The Institutional Regulations of Electoral Coalitions in Post-Communist Democracies

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I. Introduction

Electoral systems are complex institutional webs comprising multiple interconnected rules and regulations about the electoral process. Yet, much of the literature on electoral systems has focused on the causes and consequences of only a particular subset of these rules, which arguably have the most important and profound political consequences. The electoral system variables that have attracted the most scholarly attention include assembly size, district magnitude, the electoral threshold, and the mathematical formula that is used to convert electoral votes into legislative seats (Lijphart 1994; Rae 1967). Other rules such as those on the registration and recognition of political parties; provisions that guide the formation of electoral coalitions and alliances; or those that pertain to the practice of electoral administration have received considerably less attention. As a result, discussions on electoral reform, that is changes to the electoral system, have also revolved around changes in particular electoral system features at the expense of others.

In spite of their widespread application, rules about the eligibility of electoral coalitions and alliances to win seats and qualify for parliamentary representation have been among the least studied electoral system features. This lacuna is particularly problematic in the context of the literature on the new post-communist democracies where electoral coalitions in fact constitute an important stage in the evolution and the institutionalization of political parties and the party system (Spirova). Therefore, a study of their institutional regulation is particularly worthy of investigation.
Although the scale of electoral reform in the post-communist democracies of East Central Europe (ECE) has been limited by a variety of factors including international pressure, the normative commitment to proportional representation and the institutional logic of consensus democracy (Nikolenyi 2011), every state in the region has enacted some change in the initial electoral system that had been adopted at the time of the transition to democracy. As a matter of rule, electoral coalitions have been included in these reform packages and since electoral reforms in the region have always aimed at reducing the fragmentation in the party system, the specific changes targeting electoral coalitions have been also more restrictive than the status quo ante. Overall, changes in the treatment of electoral coalitions have both reflected and have been part of the broader regional pattern to keep party proliferation in check and encourage the consolidation of individual political parties instead of ad hoc alliances and coalitions.

The literature on comparative electoral coalitions (Golder 2006) has provided two intuitive hypotheses about the reasons why political parties form electoral coalitions. According to the first hypothesis, electoral coalitions are induced by the disproportionalities of the electoral system: the more disproportional the electoral rules the stronger the incentive for political parties to form electoral coalitions so as to overcome these institutional barriers. According to the second hypothesis, electoral coalitions are induced by the competitive dynamics of the party system; specifically by the need and desire on the part of some political parties to signal to their voters, as well as to other parties, their interest and willingness to cooperate with one another, i.e. be available as prospective coalition partners, in the government formation game after the
elections is over. I suggest that the reasons for regulating electoral coalitions stem from the same two logics.

Specifically, I argue that increases in the institutional restrictions on electoral coalitions result either i) when the electoral coalitions that parties form fail to reduce the level of party system fragmentation which results in inefficiencies such as unstable coalition governments (e.g. Estonia before 1999, Latvia before 1998, Poland before 1993); or ii) when the incumbent governing parties, or some set of parties that have the parliamentary strength to change the electoral system, perceive that the formation of a new electoral coalition signals the possibility of an adverse change in the balance of partisan power and the loss of their competitive advantage (e.g. Slovakia 1998, Czech Republic 2000). Conversely, I also suggest that there will be no incentive to change the existing restrictions on electoral coalitions iii) when political parties behave according to the logic of a permissive PR system and contest the elections mostly on their own, rather than by forming electoral alliances, (e.g. Slovenia); or iv) if there is already in place a balanced party system with regular alternation in power by the main partisan blocs and contenders (e.g. Bulgaria, Hungary, Lithuania, and Poland after 1993, Slovakia after 2002).

