as well. Such changes, however, do not involve shifts in the fundamental principle of vote-seat translation. For example, the threshold can be raised from 4% to 5% and the system will still remain PR, i.e. seats will be allocated according to the share of votes. If a requirement of 50%+1 for the winner is substituted for plurality rule, the election will still be held according to the majoritarian principle.

combinations that enable politicians to compromise over the rules. The SMD/MMD ratio, the SMD type, the PR district size, and the threshold for representation are the properties most often used to end up with distinct versions of the mixed format. Finally, parties as the main participants in the electoral contest face a difficult dilemma. They have to choose the most appropriate strategy to balance the incentives generated by the two strategically different parts of the mixed system.

Preferences and Bargaining

To reveal each actor's preferences and relative strength is of crucial importance for building a powerful explanation of the mixed system design. Elites, incumbents and opposition, as rational actors, are seen to prefer rules for which they pay less and gain more. This complex calculation of benefits and costs is made in a particular context, the most characteristic features of which are time and uncertainty. Evaluations of one's and the other side's position are difficult and costly to be made with an appropriate accuracy because information is a rare commodity under uncertainty. The volatility of voters' preferences and parties' institutionalization and strength in times of crises can make this task even more difficult. That is why contextual specifics at any particular time shape preferences in a unique way and are given substantial weight in this theoretical framework. Those are domestic, the organizational state of the two major actors and the cleavage structure, and external, the pressure exercised by the international environment. When reform is a solution which both actors recognize as most reasonable, they are interested in reaching a cooperative agreement and negotiate on the specifics of the change from the positions of their preferences and bargaining power at the time of the

debate. The main features of the newly introduced mixed systems are determined by the negotiation arena and the level of uncertainty that exists at the time decisions are made.

The Best of Two Worlds?

In the case of developed democracies, mixed systems have been conceived to mitigate some undesired effects of the older formulas, the failure of SMD-based systems to assure fair representation of societal groups and the excessive party fragmentation caused by the PR rule (Norris 1995). The hope is that the new format will prevent the nations in transition from reaching the same point. Based on the assumption that politicians as rational actors will search for the most efficient way to achieve goals, I build theoretical expectations about moderate levels of party fragmentation in parliament as compared to the multipartyism resulting from the "pure" systems. There are good reasons for parties major actors in the political arena to coordinate their strategies in order to adequately respond to the two parts of the contest. This "tuning" is a new type of strategic behavior required by the peculiarities of the mixed design. It is shown to have resulted into a higher number of parliamentary parties than the one associated with majoritarian systems and into fewer and bigger winners than the PR-only systems produce.

Testing the Models

This study attempts to explain two aspects of the problem of mixed systems, the emergence of such electoral rules and their effects on the national party systems in a

multistage analysis. Thus, mixed systems are treated once as a dependent variable when the occurrence of the phenomenon and its characteristics are explained, and then as an independent variable when their impact is examined. One must consider these specifics when decisions on the major aspects of research design are made.

Units of Analysis and Observations

The interest is focused on mixed systems, selected by national political elites as rules governing elections for national legislatures. The unit of analysis is a country at a particular time, with its political actors and their preferences, preexisting institutional arrangements, specific context and party system configuration. Observations are made on decisions about rules at the time when they were taken. Since timing is theorized to play an important contextual role, choices and their determinants are observed and analyzed precisely accounting for the moment when they were made. In times of crises, the position of the parties is highly sensitive to the passage of time. For example, at different points in time, parties are earlier or later in their decline/rise; there is also fragmentation, splitting, and fusion of parties. This requires that observations be taken with the appropriate, and possible, accuracy.

Selection of Cases

For the purposes of this analysis, observations need to be collected on countries which have faced the problem of electoral reform, whether and how to change the rules. The expectations for outcomes and relationships hypothesized in the developed theory of mixed systems are tested using data from post-communist Central and Eastern Europe. All countries included in the analysis are those which since 1989 have undergone a crisis

of legitimacy and dissatisfaction with the mode of their political and economic development and have considered instituting electoral reforms. This selection of cases contributes to the validity of the tests in the following ways. First, having all cases in the data set from post-communist countries provides the opportunity to control for other factors: similar political culture, traditions, legacy from the communist past, etc. Second, there is no selection bias from selection on the dependent variable, since countries which did and did not choose mixed systems are included. Third, there is a sufficient number of cases to allow for greater confidence in the results and provide a basis to generalize about mixed systems and their effects in post-one-party transitional environments. Fourth, the Central and East European realities offer a laboratory which is rich in observations because of the variety of choices being made there. However, several cases could not be included because of still ongoing civil war and impeded democratization process and/or severe data restrictions: Armenia, Azerbaidjan, Belarus, Bosnia and Herzegovina, the Central Asian republics, and Yugoslavia. The data set includes fifteen countries: Albania, Bulgaria, Czechoslovakia, Croatia, Estonia, Georgia, Hungary, Latvia, Lithuania, Macedonia, Poland, Romania, Russia, Slovenia, and Ukraine. Data on mixed systems are gathered for nine of these countries which have introduced such rules at different points in time since 1989.

Data

These are election results, reports compiled by international organizations, interviews with party leaders published in the press, etc. Although face-to-face interviews with representatives of political elites would provide valuable insights for actors'

perceptions of their own and others' chances and costs and the strategies they used, it would be extremely difficult to conduct such a survey in all countries under investigation. Even if accomplished, the interviews would provide data which can be used only with extreme caution because of the threat to internal validity produced by history and maturation effects.

Data on politicians' preferences over the electoral rules are difficult to find. Direct statements on the position of a party on the type of system most preferred are the most reliable information but are rare. In instances where such statements were not available, indirect indicators such as statements made by other political leaders or journalists are used. A valuable source of newspaper articles and radio and TV interviews that reflect such positions is the FBIS Daily Reports. Some data on the negotiation process and the dynamics of changing preferences were also extracted from previous literature on the behavior of elites in the East European transitions (Elster 1996, Tokes 1996, Dawisha and Parrott 1997a, Dawisha and Parrott 1997b). In cases when information is indirect and reliability could be a problem, I check it using a second source.

Organization of the Dissertation

Chapter 2 develops a theoretical argument about the choices made by elites to reform the electoral system. This explanation is based on the understanding that political actors' positions and actions towards change are influenced by the context within which they perform. The contextual factors and their indicators are then detected. The chapter

also draws three possible scenarios for electoral system change determined by the specific constellation of factors at the time when decisions over new laws are made. In the first scenario, the collapse of the regime and the inability of incumbents to defend the existing majoritarian electoral rules cause the introduction of a totally different system, proportional representation. According to the second scenario, a mixed system is adopted after negotiations between a fragmented but still influential incumbent coalition and a rising in strength opposition. In the third scenario, a coherent ruling elite and an opposition that is not ready to compete for power are the main factors leading to postponement of electoral reform. An overview of the changes in Eastern Europe by sequence of elections provides a summary of the dynamics of reforms and concludes that by the third multiparty election all countries under investigation have substantially modified their rules.

Chapter 3 and Chapter 4 provide case studies of electoral reform. In Chapter 3, I look at cases that represent characteristic examples of the first and the second scenarios as defined in the previous chapter. Czechoslovakia, Romania, Hungary, and Bulgaria are discussed as representing the two patterns which resulted in a change for the first election. In Chapter 4, the cases of Albania, Lithuania, and Macedonia are analyzed as examples of the third pattern of late reform heavily influenced by the ruling elite. As we shall see, mixed systems became a solution under two conditions, a split but still strong incumbent coalition and an organized opposition pressing its demands for access to power. The problem of national independence emerges as an intervening variable which conditions the impact of the other contextual characteristics. Chapter 5 is devoted to a more rigorous

test of the hypothesized determinants of electoral reform. I report the results of a logit analysis and discuss the possible implications.

In Chapter 6, I develop a model explaining the process of mixed system design that took place either through pact negotiations at national round table talks or through legislative negotiations. Then I apply the model and analyze in detail the Bulgarian and the Ukrainian cases that represent the two distinct modes of negotiation. The analysis reveals the drama of bargaining under circumstances of varying levels of uncertainty.

Chapter 7 analyzes the effects of mixed systems on the number of parties in the Central and East European parliaments in two directions. First, mixed rules are studied in comparison with "pure" plurality/majority SMD and proportional MMD systems. Second, variations of the SMD/MMD ratio and the threshold for representation within the group of mixed systems are examined to see how the specific design matters. The results and the main findings from the empirical analysis show that the initial expectations for mitigating the effects of the older systems may be justified.

The final Chapter 8 concludes the discussion on mixed systems drawing upon some of the most important findings. My attention here is focused on the implications which I believe to be of substantial importance for the future stability of the political systems and the consolidation of democracy in post-Communist Eastern Europe.

CHAPTER 2

THE DECISION FOR INSTITUTIONAL CHANGE AND ITS DETERMINANTS

The theoretical approach I use in this study is based on a rational choice perception of the selection of electoral rules in transitional settings. Due to the dynamics and high volatility of the environment, the context within which decisions are made whether and how to change the existing election laws is argued to be extremely important for the political outcome. These contextual characteristics impose on political actors costs for changing/retaining the old rules, which vary in time and with the level of uncertainty governing the transition process.

The model is based on the fundamental assumptions for rational behavior of political elites listed in the previous chapter. I assume that those who design the institutional arrangements are self-interested actors, i.e. they pursue their own interests. The individual interests of politicians are directed toward extending their political careers, i.e. they seek to be elected/re-elected. Political actors are able to formulate their preferences based on assessments they make about chances to win under alternative arrangements. In addition to this, these actors rank their preferences in a transitive order. In other words, electoral engineers prefer specific arrangements that would maximize the electoral success of their parties.

These assumptions are equally justified for politicians in countries with established democratic procedures as well as in cases of democratic transition.⁴ The main goal remains unchanged, access to power and survival, and since resources are scarce, choices are primarily based on one's self-interest. This individual interest is understood in terms of securing one's political career and election or re-election is the first necessary step. Since elected offices and assembly seats in particular are limited in number, the conflict over their distribution has always dominated the political arena. The importance of its institutionalized solution, the electoral system type, is well understood by those who design it. In transitional settings where the main political actors are not clear at the beginning, the mere fact that some of them manage to win the first battle and emerge as decision-makers increases their chances for success.

These actors are further assumed to be capable of preference formulation and ranking based on calculations of chances to win under alternative arrangements. Notice that the plausibility of this assumption in no way can be undermined by the observation that some politicians are not skillful enough to make an optimal ordering of preferences. It is true that new elites lack the knowledge, the experience, the resources, the personnel, and the relevant information to make the best predictions, but this is not what this assumption is about. What makes them rational actors is that they, similar to the older experienced elites, assess future prospects for success and choose based on their current information and ability to process it. And this is, no doubt, a rational pattern of behavior.

⁴ For further discussion of the applicability of rational choice theory models in transitional and third-world countries, see Little (1991) and Kim (1997).

An Explanation of Electoral System Reform

Before I continue with the theoretical construct of my explanation, the term *reform* needs to be more precisely defined in terms of the set of options available to modern institutional engineers. Electoral system change reflects the basic characteristics of a political system when its fundamentals change in a response to a political crisis and the interests of those who debate over its design (Geddes 1995). Decisions for change and over the new rules are taken by two sets of elites as major players, the incumbents and their challengers. The appearance of a new majority alternative imposes a threat of defeat for the ruling party and causes consideration of change. Under circumstances of a political crisis, the actors face two options: retaining the old system or introducing a new one. Thus reform becomes an issue when the existing institutions are seen as impotent to secure stable performance of the entire system. There may be a crisis and still the older rules be retained as the case has been with Great Britain and its wavering between the majority rule and PR in late 19th century. On the other hand, there is a number of countries in the world where, as a result of the crisis, a new electoral system was introduced as a part of the package of changes to deal with the problems. Historical examples of such developments are many continental European states whose older elites could not bear the uncertainty heightened by the entrance of new voters and parties and, as a result, shifted towards PR in the early 20th century.

A system is defined as new, or changed, if it introduces a different type of district competition for all or a part of the assembly seats. There is a broad agreement among the contemporary students of electoral systems that the most decisive factor of any electoral

system is its district magnitude (Rae 1971; Taagepera and Shugart 1989, 112-116; Lijphart 1994, 10). Thus, the major differentiation, regardless of the allocation formula, would be SMD versus MMD-based systems.⁵ This is indeed the feature which makes the new systems distinct from the previous types, the election of some members directly as sole representatives of their districts and the others as a multiple body of representation. Mixed systems combine the two by simply adding one component to the other and thus they constitute a new, third, basic alternative to consider when searching for a reform solution in modern times. Thus, Italy which employed PR in the past and suffered fractionalization and instability reformed its rules adopting a mixed system with more than half of the seats competed in SMD. For the East European cases which broadly used SMD before the opening of the regimes, a change is considered to have occurred when a shift toward a multimember district (MMD) or a mixed SMD/MMD formula has been made.

The Importance of Context

How preferences over institutional change are formed is at the center of this explanation of electoral reform, where mixed systems emerged as a viable solution.

⁵ This is not to undermine the difference between plurality and majority with run-off -based rules. As Duverger (1954) observed earlier, although both systems are SMD-based, they provide different incentives for parties' behavior. Yet there are similarities which justify my choice to further refer to mixed systems in general as SMD/MMD-based rules, instead of differentiating them as plurality/PR or majority run-off/PR. First, both plurality and majority with run-off rules produce one winner per district which in practice implies substantially higher thresholds of inclusion and a need for coalition building. Second, both SMD-versions are characterized by personal voting, i.e. voters choose among individual candidates, which is considered as enhancing the voter-representative link. As we will see later, the election reform debate focused over the SMD/MMD ratio.

Elites, as rational actors, are seen to prefer rules for which they pay less and from which they gain more. The calculation of benefits and costs is made in a particular context characterized by the dynamics of democratization.⁶ It is extremely important at what point in the transition the first competitive multiparty elections are held. Here I further specify Ishiyama's (1997) argument based on Huntington's (1991) earlier work about the importance of who the primary actors are during the transition period and which faction predominates in the two camps. The present argument specifies as essential that in countries where founding elections are held when the opposition is still infant and immature, players continue to develop in time, they rise or decline in strength, and reform occurs later with the unfolding of the transition process.

Perceptions of one's own and the other side's position are difficult and costly to make accurately because information is difficult to obtain. The volatility of voters' preferences and parties' institutionalization and strength make this task even more difficult in the case of the East European post-one-party development. That is why contextual specifics are of crucial importance; they affect actors' calculations of the costs of reform and the prospects for electoral victory or political survival. The rules of recruitment determine access to power, and politicians are concerned with the potential benefits and anticipated losses from the adoption of a new electoral system. A change of this magnitude could alter the electoral competition focus from individual candidates and

⁶ For discussion of the dynamic model of transition to democracy, see Rustow (1970).

their personal characteristics to parties and their platforms; it could convert the procedure of parliamentary recruitment into a national referendum on the old regime.

The context within which such a shift is discussed as an issue on the political agenda of elites shapes the outcome in a unique way. Resistance towards and preferences for change are determined by the environment, internal and external, which changes more dynamically in cases when the entire system is undergoing a transformation. This point is especially relevant for societies which have been dominated by one-party systems for a long period of time and a sudden but still continuing proliferation of political actors makes reforms difficult and at the same time requires changes to permit multipartyism.

The Costs of Changing the Rules

Considerations of any change require rational actors to evaluate the costs and potential benefits of reform. Changes in the basic rules could result in legislative (seats) losses/benefits (Quintal 1970), domestic peace/turmoil (Cohen 1997), and international prestige/dishonor. Thus costs are assessed at the domestic as well as at the international level at the time laws are crafted. The specifics of the party system, i.e. the organizational state of both the ruling party and the opposition, impose costs on incumbents to retain the old rules which had rewarded them in the past (Quintal 1970). It is less likely for the incumbent coalition to secure electoral success under current majority rules if the structure of the ruling elite has changed. The plurality rule magnifies the success of the largest party, but it may also be too risky if there are any doubts who the largest party is because of a rising consolidated and organized new participant. This argument is relevant for countries where the systems existing before the first competitive election are based on

SMD competition. The East European countries in transition provide good examples of such instances. With the deepening of the crisis in the late 1980s, intragroup divisions formed along the lines of both ideology and pragmatic action. How to come out of the crisis and still regain some good reputation; what strategies to use in and out of the organization; or simply, how to survive? When the issue of survival is salient for a political organization, even in power, incentives to assure *any* representation become dominant in its strategy of choice.

It becomes even more costly for a divided incumbents' camp to keep a system that is associated with the authoritarian past. A major change in an SMD-based system is a shift to districts with more than one representative where parties run on party lists and compete against each other's platforms. It is fair to note that multiple parties can compete in SMD, regardless plurality or majority with run-off, as well. The point here is that one faces a choice between personal and party voting and in the East European popular thinking of the early 1990's, contesting the Communist Party had a special meaning. The existing single-member constituency was associated with the system of the rejected past while the multimember district was thought of as progressive and associated with the continental representative West European systems. In addition, PR was used in the parliamentary elections held throughout the region in the interwar period; the memory of those generated nostalgia for the non-Communist past.⁷ Thus, reform in those countries

⁷ Some countries such as the Baltic states reintroduced constitutional provisions directly copied from their previous organic laws. In other countries, including Albania, Bulgaria, and Romania, the idea of returning back to the monarchy emerged within particular circles of society.

had to necessarily include a radical change in the size of the electoral district from SMD to MMD. The above discussion leads to the following hypothesis:

H_1 : Fragmentation in the ruling party increases the likelihood of electoral system change towards proportionality in one party dominant systems with SMD.

Incumbents expect to pay higher costs under the existing majority system if the challengers have a coherent organization to compete elections. United challengers exercise stronger pressure on the ruling elite to change the election system than do divided opposition groups incapable of coordinated efforts. Furthermore, the existence of a united opposition increases the uncertainty of the election outcome for incumbents, i.e. the legislative costs of winning seats, especially under majority rules such as the ones provided by the pre-transition East European laws. It is too risky for the incumbents to compete in both plurality and majority with run-off if the opposition has the organizational capacity to reach agreement on joint candidates.

Coherence and determination to contend power increase the efficiency of challengers' insistence on electoral reform. In the context of Eastern Europe, the organizational network of the opposition at the beginning of the 1989 crisis was almost everywhere insufficient. In some countries, though, the rising opposition managed to unite faster and to show the ruling party its explicit intention to run its own candidates and compete for power (Ishiyama 1997). Demands for change of the rules raised by real contenders, rather than by circles of dissidents expressing wishes for liberalization of the system, are perceived by incumbents as a more serious threat to their prospects for future success. The message sent by challengers who are clearly determined to compete for

power makes ruling elites more likely to yield and reconsider the rules of the game. The following hypothesis is drawn from the above argument:

H₂: The more consolidated the opposition is the more likely electoral system change is.

It would also be costly to maintain the status quo if substantial minority groups are deprived of the opportunity for representation. Ethnic conflict management could be hampered by such rigidity and threats to the integrity of the system might occur (Mair 1992; Cohen 1997). In societies divided along ethnic, religious, and/or cultural lines, "majority rule spells majority dictatorship" (Lijphart 1984, 23). The dissatisfaction of those continually denied access to power could easily escalate into frustration and dangerous activities. Formal requirements for inclusion could be considered as a solution in such cases. They mitigate conflicts assuring participation in political life and promote intergroup peace. In the field of electoral engineering, the PR (MMD) format is the arrangement which most contributes to fair representation of the significant groups in a plural society. Therefore, in countries with majority systems of parliamentary elections, elites face the need to make a change and provide minorities with access to the policy-making process. These leaders tend to overcome the temptation to manufacture their majority through the election law upon realizing that the cost is too high and it jeopardizes the existence of the regime itself (Cohen 1997). Notice that concerns about significant social divisions are equally valid for incumbents as well as for the opposition elite. Following this line of reasoning, I derive the third hypothesis:

H₃: The more ethnically divided a society is the more inclined its political leaders are to support electoral reform directed towards proportional representation.

Costs for keeping the current system unchanged can be heightened by international actors who become reluctant to interact with incumbents who show no determination for reforms. Increasing interdependence is the main characteristic of world politics at present, and states make their choices accounting for the ramifications abroad. The global trends toward market liberalization and democratization impose new requirements of national institution-building permissive of open policies and respect for human rights. To oppose them would cost a lot to transitional elites who try to achieve international financial assistance, national independence and regime recognition. This indirect pressure has been felt in a number of countries in recent years. In Japan, external insistence to open the market to greater foreign competition led to changes in the electoral rules to enhance the entry of new political actors (Ramseyer and Rosenbluth 1997, 192-93). In Eastern Europe, the involvement of non-Communist parties and formations in the efforts to democratize the post-authoritarian reality is internationally perceived as a required guarantee for the irreversibility of the processes. Integration of the opposition forces into the new political system has become a major issue in the relationship between these countries and the international institutions recommending changes in the existing electoral system.⁸ Rules that favor such participation would be those based on the

⁸ Foreign insistence for electoral reform has usually been part of the package of measures required by the International Monetary Fund (IMF), the World Bank, the Council of Europe, the World Trade Organization (WTO), etc. Recently, Armenia was directly reminded to change its electoral system as one of the necessary conditions for membership in the Council of Europe (Fuller 1998). Croatia faced a similar situation in

principle of fair representation rather than the majoritarian system expected to amplify the success of the largest, most often the Communist, party. This argument leads to the following hypothesis:

H₄: A post-authoritarian SMD country's pursuit of membership in international organizations increases the probability for a shift toward a proportional electoral system.

The problem of electoral reform becomes a salient issue in times of serious crises when the situation in a country is "inherently unstable" and "ready for major change" (Shafritz et al. 1993, 186). In Eastern Europe, the crisis has a complex multidimensional character; it is political, economic, social, etc. Its political aspect, the legitimacy crisis, is most related to electoral reform. The loss of citizens' support for government policies grew into dissatisfaction with the constitutional basis of the current system. The critics of the system blamed the existing institutions for the resulting negative consequences. Under these circumstances, politicians had to make decisions over the rules for the first post-authoritarian elections.

It is understandable that politicians would try to make their best and calculate the costs and benefits of choosing one option or the other. In times of turbulent changes of the existing order, however, uncertainty makes a precise assessment of costs extremely difficult. Without relevant knowledge about the distribution of power among the main political actors, the legislative costs of introducing alternative systems are unclear to elites, especially to the opposition elite which lacks resources and access to government

the spring of 1999 regarding its efforts to join the Partnership for Peace Program of NATO during the outbreak of the Kosovo crisis (Radio Free Europe/Radio Liberty, Newline, April 2, 1999).

agencies' reports. When incumbents realize that their strength is declining, despite the relative advantage of having a better access to information, they also suffer an inability to accurately predict the political outcome. Over time, the level of uncertainty decreases as more relevant updated information about political actors and voters is released. Previous elections at all levels of government, including presidential and local government, provide a picture of the spatial distribution of support at the district level. The opposition learns more about its strength from election returns and public opinion polls. It becomes also more transparent how devastating the opening of the regime was for the incumbent party and what support it has. These considerations are especially relevant for post-Communist environments where at the beginning of transition the new actors are absolutely unknown and voters' attitudes are difficult to gauge due to deliberate cover of true intentions.⁹ As more precise estimation of voters' support becomes possible and alternative outcomes can be compared, change becomes more likely. The fifth hypothesis follows from the above discussion:

H₅: Under conditions of a considerable crisis in a political system, higher levels of uncertainty about the course of events decrease the prospects for electoral reform.

⁹ Students of East European democratic transitions have noted that opinion polls conducted on the eve of and in the first months after the start of transition should be referred to with caution (Chiesa 1993, 54; Linz and Stepan 1996, 303). There are concerns generated by respondents' fear of expressing opinion (the so called "spiral of silence" phenomenon) and by their inclination to tailor answers in a way perceived as "correct".

These are the main factors that I argue influence the occurrence of electoral reform in Eastern Europe. The next section focuses on the contextual variables and their indicators.

Contextual Variables

Fragmentation of the Incumbent Party¹⁰

The extent of coherence within the ruling party is well indicated by the occurrence of splits and factions; these increase both the decision-making costs to come up with an agreement and the legislative costs for winning seats under the old SMD system. Since 1985, the start of Gorbachev's policies of *glasnost* and *perestroika*, the Communist parties of Eastern Europe have gone through times of ideological confusion and organizational disturbance. Distinct groups started to emerge in response to the new challenge of accepting pluralism as a main principle. Under conditions of changing domestic and international realities, the previous ideological rigidity and coherence of the Communist parties weakened and appeals for a more pragmatic approach in dealing with the non-formal groups were made by some party leaders. The "soft-liners" were confronted by the hard-minded Communist party members who, faithful to the Marxist ideology, were reluctant to accept any change in the leading status previously claimed by their organization.

¹⁰ Previous work (Mair 1992; Boix 1997) has used the notion of fragmentation regarding the group of ruling parties of the Right in western countries.

Indicators of the existence of fragmentation are announcements about factions and their goals made at party conventions, in public speeches, or/and in interviews given by their leaders. Examples of such divisions are the various groups for more radical implementation of perestroika, the platforms for "democratic socialism" or "socialism with human face", the alternative groups for pro-European orientation, etc. In some cases (Bulgaria), these factions existed within the incumbent party no matter how critical their attacks on the leadership were; in others, they split and formed new parties (Hungary). In addition, frequent plenums, national conventions, and extraordinary congresses also reflect divisions within the governing party and a battle over its leadership. These forums indicate the distribution of strength within the incumbents' camp and which faction dominates and acts on behalf of the party.