The paper will start with an overview of the data about the treatment of electoral coalitions by the electoral systems of the ten states and specify the changes that have taken place. Next, I will review the literatures on electoral coalitions and electoral reform in the post-communist region in order to develop hypotheses about changes in the regulation of electoral coalitions. In the last section of the paper I will evaluate the hypotheses.
II. The Regulation of Electoral Coalitions in Post-Communist Europe

Table 1 summarizes the changes that have taken place in the regulation of electoral coalitions among the ten new democracies. Based on the information, we can identify three groups of states: i) those where the regulation of electoral coalitions underwent significant change; ii) those where the regulation of electoral coalitions underwent change but to a more modest degree than in the first group of cases; and iii) states where the rules on electoral coalitions have not been changed over time. The first groups consist of Estonia, Latvia, the Czech Republic and Slovakia (1998 although this reform was undone four years later). The second group consists of Poland and Romania; and third group of states comprises Bulgaria, Hungary, Lithuania and Slovenia. In the following paragraphs I review the key provisions of the electoral systems of the states with particular focus on the changes that have been made to the restriction of electoral coalitions.
Table 1: Electoral systems and changes in the regulations on electoral coalitions

<table>
<thead>
<tr>
<th>State</th>
<th>Electoral system family</th>
<th>District magnitude</th>
<th>Change in EC regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bulgaria</td>
<td>PR</td>
<td>7.7</td>
<td>No</td>
</tr>
<tr>
<td>Czech R.</td>
<td>PR</td>
<td>14.3</td>
<td>Threshold increased severely (2000)</td>
</tr>
<tr>
<td>Estonia</td>
<td>PR</td>
<td>8.4</td>
<td>Ban (1998, 1999)</td>
</tr>
<tr>
<td>Hungary</td>
<td>Mixed</td>
<td>7.6/1</td>
<td>No</td>
</tr>
<tr>
<td>Latvia</td>
<td>PR</td>
<td>20</td>
<td>Formal registration required (1998)</td>
</tr>
<tr>
<td>Lithuania</td>
<td>Mixed</td>
<td>70 /1</td>
<td>No</td>
</tr>
<tr>
<td>Poland</td>
<td>PR</td>
<td>11.2</td>
<td>Threshold increased moderately (1993)</td>
</tr>
<tr>
<td>Romania</td>
<td>PR</td>
<td>8.2 (1)*</td>
<td>Threshold increased moderately (2000)</td>
</tr>
<tr>
<td>Slovakia</td>
<td>PR</td>
<td>150</td>
<td>Threshold increased moderately (1998) and subsequently reversed (2002)</td>
</tr>
<tr>
<td>Slovenia</td>
<td>PR</td>
<td>11</td>
<td>No</td>
</tr>
</tbody>
</table>

**Group I: Major changes in the restriction of electoral coalitions**

**Estonia**

The Estonian electoral system is a genuine hybrid of personal and party list votes that allocates parliamentary seats in three tiers. In its essence, the electoral system has not been altered since 1992, however a two changes are worth noting: the number of electoral district was reduced from 12 to 11 in 1995, and electoral coalitions were banned in 1999 (Ishiyama, 1996; Rose and Munro 2003: 169). Other changes to the electoral system took place in 1998 and 1999 when two subsequent amendments to the Election Act resulted in an effective ban on electoral coalitions. The first amendment took effect in November 1998 and it no longer allowed coalition of parties to submit joint candidate lists. In February 1999, the law was further changed to stipulate that each electoral list could
only form one parliamentary group. In other words, these amendment encouraged the formation of genuine political parties at the expense of opportunistic alliances and sought to stabilize the parliamentary party system (ODIHR 1999: 4).

Latvia

Latvia’s high magnitude open-list PR system has remained fairly stable since the transition to democracy and the election of the first democratic Saeima in 1993. The changes that have been made include the lengthening of the term of the legislature from 3 to 4 years in December 1997, and the increase in the nominal threshold for candidate lists from 4% to 5% in time for the 1995 elections (Rose and Munro 2003: 195-6). In addition, an amendment to the electoral law in March 1998 effectively banned electoral coalitions by positing that only legally registered associations or unions of political parties would be able to submit candidate lists (Pettai and Kreuzer, 1999: 178). Thus, for example, in the election of 1998 the alliance of the National Harmony Party and Economic Rebirth did not qualify as a registered coalition and had to run their candidates under the National Harmony label as a crypto coalition.