Consolidation of the Opposition

At the start of the transition, the East European opposition as a whole lacked or had insufficiently developed organizational structures. Yet we can observe variation in its state of development; some countries such as Hungary and Slovenia had had nonformal groups for years, and others, such as Albania, were fresh beginners and had to catch up. I consider two necessary conditions to qualify a national opposition as consolidated in this context. The first one is its organizational coherence. In some countries including Poland, Hungary, Bulgaria, and Czechoslovakia, the opposition forces joined in large anti-communist formations to defeat well entrenched ruling communists at the first elections. Although such unions did not keep together for long and splits occurred quickly, we can observe their existence at the time when decisions over the rules were

made. This is a good indicator of the concept of consolidation; it reflects the presence of a realized need to coordinate efforts and the capability for a more complicated political maneuvering, an important feature of the environment with a special message to incumbents. The second condition is determination to run candidates and *directly* participate in the electoral contest. It shows a state different from the anti-party oriented politics of many dissident groups whose actions used to focus exclusively on uncovering the crimes of the old regime (Ishiyama 1997). In Lithuania and Ukraine, the main goal of the popular fronts was to make the incumbents liberalize the existing legislative base and practices instead of pushing them for serious reforms. Thus the growth of the opposition as an election-minded force obviously indicates different intentions on its side and different considerations on the side of the ruling elite.¹¹

Cleavage Structure

In Eastern Europe, the usually most distinctive class division did not have clear dimensions in the early stage of transition because of the specifics of the preceding socialist system. The most prominent existing cleavage was ethnicity. Evidence for this statement can be found in the numerous ethnic conflicts which have burst out since 1989. The three federal countries, Czechoslovakia, the Soviet Union, and Yugoslavia, disintegrated, and the confrontations in the latter two have been violent and persistent. In some other unitary states, such as Romania and Bulgaria, interethnic conflicts of a

¹¹ The above indicators of the organizational characteristics of the opposition are relevant to the specifics of the East European post-one-party political environment. Some might seem irrelevant in other settings (for example, the existence of an electorally-minded opposition), and other indicators may then be more useful to grasp the notion of consolidation.

different magnitude also occurred, and solutions were sought to reduce the tension and the potential for future disturbance. An appropriate indicator of ethnic cleavage structure is the extent of ethnic division in a country reflected by the number of significant ethnic groups. Some East European countries such as Slovenia and Poland have no large minority groups, others including Latvia and Macedonia have one or more big minority populations.

External Pressure

National elites also feel pressure from outside that accelerates, although indirectly, the case of reform. A country may certainly decide not to comply with the demands made by international players. In the case of Eastern Europe, however, this is highly unlikely because the main goals of democratic transition include integration into the European supranational structures as a major priority. At least during the period when these countries are applicants and are waiting for admission, they are expected to do their best to meet the requirements set by the targeted for membership organizations. An appropriate indicator of indirect foreign pressure is the pursuit of membership in the IMF and the Council of Europe.¹² At the time decisions over the electoral rules were made, some of the East European countries (Hungary and Poland) had already joined at least

¹² NATO and the European Union (EU) are other international organizations also targeted for membership. For the period of electoral reform, however, no variation in NATO and EU member status is observed across the East European countries. The first NATO members from the region, the Czech Republic, Hungary, and Poland, were admitted as early as 1998. The same three countries, Estonia, and Slovenia were invited to start negotiations for full membership with the EU several months later.

one of these two structures; others (Croatia and Macedonia) were still applicants desperate to achieve membership.

Uncertainty

The concept of uncertainty is operationalized through the availability of reliable information (Downs 1957). Whether and how well the main players are informed about one's and the others' strengths, voters' support, and the dynamics of its change is closely related to timing. Timing in terms of sequence of elections is a relevant indicator of the level of uncertainty. The latter is at its highest when decisions over the rules for the first multiparty elections are made because there is almost no information about the main contenders and their number, as well as no clear record of citizens' political attitudes. As Cox (1997, 78-80) observes, for each following election, the major actors improve their knowledge about who competes, what groups of voters back their platforms, how their party can use its advantages, etc. In Eastern Europe, this awareness was generated by other events in the interelection period such as referenda on the new constitutions and/or the chief executive institution, elections for president and for local government, opinion polls, etc.

Three Scenarios

In the preceding sections I first hypothesized the expected effects of several domestic and external factors and then discussed the particular contextual features that shape the decision for institutional change. I next argue that specific constellation of the

determinants of reform lead to three patterns of change in the rules for election of transitional assemblies. If we conceive of uncertainty, cleavage structure, and international pressure for reforms as properties of the transitional environment, we can discern these different scenarios as determined by the state of development of elite groups and their capacity to resist or negotiate. Table 2.1 reveals these possible outcomes that can be summarized in three patterns, reform toward PR, reform toward a mixed system, and no reform.

Table 2.1. Elite Status and the Choice of Electoral System in Eastern Europe

Opposition Consolidation / Incumbent Fragmentation	No	Yes
Yes, High	Reform, PR system	Reform, PR system
Yes, Medium	No reform, SMD system	Reform, mixed system
No	No reform, SMD system	No reform, SMD system

In Table 2.1, I recognize two types of organizational state of the opposition, consolidated and non-consolidated. Fragmentation in the governing elite varies from high, through medium, to no fragmentation. In cases of high incumbent fragmentation when the ruling party is too weak to stay in power, a reform toward PR is most likely to

occur regardless of the organizational state of the opposition. The goal of such a change is to give a guarantee for political survival to the ruling elite. This is the first possible scenario. When splits in the ruling party exist but it still keeps its positions in power, the organizational state of the opposition is of crucial importance. If the opposition groups unite to compete with incumbents in forthcoming elections, a mixed system is negotiated between contending elites. I associate these developments with the second scenario where medium incumbent fragmentation and consolidation of the opposition lead to the occurrence of a mixed electoral format. In cases where the opposition has not coordinated efforts aimed at electoral victory, incumbents are influential enough to keep the current system alive. If incumbents are not split nor is the opposition united for the election, reform is very unlikely. Thus, the cells in Table 2.1 for which I predict no reform correspond to the third scenario. Next I discuss each of the three patterns in turn.

First Scenario: The Case of Regime Collapse

The regime collapses under strong internal or/and external pressures, and there is no negotiation over the electoral formula although talks over the general orientation of democratic reform might take place. The ruling coalition is fragmented and weak; it neither has the capacity to negotiate partial reform nor the electoral strength to compete in SMD districts. Incumbents seek survival through an institution that would guarantee them some presence in future political life. The opposition also prefers proportional rules either because it insists on a system that was used in the pre-Communist past or because it is divided and has better chances under PR. The complete rejection of the current system turns out to be relatively easy, because there is no incumbent party strong and prestigious

enough to advocate it and bargain to at least keep the majoritarian formula for election of part of the seats (Ishiyama 1997). The opposition Civic Forum in Czechoslovakia, a broad non-party anti-regime formation, was most concerned with rejection of the older electoral law and adoption of a new system. With its low legislative costs for unsuccessful performance, the choice of PR becomes attractive in settings with minority groups and proliferation of new parties even when the opposition is not united. An example of such a situation existed in Romania in early 1990.

Second Scenario: The Case of a Considerable Crisis

Under this scenario, a substantial weakening of the system is at hand, and legitimacy is threatened. There is chronic dissatisfaction at the mass level, but incumbents still keep positions of power. Fractionalization, however, occurs within the ruling party where the reform-minded wing takes over from hard-liners who are reluctant to change. The costs of retaining the current system increase and threaten to exceed the advantage of competing under the majority-based rules. The opposition is rising in strength; it is consolidating and presses for reforms with the idea of winning elections. The regime has not collapsed and agrees to negotiate in order to survive and ensure future access to power. A similar situation emerged in Hungary in the summer of 1989. Negotiation over the rules takes place because neither the incumbents nor the opposition can solely lead the country out of the crisis. In a dramatic process of bargaining, a settlement by compromise is reached by contending players battling for control over the legislature. The acceptable solution is a combination of SMD and MMD that is attractive with regard to two different aspects. First, and most important, the incumbents are strong

enough not to abdicate under the domestic and international pressure but cannot continue to disregard the rising opposition, and compromise turns out to be a good answer to a complicated problem. The case of Bulgaria well illustrates this point. Second, combining the majoritarian and the proportional principles of seat allocation, the mixed systems are expected to combine "the best of two worlds" (Sartori 1997, 73), governability and representation. This expectation, in addition to the rational calculations for the optimal outcome, adds to the attractiveness of mixed systems.

Third Scenario: The Case of Initial Weakening of the Political System

These are situations in which increasing mass dissatisfaction with the existing state is in process, but the incumbent party is cohesive, retains strong positions and keeps control over the resources and the decision-making process. In circumstances when the national question has not been solved yet, the ruling elite embraces the goal of achieving independence that becomes the most salient issue and displaces from the agenda any other important problems of democratic transition. The advantage incumbents get from the status quo greatly exceeds the costs of changing the existing rules. The opposition is not well organized and/or develops as an anti-regime force exposing the defects and the crimes of the regime rather than as a real contender for power. Public attention is not focused on reform, and the idea of changing the type of system in the new electoral law remains off the agenda, at least for the time being. The majoritarian rule of electoral competition is retained, though not for ever; it remains to be a subject of discussion for subsequent elections. With the deepening of the democratic transformation, the costs of retaining the status quo by the incumbents increase due to strengthening of the opposition

and the need to respond to other challenges of the environment. Thus, changes in the political context could bring developments toward the second scenario when both actors have the capacity to negotiate. Lithuania, Albania, and Macedonia are examples of similar developments.

In the above sections, I developed a theoretical argument about electoral system change as a choice made by elites in a specific domestic and international context. Having detected relevant indicators for the main contextual variables and the patterns of reform, in the next chapter, I analyze cases of East European electoral reform for the first multiparty elections.

CHAPTER 3

CHANGING THE RULES FOR THE FIRST MULTIPARTY ELECTIONS

East European Electoral Reform: The Facts

Before proceeding with the analysis, it is useful first to look at some initial evidence of the changes made thus far in the East European electoral systems. The starting point of all countries in the region is well known, elections based on limited selection and nomination procedures controlled by the communist parties¹³ and an SMD type of constituency (Furtak 1990, 183). The events of 1989 opened the way for political, economic, and social changes, a process that required a new institutional basis. An issue of crucial importance in the shift towards competitive elections in socialist states was the problem with the alleged leading role of the communist parties prescribed by the notion of their historic mission and enshrined in the national constitutions. Demands for the abolition of those articles in Hungary, Czechoslovakia, the GDR, Bulgaria, Romania and

¹³ For decades, the assembly members in the Communist-world countries had been elected without political competition (one candidate running for a seat) and the elections were merely acts of approval rather than acts of choice among alternatives. After the start of Gorbachev's reforms and before the opening of the regimes, some countries (Bulgaria, Hungary, Poland, the Soviet Union, Yugoslavia) held local or assembly elections with more than one on average or at least a two-compulsory choice; despite this undoubtedly more democratic feature, the principle of Communist party nomination and approval of candidates was retained in practice (Furtak 1990, 182-183).

elsewhere, were generated by the shortcomings of the socialist systems and the eroding beliefs in their supremacy over the western liberal-democratic model. With the voluntary deletion of their political and legal privileges in 1990, the East European communist parties signaled that they were willing to let voters decide who would govern and that they had accepted the need to compete for power with emerging political organizations (Furtak 1990, 194). These developments made it possible to consider alternative electoral rules, since this idea of pluralism of opinions included the notion of a multiparty contest of power.

A major change in an SMD-based system would be to shift to districts with more than one representative in which parties run by party lists and compete against each other's platforms. It is fair to note that multiple parties can compete in SMD, either through plurality or majority with run-off systems as well. The point here is that one faces a choice between personal and party voting and in the East European popular thinking of the early 1990s, the phenomenon of contesting the Communist Party had a special meaning. The existing one-member constituency was associated with the rejected past while the multimember district was thought of as progressive and associated with the continental West European systems.¹⁴ Thus reform in those countries included a radical change in the size of the district, from SMD to MMD. What we see today as a result of

¹⁴ There is another dimension of this line of thinking. MMD with PR were associated with the history of parliamentary elections in all East European countries, the memory of which generated nostalgia for the non-communist past. Some countries such as the Baltic states reintroduced constitutional provisions directly copied from their 1920s organic laws. In other countries, including Romania and Bulgaria, the idea of returning back to the monarchy emerged within some circles of society.

the reform is systems in which all or at least part of the parliamentary seats are allocated in MMD through PR. This common shift happened over the course of three consecutive multiparty elections and was paralleled by other important constitutional reforms. Table 3.1 represents a summary of the changes made in the East European electoral laws by country, election and type of system.

Seven of the fifteen countries changed the type of electoral constituency for their first multiparty election: four of them introduced systems based entirely on MMD, and the other three chose a mixed format with half of the seats competed in SMD and the second half in MMD. It appears that these changes were made immediately after the opening of the regime as a necessary arrangement for the first test of competitive elections. Poland, which was well ahead in the process of transformation represents a paradox: the formula remained unchanged, and the vote was sanctioned by round table agreements signed early, in April 1989.¹⁵ By the time of the second postauthoritarian elections most of those nations had moved away from the SMD model: six countries changed their electoral rules to mixed or MMD systems. Two of them, Latvia and Poland, chose PR systems resembling those they had during the interwar period. The other four, Albania, Croatia, Lithuania, and Russia, were attracted by the mixed formula.

¹⁵ According to the agreement, 65% of the seats were granted for the Communist party (Simon:1996). Poland paid a dear price of being the first to start the changes. Still feeling uncertain about a Soviet intervention if drastic reforms were implemented, the opposition did not press further the weakened Communist party. A year later, Poland was already lagging behind the other East European countries with respect to its institutional reform.

Table 3.1. The Electoral Systems of Fifteen East European Countries, 1989-1998

Election	SMD	Mixed	MMD
<u>First Election</u>	Albania/91 Croatia/90 Latvia/90 Lithuania/90 Macedonia/90 Poland/89 Russia/90 Ukraine/90	Bulgaria/90 Georgia/90 Hungary/90	Czechoslovakia/90 Estonia/90 Romania/90 Slovenia/90
<u>Second Election</u>	Macedonia/94 Ukraine/94	Albania/92 Croatia/92 Georgia/92 Hungary/94 Lithuania/92 Russia/93	Bulgaria/91** Czechoslovakia/92 Estonia/92 Latvia/93 Poland/91 Romania/92 Slovenia/92
<u>Third Election</u>		Albania/96 Croatia/95 Georgia/95 Hungary/98 Lithuania/96 Macedonia/98 Russia/95 Ukraine/98	Bulgaria/94 Czech Rep./96*** Estonia/95 Latvia/95 Poland/93 Romania/96 Slovakia/94*** Slovenia/96

* In bold are countries which reformed their system for this particular election.

** Bulgaria moved to a pure PR system for its second multiparty election.

*** The Czech Republic and Slovakia are listed separately because they held their third parliamentary elections after the breakup of Czechoslovakia.

The latter, unlike that of the first wave mixed systems, was designed in a variety of ways providing for different SMD/MMD ratios. Only Macedonia and Ukraine did not follow the trend and retained their SMD-based systems for this second multiparty election. Yet they also made a shift before the third consecutive election, introducing mixed systems as well.

This quick look at the electoral reform across space and over time suggests several quite interesting observations. First, in the period of 1989-1998, reform was made in all the countries included in the sample. The election laws amended regarding the type of constituency would have important consequences for the development of the new multiparty systems, as suggested by the theoretical literature on the link between electoral systems and the number of parties (Duverger 1954, Rae 1971, Taagepera and Shugart 1989, Lijphart 1994). Second, the new choices are mixed or pure MMD systems. It is interesting that the former became more frequently selected in the later waves of changes which suggests diffusion effects of the early East European reforms and then experience with the SMD/MMD format. The rate of institutional reform intensified for subsequent elections, and mixed systems became more frequently adopted over time. These dynamics are illustrated by the figures in Table 3.2.

About 43% of the countries changed to mixed systems for the first election, two-thirds for the second, and 100% of the reformers from the latest wave of change introduced mixed systems. Third, we observe no return back to the SMD constituency,

Table 3.2. Rate of Electoral System Change in Eastern Europe

Election Sequence	Changed Systems/Total SMD Systems	Rate of Change	Rate of Mixed Systems
First election	7/15	46.7%	42.9%
Second election	6/8	75.0%	66.7%
Third election	2/2	100.0%	100.0%

i.e. the process of reform appears irreversible. Even if we consider further changes, they are either within the main format through manipulation of the SMD/MMD ratio and the legal threshold (Albania, Croatia), or constitute a move from a mixed toward a pure MMD-PR system (Bulgaria). There are no cases of movement to SMD once that system was abandoned.

In general, we have a quite dynamic picture of institutional choices made by the East European countries at the start of their democratic transition. It appears that change rather than keeping the existing majoritarian rule emerged as an universal approach. What remains to be explained is why at different points, i.e., why all of them did not reform their systems for the first multiparty election; why wait for the second or the third. And most importantly, why did some of these countries end up with mixed electoral systems, rules for which we have no theoretical literature predicting the precise impact

they will have on the national political fortunes. In the remaining part of this chapter, I look at the countries which made a decision for reform before their first free elections. According to the classification I developed in Chapter II, these will be cases which follow Scenario I and Scenario II. First I will present the most characteristic examples for each pattern and then I will discuss the remaining cases and how similar or deviant they appear to be regarding the behavior prescribed by the typology.

Reform for the First Election: The First Scenario

As I have already argued in Chapter 2, when the political crisis is extremely deep and the incumbents have lost the trust of the public, a collapse of the regime occurs. Its reflection in the pattern of institution building is characterized by the search for solutions different from the previous existing arrangements. Rejection of the old becomes a way to design the new system; there is almost no resistance, because the status quo is discredited and so is its model. Let us now turn to the two countries in the sample, Czechoslovakia and Romania, where the Communist regime suddenly collapsed in late 1989 and examine the context within which new electoral systems were crafted in the early 1990.

Czechoslovakia

Most political scientists who have done research on Central and Eastern Europe agree that in Czechoslovakia, there was a sudden collapse of the regime in the fall of 1989 (Pehe 1990a; Welsh 1994; Ishiyama 1997; Olson 1997): "the system imploded" (Olson 1997, 154). The Czechoslovak Communist regime was orthodox, inflexible, and

extremely dependent on Soviet support as a guarantee for its survival (Elster et al. 1998, 55). The 1968 Warsaw Pact invasion was followed by two decades of rigid suppression of dissident action and independent thought (Rothschild 1993, 207-210; Olson 1997, 153). Political trials, harassment of dissidents, and intimidation of people into silence were broadly used by the authorities to protect the existing order. In the late 1980s, the ruling team lost its previous support from the Soviet Union. Panicked by events in other countries, especially those in East Germany, and facing the mass street demonstrations that spread out from Prague to Bratislava in the fall of 1989, the regime simply capitulated.

By the time the new electoral law was discussed in February 1990, the old communist leadership was willing to exit the political scene leaving the party in a very disadvantageous position as discredited. In an interview for Tokyo Kyodo on December 23, 1989, Prime Minister M. Calfa bitterly admits that he feels dubious of a communist victory in the spring elections because the chances of his party to win were "dim" (FBIS-EEU, 8 January 1990, 31).¹⁶ More than half of the communist assembly members had resigned and were replaced by representatives of the new emerging reformer political forces (Caldá 1996, 164; Olson 1997, 155). By the middle of January, about 800,000 members of the Communist Party of Czechoslovakia had left; public opinion polls show that an additional one-third of the remaining were also considering leaving the party, and only 52% of the remaining two-thirds said they could vote for it in elections (FBIS-EEU,

¹⁶ Foreign Broadcast Information Service, Daily Report: Eastern Europe (hereafter FBIS-EEU).

6 February 1990, 22). As a result of the revolt which erupted in many party organizations in the last weeks of 1989, entire local organizations dismissed themselves (Pehe 1990a). The leadership of the party itself was replaced, and although its 1968-hero A. Dubcek was selected a Chairman of the Assembly, nothing could compensate for the abrupt opening of the regime and its consequences for the incumbent party.

Opposition to the regime grew significantly throughout 1989 and for the first time spread organizationally in and out of Prague. There were two main anti-communist democratic movements for reform created separately at the republic level, the Civic Forum in Prague and Public Against Violence in Bratislava. They were founded in November 1989 as unions of some dissident groups that emerged during the "ideological hardening" period of 1986-89 (Pehe 1990a). Their platforms were oriented towards pluralistic democracy, market economy, and radical ecological measures to improve the living conditions (Elections in... 1990). Although the opposition was rising in strength, it was not well-prepared for the sudden implosion of the system (Calda 1996, 161). Yet there was considerable pressure on the regime to relinquish its hold on all important government posts (Pehe 1990b).

Czechoslovakia was a multinational state composed of two major ethnic groups, the Czechs and the Slovaks; respectively 62.4% and 31.3% of the total population, which result in a relatively high ethnic heterogeneity of two effective groups. The country constitutionally was a federal system, and there were significant ethnic-based differences in the mutual relations between the ethnic groups on the speed of transitional reforms (Olson 1997, 162). Similarly the parties tended to differ in the sources of their electoral

support regionally and ethnically (Olson 1997, 188). This circumstance made it costly, and risky, for the elites to rely on a majority rule to magnify their electoral returns.

From the very start of the democratic transition, the Czechoslovak elites announced the desire of the country to join the Council of Europe, the IMF, and the EU. Already a GATT member, Czechoslovakia submitted an official application for admission to the IMF and the World Bank on January 15, 1990 (FBIS-EEU, 18 January 1990, 33). The country demonstrated readiness to start immediate talks on opening trade and economic integration with the rest of Europe. Targeting EU membership, the Czechoslovak political leaders provided the EU with information on the state of legislative reform aimed at creating favorable conditions and legal guarantees for the development of dynamic cooperation with foreign partners.¹⁷ Thus, the government pursued changes in the legal system to improve prospects for quick integration into the political and economic structures of the West.

On January 11, 1990, representatives of the main Czechoslovak political forces agreed at round-table talks that a PR system would be used for the spring elections (FBIS-EEU, 19 January 1990, 27-28). The opposition favored the idea of PR for several reasons: first, to prevent nonaffiliated (ex-communist) candidates from winning; second, PR would be more conducive to the development of a multiparty system (Pehe 1990c) and group interests to be represented; and third, it resembles the electoral system Czechoslovakia had before the Communists came into power. Even the Communist

¹⁷ December 19, 1989 letter of the Czechoslovak Prime Minister M. Calfa to J. Delors (FBIS-EEU, 18 January 1990, 33).

Party, extremely weakened after the devastating catastrophe in November-December 1989, favored a proportional formula in a desperate search for a life-saving alternative. Chairman L. Adamek, addressed the Second CPCZ Central Committee session on February 17th pointing out that after the collapse of former political structures, the most favorable choice for his party would be PR because it guaranteed approximation to the actual correlation of the political forces (FBIS-EEU, 23 February 1990, 12-17). The idea was that under PR the party would at least get their percent of seats, while it could be entirely excluded from political life if competition was held according to the majority principle. There was no real bargain, and the Czechoslovak round-table talks played the role of a regulatory mechanism rather than a negotiation forum. The outcome regarding the electoral rules came out easily and without a fight, PR in MMD with a 5% threshold to prevent excessive fragmentation.¹⁸

Romania

The context within which decisions over the new institutions were made in Romania was conditioned by the character of the December 1989 revolution (Crowther and Roper 1996). The extreme despotism in Ceausescu's style as a party and a state leader had a profound impact on the course of events in the fall of 1989 (Linz and Stepan 1996, 349). The Romanian regime was personalistic and authoritarian in nature. There was no degree of institutional autonomy; top Communist party officials were as much subjected to Ceausescu's exercise of despotic power as ordinary citizens. The leader and

¹⁸ This threshold was valid for the Federal Assembly and the Czech National Council; a lower hurdle of 3% was adopted for the Slovak National Council.

the state security services intervened in people's private lives, sowed fear, and discouraged dissent. During the last several years of Ceausescu's rule, Romania went through terrible economic hardships and growing ethnic tension (Tismaneanu 1997, 412). The spontaneous demonstrations that started in Timisoara on December 16, 1989, spread to the capital city of Bucharest and were violently repressed by the dictator. The end of Ceausescu's life was sudden and dramatic.¹⁹ He and his wife Elena were made solitary scapegoats for all Romania's misfortunes while the remaining high party officials and the repressive apparatus were in effect exonerated (Rothschild 1993, 248).

The incumbent Communist Party of Romania (CPR) last demonstrated its approval for the leader Ceausescu in the end of November 1989 when he was unanimously reelected general secretary for another five-year term (Political Handbook... 1989, 537). There were no internal splits over decisions for radical reforms, and pragmatists-reformers did not take over Ceausescu's supporters. The harsh domestic policies of Ceausescu made it impossible for significant opposition groups to form out of the Communist party (Mihut 1994). No opposition democratic leaders or groups known to the public had emerged in Romania till the fall of 1989 (Linz and Stepan 1996, 352). The regime collapsed suddenly in a setting ruled by uncertainty and violence. Being unable to offer an alternative and to fight for its survival, the Communist Party was excluded from the "revolutionary process". The single-party monopoly was formally abolished by the interim National Salvation Front (NSF) government whose members

¹⁹ In a hasty secret "trial", Ceausescu and his wife were convicted and immediately executed by a military court on December 25, 1989. These events are still cloaked by a great deal of mystery (Rothschild 1993, 248; Tismaneanu 1997, 417).

condemned Ceausescu. Rejection of the old structures became a dominant philosophy and there was not a significant political actor to advocate retention of the previous system of rules.

The NSF was established on December 22nd, 1989, fifteen minutes after the dictator fled. The NSF was a heterogeneous group of intellectuals, students, army officers, and former communist officials (FBIS-EEU, 9 January, 63; Crowther and Roper 1996). Started as a supraparty formation which seized the initiative in a unstable political situation, the Front reorganized as a party in February 1990 and focused on the coming elections. Although forced to share power with other opposition parties, it kept a significant presence in government, holding the cabinet ministerial positions, half of the seats in the Provisional Council of National Unity, and had the advantage of using the resources of the former CPR (Elections... 1990, 111). Yet the first signs of disappointment and split in the Front appeared in January with the resignation of its members in Timisoara, the heart of the Romanian revolution (FBIS-EEU, 9 January 1990). Mass anti-NSF demonstrations and protests in Bucharest showed support for other rising players in the political arena (FBIS-EEU, 25 January 1990, 72).