Czech Republic

The first two elections to the first chamber of parliament in the sovereign post-communist Czech Republic were held under a PR system that divided the territory of the Czech Republic into eight multi-member districts with an average magnitude of 25 seats. In a 1995 amendment the electoral system stipulated that preference votes were taken into account only if at least 10% of a list’s supporters indicated such preferences and that
a candidate who secured at least 10% of these preference votes would move to the top position on the party’s list in a given district. In 2001, this requirement was lowered to 7% (Millard and Popescu 9). To qualify for seats in the 200-member Chamber, political parties had to clear a 5% national threshold, while electoral coalitions of two, three, four or more parties had to receive at least 7%, 9%, and 11% of the vote respectively. (Cox 1997: 284-5; Rose and Munro 2003: 136).

After a protracted political battle that involved both chambers of parliament, the President and the Constitution Court and last for almost four years (Kopecky 2004; Nikolenyi 2011), the Czech electoral system was amended in January 2002 in a number of significant ways. First, the 8 multimember districts were replaced with 14 electoral regions, which reduced the average district magnitude by almost one half (to 14.3). Second, the new system introduced the d’Hondt method of converting votes to seats, which tends to discriminate in favor of larger parties more than the previous quota-based rule. Finally, the threshold for electoral alliances of 2, 3, and 4 or more parties were increased to 10%, 15% and 20% respectively (Birch et al 2002:86; Crawford 2001: 55; Kopecky 2004: 352).

Slovakia

The fundamental characteristics of Slovakia’s electoral system have not changed since the first election in 1994: the country uses high-magnitude PR with the possibility of preferential voting. However, two number important changes did take place over time. First, the electoral reform of 1998 created a single nation-wide constituency with higher thresholds imposed on electoral coalitions. Second, the preferential element of the vote was strengthened in 2006.

Originally, electoral coalitions were allowed, however, they faced a differentiated
threshold structure: coalitions of two or three parties faced a threshold of 7%, while coalitions of four or more parties had to clear a 10% threshold. The electoral system also provided for to four preferential votes per voter, reduced to three by 2002 (Krivy, 2003: 75). However, a candidate’s position on the party list would change, in the order of the number of preferential votes received, only if at least 10% of the voters supporting that list indicated a preference. The electoral reform of 1998 replaced the four electoral regions with a single nationwide constituency. In addition, it changed the way the electoral threshold was applied by stipulating that each member of an electoral coalition must also meet the 5% national threshold individually. In essence, this rendered the formation of electoral inter-party cartels and alliances ineffective for the purposes of threshold insurance. Instead, it encouraged smaller political parties that would be unable to meet the threshold on their own to pull their resources, merge and present themselves as a united entity, a crypto coalition, for electoral purposes (Birch et al 2002: 77-8).

By the time of the 2002 elections, however, an important piece of legislation had been passed to prohibit dual party membership. This meant that political parties that united for electoral purposes could no longer maintain their separate and distinct identity in the inter-election period. Furthermore, the graduated threshold structure that had applied to electoral coalitions before the 1998 reform was re-introduced (Birch et al, 2002: 77-9). The last important change in the Slovak electoral system took place in 2006 when the number of preferential votes required to move a candidate to the top of the party list was reduced from 10% to 3% (Rybar, 2007: 699-700).
Group II: Moderate changes in the restriction of electoral coalitions

Poland

Although Poland has had three different electoral systems in place since 1991, each of them was a variant of a basic open-list PR system. The most comprehensive reform took place in 1993 with the introduction of the following provisions:

1) introducing a threshold of 5% for individual parties and 8% on coalitions of parties nationwide;
2) increasing the threshold for national lists from 5% to 7%;
3) increasing the number of multi-member districts from 37 to 52;
4) replacing the Hare-Niemayer and Sainte-Lague methods with the d’Hondt rule of seat allocation (Jasiewicz 1994: 403).

The same electoral system was in use for the 1997 polls, however, it was amended once again before the 2001 elections. This reform eliminated the two tiers and allocated all 460 seats on the basis of the results in the local districts. The Sainte-Lague formula was re-introduced and M was increased slightly to 11.2 by reducing the number of electoral districts to 41.