New party formations proliferated after December 22, 1989 as a reaction to the previous one-party system and reached a total number of seventy-five parties in the winter of 1990 (Mihut 1994). Some of them, the National Peasants' Party, the National Liberal Party, and the Social Democratic Party, were continuations of the "historic" parties abolished in the 1940s; others were new, such as the Romanian Ecological Movement and the Hungarian Democratic Union, concerned with environmental and human rights

problems. These new organizations soon made it clear they wanted to play a substantial role in rebuilding the country (FBIS-EEU, 28 December 1989, 72-75). They were still weak at the time the first elections were discussed, with little access to resources and not united in their efforts to win their own political space.

Uncertainty grew higher with additional pressure from the Hungarian ethnic group (8.90% of the total population) which did not trust the NSF to represent their interests. Although the ethnic heterogeneity in Romania was not high, there was one sizeable group, the Hungarian, which demanded representation. It had proven its efficacy through active demonstrations which continued until the collapse of the regime in late 1989. The country was also trying to establish connections with the world; a GATT member since 1971, Romania was planning "policy conducive to its reintegration within the process of building a united Europe" and reestablishing contacts with the IMF and the World Bank (FBIS-EEU, 9 January 1990, 64; FBIS-EEU, 2 February 1990, 66).

There were discussions in Romania organized by the NSF in late January-early February, to draft a new election law through the participation of twenty-eight parties and formations (FBIS-EEU, 26 January 1990, 77). The heated debate over the new legislature focused on issues different from the formula of seat allocation: the NSF participation in the coming election, how independent candidates would run, the composition of electoral commissions, access to the media, subsidies for the parties, etc. (FBIS-EEU, 29 January 1990, 95; FBIS-EEU, 22 February 1990, 77; FBIS-EEU, 15 March 1990, 58-59). Foreign observers report that in interviews, most party representatives found little in the law to object to; they were less concerned with the specific provisions than with its enforcement

(Elections... 1990, 107). The presence of many actors increased the level of uncertainty. The talks proposed a PR formula which seemed acceptable to everybody. Although the NSF had a dominant role, the cost to introduce an SMD-based system to magnify its electoral returns was too high for such a choice would have been associated with the old regime. Furthermore, the Front had already assured for itself a dominant position in the political arena and was cautious not to win an excessive majority that would discredit it before the democratic world (Stefoi 1994). The decision over the rule was not objected to by any participant in the talks; it resembled both the Romania's pre-communist past and the MMD format currently used in most European countries.

Reform for the First Election: The Second Scenario

Another group of countries made decisions on electoral rules for the first elections in a different transitional setting. The main distinction between them and the cases discussed in the previous section is that the incumbent party, although shattered by the crisis had avoided the ideological rigidity and harsh policies of the ruling elite in Scenario I and therefore kept positions in the decision-making process. One important element of this flexibility is the readiness to negotiate and compromise over new rules of the game against a united opposition. I will first present the two most characteristic East European examples of such settings, Hungary and Bulgaria, and then will discuss in brief some other cases which belong to the same group.

Hungary

In Hungary, the 1987-1988 opening of the regime allowed a rise of the multiparty system much earlier than in the other ex-socialist countries. In October 1988, the communist party leaders finally gave up on the idea of keeping at any cost the one-party system and planned a "quasi-pluralistic" political system in which the incumbents would have sufficient resources to control future developments (Tokes 1997, 114). The stagnation of the economy and the lower standards of living (Sajo 1996) led the ruling party to reshuffle and change the leadership. The process of intra-party struggle between groups of party elites, however, continued in 1989. Disagreement intensified and discipline within the Communist Party (HSWP) declined; some groups and organizational units became more and more estranged from the core (Sajo 1996). The Party wanted to set the rules of transition and approached the round-table talks in June with the intent to dominate its decisions. Realizing its discredited position, it was anxious to create the most favorable conditions for the upcoming regular 1990 parliamentary elections, including changing the system for election of members of parliament.

By late 1989, parties and movements which were to play an important role in political life had already formed and had developed an election-oriented strategy to compete in the first free elections (Agh 1996). In March 1989, eight opposition groups and parties managed to unite around the most popular group, the Hungarian Democratic Forum (HDF), in the Opposition Round Table coalition (Tokes 1997, 111, 114). It became a viable alternative to the Communist party; according to public opinion polls,

the HDF enjoyed the most popular support (Ishiyama 1997). The opposition forces demonstrated capacity to coordinate their actions in the free by-elections held to fill four vacancies in July-August 1989, when the ruling party candidates were defeated in two-round majoritarian contests.

The other two domestic and international sources of pressure were not of such a serious magnitude as they were in most of the remaining countries examined here. Ethnically, Hungary is a rather homogeneous country. The Gypsies represent the largest minority group and constitute a 4% of the total population. Without organizational structures they have little ability to push for changes. In 1989, the most prominent cleavage was along the lines of the communist/anticommunist division on important questions about the future development of the country. There was no urgent need to comply with requirements of international organization officials for speeding up institutional reforms; after all, Hungary was the pioneer of Eastern Europe in the transformation of its political system. Notice also that the country was already a member of the IMF and the GATT. The next targets were the Council of Europe, the EU, and NATO which Hungary was hoping it could join in the long-term.

The National Round Table talks between the divided communist party and the united opposition set the stage for formal discussion aimed at reaching agreements on the "peaceful liquidation" of the old regime (Tokes 1997, 114). In an environment ruled by high uncertainty about the outcome of the contest, the HSWP reform-oriented leaders who had taken over from the hardline wing faced the need to negotiate the electoral system with the rising opposition. The Opposition Roundtable also agreed to negotiate,

because the regime had maintained some legitimacy through its initiatives for changes and its flexible reactions to the changing domestic environment. What was not clear, and could not be properly assessed, was exactly how much prestige the reforming incumbents still had. Both elites, the old and the new, started negotiations based on the principle that common survival was inevitable and desired as an outcome (Tokes 1997, 111).

The ruling HSWP favored an electoral system based on SMD (Sajo 1996, 83; Tokes 1996, 339). At the time of the round-table talks in the summer of 1989, it was still believed that the incumbents would be successful in most of the constituencies. The HSWP's goal was to avoid a party-oriented campaign because its name was becoming less attractive to people. Furthermore, the Communists were in a position to nominate well-known reform-minded intellectuals and focus voters' attention on the candidates' personal characteristics. Most of the parties participating in the Opposition Roundtable insisted on PR. Their individual candidates were unknown to voters, and they believed that their credible anti-Communist image would bring them success in a party-list campaign. The largest opposition organization, the Hungarian Democratic Forum, felt relatively more confident of its local support and proposed a middle-ground solution, half of the seats to be elected in SMD and the other half through PR (Sajo 1996, 83). A qualitative change in the electoral system was negotiated in the form of a mixed system, a possible compromise between contending participants.

Bulgaria

By the fall of 1989, the communist regime in Bulgaria was weakened by the loss of external Soviet support, the sudden growth of dissidence and opposition human rights

and ecological groups, the rise of ethnic tension, and the erratic performance of its symbol, T. Zhivkov (Bell 1997, 358). The ruling Bulgarian Communist Party (BCP) had been discredited and citizens' confidence in the general principles of its policies was quickly diminishing (FBIS-EEU, January 1990). The BCP faced the need to seriously evaluate the growing public dissatisfaction with the socialist idea that the party had preached for about forty-five years. On November 10th, 1989, the reform-minded faction around the Minister of Foreign Affairs P. Mladenov engineered an intraparty coup against the long-standing BCP Secretary General T. Zhivkov. The BCP reformers clearly understood that the developments were inevitable; the party was divided between them and the Marxist-Leninist hardliners and uncertainty existed about the level of their support among voters. In order to guarantee its survival and improve its chances, the leadership chose to change the rules, including the electoral system, and negotiate with the consolidating opposition.

The other player, the opposition, was young and lacked the political experience and the organizational cadre of its rival. It was successful, however, in coordinating its activities, the first important step being the formation of the Union of Democratic Forces (UDF) in early December 1989. The UDF was founded by sixteen intellectual, environmental, and other groups and parties formed in the period of 1987-89 and was committed to dismantling the old communist system. From the end of 1989, the UDF constantly and persistently had increased its public approval (FBIS-EEU, 16 April 1990). The organization was determined to participate in the upcoming round of competition for

power and pressed for changes in the rules which it perceived as necessary to improve its chances for election.

The BCP recent policies of absorption of the ethnic Turkish group (about 8.5% of total population) generated additional pressure for electoral reform to ensure political representation for minorities. In early 1990, old and emerging elites realized that ethnic peace was impossible without finding proper institutional forms to promote inclusion. In the international arena, Bulgaria was actively pursuing membership in the European structures such as the Council of Europe and the EU; it also continued its long-standing efforts to join the GATT and the IMF (Haus 1992, 85-87). The ruling elite faced the challenge of restraining its own power as a guarantee of a good will and protecting an image of democratizing the system.

The events in Bulgaria were quicker and less gradual than those that unfolded in Hungary. The regime opened late, the opposition was not prepared, and civil society was far less mature. Yet, in a very short time, the main actors managed to make the best they could of the situation; the pragmatic BCP-reformers took over from the hardliners and within a month, the opposition successfully united its forces in a coalition with great potential. The round-table talks were supposedly initiated by the BCP reform group in late December 1989 (Kolarova and Dimitrov 1996, 185-86), but they were welcomed by the opposition as a forum to put forward its own demands for changes. While Poland and Hungary were perceived as models by both sides of the talks, the violence and terror of the Romanian collapse generated fears and concerns and forced the participants to actively pursue peaceful paths for the transition. Despite their different preferences

regarding the type of the new electoral rules, the two sides of the roundtable, the BCP and the UDF, made efforts and reached an agreement through compromise.²⁰ Thus, a mixed electoral system was crafted through negotiation as a solution to the crisis.

Other Cases

There are several other cases which belong to the group of negotiated rules for the first election. Slovenia is another example of a country where the communists, similar to those in Hungary and Bulgaria, chose to negotiate with the opposition and thus made the transition unfold within a legal framework instead of relying on a brutal "clash of powers" (Ramet 1997, 195). There, political liberalization had taken place for about four years before the wave of changes swept Eastern Europe in the fall of 1989. The League of Communists of Slovenia (LCS), a branch of the League of Communists of Yugoslavia (LCY), was the first to advocate separation from the federal party structure. After the mid-1980s, the reformers' group in the ruling elite under the leadership of M.Kucan established its predominance over the party conservatives championing the ideas of political pluralism, human rights, "stepping down from power", and the rule of law (Bibic 1993; Ramet 1997, 191). As in other East European countries in 1989, the LCS dominated the government and to a certain extent controlled the media and the preference of its leaders for the new electoral law was a majority-based rule in SMD to avoid party-label competition. Consistent with its pro-democratic platform and the realities of the emerging multiparty system, however, the reform-minded communist elite of Slovenia

²⁰ I analyze and discuss the actual process of negotiation and bargaining over the new Bulgarian electoral law in Chapter 6.

was prepared to make further concessions and tried to find a "common language" with the opposition (FBIS-EEU, 12 October 1989, 82; Furtak 1990, 193). The other major player, the opposition, was represented by alternative movements including peace, environmental, spiritual, feminist, and human rights groups which had emerged in the country since the mid-1980s; in late 1989 seven of them merged to form DEMOS. The commitment of major political forces to integrate the republic into Europe and especially the need of international recognition of Slovenian sovereignty required clear political decisions for changes and, in particular, electoral reform. At the round-table talks in early October, the opposition insisted on the adoption of a PR-based system (FBIS-EEU, 12 October 1989, 82-83). The agreement voted by the assembly on December 28, 1989 was PR for the dominant Socio-Political Chamber, and majority through an SMD system for the other two chambers of the Slovenian parliament.

Other instances of negotiated electoral systems are Estonia and Georgia. As different as the political context might have been in the two Soviet republics in 1989-1990, they show some similarity in the pattern of making institutional choices. The incumbent parties in both countries were seriously divided along ethnic lines on the issue of national independence (Kask 1996, 194). In Estonia, the double membership of many communists in the Communist Party of Estonia (CPE) and in the Popular Front of Estonia (PFE) shook the party from within (FBIS-EEU, 12 December 1989, 82-83). The signs of disintegration and decline in popular support forced the "honest reformers" to reconsider the role of the party and its relationship with the strengthening opposition (Kionka 1989; Raun 1997, 346). Initially founded by reformist communists, the PFE quickly grew into a

strong challenger of the regime; at the March 1989 elections for delegates to the new Congress of Deputies in Moscow, twenty-nine of the thirty-six available seats were won by candidates affiliated with the Front (Raun 1997, 346). The communists-reformers realized that they were not in a position to unilaterally select and impose the new rules for election. The presence of a large Russian minority group in the country (28.70%), and the rising question of international recognition made the situation complicated enough to search for a negotiated solution.

In the course of passionate and dramatic negotiations at the Supreme Council, a rather unique selection was made. Advised by their foreign advisor, the American political scientist R. Taagepera, the PFE initially proposed an open-list PR formula to achieve some correspondence between parties' representation and voters' personal preferences (Taagepera 1997, 52). The Communists, trying to avoid a campaign under the despised CPE label but trying to keep the MMD, suggested the single-non-transferable vote (SNTV)²¹ to maximize their returns relying on the local party networks and the recognition of local communist individuals. A single-transferable vote (STV)²²

²¹ Under SNTV, elections are held in multimember districts but voters vote for only one candidate on a categorical ballot. The winners are simply those candidates who receive most of the votes. A specific element of the system is that votes cannot be transferred from one candidate to another. Thus, large parties need to calculate the distribution of their vote very carefully every time they field more than one candidate in a district. SNTV was used by Japan for the lower house until 1993. The reform Communists in Estonia proposed the system because it is simple and does not go by party label; actually, they were not quite aware of the problems SNTV caused in Japan (Taagepera 1996, 52).

²² The STV system uses multimember districts and an ordinal ballot. Voters are asked to rank the candidates on the ballot in their district. Excess votes and the votes given to the lowest-ranking candidates are transferred to the second-ranked candidates,

system was chosen to satisfy the hardest requests of the two negotiating sides, avoid party list competition, but keep the MMD.

In Georgia, the events of April 1989 caused serious problems for the ruling Communist Party and forced its leaders to resign.²³ The successive waves of ethnic violence undermined its capability to keep the integrity of the Republic, and party splits occurred as a result. The suspicion and hostility towards the ruling elite generated by those events put the Communist Party in a very disadvantageous position with regard to the emerging opposition. The latter was pro-reform, but nationalistic as well, and declared itself ready to fight for Georgia's secession and to switch its economy to a market-oriented one (Nelson and Amonashvili 1992). In the summer of 1990, several opposition movements and a part of the Popular Front of Georgia formed the coalition Round Table-Free Georgia Bloc to join efforts against the communists (FBIS-EEU, 13 August 1990, 104-105). Georgia's united opposition had a clear objective, a new electoral law and democratic elections following the model of the other East and Central European countries. It preferred PR rules to allow fair representation of the newly formed but still inexperienced parties while the incumbent Communist Party insisted on a "first-

etc. Peter Kask from the Popular Front of Estonia proposed STV as a compromise. It satisfied the Communists' wish to avoid party list competition. On the other hand, the STV better corresponded to the opposition's preference for proportional results (Taagepera 1997, 53).

²³ On April 9th, 1989, numerous demonstrators for Georgia's independence and secession in the streets of Tbilisi led by the National Democratic Party were attacked by Soviet troops called by the Communist Party leadership. Sixteen people were killed on this "Bloody Sunday" and changes in the leadership of the incumbents' party became inevitable (Fuller 1989).

past-the-post" system. The solution that was reached resembles the Hungarian and mirrors the Bulgarian designs: a mixed system with 50% of the seats competed in SMD through majority with run-off and the remaining 50% by PR with a 4% threshold for party representation.

Conclusion

All cases of early electoral reform analyzed in this chapter have one common characteristic feature, changes were made when uncertainty about the election outcome was at its highest. The mode of transition, and especially the state of organizational development of the incumbents, played a key role in the final decision over the rules. The sudden collapse of the Communist parties as viable contenders for power in Czechoslovakia and Romania excluded the option of retaining the old majoritarian system; there was nobody to advocate for it. Although the opposition parties proliferated in the first months of 1990, there were powerful coalitions with access to power that felt pretty confident of their future success. Preaching a total rejection of the collapsed communist regime, they did not dare to keep the older SMD system that would probably have been even more beneficial for them. PR was also attractive as a symbol of continuity with national historical practices from the pre-Communist period of parliamentary elections.

The flexibility of the incumbent elites in Hungary and Bulgaria, where the reform-minded wings took over from the hard liners and thus kept up the hopes of their parties to

win, made it extremely difficult to predict the outcome. The lack of reliable and precise information about the distribution of voters' support led the elites to the negotiation table. Uncertainty generated willingness to compromise which resulted in a solution partially favorable to both sides. In the next chapter I will analyze the case of electoral reform and the occurrence of mixed systems in particular in contexts where players have already learned more about each other and their potential electoral support, where uncertainty is slightly lower.

CHAPTER 4

LATE ELECTORAL REFORM

According to the third scenario developed in Chapter II, elites may choose to retain the existing type of electoral district competition for the first competitive elections. Observations on post-Communist transitional realities show that such a decision is not stable over time. The deepening of the crisis domestically and internationally and the developments within the incumbents' and the challengers' camps force elites to reconsider the costs and undertake institutional changes under the new circumstances. Uncertainty slightly declines when elites accumulate some knowledge about who competes and what set of options is available to choose from. Furthermore, the experiences of earlier reformers in the region can be used to look for possible solutions and to facilitate a more precise assessment of the costs of change. The most preferable choice in Eastern Europe has been the combination of multi-member districts and single-member districts. In the remainder of this chapter I present some of the characteristic cases of late reform. Then I provide an empirical test of a logit model of post-Communist electoral reform based on data from fifteen East European countries.

Mixed Systems for Subsequent Elections: The Third Scenario

Lithuania

Lithuania's ruling party managed to stay relatively coherent before the first test with competitive elections. The preparations for the republican multiparty elections in 1990 took place in circumstances of growing aspirations for independence. The incumbent Communist Party of Lithuania (LCP) had begun to realize the need to change in order to earn people's trust. In 1988-1989, the party provided support and leadership for the popular reform movement and undertook radical steps in response to people's growing demands including policies of a sovereign and democratic Lithuania (K.Girnius 1989; Senn 1995, 125). The Central Committee was renewed after the resignation of fifteen of its previous members and the 1988 election of A. Brazauskas, an extremely skillful and popular politician, as its First Secretary (S. Girnius 1989b).²⁴ The LCP endorsed many of the proposals made by Sajudis, the Lithuanian popular front organization.²⁵ The pursuit of autonomy helped to retain a good level of support among the Lithuanian population (Krickus 1997, 296). The December 1989 party congress proclaimed independence from

²⁴ The sociological surveys conducted by the Public Opinion Research Center of the Lithuanian Academy of Sciences, Institute of Philosophy, Sociology and Law, in May, August, and October 1989 showed that A. Brazauskas was rated the highest on popularity among organizations and other political leaders, including V. Landsbergis and M. Gorbachev, by both Lithuanians and non-Lithuanians. At the same time, his party was evaluated second after Sajudis (S. Girnius 1989a).

²⁵ Sajudis was formed in June 1988 as a reformist movement similar to the popular front movements in Estonia and Latvia. The idea for its establishment was initially supported by Gorbachev (Krickus 1997, 295).

the Communist Party of the Soviet Union (CPSU) which was supported by a large majority (83%) of the delegates (RFE/RL 1:52, December 21, 36-37). The party eventually split at the congress, but only after the legislation on the new Supreme Council election was passed.

The popular pro-reform movement for enhancement of *perestroika* emerged in 1988-1989 as a major political force in Lithuanian politics. Sajudis was heavily penetrated by reform-minded Communists; of its 36 founding members, 17 were LCP members (Krickus 1997, 295). Soon after its establishment, the organization gain popularity with its pro-independence stand; in the 1989 elections, Sajudis sponsored candidates won 36 of the 42 Lithuanian seats for the All-Union Congress of People's Deputies (Krickus 1997, 296). It failed, however, to develop into a party with nationwide structures and retained its loose character of a movement supporting candidates from different parties. The official records did not indicate its victory in 1990. Although Sajudis was very successful under the SMD system, it was not a real opponent of the Communist party in the pursuit of power. The transformation of the LCP was in progress at the time when the new electoral law was adopted, and from the obvious convergence of platforms, a major problem arose: "Is the party 'sajudicizing' or is Sajudis 'parti fying'?" (Senn 1995, 130).

At the August 1989 meetings between leaders of the Lithuanian government and Sajudis to exchange opinions on the current political situation, republican elections were debated only in terms of timing, while the key issue remained Lithuania's independence and the ways of achieving it (FBIS-SOV, 22 August, 1989, 45-46). The problem of

electoral reform was not brought up; Sajudis had already gained from the existing SMD system, and the Communist party was trying to avoid electoral competition under the party label and relied on its local structures and experienced cadres. Lithuania, as compared to the other Baltic countries, had the advantage of dealing with a relatively small Russian minority of 8.60% which had not insisted on fairer representation yet.

In the summer of 1992, on the eve of the second multiparty elections, the ruling Sajudis was still failing to transform itself into a party and its parliamentary majority split into factions (FBIS-SOV, 25 June 1992, 88-89). Under deteriorating economic conditions, Sajudis's social and political base had significantly narrowed. The economic decline in 1991-1992 was by and large a result of the collapse of the Soviet economy and the disruption of trade relations with Russia; yet voters blamed Sajudis and its leader Landsbergis for worsening of the living standards. Landsbergis's attempts to achieve a fully executive presidential office for himself were opposed by many politicians from Sajudis (Lieven 1993, 259). At the May 24th referendum, the public also did not give sufficient support for reinstating the presidential institution (FBIS-SOV, 5 June 1992, 100; Senn 1995, 133). Another major blow to the prestige of the movement was caused by revelations of collaboration with the KGB (Senn 1995, 133). On the other hand, the main opposition party, the Lithuanian Democratic Labor Party (LDLP), the successor of the Independent LCP, survived the earlier confusion about its role in modern Lithuanian history. It was a real party with government experience which was ready to compete for power (Senn 1995, 134; Krickus 1997, 304).

Domestic and international pressures for reforms were at hand in 1992. During the 1990-1992 period, Lithuania was actively pursuing international recognition and membership in the IMF, the Council of Europe, and the EU. However, the multiple extensions of the direct rule imposed by the central government on two Polish regions after the August 1991 coup caused mixed reactions which grew into frustration in the spring of 1992 (FBIS-SOV, 24 March 1992, 83-84). The Polish deputies in the Lithuanian parliament warned that the violations of minority rights of representation would delay the country's admission to the European Council and other similar structures. A decision to reform the existing electoral system to accommodate group interests and reduce the risk of competing in SMDs was made by the Supreme Council in July 1992. Initially, the LDLP had insisted on proportional rules while Landsbergis had strongly supported the idea of a majoritarian system (FBIS-SOV, 5 February 1992, 104; FBIS-SOV, 5 June 1992, 100). A mixed system with equal shares of SMD and MMD seats was adopted after a series of difficult discussions.

Albania

Albania was the last of the East European countries to start the process of transition from monism to political pluralism and democratization. The Albanian Party of Labor (APL) was reluctant to initiate serious reforms and in the end of 1989 it was apparent that its primary goal was to strengthen the existing socialist system (Pano 1997, 301). During 1990, the Party leadership continued to refuse to surrender its monopoly over power and embrace pluralism; it was not earlier than December 1990 when it decided to allow other parties to register under the pressure of mass students' and

intellectuals' dissent and protests. The regime was keeping its positions, though, and the APL felt pretty confident of its future electoral success under the current system.

At the end of 1989 there was no organized opposition in Albania or dissident movement of any kind. Even until late 1990, reformist intellectuals who shared similar pro-democratic values existed independently from each other and kept their APL membership (Pano 1997, 301). With the authorization of party registration on December 11, the Democratic Party registered followed by four more parties in January 1991. Certainly, they lacked the organizational experience and the political contacts of the APL and did not hold any positions in government. These disadvantages were well understood by the opposition leaders whose primary concern in early 1990 was to organize their formations as "real parties" rather than change the electoral rules (FBIS-EEU, 3 January 1991, 3-5).

The debate on the new electoral law, to the extent to which it developed, was focused on the timing rather than the system. The opposition leaders insisted on postponement of the election in order to get some time to organize and field candidates (FBIS-EEU, 22 January 1990, 3). There was no serious threat from internal divisions; Albania is a relatively homogeneous country with 95% of the population considering themselves Albanians and a small Greek minority. Internationally Albania was still the most isolated East European country, despite its steps to improve relations with Europe. The first signs of external pressure came when Albania was only granted an observer status in the Commission for Security and Cooperation in Europe (CSCE), an act explained by the country's failure to abandon the one-party system (Pano 1997, 303). In

mid-March 1991, at the insistence of the opposition, the government made several changes in the existing electoral law to improve the representativeness of the election commissions, but kept the SMD-formula intact.

The context within which decisions over the electoral system were made for the 1992 assembly elections was substantially different. The Socialist Party (the previous ALP) cabinet led by Nano was forced by riots and demonstrations against the deteriorating state of the economy to resign and a coalition government was formed in July 1991. This caused a considerable shift in the parity of power among political actors. While the ex-Communist party still had 67.6% of the assembly seats, in the new government of national stability, it kept half of the posts and let five opposition parties have the remaining twelve positions. Even when the Democrats and the Republicans withdrew their ministers from the cabinet in late 1991, their parties remained with several deputy ministers and an absolute majority of representatives in the executive committees of twenty-four local districts (FBIS-EEU, 2 January, 2-3). In October 1991, Albania joined the IMF and became a participating member of the EBRD anticipating technical and material assistance from these agencies. The government also turned to the NATO countries to facilitate the upgrading of weapons and training of its armed forces (Pano 1997, 315-316). Under these new conditions, the ruling party had to make concessions and propose some PR arrangements which could guarantee seats for its leaders and were also highly favored by the smaller parties. On the other hand, the DP sensed its rising strength and was ready to compete in SMD realizing the growing despair in the rural areas. After a protracted parliamentary debate, a new election law was adopted on

February 4, 1992, that combined two formulae for seat allocation - one hundred seats were to be competed in SMD and the remaining forty by PR with a 4% legal threshold for representation.

Macedonia

It took a sequence of three competitive elections for Macedonia to change the SMD system, although suggestions for its reform were made at several occasions during the period of 1990-1998. Macedonia held its first multiparty elections in the fall of 1990, following Slovenia and Croatia. At that time, the major disagreement within the leadership of the ruling League of Communists of Macedonia (LCM) was over separation. The supporters of democratic changes were accused of being "pro-Slovenian destroyers of Yugoslavia" (FBIS-EEU, 1 May 1990, 39-40). The incumbents, still united and strong, were leading the opinion polls in September (FBIS-EEU, 25 September 1990, 73). There was no strong dissident tradition in Macedonia (Perry 1997, 238). The opposition was very young (several parties were formed in the summer of 1990) and lacked experience, financial resources, and the skills necessary to appropriately assess its relative strength. Most of the opposition groups preferred a PR electoral system to assure some access to the policy making decisions, but they were not united to effectively press for change (FBIS-EEU, 25 September 1990, 73). The existing intranational tension between Macedonians and ethnic Albanians, the latter constituting a significant minority group residing in the northwestern part bordering Albania and Kosovo, was troublesome with the extreme nationalist stances taken by the Albanian parties (FBIS-EEU, 21 September 1990, 42). Still a member of the Yugoslav federation, Macedonia enjoyed the

benefits from GATT and IMF membership. In the fall of 1990, the most salient issue for the Macedonian elite remained the future relationship with Yugoslavia rather than the new democratic institutions.²⁶

On the eve of the second multiparty election in 1994, the ex-communists (LCM-Party of Democratic Change renamed to Social Democratic Alliance of Macedonia, SDSM), the Liberal Party (LP), and the Socialist Party (SP) were in the ruling coalition. They had extensive sources of financing through the property they possessed, the budget, and control over enterprises (FBIS-EEU, 27 June 1994, 52). The SDSM, with 31 seats in the Assembly, had a disproportionate to its electoral success control of the executive branch holding the posts of the head of the state, the prime-minister, and half of the ministries. The opposition performed relatively well in the 1990 elections and was gradually gaining strength. The Internal Macedonian Revolutionary Organization-Democratic Party of Macedonian National Unity (IMRO-DPMNE) finished first winning 38 seats in the Assembly, but failed to form a cabinet. The Party of Democratic Prosperity (PDP), representing the interests of the Albanian minority, got 22 seats and since 1992, participated in the SDSM-dominated cabinet holding one deputy-prime-minister position and five ministries. By 1994, the PDP had abandoned the idea of binational federation and embraced the concept of "integration" of the Albanian minority through "proportional representation in all political, state and other institutions" as a prerequisite for the stability

²⁶ The most active opposition force, the Internal Macedonian Revolutionary Organization, similar to the popular fronts in the Baltics, was also known as nationalistic and pro-independence oriented. Its main concern was proper representation of the Macedonian majority rather than improving the chances for participation in the Republic Assembly of the Albanian and the Serb minority groups.

of the political system (FBIS-EEU, 17 August 1994, 36). Facing the growing demands for changes from the other parties, the electoral law draft proposed by the cabinet added twenty PR seats to the previous SMD (FBIS-EEU, 25 March 1994, 38-39). The opposition, however, was significantly weakened by splits which preceded the parliamentary vote on the draft. Within the PDP, although a member of the ruling coalition, the discontent with the unfulfilled goals of achieving autonomy and cultural institutions resulted in a deep split (Schmidt 1995). In the summer of 1994, the IMRO-DPMNE was torn by a scandal alleged to have been provoked by the government with the involvement of the secret service.²⁷ Splits occurred in the parliamentary group and in some local organizations in Bitola, Ohrid, and Titov Veles (FBIS-EEU, 10 June 1994, 37). Under these conditions, the old system of SMD majority with run-off election of assembly members was retained.

In 1998, Macedonia faced a different situation. The governing coalition had been weakened by internal disagreement and general public discontent. A December 1995 public opinion poll showed that 68.67% of the Macedonians believed changes in the way the government was acting were necessary (Perry 1997, 237). The growing public dissatisfaction was also indicated by the results of the late-1997 local elections when most voters gave their support for the opposition IMRO-DPMNE (RFE/RL Newsletter, November 1997). Since 1994, the ruling coalition had made efforts to incorporate the Albanian element again but faced growing demands on the side of the PPD for more

²⁷ The scandal was caused by revelations about tapped wires at the VMRO-DPMNE headquarters aimed to raise suspicions for pro-Bulgarian connections and espionage (FBIS-EEU, 10 June 1994, 33-37).

ministerial positions (Schmidt 1995). The Liberal Party moved to a semi-opposition posture and in February 1996, it left the cabinet in the aftermath of a struggle over power between its leader and Assembly President S. Andov and the SDSM leader and current Prime Minister B. Crvenkovski (Perry 1997, 237). The IMRO-DPMNE and the Democratic Party (DP) insisted on early elections supported by a great number of people; their petition collected over 600,000 signatures in 1996 (Perry 1997, 237).

External pressure was also intense. In 1995, the Albanian party PPD parliamentary group asked the Council of Europe for postponement of Macedonia's admission until it found a way to "establish equality of all citizens" (FBIS-EEU, 27 September 1995, 45). While there is no direct evidence showing whether this was granted, the PPD's actions put additional pressure on the elite to speed up institutional reform. In 1998, Macedonia was actively seeking an association agreement with the EU (something many of the other East European countries had already accomplished), membership in NATO, and full membership in the World Trade Organization. Forced by domestic and external pressures, the Assembly adopted a new election law which established a mixed system for parliamentary elections with 85 seats competed in SMD and 35 through PR with a 5% minimum threshold for party representation.

Other Cases

Three other countries replaced the SMD-based rule with a mixed system, Croatia and Russia for their second and Ukraine for its third multiparty elections. Basically, they followed the major pattern drawn by the third scenario that we observe in the other cases from this group. In the three countries, the problem of changing the system of

parliamentary elections did not become a salient issue before national independence was achieved. The subsequent decision to reform the electoral system was taken in a political setting qualitatively different from the 1990 context of disintegration. Reform was advanced by the pro-reform incumbents who wanted to consolidate their power under the new conditions. The increasing pressure from the opposition for changes, the goal of international recognition and incorporation, and the cleavage structure heightened the costs of keeping the old system and made the ruling elites consider variants of mixed formats.

In Croatia, the decision on the new electoral law for the 1990 spring election was taken in an environment characterized by a weakened position of the Communist Party whose leadership was in contrast with mass public devotion to traditional Croatian values and remained committed to socialism (Cohen 1997, 74; FBIS-EEU, 17 January 1990, 95-96). The main opposition force, the Croatian Democratic Union (HDZ), united around the nationalist ex-general Tudjman, was the best organized group and heavily financed from abroad (Cohen 1997, 78; Elections in Central and Eastern... 1990, 50). Although a deep ethnic division with a significant Serbian minority group required mechanisms of ensuring representation, solving the national problem was the first priority on the political agenda of Croatia. Things changed substantially in the mid-1992. The opposition, divided and without significant material resources, pressed for institutional changes and faced a large and broadly legitimated ruling party which proclaimed the independence of Croatia in June 1991. Tudjman was "ill-prepared" to discuss and compromise with other domestic political actors the agenda of reforms (Cohen 1997, 85). On the government

agenda, however, was the urgent need for international recognition of the country, receiving foreign aid, and restoration of the previous Yugoslav connections with GATT, IMF, and the other membership benefits lost with secession.²⁸ The solution of change reflected those concerns. A mixed system was adopted in the spring of 1992. According to the new formula, around half of the assembly seats had to be competed in SMD and the remaining half in one nationwide PR district using a 3% threshold for representation.

Similar to Croatia, Russia also made its choice after independence was achieved. The first competitive elections of 1990 took place in a difficult political setting with some signs of a decline in the public prestige of the Communist Party (Tolz 1990). In February 1990, the party organ Partiinaya Zhizn admitted that members of informal political groups constituted some alternative to the CPSU candidates (RFE/RL-Report on the USSR 2:8:23-28). Yet these groups were at an embryonic stage of development and were not concerned with the rules of election. The main issues in the debate on the new electoral law were providing a guarantee for multicandidate constituencies and keeping the provisions for electing deputies by public organizations.

The conditions in 1993 were very different in the aftermath of the 1991 August coup and the following disintegration of the USSR. Two important developments are

²⁸ Most recent developments of the crisis in Kosovo provide additional evidence about the strong external pressure for institutional reforms imposed on Croatia. In response to its request for military guarantees from the NATO western allies, US Secretary of State M. Albright promised a forthcoming admission of the country in the Partnership for Peace Program if Croatia changes its electoral law (RFE-Daily Report, April 1, 1999). Changes are required with regard to the reduced seats for minorities representation in 1995 and the extension of voting rights to the Croats in Bosnia-Herzegovina.

worth mentioning. First, the republics' independence became a fact. And, second, the ruling Communist Party, discredited by the unconstitutional attempt to usurp power, was forced to step down from the political scene. Uncertainty was still high because the party system was insufficiently structured to provide reliable evidence about the participants and to gauge the level of their support. There was an understanding among the liberal-minded deputies of the Duma that a change in the existing rules would generate an impetus for the development of a multiparty system, but it is not clear whether this argument had any effect on Yeltsin who finally drafted the law (Remington and Smith 1996b). In addition, the Russian Federation was desperately seeking international aid and membership in various European and world financial and trade organizations. Drawing upon the recent East European experience with mixed systems and the inconclusive results of the April 1993 referendum on his policy, Yeltsin and his closest associates opted for reform and shifted the system to an intermediate solution. A new electoral system was decreed by Yeltsin in October 1993 after shutting down the Russian Supreme Soviet. The number of seats in the Duma was set at 450 to be elected using the 50%/50% mix of plurality and PR. A 5% threshold was assigned as a requirement for a single party to obtain seats.

Similar to Macedonia, it took longer for Ukraine to make changes in its electoral system. The new electoral system of 1997, modeled after other East European laws and the 1993 Russian system in particular, was aimed at strengthening the multiparty system and thereby fostering the democratization process (Diuk 1998). The state of development of the two main actors is indicative of the lateness of this decision. For the 1990 and

1994 elections, the Communist Party of Ukraine successfully kept its coherence and position as the only party in the country with a nationwide organizational network (RFE/RL-Report on the USSR 2:8:21-23; Diuk 1998). A few individual members of the party demanded changes, but factions did not form (Solchanyk 1989). The opposition remained unprepared, divided, and underfunded during this time. Rukh, the main opposition force in 1989-1990, was torn by discord. In the course of four years, new parties appeared and grew in number and popularity. Their efforts to unite in 1993, however, did not bring a significant overturn of the rules. Rukh formally split along the grass-root versus party notions of its future (FBIS-SOV, 23 August 1993, 39). While in 1990, the main concern of Rukh and the Ukrainian society was independence and the means to achieve it, in 1993, the debate over electoral reform was opened. The opposition at that time had a clear understanding that the election outcome depended to a large extent on the rules and insisted on change. In the absence of coordination among the opposition groups, however, inconsistency in demands and actions prevailed (FBIS-SOV, 8 October 1993, 63-65). A considerably stronger pressure for changes was exercised by the non-communist formations in the period between the second and the third elections. As a form of protest against retaining the SMD electoral system and aimed at increasing external pressure for reforms, the opposition announced its objection to the country's admission to the Council of Europe in the absence of reforms (FBIS-SOV, 22 November 1993, 52). Several months before the third Ukrainian parliamentary elections were held in 1998, the SMD-based system was replaced with a mixed formula (East European Constitutional Review 6:4:45). Domestic and external pressures for

changes towards institutional conditions for political pluralization contributed to the solution.

There are two countries in the data set, Poland and Latvia, which also made changes for their second multiparty elections. They show, however, a pattern somewhat different from the remaining group of late reformers. The specifics of their transitional development led to a sharp switch to PR in a context of collapsed communist parties and a highly fragmented political arena. Poland was the pioneer of the East European transition towards democracy and, as a paradox, the country lagged behind the others in the reform of its electoral system. It was too early for Solidarity, otherwise the most consolidated and well organized opposition in the region, to press the extremely weakened regime for changes in the electoral rules in April 1989. The bargain focused on preliminary apportionment of the seats and thus distorted the results in advance and made any battle over the rules meaningless (Vinton 1993). The logical outcome would have been a mixed system negotiated by the elites, if the political context were not dominated by the unusual circumstance of being the first and paving the way for transition. The extreme party proliferation following the 1989 elections predetermined the character of the new electoral law of 1991. The communist party collapsed immediately after the election with its deputies joining the opposition parliamentary group in the Sejm. Numerous splits occurred in Solidarity itself especially with the confrontation between Walesa and Mazowiecki in the presidential elections of 1990. At the earlier stages of electoral debate, proposals were made for the Anglo-Saxon formula or for some kind of a mixed system to combine the advantages of both plurality and PR (Zubek 1993). The

costs of adopting such laws, however, were assessed by politicians as extremely high due to the fragmented support base all of them had. In a desperate search for survival, they introduced PR to avoid exclusion from parliament and keep some positions in the game.

In the fall of 1989, Latvia was not ready for electoral reform. The position of the ruling party was seriously weakened by disagreement over the policies of perestroika (Cazers 1989; Bungis 1989c). Barely after the elections and the May 1990 vote of independence, the party officially split into a moderate and a pro-Moscow factions (Plakans 1997, 256). The opposition forces, on the other hand, were divided between the Latvian Independent Movement that championed the idea of independent Latvia and the People's Front of Latvia (PFL), founded to support Gorbachev's perestroika policies. The PFL by itself was torn by intrafront competing tendencies that had pro-independence and pro-civil rights orientation (Bungis 1989a). The opposition leaders perceived the coming elections as a contest between personal candidates holding conservative or progressive positions rather than between members of contending parties (Bungis 1989b).²⁹ In the aftermath of the 1991 August coup, the collapse of the Communist Party of Latvia, the

²⁹ In a telephone interview given to the Latvian Service of Radio Free Europe on 18 October, 1989, Dainis Ivans, the reelected president of the People's Front of Latvia, explicitly stated his and his organization's understanding about the importance of competing with personal platforms rather than emphasizing candidates' party or front affiliation (Bungis 1989b). Envisaging the elections this way presupposed elimination of the idea of changing the electoral system to one based on party-lists.

fragmentation of the Latvia's political arena³⁰, the extreme ethnic fragmentation³¹, and the desperate pursuit of international recognition and integration made PR the most preferred solution by the majority of the political elite.

Conclusion

The analysis of East European cases with late electoral reform reveals the complex dynamics of Scenario III. Most of the countries which followed this pattern were former Soviet and Yugoslav republics which chose to change the rules after independence was proclaimed. The first multiparty elections there were dominated by the issue of national independence; the anti-communist opposition was the main independence-driving force whose platform favored the republican majorities' interests and aspirations for secession.

With the further development of the transitional process, institutional reform became a salient issue that elites had to consider. The opposition matured and pressed for changes in the existing electoral rules. The incumbents, ex-Communists or reform-oriented pro-market parties, split and could not resist the pressure for change from inside

³⁰ By the end of August 1992, the 181 deputies in the Supreme Council of the Republic of Latvia were certified members of four factions: 71 from the PFL, 34 from the Constitution faction, 20 from the Equal Rights faction, and 66 independents (FBIS-SOV, 31 August 1992, 56).

³¹ The ethnic division of the population of Latvia is as follows: 52% Latvians, 34% Russians, 4.5% Belorussians, 3.5% Ukrainians, and 2.3% Poles. This division is further reinforced along urban/rural lines with non-Latvian majorities of 54-86% residing in the capital city of Riga and other big towns (Plakans 1997, 248-249).

and outside any longer. The SMD system was replaced with a mixed format and rarely with PR. The experience of early reformers was actively explored in a search for solutions.

CHAPTER 5

A LOGIT MODEL OF ELECTORAL REFORM

In the preceding three chapters I first developed a theory about the occurrence of electoral reform and outlined the factors which affect the choice of institutional change. Then I surveyed cases of electoral reform which suggest that most of the time, elites' decisions to change the existing rules were influenced by the domestic and the international context. In this chapter, I offer a more rigorous test of the hypothesized relationships using multivariate regression analysis. This will help to draw conclusions with greater confidence and predict the conditions under which a change of the system could occur. I start with a summary of the theoretical argument and then present the model, operationalize the variables, specify the cases and the data, and discuss the results.

A Summary of Hypotheses

A rigorous test of the question about electoral system change can be achieved by examining the factors that affect the probability of its occurrence. I focus on the ways in which several characteristic features of the socio-political environment influence the choice to change or retain the existing system. These contextual factors are important

predictors of reform because elites consider them when making assessments about how costly it will be to replace current rules with new ones. In particular, I test the following five hypotheses drawn from the discussion in Chapter 2:

H₁: Fragmentation in the ruling party increases the likelihood of electoral system change towards proportionality in one party dominant systems with SMD.

H₂: The more consolidated the opposition is the more likely electoral system change is.

H₃: The more ethnically divided a society is the more inclined its political leaders are to support electoral reform directed towards proportional representation.

H₄: A post-authoritarian SMD country's pursuit of membership in international organizations increases the probability for a shift toward a proportional electoral system.

H₅: Under conditions of a considerable crisis in a political system, higher levels of uncertainty about the course of events decrease the prospects for electoral reform.

To summarize, I expect electoral reform to occur when the incumbent coalition in countries with SMD systems is weak and fragmented because it is too risky for the ruling team to compete under majoritarian rules. The risk originates from the fact that voters' support for incumbents will be divided too, and the majority necessary to win a seat may not be obtained. Change in the electoral system is also expected to occur when the opposition is united and electoral-minded. Its coherence and determination to compete for power increase the pressure on incumbents to consider change. Electoral reform toward PR is more likely in countries with ethnically divided societies because of the expected high costs of insufficient and unfair groups' representation. In addition, I also

anticipate that foreign influence from international organizations increases the pressure on national elites to adopt a PR system in East European countries which pursue membership. These organizations insist on the integration of opposition forces in politics, and the cost of neglecting their recommendations, eventual postponement of admission, is too high. Finally, high levels of uncertainty decrease the probability for a shift to a new system. The rationale behind this expectation is that politicians are not able to make precise assessments about the election outcome when there is a lack of reliable information about the participants, the chances for electoral success, and the effects of other systems in similar settings.

Modeling and Operationalization of Variables

Taken together, the five hypotheses suggest a model of electoral reform attuned to domestic and foreign contextual factors. I specify the model in the following way:

$$\text{REFORM} = a + b_1 \text{INCFRAGM} + b_2 \text{OPPCONSOL} + b_3 \text{ETHNICITY} \\ + b_4 \text{INTERPRESSURE} + b_5 \text{UNCERTAINTY} + e$$

The dependent variable, REFORM, is a dummy variable which takes the value of 1 if a country, that had not reformed its electoral rules yet, changed the existing majoritarian SMD system to a PR or a mixed system, and 0 if no change occurred.

Countries where a change in the system is made for the first free elections experience the situation in which reform can be introduced only once, while countries which replace the

current rules for the second and for the third election go through this affair twice and three times respectively.

Among the independent variables, INCFRAGM stands for incumbent party/coalition fragmentation and takes the value of 1 if the national incumbent camp was split into factions, and 0 if it kept coherent. Fragmentation is observed through the existence of factions which have announced their goals and leaders at a party convention and/or in public speeches. This variable is expected to have a positive impact on the dependent variable.

OPPCONSOL represents the organizational consolidation of the opposition before the elections which I expect to be positively related to REFORM. It is a dummy variable which takes the value of 1 if the opposition was consolidated at the time decision on the electoral law was made and 0 if otherwise. I use two indicators of the state of organizational development of the opposition: first, the formation of coalitions to negotiate the terms of transition with the ruling elite as announced by their leaders, and second, determination of the opposition to field their own candidates in the upcoming elections. The former reflects the strength of the opposition pushing for change. The second condition is important because it reveals the political growth and will to contest power on the side of the challengers of the status quo. In some countries such as Lithuania, the opposition coalition backed some candidates but did not intend to officially participate as a rival of the Communist party; these cases are coded as 0, because strong pressure for change in the rules cannot be expected from actors who are not directly involved in the election returns.

ETHNICITY is an independent variable for ethnic heterogeneity that represents the existing social divisions within a nation. Ethnic heterogeneity is a continuous variable, measured through the effective number of ethnic groups in a country. This is a measure which was advanced in some previous studies (Ordeshook and Shvetsova 1994; Cox 1997) and is based on the fractionalization index broadly used in the literature. The formula, $N_{eff} = 1/\sum (g_i)^2$, where g_i is the proportion of the i th ethnic group, reflects the number of substantial ethnic groups whose representation is important to assure. The theoretical expectation is for a positive effect of ethnic division on the occurrence of reform.

INTERPRESSURE is another explanatory variable which stands for pressure from external international actors to reform the electoral system as a part of the package of democratic reforms. It is coded as 1 if at the time decisions were made the country was a member of certain international organizations, and 0 otherwise. These organizations are the IMF and/or the Council of Europe. There is substantial evidence which reveals the explicit requirements of these two organizations for introduction of changes in the national legislation, and the electoral laws in particular, of transitional countries as a requirement for their admission. I considered also the pursuit of EU and NATO membership, but there is no variation there since large groups of countries signed Association Agreements with the EU and were admitted to the NATO Partnership for Peace Program at the same time and late in the period under study. A negative impact of achieved membership is expected on the dependent variable.

UNCERTAINTY is a dummy variable taking the value of 1 for the cases of first multiparty elections, and 0 for later cases of debate over reform. As I argued before, higher levels of uncertainty tend to discourage elites to replace existing rules, i.e. a negative relationship is expected. Table 5.1 presents a summary of the predicted coefficient signs:

Table 5.1. Predicted Directions of the Effects of Context on Electoral System Change in Eastern Europe, 1989-1998

Independent Variable	Expected Coefficient Sign
Incumbent Party Fragmentation	positive
Consolidation of the Opposition	positive
Ethnic Division	positive
Membership in International Organizations	negative
Uncertainty	negative

Cases and Observations

The data set includes twenty-five cases of pre-election situations in which a change of the existing electoral system could have been made. Since countries made the decision for reform at a different point in time, some of them are represented by one case,

and others by two cases or by three cases. In the data set which I use, seven countries were observed once, other six were observed twice, and the remaining two countries got three observations each. The observations are made for the moment when the new national electoral law was about to be passed. This specific feature of the research design is important given the volatility of the East European context and especially the changing state of and support for the incumbents and the opposition. I conformed to this requirement with the highest possible precision determined by the availability and quality of information. A detailed summary of the data used to test the model is presented in Table 5.2.

Observations on incumbents' camp fragmentation for Romania and Czechoslovakia show extreme cases of fragmented ruling elites; in Slovenia, Hungary, and Bulgaria, contending party soft-liners and hard-liners are distinguished as evidence for splits within the Communist parties. In cases of subsequent elections (for example, Lithuania and Macedonia), splits are observed within governing coalitions. All those are coded as instances of fragmented ruling elites. Consolidated opposition forces are observed in the Central East European cases and Estonia in the first wave and in other countries for subsequent elections. In some countries, such as Lithuania, the opposition backed some candidates but did not intend to officially participate as a rival of the Communist party. In Ukraine, the main formation of the opposition, Rukh, was torn by discord and could not effectively push for a change for the first and even for the second election. Such cases are coded as 0. Data for these two variables are gathered largely

Table 5.2. Electoral Reform: List of Cases and Summary of Data

Country/ Year*	Decision for Reform	Incumbent Fragment.	Opposition Consolidation	Eff. Number of Groups	International Pressure
Albania/91	0	0	0	1.11	0
Albania/92	1	1	1	1.11	0
Bulgaria/90	1	1	1	1.35	0
Croatia/90	0	0	1	1.61	1
Croatia/92	1	0	0	1.61	0
Czechosl/90	1	1	1	2.05	1
Estonia/90	1	1	1	2.02	0
Georgia/90	1	1	1	1.98	0
Hungary/90	1	1	1	1.23	1
Latvia/90	0	1	0	2.60	0
Latvia/93	1	1	1	2.60	0
Lithuania/90	0	0	0	1.53	0
Lithuania/92	1	1	1	1.53	0
Macedon/90	0	0	0	2.11	1
Macedon/94	0	0	1	2.11	1
Macedon/98	1	1	1	2.11	1
Poland/89	0	1	1	1.05	1
Poland/91	1	1	0	1.05	1
Romania/90	1	1	0	1.25	1
Russia/90	0	0	0	1.50	0
Russia/93	1	0	1	1.50	1
Slovenia/90	1	1	1	1.21	1
Ukraine/90	0	0	0	1.72	0
Ukraine/94	0	1	0	1.72	1
Ukraine/98	1	1	0	1.72	1

* This is the election year which is not necessarily the year in which the electoral law was discussed. In Hungary, a solution for change in the rules for the 1990 election was negotiated in the summer of 1989. Similarly, the Ukrainian electoral system reform was instituted in 1997, while the election was held in 1998.

from the FBIS Daily Reports and several case studies.³²

For this data set, ethnic division varies from 1.05 effective groups in Poland to 2.60 groups in Latvia. Data for ethnicity are gathered from the CIA World Factbook. Variation is observed with respect to membership in the IMF (Hungary, Poland, and Romania became members in the 1980s, while Croatia, Macedonia, and Slovenia were admitted later, in 1993) and in the Council of Europe (Hungary and Poland being admitted in 1990-1991, Croatia and Russia in 1996). Information on membership status was obtained from different issues of Political Handbook of the World. A summary of the data sources is presented in Appendix A.

Results

The dependent variable REFORM is dichotomous; therefore, logistic regression is utilized as an estimation technique. This provides the opportunity to analyze the probability of a country instituting a new electoral system under conditions of political crisis. The results from the estimation of the logit model are reported in Table 5.3.

The model performs relatively well, with 88% correctly predicted cases and favorable goodness-of-fit statistics, as tentative as their interpretation could be in the case of logistic regression. Despite the very small N, the regression results provide support for

³² See Elster (1996), Dawisha and Parrott (1997a), and Dawisha and Parrott (1997b).

Table 5.3. Logit Analysis of East European Electoral System Reform, 1989-1998

Variables	B	SE
Incumbents fragmentation	3.62**	1.64
Consolidation of the opposition	2.51*	1.54
Ethnicity	-2.11	1.67
International pressure	-2.40	1.93
Uncertainty	-2.99**	1.58
Constant	.70	2.88

p-values: * < .1; ** < .05 two tailed test

-2LL = 17.126

Overall Chi-square = 16.524

Correctly predicted = 88%

Pseudo R Square³³ = .41

ROE.³⁴ = 72.73%

N = 25

some of the hypothesized effects of the specific context within which national elites face the problem of electoral reform in times of political crises. The "incumbents' fragmentation" hypothesis is supported by the data; this variable has a coefficient with the

³³ There is no close parallel with OLS regression regarding measures that show what proportion of the variance in the dependent variable is explained by the explanatory variables. Given the dichotomous character of the dependent variable and the logit model utilized in this case, I use the pseudo R Square measure of goodness of fit proposed by J. Aldrich and F. Nelson (1984, 59). The formula is as follows: pseudo R Square = $c/(N + c)$, where c is the chi-square statistic for overall fit (the likelihood ratio statistic) and N is the total sample size. Since the pseudo R Square statistic has its disadvantages, I also report the statistic based on reduction in predictive error (see ROE).

³⁴ This measure of goodness of fit is based on the idea of model's improvement over a selected baseline, the modal category, rather than general model performance. Its presentation reads: $ROE(\%) = 100 * (\% \text{correctly classified} - \% \text{modal category}) / (100\% - \% \text{modal category})$, where ROE stands for Reduction of Error (Hagle and Mitchell II 1992).

expected sign and its impact is statistically significant at the .05 level of confidence. In countries where the ruling elite is divided, the log of the odds ratio in favor of electoral reform increases with 3.621. The organizational consolidation of the opposition also has a significant effect on the probability for change in the electoral system. Evidence for this effect is provided by the East European cases included in the data set; the coefficient sign of this variable is positive as anticipated and is statistically significant at the .1 level. Given the crudity of the measure, this is a quite satisfying result.

The results of the regression analysis show a negative impact of a country's membership in the IMF and/or the Council of Europe on the probability for electoral reform to take place. The negative coefficient sign suggests that national elites are less likely to comply and make institutional changes if membership has already been achieved. The coefficient for external pressure, however, fails to reach statistical significance at the usual levels of confidence. One reason for this could be the measurement; external pressure is indirect and therefore difficult to operationalize and appropriately measure.

The expected effect of increased costs of retaining the older SMD-based system in the presence of ethnic heterogeneity finds no support in the data. The coefficient of ETHNICITY has the opposite sign and is not statistically significant. Consistent results are obtained when I use another measure of ethnic division, the size of the largest minority group as a percentage of the total population.³⁵ Finally, the regression results

³⁵ The estimated model is:
REFORM = -1.841 + 3.782(INGFRAGM)** + 2.162(OPPCONSOL)
- .075(ETHNICITY) - 1.942(INTERPRESSURE) - 2.800(UNCERTAINTY)*

also suggest that uncertainty plays an important role in making decisions on institutional changes. Timing matters in the sense that national elites consider it too costly to undertake electoral reform earlier when information is scarce and its reliability is questioned. The results, a negative and statistically significant coefficient, show that it is less likely for change in the rules to occur on the eve of the first multiparty elections. This data set offers sufficient evidence in support of the uncertainty hypothesis.

In order to evaluate the substantive effects of the theorized factors of electoral system reform in Eastern Europe, I calculate the predicted probabilities for the occurrence of change in different circumstances. First, I calculate the probabilities if uncertainty is high, with the ethnicity variable set at its mean and in the absence of international pressure. Then probabilities are calculated for situations of low levels of uncertainty. The results are reported in Table 5.4.

Table 5.4. Effects of Changes in Some Variables of Interest in the Model of Electoral System Reform in Eastern Europe, 1989-1998

	High Uncertainty		Low Uncertainty	
	Yes	No	Yes	No
Opposition Consolidation				
		Incumbents' Fragmentation		
Yes	.5862	.0365	.9656	.4291
No	.1031	.0031	.6951	.0575

The highest probabilities for a change in the electoral system are predicted for countries with organizationally split incumbent coalitions. This likelihood for institutional reform to be introduced is higher than 50% (.5862) even when information about voters' support, election participants, and the world experience with different rules is extremely deficient in the early stages of transition. A consolidated and electorally motivated opposition increases the chances of reform by about 30%. In the absence of organizational coherence of the challengers, the probability for change drops dramatically. One constellation of factors emerges as extremely interesting with regard to what the model predicts about the importance of the organizational state of the ruling coalition/party. When incumbents are disunited and uncertainty is low, the probability for reform is still almost 70% even if the opposition does not actively press for changes. Because there is some relatively reliable information about the distribution of support and incumbents know more about available options, changing the system is very likely to occur as a solution to the crisis.

Does Ethnicity Really Not Matter?

The reverse sign of the ethnic variable is peculiar given the expected concerns of the political elite that limited access to government for group interests could threaten the integrity of the system itself. In a search for possible explanations, I focus more closely on the context. One specific feature of the East European minority groups is particularly interesting, the fact that they are geographically concentrated in certain areas.

Motivations to change the system to PR in order to accommodate ethnic conflict could have not been strong enough because even under the SMD systems, these groups are guaranteed some representation.

Another consideration is that our initial expectations are suggested by the literature on institutional design and ethnic conflict management based on evidence from developed democracies (Lijphart 1984; Cohen 1997). Thought should be given, however, to the possible distinctiveness of ethnopolitics in transitional settings and further specification of the model accounting for more hostile and divisive in character ethnic conflicts (Horowitz 1985, 572). Elites' policies evolve in response to ethnic groups' demands if the integrity of the system is at stake. Some authors (Mikesell and Murphy 1991) note that these policies are reactive rather than anticipative which implies that initial demands may be neglected and addressed later. A typical pattern that emerges in the former Yugoslav and Soviet republics is to first focus on independence and then respond to group aspirations. The case studies clearly show that in many of those countries, electoral system reform became a salient issue later, after sovereignty was achieved. In Macedonia, the ruling elite accepted change in the system only after the demands of the ethnic Albanians escalated from education in native language, through employment opportunities, to power sharing into the policy making process.

Mikesell and Murphy (1991) have also stressed that granting concessions, including representation in government, to minority groups during times of transition is not easy, "especially when the majority group is imbued with a spirit of cultural patriotism." There are costs to be paid for losing some of the majority group support if

access to government is disproportionately facilitated for minorities. This argument is relevant to the East European context where in 1989-1990, the battle over recognition of the Latvian language as official in Latvia and the Croatian in Croatia was as absurd as to defend, for example, German culture and language in Germany. It appears that at the time when national identification was the most salient issue on the political agenda, providing mechanisms for fairer representation of minorities was not perceived as a priority; it could even be costly. The policies of denial of citizenship rights and severe limitations to significant Russian minority groups in Latvia and Estonia, the Polish minority in Lithuania, the Serbian ethnic community in Croatia, etc., suggest that, on the contrary, assuring broader representation when national sovereignty is achieved have been perceived as dangerous by national elites. As tentative as this suggestion may sound at present, it should be considered and further tested with new data.³⁶

³⁶ I ran the regression with another indicator for ethnicity, the size of the majority group as a percentage of the total population. The proposed relationship is that elites in countries with smaller ethnic majorities tend to be more reluctant to introduce changes in the electoral system. The following equation presents the results:

$$\begin{aligned} \text{REFORM} = & -7.303 + 3.503(\text{INCFRAGM})^{**} + 2.372(\text{OPPCONSOL})^{*} \\ & + 0.059(\text{ETHNICITY}) - 2.144(\text{INTERPRESSURE}) \\ & - 2.876(\text{UNCERTAINTY})^{*} \end{aligned}$$

The coefficient of ETHNICITY has the expected sign but fails the test of statistical significance. The other results are consistent with my previous findings.

Conclusion

The cross-national analysis of institutional change in fifteen countries in a sequence of three multiparty elections reveals the sources of electoral reform in Eastern Europe. The domestic specifics of the transitional environment emerge as influential determinants of institutional change. The data provide sufficient evidence for the importance of the organizational state of the two main actors, the incumbent party and its challenger. Divisions and splits within the ruling party and the existence of a consolidated election-minded opposition increase the likelihood for change in the rules that govern electoral competition. External international pressure on national elites also affects the probability of reform, although this set of data does not offer conclusive evidence in support of such a proposition.

The empirical analysis does not provide support for the expected effects of ethnic heterogeneity on the prospects for a turn towards more proportional systems to ensure minority representation. The effect of ethnic division in transitional societies may be different than previously suggested by studies on multiethnic established democracies. Future studies of electoral reform need to appropriately account for the costs to neglect the majority group's interests in times of national upheaval when they are perceived by elites as higher than those to avoid minorities' demands that may wait for later resolution.

In this chapter, I also presented empirical evidence for the importance of uncertainty as an influential determinant of institutional reform. Change becomes acceptable when more knowledge about the participants, the distribution of support, and

the possible alternative solutions is available. The next chapter deals with the way mixed systems were negotiated by elites who are in a search for an acceptable formula of compromise.

CHAPTER 6

DESIGNING MIXED ELECTORAL SYSTEMS DURING DEMOCRATIC TRANSITION

Mixed systems in democratic transitions have emerged as a solution of the problem of electoral reform in contexts of crises where incumbents are still influential and also realize the necessity to cooperate with the opposition. The recent experience of several East European countries shows that mixed systems can be adopted for the first or for subsequent transitional elections. This experience also accounts for some variation in the type of rules adopted by those countries. Despite the fact that all mixed systems, by definition, consist of single-member districts and multimember districts, a closer observation shows that national election law drafters have combined the two main components in a variety of ways. While Lithuania and Russia elect half of their deputies according to PR, Albania gives more weight to the majoritarian part. The allocation of seats in SMD according to the Ukrainian and the Croatian electoral law is ruled by plurality, while for their election the Macedonian and the Hungarian single-member constituency representatives need at least half of the votes. These differences lead to a puzzle: why different mixed systems were adopted in, at a first glance, similar post-communist social and political environments?

The existing literature on mixed systems tells us little about the process of design that leads to different institutional solutions. Students of electoral reform in both liberal democracies and democratic transitions outline some of the cross-national differences (Sartori 1994, Dunleavy and Margetts 1995, Norris 1995, Moser 1999), while several case studies describe the specifics of the mixed format in single countries (Remington and Smith 1996b, D'Alimonte and Bartolini 1997, Katz 1999, McLeay 1999, Moser 1999). This chapter examines the factors that cause the choice of different mixed systems in times of democratic transition. In the following sections, I first develop a model that explains variations in the institutional outcome through the level of uncertainty, the mode of negotiation, and the strength of the participants. The model is then tested on cases of country negotiations over the introduction of mixed systems. The analysis points at a pattern of electoral engineering driven by the transitional context and its dynamics.

Two Distinct Occurrences of Mixed Systems

The almost simultaneous spread of combined SMD/MMD systems of parliamentary elections in developed and in transitional democracies reveals increasing preferences for a more moderate solution of the difficult problem of institutional change. Yet the two groups of countries have reached the decision to move to mixed rules in a slightly different way. A broad consensus exists in the literature that developed consolidated democracies turn to the combined system as a cure of the disadvantages of the rules they had used for decades (Sartori 1994, Norris 1995, McLeay 1999). Thus, the

attention of electoral engineers there was explicitly focused on correcting undesired consequences such as extreme fractionalization and cabinet instability in the case of Italy, or disproportionality and insufficient representation of societal groups as was the case with New Zealand. As some researchers point out, despite the role of elites, the case of reform has been driven by and large from below through growing popular dissatisfaction revealed by the results of popular referenda (Vowles 1995, Donovan 1995). A shift away from the extremes of the pure proportional and majoritarian systems, carefully crafted by elites, came as a solution to failures in the political system attributed to its institutional foundations.³⁷

In transitional countries, mixed systems have emerged as an agreeable solution to electoral reform. The "third wave" of democratization shows a trend toward peaceful non-violent transformation of the political system where important decisions are made through negotiation and bargaining over new constitutions and basic legislation including election laws. There, the process of institutional reform has been dominated by elites.

Since the mixed formula allows for numerous combinations and the set of alternatives among which negotiating actors choose from is large, the prospects for a cooperative outcome increase significantly. Yet, how do elites define the ingredients? In a consolidated democracy, they look for a combination that would successfully fight the undesired effects of previously established rules. In a transitional democracy, the specifics are drafted in a difficult process of confrontation over institutional reform. The

³⁷ As McLeay (1999) correctly points out, the introduction of a mixed formula is an important institutional change, but still "a friendly reform" that keeps some features of the former rules for purposes of legitimacy and continuity of the system.

mixed format with its multiple elements offers good opportunities to compromise and reach an agreement.

The next sections advance an explanation of mixed system design from the perspective of rational choice theory. Two general assumptions form the core of such an interpretation: those who make the choices act in a pursuit of their own self-interest and this interest is centered around furthering elites' political careers. The main actors are the political elites who participate in the decision-making process over the new rules of the political game. To achieve their goals, politicians as rational actors make assessments of the prospects for electoral success/failure on the basis of the information they have at the time decisions are made. They form preferences which favor certain institutional arrangements and oppose others perceived as less beneficial. The final outcome is a product of a negotiating game that takes place in a specific socio-political setting that affects players' preferences and choices.

An Expanded Set of Options

We perceive of the process of crafting mixed electoral systems as an institutional design game, to use Tsebelis's term (1990), where the set of available options is considerably larger than the ones offered by the majoritarian or by the PR type. The larger strategy space within which politicians interact reduces the constraints of the game. Through conscious and creative institutional innovation transitional elites design a new

system to meet a major challenge on the road to transformation of the old political order, the need to find a mutually acceptable solution in order to shift away from the status quo.

Playing with the properties of the two main components of the mixed system type is an enterprise that produces an indefinitely large set of available options. First, the latter could vary by type of seat allocation in SMD, plurality or majority with run-off. Each of these is candidate-based and requires both highly visible individual candidates and a strong local organizational network to run the race. The second source of variation in mixed systems is the proportional part. Here the set of options increases dramatically by different decisions made on a number of issues. Thus, a country can choose to employ one nationwide or several smaller PR districts, Hare, D'Hondt, or Imperialli formula for vote/seat distribution, a threshold or no threshold for representation of single parties or coalitions, and closed or open party lists. All these "technicalities" (Tokes 1996, 339) have been studied in the literature as having important consequences for the final political outcome (Taagepera and Shugart 1989, Lijphart 1994). Finally, the kind of relationship between the two parts of an election generates additional variation within the group of mixed designs. A link between the two components may (Germany, New Zealand) or may not exist (Italy, Japan, Russia). What can also be manipulated is the ratio between SMD and MMD seats in the assembly. Equal importance can be assigned to the two parts (a 50%/50% ratio), but other solutions are also available such as giving a priority to either

Table 6.1. Mixed System Design, Eastern Europe, 1989-1998

Country/Year of adoption	SMD/MMD seats	SMD type	PR district magnitude	Threshold	Link
Albania/91	100/40	majority	nationwide	4	Yes
Bulgaria/90	200/200	majority	7.14	4	No
Croatia/92	64/60	plurality	nationwide	3	No
Georgia/90	125/125	majority	nationwide	4	No
Hungary/89	176/152+58	majority	7.60*	4	No*
Lithuania/92	71/70	majority	nationwide	4	No
Macedonia/98	85/35	majority	nationwide	5	No
Russia/93	225/225	plurality	nationwide	5	No
Ukraine/97	225/225	plurality	nationwide	4	No

* The Hungarian electoral law provides for two primary tiers, one of SMD seats and the other one of PR seats in several MMD; these two parts of the election are not linked. In addition, 58 seats are awarded as compensation for "surplus" votes according to parties' national PR lists (Ishiyama 1995, Cox 1997, 290-291).

the SMD part or the PR share of seats. Table 6.1 reveals the variety of choices made by nine East European countries when designing their mixed systems.³⁸

Formation of Preferences

Once it becomes clear that a mixed format is the preferred solution to electoral system reform, politicians focus on the specific features of the SMD/MMD combination. They formulate preferences over these properties based on assessments of their own and others' future performance in elections. Calculations are made on the magnitude of voters' support, its geographic distribution and temporal dynamics (Brady and Mo 1992, Boix 1997). Parties with overall evenly distributed support compete better under PR that fairly translates their vote share into seats. Those whose support is geographically concentrated prefer to compete under the majority rule since it magnifies local success.

Other important factors that shape preferences over the rules of elections are the public prestige of a party, the state of its local organizational units, and its ability to field individual candidates with strong professional and moral credentials. If a serious decline in the public image of a party has occurred and is further deepening, competition under the party label would only hurt reminding the public again and again about a discredited ideology, unfulfilled promises, or practices of human rights violations. A more favorable option in such instances would be a candidate-oriented system based on SMD if the party

³⁸ Table 6.1 indicates the specifics of different East European mixed systems as they were first introduced in particular countries. Later changes are not reflected.

can field individual candidates who are not directly connected with its past failures and have a good record of professional achievements and community service. A well structured network of local organizations would provide for their successful running through effective mobilization of voters and resources. On the contrary, the absence of popular individual candidates and an organizational network hurts electoral performance in single-member constituencies. In such cases, party leaders rank the majoritarian formula lower in their order of preferences.

When mixed systems are negotiated, political actors need to consider all these factors and try to weigh their effects. Since there are two parts in a mixed system election, participants in the process need to order preferences in terms of both the SMD/MMD combination and the specific details of each of the two parts. Several sources have indicated that in Eastern Europe, the incumbent parties' first preference was a majority-dominated mixed system while the opposition insisted on more PR seats (Melone 1994; Ishiyama 1996; Tokes 1996, 339). Furthermore, each of the participants rated in a different way mixed systems that use plurality, raise thresholds, or provide for larger MMD. Thus the large opposition formations in Hungary, Macedonia, and Ukraine preferred higher legal thresholds while the smaller parties favored lowering the hurdles. In Croatia, the ruling Croatian Democratic Union preferred the plurality option to majority with run-off for the SMD part in order to avoid running in a second round against a united opposition. The ordering of preferences over this extremely large number of possible combinations required a substantial body of knowledge of a very complicated transitional political reality.

The Role of Uncertainty

Rational choice theorists have argued that when crafting electoral systems, politicians seek to maximize the gains and minimize the losses they would suffer under alternative mechanisms of vote-seat allocation (Bogdanor 1983, Taagepera and Shugart 1989, Sartori 1994). It is well-known that choosing a competition based on the majority principle and raising the thresholds for representation brings fewer parties in the assembly. Such provisions multiply the success of the largest party, but also increase the risk of losing if the race is perceived as close. In times of transition, especially in post-one-party environments, uncertainty regarding who the winner will be prevails. Actors face a difficult dilemma. On one hand, the stakes are high because the first transitional assemblies craft the rules of the game for the time ahead. On the other hand, participants need to consider a situation in which they could remain with nothing; losing this particular contest is probably worse than just losing once under different circumstances.

Information Deficiency

Elites' preferences over alternative electoral rules are affected by the amount and quality of knowledge they have on the distribution of voters' support, the number of participants in the election, and the existing alternatives. A careful assessment of the party's popularity nationwide reveals its geographical spread and suggests the size of the districts that would be most beneficial for this pattern. Who participates also matters and the number and strength of other participants further shape preferences. Smaller parties, potential winners of seats under PR, can be effectively deprived of representation if

reliable information exists about the magnitude of their success. For these reasons, legal thresholds have been imposed in earlier transitional electoral systems, such as those in Germany, Greece, and Spain, to hinder the election of deputies from the far Left and the far Right. Finally, preferences are affected by the knowledge about alternative rules and their performance in reality. Foreign experience is especially helpful; if reference to a comparable system abroad is possible, then this model is likely to be either seriously considered for adoption or excluded as one with undesired effects.

A proper assessment of the chances for success becomes very difficult when political actors lack or do not have sufficient knowledge about current political realities. In post-Communist transitional settings, such an information deficiency can raise the levels of uncertainty regarding electoral returns to extremely high levels. Parties are emerging, reviving, splitting, and merging. Even the major political formations are constantly changing their organizational, electoral, and financial strength. There is also volatility in voters' preferences due to the difficulty voters face in recognizing and identifying with parties. Institutional reformers have a limited knowledge about the underlying mechanisms behind alternative systems and, most importantly, about their possible effects in the specific East European environment. A process of political learning slowly picks up speed when demonstration effects from neighboring states with similar socio-political conditions becomes available (Bermeo 1992). In the case of mixed system designs, world experience was not much help for the reforming East European states. Germany was the first available example, misunderstood and, as often admitted in

the literature, misused.³⁹ Hungary and Bulgaria offered more relevant information about the design and the effects of mixed systems to the countries from the next wave of electoral reform. Respectively, the experience of Croatia, Lithuania, and Russia was carefully studied and used by Macedonia and Ukraine as reference points in the crafting of their election laws.

Making a decision whether to run the risk and win everything or to choose to share gains with others depends on the amount and the characteristics of the information available to the institutional engineers. If uncertainty is complete, i.e. information is not available, elites cannot foresee the consequences for each of the participants including their own position in the future. Being ignorant, they are more inclined to prefer choices that tend to make everyone better off; political innovation under high uncertainty will produce more efficient outcomes (Tsebelis 1990, 117). When designers of new institutions are able to predict the political consequences of alternative rules for each particular group, they favor a particular solution that is beneficial to them only. Thus, low levels of uncertainty encourage the group with strongest positions in the decision-making process to try to enforce a more redistributive design. The latter is targeted at bringing benefits for a particular coalition at the expense of the other participants. This argument leads to the following hypothesis:

³⁹ This misunderstanding is best indicated by the absence of a compensatory mechanism in the East European mixed systems which, unlike the German model, do not provide for a link between the two parts. The Italian and the Japanese election laws omit such a link as well. This is the reason why Sartori prefers to call these systems "truly mixed" (Sartori 1994, 74).

H1: Higher levels of uncertainty tend to result in mixed systems perceived as favorable by all negotiators; lower levels of uncertainty lead to mixed systems intended to favor one of the negotiating sides only.

Uncertainty and Time

A certain level of uncertainty exists for the outcome of any election. In times of democratic transition, however, the insufficiency of information and the lack of skills to process it when available are of a significantly higher degree (O'Donnell and Schmitter 1986, 3-4). Consolidation of political democracy is the desired goal and as certain as this objective is, crucial decisions for its achievement are made in a context full of unexpected and unpredictable events. Uncertainty is at its highest at the very beginning of transition when the old regime "opens" but the direction and the development of change are not clear. At this initial point, inadequate information about the distribution of support makes it extremely difficult for political elites to form preferences over the rules for future election. This affects the intensity with which they defend their first choice and increases the prospects of accepting a solution that guarantees some representation. The more time passes, the more confident elites become in their assessment of chances to win elections. Expectations are built about the general course of national development; newly established institutions decrease the extraordinarily high uncertainty from the first years. Preferences over electoral reform become more precise, the set of negotiable options shrinks and the resulting system is characterized by elements that favor only one or a few of the participants.

Mode of Negotiation, Distribution of Power, and Institutional Design

Since institutions are known to impose constraints on actors' behavior, the mode of negotiation and bargaining emerges as an important factor that shapes the final choice of electoral rules. Procedural agreement over the rules of the game can be established in ways determined by the specifics of the negotiation arena, the visibility of politics for the public, and the positions of the main actors involved (Mo 1996). I distinguish two major types of elite negotiations, pact and legislative.

Pact Negotiation

Pact negotiations in transitional settings usually take place with two major participants, the incumbent party dominated by reformers striving for survival and the opposition pushing for reforms (O'Donnell and Schmitter 1986, Przeworski 1992). Politics is not visible for the public, because, by and large, pacts take place under conditions of relative secrecy. Elite participants exchange private information; they communicate and bargain and in this process they can hardly be held accountable by their constituents. The nature of the decision-making process in pact negotiations presumes consensus that is easier to achieve when bargaining takes place behind the scenes.

At the very beginning of transition, incumbents possess the legislative power to enact basic laws and promise to provide assembly support for pact agreements to legitimize them. They want to remain in the game and this is the only way to get the opposition involved in setting the rules for the future. The opposition, in its turn, does not have legislative strength but possesses bargaining power with the opportunity to

threaten at any point to leave the negotiation table. Figure 6.1 presents a simple Nash bargaining game that allows to formalize the situation and explain the outcome. In this game, an agreement on the rules of seat allocation is to be reached in a cooperative manner which requires concessions from both sides.

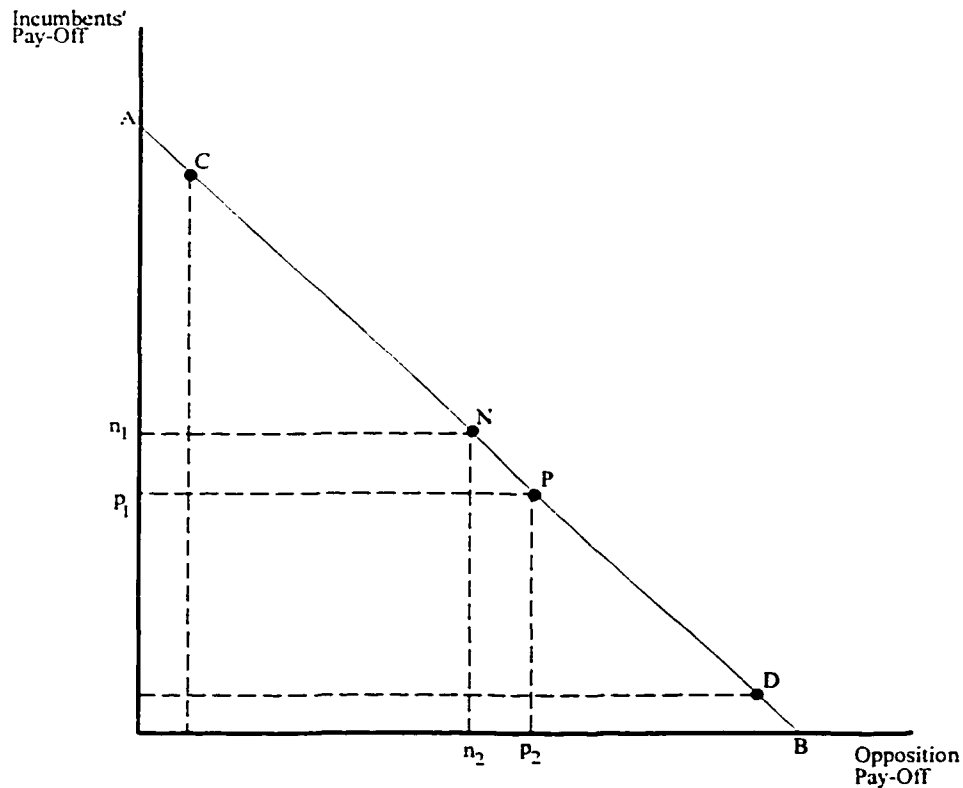


Figure 6.1. A Nash Bargaining Game of Mixed System Negotiations

The two points A and B represent extreme situations corresponding to each player's institutional preference that he associates with maximum benefits. As Schott

(1984, 140) points out, these are polar situations of most "inequitable" distribution". The connecting line is the line of negotiation which represents all possible solutions for electoral system choice. Because of the extreme time pressure accompanying the bargaining drama in a post-Communist transitional setting, a winset, CD, emerges apart from the players' ideal points. This is the consensus area, a segment of the negotiation line that is most relevant to the bargaining process. It is marked by the points beyond which elites are not willing to make any further concessions because those are perceived as beneficial to the other side only.

Both players are interested in maximizing their seat share and, at the same time, in reaching consensus v.s. remaining in conflict. Reform is perceived as necessary and inescapable by both of them; the old system is rejected as an option and the actors are strongly determined to agree on new rules. The major bargain then focuses on finding a point on the consensus segment of the negotiation line, and it is in each player's best interest to move this point closer to his initial position. The location of the solution established through an agreement is an unique one and depends on the strength of the players in the game. It is the point at which the negotiation line is divided in a proportionate split determined by the negotiators' strength. This solution is jointly efficient; all participants in the decision-making process benefit as related to the status-quo. Both elite groups gain more under the newly agreed arrangement: incumbents will compete for part of the seats under the rules they prefer and get the chance to stay in political life as reformers; the opposition gets the chance to enter the parliament through a more permissive electoral system. The moderate character of these decisions stems from

the specific circumstances; each actor is unable to solve the problem unilaterally and is willing to retreat given the urgency of the issue and the weak public constraints.

Therefore, I hypothesize that:

H₂: Pact negotiations produce decisions for mixed systems that are halfway between the players' first preferences.

Changes in the power distribution affect the pay-off ratio. . This situation is reflected by the expected different gains for the two players if agreement had been reached for example, at point P instead of N. The opposition pay-off gets higher when agreement is reached at a point on the negotiation line that is closer to the challengers' initial position ($p_2/p_1 > n_2/n_1$). Failure on the side of incumbents to achieve early agreement in circumstances of a changing distribution of power among political actors could have serious consequences. When challengers are rising in strength, as the case was with the East European opposition groups at the beginning of the transition, delays in the bargaining process could lead to agreements more favorable to the challengers. The 1989-1990 experience of Hungary and Bulgaria shows incumbents desperate to reach an early agreement that could still be shaped by the current distribution of power.

In the East European transition, the pact-negotiation mode was used to negotiate the main conditions of socio-political transformation before the first multiparty elections in several countries. This period was characterized by very high levels of uncertainty that affected the decisions made by participants in the so called "national round-table talks". Information about voters' preferences and future participants in the elections was scarce and largely inadequate. The political actors were undergoing significant changes at the

beginning of transition. Being aware of shifts in the configuration of power, but not able to accurately assess them, incumbents and opposition tried to reduce insecurity through installing rules of the game that guarantee some access to power. The pact mode of negotiation facilitates such efforts. As O'Donnell and Schmitter (1986, 38) observe, none of the main groups dominate the arena to an extent enabling any of them to impose its ideal model. What comes as a result is a second or a third best choice for the negotiating sides, one that everybody can agree with.

Legislative Bargaining

Legislative bargaining takes place in a different institutional context. The main actors are two assembly coalitions formed along the lines of their different views about the type of the mixed system. These are groups of elected officials who enjoy considerably more legitimacy than pact participants have. The effectiveness of their work relies on electoral outcomes while the success of pact negotiations relies on private information (Mo 1996). The rules of the game are contested in the legislative arena, i.e. the national assembly. In some instances, other elected officials such as prime-ministers and presidents can try to affect the outcome through mediation and intrusion. All of these participants claim legitimacy based on the mandate given to them by voters and exercise their legislative and veto powers in the process. The final outcome is best explained through a voting model where the solution is the ideal point of the assembly majority.

Legislative negotiations are more visible to the public than is pact bargaining, because they take place in the electoral arena. Since constituents do not interact with each other, contingent strategies are not possible and the bargaining parties have less

flexibility. Elites negotiate relying upon their electoral strength indicated by the legislative seats each side has. Because politics is being watched, choices are clearer, and dominant strategies are available. Compromise is possible but is substantially limited by the very nature of the decision-making rule in legislative negotiating. The final outcome depends on the formal approval of a majority of the vote in the assembly.

Crafting a new electoral system through legislative negotiation is more specific and aimed at consolidating the positions of one of the players only. Outcomes are expected to coincide with or lie very close to the majority's first preference. Parties belonging to the parliamentary opposition might press for more permissive systems or rules which guarantee fairer proportional election returns. These players, however, do not have the voting power to influence the final decision and shift it from the majority's ideal point in any significant way. The resulting mixed system has a more redistributive character, because elected parliamentary majorities have the strength to impose decisions that consolidate their position at the expense of the group in minority. From this discussion, I derive the following hypothesis:

H₃: Legislative negotiations produce decisions for mixed systems that are closer to the first preference of the stronger player.

Mixed systems negotiated in the assembly are products of a bargaining process that is also affected by the level of uncertainty in the political arena. The results of the first multiparty elections provide some information about the distribution of voters' support, although those are only snapshots of the political landscape. Because of the volatility in the development of the party systems, a new parliamentary majority may

emerge which leads to shifts in the preference structure of the negotiating sides. Yet each next election, legislative, presidential or municipal, improves political actors' knowledge about the distribution of voters' support. Regular public opinion polls are conducted that make it possible to track the dynamics of change in public attitudes towards the parties and their leaders. Uncertainty gradually declines over time which makes political actors more confident in their assessments and more decisive in making specific institutional changes aimed at consolidation of their power.

I next analyze the negotiation process over mixed systems in two East European countries. The cases used are examples of elite bargaining through round-table talks under an extremely high level of uncertainty (Bulgaria) and through legislative bargaining when more reliable information was available (Ukraine). I picked these cases to represent the two different patterns of negotiation because sufficiently detailed information about elites' preferences and the dynamics of the bargaining process was available for Bulgaria and Ukraine. The dependent variable is the type of mixed system that could vary by SMD/MMD ratio, SMD type, PR district magnitude, and legal threshold. First I define actors' preferences over alternative types of mixed systems based on the available information from opinion polls and previous election results. Then I analyze the strength of the participants and the dynamics of negotiation leading to the final outcome. For the analysis, I use data from various sources including the daily reports of the Foreign Broadcast Information Service.

Bulgaria

Preference Structure

In Bulgaria, the mixed electoral system was negotiated at the sessions of the National Round Table, January-March 1990. The main negotiating participants were two, the incumbent Bulgarian Communist Party (BCP) and the opposition Union of Democratic Forces (UDF). The sudden collapse of the regime and vehement developments that followed increased the level of uncertainty in the political environment surrounding the talks. Multiparty elections had been held at no level before the founding elections; public opinion polls were just taking off and their results were questioned as non-reliable and even biased towards the authorities.

The prestige of the ruling BCP was gradually declining; the party had been discredited and was losing citizens' confidence in the general principles of its previous policies. While a mid-December 1989 public opinion poll showed a 60% approval of the idea of "strict party and state control in all areas of public life", in January through March, the time of the round-table talks, only around 31% of the Bulgarians believed that socialism was a good way of development for their country (FBIS-EEU, 2 February 1990, 13 March 1990). In the second half of March 1990, about 30% of those interviewed evaluated the post-World War II years as successful, 36% thought that the period held back the country's advancement, and 21% were convinced that it was a total waste (FBIS-EEU, 16 April 1990). The BCP had to seriously consider the growing public dissatisfaction with the socialist idea linked with the party that had preached it for about

forty-five years. The opposition UDF was associated with rejection of the previous totalitarian practices of state government; it had the advantage of its leaders being persecuted by the secret police that served the regime in the past. The Union was the bearer of the idea of change and democratization as an alternative to the Communist system that had recently been denounced all over Eastern Europe.

Table 6.2. Electoral Support for Main Parties, Bulgaria, January-March 1990*

	BCP	UDF	BAPU**
January 15-20, 1990	39.2	13.6	8.7
February 2, 1990	no change	increase	N/A
March 13, 1990	39.0	15.0	N/A
March 31, 1990	40.7	29.7***	9.0

* In percent.

** Bulgarian Agrarian People's Union

*** Percentage of voters who would support the UDF. 41.0% of the respondents, however, said they would vote for a party affiliated with the UDF.

Source: FBIS-EEU, 2 February 1990; 13 March 1990; 16 April 1990.

The opinion polls from this period reveal the dynamics of change in public approval in respondents' answers to the question which party they would vote for. While

the BCP electoral support was stagnant in the first three months of 1990, the opposition support was growing. With undecided voters learning more about UDF's goals and leaders, the percent of people ready to vote for the opposition increased.

The BCP had a well-organized and disciplined nationwide network of local party committees and still dominated the people's councils; this was propitious for single-member constituency competition that requires support by district level apparatus. The opposition was very young and lacked such organizations at the time of negotiations. Actually, its local structures did not start to emerge until the beginning of the election campaign (Kolarova and Dimitrov 1996). Equally important for the parties' preference over electoral rules was the fact that the BCP could field individual candidates from a list of persons who were well known to the public. The opinion polls from the period of the round-table talks register a high level of popularity of those leaders of BCP who were not directly involved in the crimes committed by the previous regime.⁴⁰ January through March 1990, among the first ten most popular politicians in Bulgaria, eight were members of the Communist party and one was an independent, sympathizer of BCP. The UDF leader Zhelev scored fifth (FBIS-EEU-90-032, 037, 13 March 1990). At the same time, the BCP as a party had a much lower level of approval while one of the UDF-founders, Ecoglasnost, was at the top of the list of support for parties and movements.

⁴⁰ The November 1989 events and the resignation of Todor Zhivkov from his post as Secretary General of the BCP were initiated by the reform wing in the party. In December, on the eve of the round table, the engineers of the party "coup", including Petar Mladenov, Andrei Lukanov, and Dobri Djurov, enjoyed the popularity of heroes who destroyed Zhivkov's regime and shifted the course of development of the country towards democracy. Their public support was within the range of 64-72% (FBIS-EEU, 18 January 1990).

The lower level of confidence given by the public to the individual leaders of the opposition was a result of the fact that for the time, people did not know the names and the faces of most of them.

Based on this information, the BCP realized that it had to avoid a campaign led under the party flag; it preferred to compete in single-member constituencies. At a party meeting in early February, the Chairman of the Supreme Party Council, A. Lilov, noted that recent sociological surveys had shown party affiliation as "the most unstable and unpredictable factor". Electoral victory for the party (the BCP), Lilov claimed, would greatly depend on choosing candidates as individuals emphasizing their human virtues, competence, and public prestige, rather than their qualifications as "cadres" in the first place (FBIS-EEU, 20 February 1990).

The UDF leaders realized their popularity as bearers of the anti-Communist alternative could attract voters in the forthcoming first free elections. They expected that a PR multimember district system would pit parties one against the other transforming the election into a referendum on Communist rule (Ishiyama 1997). The lower rating of their leaders, still unknown to the public, and the lack of an organizational network in the country pushed the single-member district formula to the bottom of their preference list.

Participants' Strength

During the period of the round-table talks, the BCP formally dominated all branches of government in the country. BCP functionaries held all key government positions including the Ministry of Interior and the Ministry of Defense. It is paradoxical that the current National Assembly still composed by Communists and a few

independents and members of the Agrarian Union⁴¹ voted the main decisions that put an end to the absolute rule of their own party (Karasimeonov 1996). The most important among them was the January 1990 abolition of Article 1 of the Constitution cementing the leading role of the BCP. The opposition did not participate in any structures of government, but both actors knew that its influence in the country was growing over time because people were becoming aware of UDF's platform and leaders (Elections in Central and Eastern Europe 1990).

The strength of the BCP and the opposition in the decision-making arena was relatively equal. Formally, the two sides negotiated to participate with delegations of thirteen representatives who were to be chosen from affiliated organizations (Melone 1994). Contact groups were created to work on reform proposals and submit them at the plenary sessions of the round-table. The contact groups worked behind the scenes to sound opinions and exchange information. Agreements on issues including the new election law were to be reached through consensus and later approved by the current National Assembly.⁴² The BCP committed itself to ensuring parliamentary support for the decisions made by the round table and bestowing legitimacy to the intended political changes, all this in exchange of a recognition of the party's right to exist in the future political system. The UDF's strength was in the ability to threaten and walk out of the

⁴¹ The Agrarian Union members of parliament were also pre-approved as candidates by Politburo of the BCP.

⁴² One of the preliminary conditions for the start of the talks declared by the UDF was the establishment of only two definite sides of the round-table, the government and the opposition. In addition and associated with this, the UDF insisted on a consensus-based decision-making procedure (Kolarova and Dimitrov 1996, 187).

negotiations at any point while refusing to sign any documents. Time was of crucial importance for the Communist party and any delay in the round-table talks would have had damaging effect on the BCP's prospects for winning the first multiparty elections and influencing the course of transition. The two sides also believed that the opposition's electoral chances would improve over time and that there was nothing for the challengers to lose from delays (Kolarova and Dimitrov 1996, 190).⁴³ The UDF used this important bargaining chip and left the plenary sessions a couple of times to force the incumbent party make concessions regarding the opposition demands for media coverage and dismissal of the BCP's primary organizations at the work-place.

Negotiations over the Mixed System

Negotiations over institutional reform took the form of bargaining over packages of issues related to elections that had to be resolved exclusively together, a binding condition initially imposed by the Communists (Kolarova and Dimitrov 1996, 192). There was plenty of room for concessions and trade-offs that enhanced the prospects for a cooperative outcome. The BCP initial position on the election law was for a mixed system with 175 SMD seats on a winner-take-all basis and 75 PR seats distributed

⁴³ Although the UDF leadership was in a position to delay the talks and continue insisting on late elections in the fall of 1990, it surprisingly yielded to the BCP's pressure for an early election date. In 1993, A. Melone interviewed participants in the Bulgarian round table. Several of them indicated that during his February 1990 visit in Sofia, U.S. State Secretary James Baker urged the UDF leaders to accept the idea of early elections (Melone 1998, 116-117, 120-121). At that time, the prevailing opinion among the opposition elite was that the UDF was not prepared enough for spring elections, but the dissidents also knew they had no experience in government and their final decision was strongly influenced by Baker's view.

according to national party lists (Melone 1994).⁴⁴ Organizationally, the BCP was in the best position to win a majority of the vote in the districts; employing plurality was the best option for the party since this formula would prevent facing a united opposition at a second round if a majority run-off were used. The UDF's ideal version was a PR system, as expected from the organizational state of its structures and the distribution of its support (Melone 1998, 109). There is no evidence for the initial positions of the political actors on the threshold and the UDF's position on the type of SMD. Table 6.3 presents a summary of the starting points and the outcome of the negotiations.

The UDF's initial position on some of the properties of the mixed design is difficult to establish, but the final decision on them does not coincide with BCP's initial proposal. It is possible that those were negotiated as well. The threshold of 4% imposed by the final version of the law serves both the BCP and the UDF. It was intended to cut off the access of smaller opposition parties, outside of the UDF coalition, to the assembly. This hurdle was expected to be beneficial to the two largest contenders for power, the negotiators of the new system.⁴⁵ The time of election was also part of the package. It was

⁴⁴ In the available sources, there is no evidence indicating how the BCP came up with exactly this mix of SMD/MMD seats and the proposal for one nationwide PR district in its initial position.

⁴⁵ The choice of a 4% threshold was most likely influenced by the Hungarian system negotiated and adopted in the fall of 1989. The demonstration effects of the Hungarian round table talks have been indicated by many instances of "modeling" the transition on what had already been accomplished by the front-runners of the East European transition, Poland and Hungary (Melone 1998, 9, 79).

Table 6.3. Initial Positions and Final Decision on the New Electoral System, Bulgaria, 1990

	BCP	Outcome	UDF
SMD/MMD	70/30	50/50	0/100
SMD type	plurality	majority	N/A
PR districts	1 national	28 regional	N/A
Threshold	N/A	4%	N/A
Time of election	March	June	September

Sources: Kolarova and Dimitrov (1996), Elster et al. (1998), Melone (1998).

clearly more beneficial for the incumbents who were eager to hold elections as soon as possible. The final decision was a product of mutual concessions and compromise. Overall, the outcome lies halfway between the two initial proposals.

Ukraine

Preference Structure

The decision over the mixed system in Ukraine was voted by the assembly (the Rada) in late September of 1997 after long months of negotiations. The specifics were negotiated among the parliamentary parties all of which were trying to strengthen their positions in the political life of the country. At certain points, President Kuchma, interested in keeping the parties weak, also made efforts to influence or at least delay the process.

The main political actors formed their preferences over the new system based on the knowledge they had about voters from the last parliamentary elections in 1994. The Communist Party of Ukraine (CPU) was the largest single party with the broadest base of support among voters (Diuk 1998). Despite the fact that it was banned for three years following the 1991 coup in Russia, the CPU was successful in retaining its dominant position in the national assembly. In the 1994 elections, the Communists got 38% of the party vote and formed the largest party parliamentary group (FBIS-SOV, 8 April 1997). The far-east and the southeast parts of the country, heavily populated by the Russian ethnic minority group, provided decisive support for the leftist parties. The CPU won two-thirds of its total seats there (Bojcun 1995). The Marxist-Leninist Communist Party, unlike most of the other players in the legislative arena, was well institutionalized and could rely on its broad network of local organizational structures (Ukraine's Parliamentary Election 1998).

Rukh, the key opposition movement in Ukraine, was the other important player in the parliamentary negotiations over the mixed system. Organizationally, it was significantly weaker than the CPU; many of its leaders had split off to form small center-right parties that failed to develop stable coalitions. Its largest bases of support were historical western Ukraine and the capital city of Kiev that gave it 88% of its victories (Bojcun 1995). In contrast, the eastern parts of the country were out of the national-democrats' influence. A number of relatively weak small centrist and rightist parties with scattered support dominated in a few regions only (Craumer and Clem 1999).

The Ukrainian party leaders could also use the experience of other East European countries as referent cases when making decisions over the type of mixed system. Especially important in this respect were the election results in the ex-Soviet republics of Lithuania, Georgia, and most of all, Russia. The latter was closely observed by many politicians in Ukraine who had considered the same electoral system for their country since 1993 (FBIS-SOV, 18 November 1993, FBIS-SOV, 17 April 1997). Thus, the Ukrainian political actors were able to learn from real life examples about the large set of rules they could choose from. They could also make some calculations about own chances for success under alternative versions of the mixed format. There was a prevailing consensus among parliamentary parties on two issues, the minimum turnout and the type of SMD districts. The previous 1994 elections took a full year to complete and was repeated eleven times to fill all seats in the Rada (Ukraine update 1997).⁴⁶ In

⁴⁶ The main cause of this protraction was the requirement for a minimum turnout of 50% for an election to be considered valid.

order to avoid such delays in the future, the plurality rule was broadly believed to be the solution for this part of the election. Based on the results from the previous 1994 elections⁴⁷, I now estimate the election returns for some parties using the plurality formula as a constant and varying the SMD/MMD ratio and the electoral threshold in a way which includes the major drafts discussed by the assembly.⁴⁸

The two main parties, the CRU and the Rukh, would have most benefitted from a mixed system with a 5% threshold and a larger share of PR seats because of their relatively big and concentrated bases of voters' support. Rukh's leaders believed that neither their party nor the Communists would win an absolute majority of the seats in the future assembly but they would emerge as the two most influential parliamentary forces (FBIS-SOV, 17 April 1997). A paradoxical situation emerged in which the two rivals preferred a similar system with a higher threshold to eliminate smaller parties and a smaller share of SMD seats to discourage independents from running in larger districts. Although ideologically very different, these two parties were similar in the structure of their vote support. In the process of debates on the new system, they acted as one negotiator vis-a-vis the other major player, the smaller parliamentary parties.

⁴⁷ Some observers of Ukrainian political life note that voters' behavior as documented by opinion polls, previous parliamentary and presidential elections, and referenda, showed a remarkable continuity in terms of distribution of support among major parties between 1994 and 1998 (FBIS-SOV, 16 April 1997, Craumer and Clem 1999).

⁴⁸ My calculations are based on data reported by Sarah Birch in an article translated in Ukrainian and published in one of the central newspapers Kiev Den (FBIS-SOV, 8 April 1997). There are good reasons to believe that the Ukrainian politicians became familiar with those numbers.

Table 6.4. Hypothetical Results of Elections Held under Different Versions of Mixed System with Plurality SMD in Ukraine, 1997*

Parties	Threshold/SMD-MMD ratio				
	3%	3%	5%	5%	0%
	50/50	75/25	50/50	25/75	25/75
Communist Party	33.63	28.15	35.61	42.06	34.13
Total Leftist	48.15	39.73	51.04	60.90	49.34
Dem. Renaissance	0.55	0.83	0.55	0.28	2.13
Rukh	12.67	9.99	13.47	16.56	13.35
Total Nat. Dem.	21.11	16.28	20.37	24.81	23.36
Conservative Rep.	0.20	0.30	0.20	0.13	0.87

* In percent of seats by party.

Source: Kiev Den, 8 April 1997, p. 8, in FBIS-SOV, 8 April 1997.

The smaller centrist and rightist parties initially insisted on a pure proportional system that would best translate their votes into seats. Examples of those were the Party of Democratic Renaissance and the Conservative Republican Party who would have been better off under a mixed system with a strong proportional part and no threshold for

representation, as Table 6.4 suggests. Later, when it became clear that the largest parliamentary parties insisted on introducing a threshold, the small rightist parties turned to their second preference, a lower threshold and as few PR seats as possible, 25% up to 30% (FBIS-SOV, 1 March 1997).

Finally, the President emerged as a participant in the process of negotiations who tried to influence the design of the new system. He was interested in keeping the parties weak in order to have a control over the legislative agenda. His representatives at the assembly, R. Bezsmertnyy and M. Syrota, submitted the first version of a mixed system that provided for 75% of the seats to be competed in SMD through majority in two rounds (FBIS-SOV, 16 September 1997).

Participants' Strength

The most influential players in the Ukrainian assembly in terms of voting power were the three parties of the Left, the CPU, the Socialist Party, and the Agrarians, who controlled 43% of the seats in 1997. The largest one among them was the parliamentary group of the Communists. A number of small centrist parties shared about 34% of the assembly space. Most often they offered support for the President. The nationalists had about 14%, with Rukh being most influential among them (Constitutional Watch, Summer 1997). These numbers include some of the independents who entered the Rada in 1994 with no party affiliation, but then joined different parliamentary factions.

President Kuchma had veto power over bills passed by assembly. According to the Ukrainian 1996 Constitution, his veto could be overridden by a two-thirds majority in the Rada. The availability of such an option made it possible to delay, stop, or change

certain bills before adopted. Beyond the institutional strength provided by the Constitution, President Kuchma enjoyed considerable non-formal power. His style of rewarding favors through appointment of local and central government officials (Diuk 1998) had opened a lot of space for him to affect most decisions made by the legislature.

Negotiations

The mixed version finally approved by the Rada was a product of active coordination efforts on the part of political elites to resist the President's interference and to find a solution backed by a legislative majority. A draft law based on a mixed system with one nationwide PR district was approved at first reading by 232 votes in early March 1997 (FBIS-SOV, 5 March 1997). At the same session, a rival draft based on pure PR was rejected. Passing the new electoral law at a second reading had failed nine times by late August with forces from the "President's entourage" believed to have blocked it (FBIS-SOV, 26 August 1997, 17 September 1997). Smaller parties opposed it expressing serious fears that party lists would favor larger parties because of the proposed threshold (Ukraine Update 1997, 32). A common perception prevailed that left forces, especially the Communists, would gain most under the proposed draft (FBIS-SOV, 26 August 1997). Different proportions including 50%/50% and 70%/30% were then debated. In September 1997, the centrist parties, without Rukh but under the leadership of the President, came up with a proposal for a final compromise envisaging a combination of 60% SMD seats to reduce the harmful effect of the threshold in the PR part (FBIS-SOV, 19 September 1997). The small parties, however, were weak and their forces were too scattered to seriously influence the outcome of the bargain. Yet the larger parliamentary

parties yielded to the pressure and made one final concession picking a 4% threshold.⁴⁹

Table 6.5 presents a summary of the initial positions of the main political actors on the type of mixed system and the final outcome:

Table 6.5. Initial Positions and Final Decision on the Mixed System in Ukraine, 1997

	CPU & Rukh initial position	Outcome	Small parties initial position	President initial position
SMD/MMD	50/50	50/50	0/100	75/25
SMD type	plurality	plurality	N/A	majority
PR districts	N/A	1 national	N/A	N/A
Threshold	5%	4%	0%	N/A

Source: FBIS-SOV Daily Report, 1997, various issues.

President Kuchma who had strongly opposed introduction of PR, tried to delay the adoption of the mixed system. He put a condition that the new law could not be adopted before passing a law on the 1997 budget while claiming that he was not opposing the idea of a combined system in principle (FBIS-SOV, 18 April 1997). The conflict between the

⁴⁹ The 3% option advanced by the smaller parties failed to gather the necessary support in the legislative arena with only 165 votes for (Wilson and Birch 1999).

President and the assembly deepened when the Legal Policy Committee of the Rada initiated a procedure for impeachment at the Eighth session in early September 1997 (FBIS-SOV, 15 September 1997). The threat of impeachment was intended to make Kuchma revise his position, including his influence over some of the deputies, on the law draft providing for a mixed 50/50 system with plurality. Kuchma's last effort to affect the outcome after the bill was voted by the assembly was through the fifteen amendments that he proposed. With a vote of 246 to 33, the parliament accepted twelve of those and rejected the proposal for absolute majority rule in the SMD part (Constitutional Watch, 1997, 45). Thus, the new law that came into force in the fall of 1997, provided for a mixed system of election with 225 seats allocated through plurality in SMD, the same number of seats competed in one nationwide PR district by party lists, and a 4% legal threshold for representation. The final outcome was very close and almost coincided with CPU's and Rukh's initial position. It was different only with regard to the threshold and yet the adopted 4% was much closer to the 5% preferred by the CPU and Rukh than to no threshold at all, as the smaller parties wished. The President's position was not reflected in the final decision; his efforts to interfere remained more like a noise in a legislative arena dominated by other players.

Conclusion

The mixed systems recently introduced in Eastern Europe display differences in the way their two major parts, the SMD and the MMD, were designed. The very nature

of the new format allows an indefinite number of options that could facilitate the search for a cooperative outcome of the rather complicated process of negotiation over institutional reform. Transitional elites, similar to politicians in developed democracies, are interested in the future electoral success of their parties and of themselves as individuals. They realize that if one combination of certain elements most preferred by them is not acceptable to the other players, there are other combinations of the same type of system that could still produce the level of agreement necessary to introduce the new rules.

There are two patterns of institutional building that emerge from the East European experience with two major important characteristics: first, the level of uncertainty within which players in the institutional design game make decisions, and second, the mode of negotiation. The national elites in the first countries which shifted to a mixed systems, Hungary and Bulgaria, took decisions at national-round table talks under conditions of extremely high uncertainty. The next mixed systems were modeled in the parliamentary arena by players who had a relatively better idea about voters behavior and the available institutional choices. While the pact negotiations in the former cases resulted in consensual agreements perceived as beneficial to both sides, the voting strength of the participants in legislative negotiations shaped the final outcome as more redistributive in character.

The account I present indicates that the high level of information deficiency regarding the distribution of voters' support in Bulgaria and the need to reach an agreement with the opposition and save time made the BSP compromise over the

SMD/MMD ratio and the schedule of elections. A similar situation of dynamic changes in the distribution of power that increased the drama of the bargain process had earlier emerged in Hungary. The time pressure in both countries was incredible and, as a result, a "middle ground" solution was reached. The parliamentary majority of Ukraine, relying on its voting advantage and on information from the two preceding multiparty elections, was less inclined to make concessions. The only issue on which they somewhat gave in was the threshold permitting a small reduction from 5% to 4% but not to 0% as initially preferred by the smaller centrist parties. The parliamentary majorities in Lithuania, Croatia, and Macedonia were also determined to create rules which would help to consolidate their power while making insignificant concessions to the small and weaker participants in the legislative negotiations.

An important distinction emerges from the analysis of the cases of Bulgaria and Ukraine. While two main actors negotiated the principles and the details of the electoral system in the Bulgarian round-table talks, there were multiple participants in the decision-making process in the Ukrainian assembly. It is worthwhile to note that other elected officials along with the parliamentary groups tried to affect the outcome. Not only President Kuchma, but also President Yeltsin in Russia, the Croatian president Tudjman, and the Supreme Council Chairman Landsbergis in Lithuania tried with different success to impose their own model of a mixed system.

The design of the emerging mixed systems clearly reflects the compromises that political leaders had to make to balance respective parties' understandings of electoral strength. This analysis demonstrates distinctive patterns in the way decisions over the

design were made. A further improvement towards a more precise explanation of institutional choices would incorporate the development of an index of power that will reflect the exact strength of parties at the time of decision-making. Access to a larger number of various sources of data as well as field work of interviews with participants in the negotiations would contribute a lot for achieving this goal. Such an endeavor will definitely improve our present understanding about the occurrence of mixed systems.

CHAPTER 7

DO MIXED ELECTORAL SYSTEMS MATTER?

The study of electoral reform in post-Communist East Europe shows that important changes in the rules for the election of national assemblies have been made in all countries. In a context ruled by uncertainty, the national political elites engineered new laws tending to lead towards proportionality. There has been a clear political will to change the majoritarian principle associated with the old communist system and replace it with a new, more representative and "democratic" one. As the analysis in the previous chapters suggests, in some cases, pure proportional representation was not acceptable and the elites bargained over mixed systems which combine SMD and MMD. Nine of the fifteen East European countries experienced this format since 1989 and all of those, except for Bulgaria, use it at present. The German example may have been the model, but an important feature of that example, its compensatory mechanism, makes it different from the "truly mixed" systems recently adopted in Eastern Europe, New Zealand, Japan, and Italy.⁵⁰ Scholars have studied the impact of the German electoral law on politics and the development of the German party system. We know little, however, about the effects of the mixed systems which fill simultaneously seats by PR and others by majoritarian

⁵⁰ For a discussion on the differences between the German model and the "truly mixed parliaments" in Italy, Japan, and Russia, see Sartori (1997, 74-75).

rule. How will the mixed system affect the number of parties in government? Will this hybrid type combine the advantages of the two older systems, providing better representation as under PR, and yet fewer parties as under the majority system? This chapter attempts at answering these questions that are both scientifically interesting and extremely important for the stability of the new elected governments and the parliamentary support for their policies during times of transition. To this extent, the study of the effects of mixed systems is relevant to the problem of future success of democratic consolidation in Eastern Europe.

A significant body of literature has been devoted to the specifics and the effects of the majoritarian and the proportional formulas. First Duverger in his famous 1954 book on political parties pointed at the mechanical and the psychological effects of the main types of rules that govern elections. The theory of electoral systems has further been specified by other scholars including Rae (1972), Taagepera and Shugart (1989), and Lijphart (1994). While these authors focused their efforts on the specific properties of electoral systems, recently Cox (1997) turned the attention towards the problem of strategic coordination of elites and voters in response to these features. All these studies have exclusively examined the effects of systems which provide for election of all seats in either SMD or MMD.

The occurrence of mixed systems presents a new challenge for students of electoral politics. A few case studies on Russia (Remington and Smith 1996b), Hungary (Gabel 1995, Ishiyama 1996), and Italy (D'Alimonte and Bartolini 1997) examine the first consequences of mixed systems in separate countries. Cross-national work, however, is

still lagging behind. Elections governed by the new type are usually excluded from cross-national empirical analysis. Thus, I first discuss the unique problem which previous research has encountered that mixed systems comprise parallel components which require *two separate ballots and separate distribution of seats*. While voting criteria in the two parts, however, are different, I next argue that in the strategic calculation of parties, the two ballots are connected. Then I develop two models explaining the impact of mixed systems as compared to other formulas and also with regard to their own specifics. Finally, results of an empirical analysis of data from sixteen East European countries are reported and discussed.

Mixed Systems and the Number of Parties

How to approach the problem and examine the effects of the mixed formulae? A rational choice explanation of the effects of electoral systems focuses on the behavior of political actors. Let us first restate two of the fundamental assumptions that I made in Chapter I: parties are rational actors who seek election; they try to maximize their electoral gains in order to improve chances for control of the policy-making process. As some scholars suggest (Riker 1982; Cox 1997, 30), the elite strata have substantial interests in achieving access to power and act and coordinate to improve positions. The choice of an appropriate strategy in any election is of crucial importance for parties' electoral returns.

Mixed systems include two ballots that require substantially different strategies in order to be successful. The PR election is competitive by nature while the majoritarian election requires cooperative behavior. Under mixed systems, parties consider strategies that need to be well-balanced in order to respond adequately to the proportional and to the majoritarian parts of the contest. On the one hand, they have to distinguish themselves from rivals in order to be easily identified by voters and receive the votes of all their supporters fairly translated into seats under the PR provisions. On the other hand, for the competition in SMD, only parties which are able to get a majority of the vote win seats. Therefore, for this part of the election, they need to enter into coalitions with others who stand close to their program. If a party-participant in the election exclusively focuses on its own platform, it would attack the other participants in a struggle for a particular sector of the electorate. As a result, it would alienate itself from possible coalition partners for the SMD competition. Thus, serious contenders for power under mixed systems try to avoid extreme strategies; those would only hurt them bringing success only in one part of the contest.

It is well known from previous research that plurality electoral rules favor the existence of two-party systems; it has also been shown that in general, systems based on multimember districts favor multipartyism (Duverger 1954; Rae 1971; Taagepera and Shugart 1989; and others). Theoretically, participants in mixed-system elections more readily form coalitions to win the SMD seats which will result in less fragmentation in the national assembly than the one observed in MMD-only systems. At the same time, the lower quota in the MMD part allows a higher number of parties to obtain the share of

vote required to win a seat than the number usually associated with majoritarian rules. I derive the following hypothesis from the discussion above:

H₁: Mixed electoral systems will lead to more fragmented party systems than will majoritarian systems, but to less fragmentation than will PR systems.

Within the group of the mixed systems, however, we also observe variation in the number of parties. A simple observation on the design of mixed systems (in Eastern Europe, but also elsewhere) shows that they differ in the extent to which they lean towards proportionality. I focus on two prominent indicators of proportionality, the SMD/MMD ratio and the legal threshold for representation. Some of these systems provide for the larger proportion of seats to be allocated in SMD (for example, Albania and Macedonia), and in other, such as Croatia, the PR element predominates. We can locate these systems on a continuum from most majoritarian to most proportional and formulate expectations about their effects on party system fragmentation drawing from previous studies:

The rationale behind such an expectation is that if the proportional element is larger, then the balance in the strategic choice of parties would favor this part of the ballot. More parties will have the incentive to run by themselves and compete for the greater portion of seats. Respectively, if the SMD seats outnumber the MMD ones, the winners will be fewer; parties would prefer to emphasize cooperation in building their

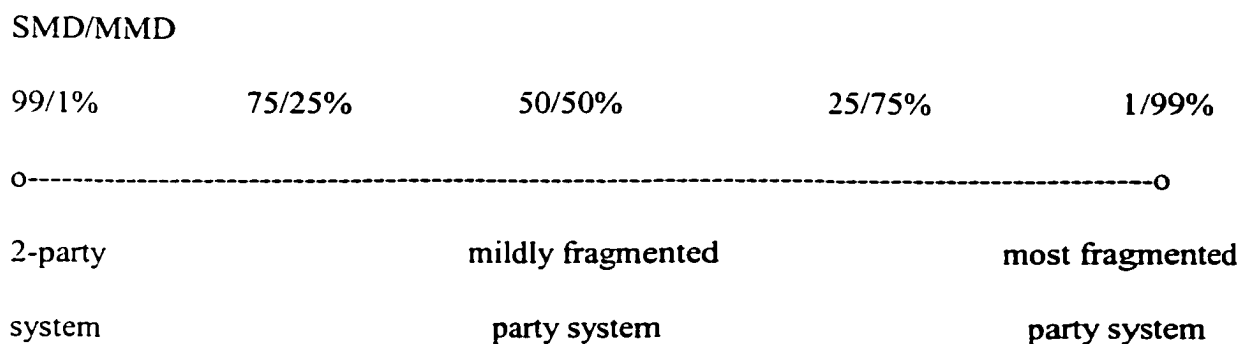


Figure 7.1. Mixed Systems by SMD/MMD Ratio and Party System Fragmentation

strategies and will choose to participate in coalitions in the battle for the larger share of seats. This argument leads to the second hypothesis:

H₂: Mixed systems with an higher proportion of PR seats tend to result in more elected parties than do mixed systems with an higher proportion of majoritarian seats.

The second indicator of proportionality is the legal threshold introduced through the electoral law, i.e. the lowest proportion of votes a party needs in order to be assigned seats in the proportional part. It has been broadly used by the East European constitutional designers to prevent small parties from entering the parliamentary arena and thus reducing fragmentation. Recent studies on western as well as on East European elections have stressed the reduction effect of thresholds on the number of elected parties (Taagepera and Shugart 1989, Lijphart 1994, Moraski and Lowenberg 1999). Some case studies even suggest that the legal threshold in mixed systems has a stronger reduction

effect than does the majoritarian part (D'Alimonte and Bartolini 1997). I derive from these works the third hypothesis:

H₃: Mixed systems with higher thresholds for representation in the PR part tend to produce fewer parties in parliament than do mixed systems with lower thresholds.

In the next sections, I offer empirical analysis to test the hypothesized effects of mixed systems on the number of parties, using data from East European parliamentary elections held in 1989-1998. The specifics of these transitions make it necessary to note that at least for the first elections, the percentage of vote necessary to win a seat in some plurality SMD has been unusually low due to the many participants who lacked the knowledge about the other contestants and the voters' preferences.⁵¹ This study, however, examines the number of significant winners capable of influencing future policies, and the theoretical argument will be applied to explain fractionalization in terms of those players rather than the raw number of parties in the assembly.

⁵¹ The results of the Russian 1993 election offer some instances of extremely low entrance thresholds under plurality rule. 14.60% and 15.95% of the constituency vote were sufficient for the election of deputies to the State Duma in the Cheboksarskii, Chuvashska Republic, and the Tichorezkii, Krasnodarskii Krai, SMDs respectively (Byulleten' Tsentral'noi Izbiratel'noi Komissii Rossiiskoi Federatsii, no. 1, 1994, 69).

Research Design

Models

A basic model of party fractionalization would incorporate the two currently dominant explanations of the number of parties, the institutional and the sociological.⁵² I use two control variables to account for the variation attributed by previous research to other institutions and socio-economic specifics. As some recent studies suggest, the consolidation of parties in transitional environments is retarded and fragmentation is encouraged when the president is directly elected instead of being selected by parliament (Filippov, Ordeshook and Shvetsova 1997). This argument, supported by evidence from thirty-four East European elections, leads to the following proposition:

H₄: Post-Communist countries with presidents elected by the assembly tend to have fewer parliamentary parties than do countries with popularly elected presidents.

Another possible determinant of party fractionalization in this part of the world also could be the existing ethnic heterogeneity. Some preliminary observations suggest that ethnic groups favor with their votes different parties even when their interests are not explicitly aggregated by parties founded on ethnic basis (Ishiyama 1994; Birch 1995;

⁵² The institutional explanation is based on a theoretical argument that emphasizes the effects of electoral systems (Duverger 1954, Rae 1971, Taagepera and Shugart 1989, Lijphart 1994) and other specifics of national institutions, including presidential elections (Jones 1994, Filippov, Ordeshook and Shvetsova 1999), on the number of parties. According to the sociological explanation, the party systems are shaped by the existing social cleavages in a country such as class, ethnic, religious, etc. (Lipset and Rokkan 1967). Most recent studies suggest that both arguments are relevant and should be appropriately modeled (Ordeshook and Shvetsova 1994, Cox 1997).

Ukraine's Parliamentary Election 1998, 16). Following the previous literature on the link between social cleavages and the number of parties (Lipset and Rokkan 1967, Ordeshook and Shvetsova 1994, Cox 1997), we hypothesize that:

H₃: The more ethnically diverse a society is the greater the number of elected parties will be.

To test central hypothesis H₁, I construct Model I and use the following specification:

$$\text{ELECTED PARTIES} = b_1 \text{ MIXED} + b_2 \text{ SMD} + b_3 \text{ MMD} + b_4 \text{ DIRPRESIDENT} \\ + b_5 \text{ ETHNICITY} + e$$

where ELECTED PARTIES is the number of assembly parties, MIXED stands for mixed systems, SMD - for majoritarian (SMD) systems, MMD - for PR (MMD) systems, DIRPRESIDENT is direct presidential election, ETHNICITY is ethnic division, and e is the error term. The variable of main interest is MIXED, mixed systems, and the relative magnitude of its effect on the number of parties is examined as compared to the impact of the other two main types of systems, the majoritarian and the PR. The expectation suggested from the theoretical argument is that: $b_3 > b_1 > b_2$. The two control variables are expected to have a positive sign each.

For the test of the second central hypothesis H₂, I construct another model which explains the variation in the number of elected parties in mixed electoral systems through the weight given by electoral engineers to the PR component and the imposed legal threshold in the proportional part. The PR weight is well indicated by the portion of assembly seats allocated in MMD. A positive relationship is expected to exist, because in

the previous section, we hypothesized that the bigger the share of seats competed under PR is, the more parties get elected. The legal threshold for representation, as stated in the third hypothesis, reduces the entry access for smaller parties. Therefore, a negative relationship is anticipated to exist between the magnitude of the hurdle and the number of parties. As in Model I, control variables for presidential election and ethnic division are introduced to address concerns of spurious relationship. Similarly, both of them are expected to have a positive impact on the number of parties. The specification of Model II is as follows:

ELECTED PARTIES IN

$$\text{MIXED SYSTEMS} = a + b_1 \text{ PRSEATS} + b_2 \text{ THRESHOLD} + b_3 \text{ DIRPRESIDENT} + b_4 \text{ ETHNICITY} + e$$

where a is the intercept, ELECTED PARTIES IN MIXED SYSTEMS is the number of assembly parties in elections held under mixed systems only, PRSEATS stands for the MMD component in the i^{th} particular mixed system, THRESHOLD is the existing legal hurdle, ETHNICITY stands for ethnic division, DIRPRESIDENT is direct presidential election, and e is the error term. We expect positive signs for b_1 , b_3 , and b_4 , and a negative sign for b_2 .

Cases

In this study, the unit of analysis is an assembly election held at a particular point in time. Some previous studies have used electoral systems as the units of analysis (Taagepera and Shugart 1989, Jones 1994) for the obvious reason that having same electoral rules over a long period of time does not produce any variation in the

institutional variable for a country. Other works have suggested separate elections as the units (Lijphart 1994; Cox 1997) and the present study follows this approach as more fruitful for its purposes. The East European electoral rules which are at the focus of the present analysis have been the product of reform and variation exists in the institutional arrangements introduced by individual countries; for some countries, it is not possible to move to a higher level of aggregation. For example, Croatia used the majoritarian formula for its first multiparty election in 1990, in 1992 it shifted towards a mixed system with 52% of MMD seats, and later, in 1995, it increased this proportion to 77%. Therefore, separate elections are assessed to bring more information about the electoral rules, the mixed system formats in particular, and their effects.

For the test of the two models, I use data from recent elections in Central and Eastern Europe. The data set includes observations from fifty-six parliamentary elections for the lower house of legislature in sixteen countries: Albania, Bulgaria, Croatia, the Czech Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Macedonia, Poland, Romania, Russia, Slovakia, Slovenia, and Ukraine. Observations were made on assembly elections starting with the first free multi-party contest in each country regardless of other conditions. Thus, for the nations of the former federations of Yugoslavia and the USSR, the first competitive multiparty elections are considered those held at the republic level in 1990, before their official recognition as independent and sovereign states.⁵³ The Czech and the Slovak series include results from the 1990 and 1992 legislative elections of the

⁵³ The Russian election of 1990 is excluded from the analysis, because even though it was competitive, it was not multiparty and we cannot observe the level of party fragmentation of the assembly.

National Councils at the republic level.⁵⁴ In nine of the above countries, mixed electoral systems were introduced at a different point in time and all of them, except one⁵⁵, use them at present. This makes a total of twenty-one cases of elections governed by mixed systems. There are also ten elections held under the majority with run-off rule, and a total of twenty-six governed by PR. The data were collected from various sources including reports compiled by the Commission on Security and Cooperation in Europe, Radio Free Europe publications, and reference series. Table 7.1 presents a complete list of the cases included in the analysis and a summary of data.

Variables and Measurement

The dependent variable in the two models is ELECTED PARTIES which I operationalize as the number of significant parliamentary parties. Theoretically, we are not interested in the raw number, but in the number of parties with substantial representation in the assembly which makes them viable actors in the policy making

⁵⁴ The 1990 and 1992 parliamentary elections in Czechoslovakia were held simultaneously at both the federal and the republic level. I use the separate results for the National Councils for several reasons. First, to keep consistent with the observations made on the other federal republics in the data set, those from Yugoslavia and the USSR. Second, each republic in the former Czechoslovakia developed its own party system at the center of which two anti-communist movements emerged, formed separately in Prague and Bratislava (Olson 1997, 155). Finally, in the 1990 elections, the republics used different legal thresholds, 5% in the Chech Republic and 3% in Slovakia.

⁵⁵ Bulgaria used a mixed system for its first multiparty elections in June 1990, but changed it in 1991 with pure PR. It is interesting to note that the newly adopted PR almost mirrors the MMD part of the previous mixed system.

Table 7.1. The Effects of Mixed Systems: List of Variables and Summary of Data

Country/ Year	Elected Parties	System Type	% PR Seats	Threshold	Model
Albania/91	1.85	SMD	0	-	I
Albania/92	2.11	Mixed	29	4	I, II
Albania/96	1.31	Mixed	18	4	I, II
Albania/97	2.26	Mixed	26	2	I, II
Bulgaria/90	2.41	Mixed	50	4	I, II
Bulgaria/91	2.41	MMD	100	4	I
Bulgaria/94	2.73	MMD	100	4	I
Bulgaria/97	2.54	MMD	100	4	I
Croatia/90	2.62	SMD	0	-	I
Croatia/92	2.52	Mixed	52	3	I, II
Croatia/95	3.14	Mixed	77	5	I, II
Croatia/00	3.13	Mixed	77	5	I, II
Czech R/90	2.22	MMD	100	5	I
Czech R/92	4.81	MMD	100	5	I
Czech R/96	4.15	MMD	100	5	I
Czech R/98	3.72	MMD	100	5	I
Estonia/90	2.78	MMD	100	-	I
Estonia/92	5.90	MMD	100	5	I
Estonia/95	4.15	MMD	100	5	I
Georgia/90	2.21	Mixed	50	4	I, II
Georgia/92	6.88	Mixed	64	0	I, II
Georgia/95	4.18	Mixed	64	5	I, II
Georgia/99	2.05	Mixed	67	7	I, II
Hungary/90	3.79	Mixed	54	4	I, II
Hungary/94	2.89	Mixed	54	5	I, II
Hungary/98	3.46	Mixed	54	5	I, II
Latvia/90	2.49	SMD	0	-	I
Latvia/93	5.38	MMD	100	4	I
Latvia/95	7.94	MMD	100	5	I
Latvia/98	5.49	MMD	100	5	I
Lithuania/90	1.76	SMD	0	-	I
Lithuania/92	3.03	Mixed	50	4	I, II
Lithuania/96	3.55	Mixed	50	5	I, II
Macedon/90	4.17	SMD	0	-	I
Macedon/94	3.29	SMD	0	-	I
Macedon/98	2.96	Mixed	29	5	I, II

Table 7.1. (cont.)

Country/ Year	Elected Parties	System Type	% PR Seats	Threshold	Model
Poland/89	1.84	SMD	0	-	I
Poland/91	10.85	MMD	100	0	I
Poland/93	3.88	MMD	100	5	I
Poland/97	2.96	MMD	100	5	I
Romania/90	2.10	MMD	100	0	I
Romania/92	4.45	MMD	100	3	I
Romania/96	3.95	MMD	100	3	I
Russia/93	5.99	Mixed	50	5	I, II
Russia/95	5.22	Mixed	50	5	I, II
Russia/99	4.69	Mixed	50	5	I, II
Slovakia/90	4.98	MMD	100	3	I
Slovakia/92	3.19	MMD	100	5	I
Slovakia/94	4.42	MMD	100	5	I
Slovakia/98	4.76	MMD	100	5	I
Slovenia/90	7.92	MMD	100	3	I
Slovenia/92	6.65	MMD	100	3	I
Slovenia/96	6.12	MMD	100	3	I
Ukraine/90	1.66	SMD	0	-	I
Ukraine/94	4.17	SMD	0	-	I
Ukraine/98	5.32	Mixed	50	4	I, II

process. The measure which best captures this is based on the concept of the effective number of parties developed by Laakso and Taagepera (1979) and later, commonly used in the literature (Shugart and Taagepera 1989; McGregor 1993; Lijphart 1994; Ordeshook and Shvetsova 1994; Cox 1997).⁵⁶ It attributes more weight to the larger parties and

⁵⁶ If N_{eff} is the effective number of parties, and p_i is the proportion of seats party i has won in the assembly, then $N_{\text{eff}} = 1/\text{Sum of } p_i^2$.

gives an idea about the number of parties which dominate the national political arena with a value of two being the closest approximation for a two-party system. For the entire data set, the dependent variable ranges from 1.31 to 10.85, with a mean of 3.88.

In the first model, MIXED is coded 1 if the election was held using a mixed electoral system and 0 if otherwise. SMD is assigned 1 if the majoritarian formula was used for the election of all assembly seats, and 0 if otherwise. For MMD, 1 is given to elections ruled by the PR system only and 0 if otherwise. In the second model which explains variation in the number of elected parties in the group of countries with mixed electoral systems, PRSEATS is measured through the proportion of seats competed in MMD as a percentage of all assembly seats. For the entire data set, these values range from 18% (Albania in 1996) to 77% (Croatia in 1995), with a mean of 51% for the subgroup of mixed systems. THRESHOLD is measured in percent, as stipulated by the national electoral law. It varies from 0 (Georgia in 1992) to 7 (Georgia in 1999).

DIRPRESIDENT is a dummy variable that takes the value of 1 for countries which elect their chief executive directly. In the data set, all countries have a president, however, at present, in ten of them, the president is elected by popular vote and in six, the assembly elects him/her. There is variation within countries as well. For example, the first two assembly elections in Croatia were held when the president was indirectly elected while the last two, in 1995 and in 2000, took place after the country introduced direct popular vote for the executive. The 1991 Bulgarian and the 1992 Lithuanian

parliamentary elections were held only a few months before the first presidential race and they were coded as 1.⁵⁷

For ETHNICITY I use a new operationalization which accounts for both the number of large ethnic groups and their geographic dispersion. The potential of a group to be successful in elections is obviously determined by its size. This condition, however, does not necessarily increase the probability of minorities to get representation. If an ethnic group is big nationwide, but is evenly dispersed geographically, its chances for representation are strongly diminished unless there are provisions for an extremely high district magnitude. On the other hand, if a group is geographically concentrated, it can easily win seats even under systems with high effective thresholds such as those based on SMD. This discussion points at the deficiency of the currently used "effective number of ethnic groups" as a measure of ethnic division which takes into account only the relative size of the groups nationwide (Ordeshook and Shvetsova 1994; Cox 1997; Filippov, Ordeshook and Shvetsova 1997).

To address the above concerns, I construct a new formula which includes the effective number of ethnic groups, as previously explored, and the weighted average of a

⁵⁷ A recent study (Filippov, Ordeshook and Shvetsova 1999) on party fragmentation and presidential elections in Eastern Europe uses a similar approach. The justification of such a choice is that the parties and the voters-participants in the assembly elections in both countries were considering the direct presidential election as the next contest. The new constitution had already been adopted in the Bulgarian case (in August 1991) and in Lithuania, the constitution providing for direct presidential election was voted upon on the day of assembly elections (in October 1992).

country's group geographic concentration the original values for which I take from the Minorities at Risk (MAR) Project (1996).⁵⁸ MAR focuses on minority groups as the units of analysis. In many instances, more than one ethnic group from one country are included and this requires the calculation of a weighted average for the aggregate (national) level of analysis. An example will illustrate how the final values of the ETHNICITY variable are calculated for the present analysis. Three ethnic minorities have been recognized by MAR for Macedonia: Albanians which constitute 22.88% of the total population and have a concentration index value of 5; Serbs which are 4.99% of the population and have been attributed 4 for concentration; and Roma - 5.09% of the population and 4 on the scale for concentration. This yields a weighted average of $[(.2288/.3296)*5 + (.0499/.3296)*4 + (.0509/.3296)*4] = 4.69$, which is then multiplied by 1.97, the effective number of ethnic groups in Macedonia for a value of 9.24. The same procedure was used to calculate values for all cases.⁵⁹ These values range from 1.23 for Hungary to 9.60 for Croatia and have a mean of 6.51.

⁵⁸ The component indicators of the six-category ordinal scale of group concentration developed by MAR account for different demographic scenarios in which a group is concentrated in one region, the majority is in one region and the minority is in nearby areas, the minority is dispersed in one region, group is widely dispersed, etc. The scale ranges from 1, widely dispersed in most areas, to 6, concentrated in one or several adjoining regions.

⁵⁹ MAR does not recognize minority groups at risk in two countries from my data set, Poland and Slovenia. With relatively small, but cohesive communities of Hungarians and Italians in Slovenia, and Germans in Poland, these countries were arbitrarily assigned a medium-range concentration value of 3 which was then multiplied by their respective effective number of groups.

Methodology

Multivariate regression analysis is the best method to use for the test of the independent effects of mixed systems and their specific properties while controlling for the mode of presidential election and the existing ethnic division. In the case of Model 1, an appropriate methodological approach would be to use regression through the origin since for the test of Hypothesis 1, we are interested in obtaining estimates for the three main electoral system types. This provides the opportunity to compare the magnitude of the slopes and draw inferences for the relative impact of mixed systems on the number of elected parties.

The pooled character of the data requires to check for potential problems with heteroskedasticity and autocorrelation. We have a pool that consists of sixteen cross-sections with three or four points each. I use the White's general test to examine for overall heteroskedasticity and find no evidence that this might contaminate the results. It is, however, impossible to further test the error vector and check for panel heteroskedasticity and autocorrelation in such a broad and very shallow pool. Since OLS estimates do not recognize the pooled nature of the data set, I use the GLSE (Random Coefficient) approach to obtain efficient coefficient estimates.⁶⁰

⁶⁰ This approach has been recognized in the previous literature as the most appropriate in instances when cross-sections are dominant (Berk et al. 1979, Stimson 1985).

Analysis

Descriptive Statistics

Before I proceed with the regression analysis, I first look at some simple descriptives. The issue of central interest is the number of elected parties resulting from elections held under mixed election rules. Table 7.2 shows how these values differ when compared to the other two main types of systems:

Table 7.2. The Effective Number of Parties by Type of Electoral System, East European Elections, 1989-1998

El. System	Mean	St. Dev.	Min.	Max.	N
SMD	2.65	1.01	1.66	4.17	9
Mixed	3.48	1.44	1.31	6.88	21
MMD	4.63	2.06	2.10	10.85	26
All	3.88	1.84	1.31	10.85	56

The simple descriptives reveal that at the average, multipartyism in countries with mixed electoral systems has medium values (mean = 3.48) as compared to the majoritarian-only SMD systems (mean = 2.65) and the proportional MMD systems (mean

= 4.63). The maximum value observed for the mixed system group also falls in between the respective highest numbers for the other two formulas. The minimum value of 1.31 is, however, the lowest for the entire sample which is due to the specifics of this particular election. The 1996 parliamentary elections in Albania were held under extreme conditions. The ruling DPA, using terror and fraud, won 122 out of 140 seats in the Assembly (Schmidt 1996) and emerged as a single absolute winner.

Regression Results: Model 1

Table 7.2 presents evidence for the importance of electoral system type that is quite convincing, but we are still not sure if these figures are driven by some other factors shaping political reality. The results from the next step, the test of Model 1 using multivariate regression analysis, are reported in Table 7.3.

I find support for the initial expectation that mixed systems produce levels of party fragmentation that are away from the extremes of the two older systems. This is shown by the magnitude of the coefficient estimated for mixed systems (2.88) as compared to the coefficients for the other two major types (2.45 and 4.04). The results suggest that mixed systems produce less fractionalization than the proportional systems do; all the same, they are more permissive in terms of parliamentary entry than are the majoritarian SMD systems. The coefficients are statistically significant and allow a high level of confidence in our findings.⁶¹ This confidence is further reinforced by the fact

⁶¹ To test the robustness of results, additional tests were run to detect possible prominent outliers in the data and assess the degree of multicollinearity. The examination of DFFITS and DBETAS for influential points and the auxiliary regression tests for collinearity did not rise concerns that such problems might exist in a troublesome manner.

Table 7.3. Model 1: Regression Analysis of the Effects of Mixed Systems on the Number of Parties, Eastern Europe, 1989-2000

Variable	B	ST. E.
Majoritarian systems	2.45**	.86
Mixed systems	2.88**	.75
Proportional systems	4.04**	.53
Directly elected president	.84*	.47
Ethnic division	-.02	.11

p-values: * <.1; **< .01 two-tailed test

Sig. of F = .000

Adj. R² = .83

N = 56

that the data offer sufficient evidence for the effects of mixed systems even when controlled for ethnic heterogeneity and the way the president is elected. Consistent with previous findings, I find a positive and statistically significant impact of direct presidential elections on the number of parties. The other alternative explanation, the sociological, is not supported by the data. This result does not change when I try the previously used measure of ethnic heterogeneity based on the number of ethnic groups only. It may be the case that in the early stages of transition, the newly established political institutions have already addressed ethnic diversity and the latter does not have a significant independent effect. Another possible reason for the lack of sufficient support for this hypothesis is the fact of constrained participation in the elections by minorities who were denied citizenship rights in some of the former-Soviet republics.

Regression Results: Model 2

The results of the test of the second model are shown in Table 7.4:

Table 7.4. Model 2: Regression Analysis of the Effects of Mixed System Design on the Number of Parties, Eastern Europe, 1990-2000

Variable	B	ST. E.
PR seats	.03	.02
Threshold	-.43**	-.21
Directly elected president	1.31*	.74
Ethnic division	-.09	-.13
Constant	3.18**	1.36

p-values: * < .1; ** < .05 two-tailed test

Sig. of F = .086

Adj. R² = .23

N = 21

The variables of central interest here are the proportion of PR seats and the electoral threshold which vary across and within countries with mixed systems. The coefficient of PR seats is greater than zero, as expected, but the evidence provided by these data for a positive impact of the size of the PR component in mixed systems is not conclusive; the coefficient fails to reach statistical significance. This could be attributed to the very small N of the data set used for the regression analysis; we need more observations on elections held under mixed systems to further test this proposition for more conclusive findings.

The results for the second model provide convincing support for the reduction effect of electoral thresholds in mixed systems. We predict that one percent increase in the threshold for representation causes a .43 reduction in the party fractionalization in parliament. In other words, raising the hurdle by 2% would reduce the number of large assembly actors by one. It really matters if negotiations over the coalition government are held between two or between three parties. This finding is in compliance with similar observations made in a case study of Italy where the authors argue that the MMD component can be very selective if hurdles are raised for the entry of smaller parties into parliament (D'Alimonte and Bartolini 1997). The two control variables show estimates that are consistent with the results from the first model.

Conclusion

The first important finding of this study is that mixed systems affect the shape of the emerging East European party systems in a way that stimulates moderate fragmentation. How many viable parties share the parliamentary space matters and the answer suggested by this analysis supports some initial expectations of the first designers of mixed systems. Fewer and bigger winners emerged from the elections governed by the new system than from those held under pure PR in countries with similar social and historical background. This fact is especially important for the East European context. These countries had a bad experience with fragmented assemblies in the past and at the same time, had to promote multipartyism and provide for sufficient representation of

groups in their divided societies. The mixed system appeals as a middle-ground solution to this difficult dilemma.

The second finding of this analysis has implications for modern electoral engineers and party strategists. The analysis of data show that the electoral threshold emerges as a powerful mechanism for reducing fragmentation in the assembly. It can be and is manipulated by elites to achieve goals without changing the fundamentals of the system itself. Since the nationwide threshold has this strong effect on who gets seats under PR, politicians have cut off the access to parliament for smaller parties which generates incentives for coalition building.

The evidence for the effect of the size of the PR component is not conclusive. This specific characteristic of the mixed systems deserves further analysis, because the SMD/MMD ratio was the most controversial issue during elites' negotiations over the mixed system design. Such an inquiry will be facilitated when results from new elections become available. Those would also help study the number of parties elected through mixed systems over time and in comparison with the group of consolidated democracies using the same type of rules. Future research on the political consequences of mixed systems needs to extend and address other effects such as participation, tactical voting, disproportionality, and cabinet durability.

CHAPTER 8

CONCLUSIONS

Three important questions are addressed in this study aimed at examining the determinants and the consequences of a new institutional phenomenon in transitional Eastern Europe, the mixed electoral systems. The first issue of interest is the occurrence of reform, i.e. under what circumstances elites choose to innovate the rules, including to change them with a system that combines majority and PR formulas. The second major problem that I address is how mixed systems are engineered, i.e. how their specific features were designed in a complicated process of elite negotiation and bargaining. Finally, the effects of the new system and its properties on the number of elected parties are analyzed. The answers to these three questions are illuminating; they suggest relationships in a complicated transitional setting and point at avenues for future research on mixed systems and institution building.

Findings and Implications

There is consensus in the literature about the stability of institutions over time. Yet changes do occur and they seem to be facilitated by situations of political crises. The

East European experience in modern electoral reform is summarized by the three scenarios that I develop theoretically in Chapter 2. The case studies that follow the theoretical construct and the results of the logit analysis suggest a dynamic element in the occurrence of change in the rules that govern elections. Elites come to an agreement for reform of the system when the political crisis has deepened to a point at which the current rules do not provide a satisfying institutional framework for representation. Taagepera and Shugart (1989, 236) have argued that "electoral systems do not have an overriding importance in times of crisis". Recent events in Eastern Europe as well as in New Zealand and Italy, however, show that when the political crisis ripens elites perceive it as necessary to change these rules. They rarely switch to the pure opposite version of the current rules though. Mixed systems come forward as an appropriate solution for reform with one of their two main parts ensuring continuity with the older formula and thus contributing to the legitimacy of the institution.

I find that the most influential factor that shapes reform is the organizational state of elites. Splits in the incumbent coalitions create conditions favorable to reform. Organized and electorally minded opposition groups increase further the likelihood for change. In the context of democratic transition from a Communist one-party system towards political pluralism, uncertainty about the election outcome affects elites' decisions over the system in a profound way. Since electoral rules determine not only the winners but also how decisive their victory is, the drama of the first elections discourages changes with consequences difficult to predict.

In Eastern Europe, electoral reform meant a switch from the majoritarian rules used during the Communist period⁶² towards something else, a PR or a mixed system employing PR for election of some part of the seats. The new system was also aimed at facilitating multipartyism and minority groups' representation. Drawing from previous literature, my initial expectation was that ethnic diversity increases the likelihood of reform towards some form of proportionality. The results of the analysis in Chapter 4, however, suggest a slightly different story. Most of the ex-Yugoslav and the ex-Soviet republics reformed their election systems for the second and even for the third multiparty elections. Independence was the most salient issue at the start of transition, and institutional reform was delayed until achievement of sovereignty. Fair representation of minority groups, often associated with past oppression, was not such a serious concern. It remained to be solved later, when the interests of the majority were taken care of and the problem of statehood had been solved.

The proliferation of mixed electoral systems in Eastern Europe is a result of the conflict between competing elites who agree that the political system should be reformed. Since change becomes inevitable and the combined format turns out to be the only possible solution, politicians focus on the specifics of the system to maximize returns. The East European elites learned quickly from the first countries that used the new rules that conflict over reform can be accommodated through a less painful and more moderate solution. Later efforts to reform the system are characterized by decisions to adopt mixed

⁶² Prior to 1989, the elections in the East European socialist states had a plebiscitary character. The requirement for majority of the vote for the winner was just a formality with no real application.

rules followed by long and complicated negotiations over their technicalities including the SMD/MMD ratio and the PR threshold. The enlarged set of options offering numerous opportunities for compromise and reward facilitated the process.

The bargaining took place in two major patterns, pact and legislative bargaining. Those have emerged as qualitatively different modes of elite negotiation. One of them, the pact mode, is consensus-oriented and as such, it generates outcomes that make the two players better-off. The legislative mode is based on the elective power of those participating in it; the outcome coincides with the first preference of the majority and is aimed at consolidating the majority group's power. The negotiation models discussed in Chapter 5 incorporate the idea of political actors' strength. I argue that the outcome of the bargaining process is affected by the distribution of power among those who participate in it as well as by the level of information deficiency. In the case of Bulgaria, uncertainty about voters, participants, and rules was at its highest with negotiators who had only a vague idea that the Communist party was declining while the opposition was rising in strength over time. Under an enormous time pressure before the first multiparty elections, the participants in the Bulgarian round-table talks reached an agreement that was apart from the ideal positions of the two sides. In Ukraine, the most decisive factor was parliamentary strength. Factors outside of the Rada, such as the President, could not affect the outcome. After a long time of discussions and failures to pass the election law in the assembly, a mixed system was adopted that mirrored the first preferences of two ideologically very different but similar in the structure of their support parties, the CPU and Rukh. The insistence on the part of smaller centrist and rightist parties for a more

permissive PR part remained neglected. The majority's domination over the negotiation process was clear and absolute.

The negotiation models and the support they find in the East European experience suggest some interesting implications for institutional reform in transitional societies. First, pact negotiations lead to more moderate institutional solutions. Since the nature of decision-making under this mode is consensus-based, competing and very often fighting elites can set a pattern for successful bargaining on a broader basis. We know today that the specifics of the Hungarian and the Bulgarian mixed systems were negotiated along with other issues including presidential power, economic reform, and media regulation, on which agreement had to be reached as well. In legislative negotiations, mixed systems are debated separately and are passed through a required majority of the vote. When these election rules are decided in the parliamentary arena, their final design includes elements that magnify the success of the strongest actor at the expense of the others. If in future democratic transitions there are no conditions for pact negotiation, the result could be mixed systems with elements that favor exclusively the assembly majority.

Another aspect of the negotiation process that deserves more attention is the problem of outside actors who try to influence the outcome. Chief executives have tried to interfere in the work of parliamentary commissions established to prepare or examine drafts of constitutions and electoral laws. Since these actors are also rational players who try to maximize their access to the policy making process, their efforts are targeted at reducing the power of parties and party leaderships in the assembly. The experience of Ukraine as well as Croatia and Russia in 1995 shows that presidents actively advance the

idea of mixed systems with a stronger majoritarian part. In Lithuania, it was the Assembly Chairman Landsbergis who played that role in 1992 in an anticipation of winning the forthcoming first presidential elections. In almost all instances, the parliament succeeded in holding its ground. Thus, the bargaining over the mixed systems remained a party affair, and its outcome was determined by the strength of the major negotiating parties.

There are two main perceptions regarding the effects of the new mixed systems that prevail in the literature. One of them, broadly known among electoral system designers, is expressed in the expectation of combining "the best of two worlds". The second, suggested by Sartori (1997, 74-75) is more skeptical and qualifies these systems as "mismarriages" that are of no help at all for shaping the democratic future. While it is not very clear what aspects of "the two worlds" are meant when predicting a successful future for the new format, Sartori's main concern is the confusion that a mixed system puts voters in through making them vote strategically in SMD and sincerely in PR at the same time. We still do not have a long history of elections governed by mixed rules for a comprehensive study of their effects. As a start, I chose to examine the results of the first response to the new system, that of the elites. The two models in Chapter 6 explain the number of elected parties through the strategic coordination of parties. I found less fragmentation in the national legislatures elected through mixed rules as compared to pure PR systems. In terms of fragmentation, the combined format represents a "better world" than the older pure proportional one. It creates incentives for coordination among parties to adequately respond to the two parts of the contest, the SMD and the MMD.

Having fewer and bigger parties-winners is a favorable prerequisite for a stable cabinet supported by a significant assembly majority. Yet the number of elected parties is not necessarily the same thing as the number of parliamentary groups. The concern here is that pre-election coalitions may split once representatives get elected which affects the composition and the efficiency of the legislature. There is some evidence from Eastern Europe suggesting that this might be the case with coalition partners and many deputies moving and changing their parliamentary factions (Agh 1996, 24-25; Bell 1997, 374-375). To a large extent, these shifts reflect major changes in a party system that is extremely volatile and susceptible to internal and external pressure and shocks during times of democratic transition.

Not only do mixed systems produce different effects on the number of elected parties as compared to the other two types; difference in assembly fragmentation is observed within the group of mixed systems as well. The legal threshold for representation introduced for the PR part emerges as the most influential factor with reduction effect. All East European mixed systems use thresholds at the national level to determine the minimum percentage of vote a party needs to be assigned seats in the MMD contest. The results from the cross-national analysis in Chapter 6 suggest that smaller parties are in practice denied access to the parliamentary arena under PR, the system they demanded as most favorable to them. Ironically, the SMD becomes their best shot for winning seats if local support is available. In the 1995 Russian elections, for example, eighteen of the parties which could not cross the 5% threshold in the PR part won seats in single-member constituencies. In 1999, this number dropped to eight but it

still indicates that the majoritarian part of the mixed system gives a better chance to some small parties to obtain a few, or most often a single, seat and stay in the Duma.

There is some evidence for the hypothesized impact of the SMD/MMD ratio, but it is not conclusive in this set of data. It could be that parties need more time to react to this specific institutional feature in a more decisive way. The existence of parties with small regional bases of support, for example in Russia and Ukraine where plurality of the vote is required for the winner and many candidates, would probably restrain the magnitude of this effect for several electoral cycles. This factor needs to be studied using more evidence from future elections.

Thus so far the two parts of mixed system elections have created quite different conditions for the development of the East European party systems. On one hand, the party-list election in MMD has promoted the development of national parties whose organizational networks cover most of the country. On the other hand, the SMD election has given an opportunity to some small parties to continue their existence despite the discouraging and widely used one large nationwide PR district and the threshold applied at the national level. Still we would expect that in the long-run, the PR element will help institutionalize the new party systems and reduce the number of independent MPs. This process could be accelerated by certain assembly rules that facilitate the formation of factions and committee membership for deputies elected on a national party list, as is the case in the Russian Duma (Remington and Smith 1996a, 172). Since participation in factions is crucial for getting influence in the parliament and faction registration is much

easier for electoral coalitions which have elected deputies in the PR part, some previously independent candidates may consider running on a party ballot in the future.

That some learning about the effects of different elements of the mixed formula is taking place on the part of elites becomes obvious from the changes made in several of the East European systems. Politicians have figured out that they can, and reality shows that they do, manipulate specific properties to achieve goals without changing the basic type of the system.⁶³ The SMD/MMD ratio has been changed in Croatia, Albania, and Georgia in some instances toward increasing and in other toward decreasing the PR share. Hungary and Lithuania changed their electoral thresholds from 4 to 5 percent, Croatia from 3 to 5, while Georgia made several switches to end up with a 7 percent hurdle in 1999. It is not clear yet if these changes are final or new corrections are to be expected. The literature on institutional change and reform suggests that an equilibrium of the party system as well as stability of established institutions will be reached at some point and will be maintained for a relatively long period of time.

There are also some broader implications for research on mixed systems in general. A serious concern, relevant to institutional analysis and the study of electoral systems in particular, has been the problem of endogeneity. The study of independent effects of mixed systems in the group of stable democracies is difficult, because in those countries, electoral reform took place at a time when the party systems had already been consolidated. The post-Communist realities of Eastern Europe do not only offer a rich

⁶³ With the exception of Bulgaria which shifted from a mixed system to a pure PR in 1991.

laboratory of cases of modern electoral reform, but they also provide us with a unique opportunity for institutional research. The extremely high levels of uncertainty considerably decrease the degree of endogeneity. This makes us feel more confident that our results reflect the independent effects of institutions on politics.

Avenues for Future Research

This is just the beginning of the study of mixed systems in both countries in democratic transition and consolidated democracies. The research agenda is broad and multidirectional. I see the future of scientific inquiry on the new type of systems developing in two major fields. One is theoretical; it searches for answers to questions related to the occurrence and the consequences of mixed systems. The other is focused on data collection and measurement. I consider both aspects of this research as mutually reinforcing and contributing to expanding the knowledge on mixed format elections needed by scholars as well as by electoral system designers.

The study of the consequences of mixed systems needs to be expanded first with regard to cabinet durability. This problem is closely connected with the stability of assembly coalitions and the number of elected parties. We still do not know if mixed systems contribute to the longevity of parliaments in a way different from the effects of other systems. The answer to this question is of a great importance for Eastern Europe and the success of democratic transition there, because mixed systems have become a widely spread formula. The countries from the region need to promote multipartyism and

to improve representation; at the same time, they also need stable governments to deal with the tough problems of political and economic transition and implement harsh and socially unpopular policies.

One aspect of the question about the quality of democracy emerging in post-Communist Europe is representation. Previous research suggests that, in general, PR systems favor fairer representation of groups', including women's, interests than do majority-based systems. What do we accomplish with the mixed systems? Are minorities and women better represented through the new systems than are they under the SMD format? Are the levels of disproportionality too high, or are they of a moderate magnitude? Citizens' perceptions of how well societal interests are represented are at the core of assessments about the legitimacy of the system and provide vital support for the new institutions.

The two parts of the mixed system type suggest that voters have two types of representatives, individual ones who win because of their personal characteristics of professionalism and trustworthiness, and party-list representatives. Does one of the groups maintain better connections with the electorate? Some preliminary observations from Hungary show that the group of individual MPs claim to have more legitimacy and spend more time with their constituents (Agh 1996, 29). The different mode of election of deputies raises yet another question about the relative independence of MPs from the party leadership. The study of these relationships could offer interesting insights about the organizational character of the new parties, party discipline, and nomination procedures.

Strategically coordinated behavior could occur on the part of voters, not only parties. Some case studies on Russia and Lithuania have found splitting of the vote between SMD and MMD (Zeruolis 1998). Cross-national research on tactical voting in Eastern Europe is still lagging behind. What researchers need is a sound theoretical framework as well as detailed records on election results and survey data to examine the magnitude of this phenomenon and its institutional and sociological sources.

The last point made in the above paragraph turns the attention toward the problem of quality and availability of data. The lack of sufficient information about the process of preference formation and the dynamics of negotiations on mixed systems represents a huge obstacle to the study of mixed system design. Field research with interviews of politicians who took part in the bargaining would help reveal important details about the negotiation drama. Gathering reliable data on parties' support from opinion polls and on politicians' perceptions about the distribution of power would help explain the final institutional outcome. The analysis could be further improved through the construction of an index of party strength built upon a number of components sensitive to time and space. Finally, it is already time to start collecting a large data bank of East European parliamentary elections. Election data is especially needed at the district level; its availability will be of enormous help to the study of strategic coordination of parties and voters.

The attraction of mixed systems is obvious; it makes elite consensus possible and builds up expectations for combining the better sides of the two older systems. It is still early to stretch our conclusions based on the East European experience to other countries

where preexisting social structures might contaminate the effects of mixed systems observable in transitional post-one-party systems. What can be suggested with more confidence is that while choosing the mixed system formula is the solution of a political crisis, its design can be shaped in a variety of ways to conform to the necessities of the polity. We need to turn now and further expand our investigation in the new world of mixed systems in order to address the many questions that still remain without an answer.

APPENDIX A
DATA SOURCES

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