Romania

Romania’s PR system has undergone frequent changes since the transition to democracy. Although these changes have pointed to a gradual weakening in the permissiveness of the electoral system, its fundamentally PR character has remained (Pilet and de Waele 2007). Between the first and second post-communist elections to the
Chamber of Deputies, the first chamber of parliament, average district magnitude decreased slightly from 9.66 to 7.81, the formula was changed from the Hare quota to the more restrictive d’Hondt divisor, and the nominal threshold increased. The latter continued to increase in 2000 when an executive decree set the minimum share of the vote for parliamentary representation at 5% for individual parties, 8% for two-party electoral coalitions, and adding an additional 1% for each additional party joining the coalition up to a maximum threshold of 10% (Popescu). The most drastic change in the electoral system took place in 2007 following an intense fight between Parliament and President Basescu (Nikolenyi 2011). However, this reform did not include any changes pertaining to electoral coalitions.

**Group III: No change in the restriction of electoral coalitions**

**Bulgaria**

Although Bulgaria’s closed-list PR system has remained in place intact since 1991 (Crampton, 1997, 1995; Harper 2003; Spirova, 2006) it is worth noting that in 1997 there was a failed attempt to lower the threshold to 3% and that in 2005 a number of changes were made to the electoral law to subject political parties, coalitions and even Independent candidates to more stringent registration requirements and financial deposits (Spirova 2006: 617). Shortly before the 2009 election a mixed- member system was introduced with the creation of one single-member riding in each of the 31 multi-member districts. The overall number of parliamentary seats has remained unchanged. The proposed amendments to the electoral law also stipulated an increase in the threshold for
electoral coalitions to 8%, however, the Constitutional Court did not allow it (Spirova 2010: 276).

**Hungary**

Although the Hungary’s electoral system has been very stable for the past 20 years, a thorough revision and reform is currently underway (Nikolenyi 2011b). At the time of the transition to democracy, Hungary adopted a rather complex mixed-member electoral system that allocates 386 parliamentary seats at three tiers (Schiemann). In the list tier, party lists are eligible to qualify for seats only if they passed a 5% nation-wide threshold (raised from 4% after the 1990 election). The threshold is greater for political parties that run common or connected lists. For a joint or connected list of two parties the threshold is 10%, for more than two political parties the threshold is 15%. In contrast to the Slovak reform of 1998, the Hungarian rules allow connected political parties to specify the ratio in which they wish their vote total to be divided among the connecting partners.

**Lithuania**

Similarly to Hungary, Lithuania has also used a mixed-member electoral system for every post-communist election to the national legislature. In contrast to the Hungarian electoral law, however, the nominal and the PR tiers of the Lithuanian electoral system are parallel; in other word the result of the election in either ties have no impact on the calculation of the result in the other. Although the basic features of the system have been stable, two important changes took a place over time: the threshold was increased before the 1996 election and the two-round majority formula was replaced with first-past-the-post system in the nominal tier in 2000, only to be reversed by 2004. The changes to the
thresholds included an increase in the nominal threshold for individual parties from 4% to 5%; the introduction of a new threshold of 7% for electoral coalitions of any size, and the abolition of an existing threshold of 2% for ethnic parties (Krupavicius 1997: 545).

Slovenia

Slovenia’s PR system has changed in two important ways since the transition to democracy. The first electoral reform, in 1992, changed the number and magnitude of electoral districts; the second electoral reform, in 2000, changed the ballot from a closed to an open list. There were several proposals and initiatives between 1996 and 2000 aimed at a major reform of the electoral system (Nikolenyi 2011). However, what parties were eventually able to agree on, in July 2000, was an amendment to the Constitution stating that “deputies … are elected according to the principle of proportional representation with a four percent threshold required for election to the National Assembly, with due consideration that voters have a decisive influence on the allocation of seats to the candidates” (Article 80/5).
III. Theories of Electoral Coalitions and Electoral Reform

In this section I review arguments about the formation of electoral coalitions as well as electoral reform in order to derive my expectations about the likely scenarios that lead to changes in the restriction on electoral coalitions.

**Electoral Coalitions**

The study of pre-electoral coalitions has attracted growing scholarly attention in both the comparative electoral studies (Blais and Indridason 2007; Golder 2006a,b; 2005) and the government formation literatures (Powell 2000; Carroll and Cox 2007). The former has focused on identifying the causes that lead political parties to forming electoral alliances before the election and examining the electoral impact of such arrangements. Two important hypotheses that emerge from this literature connect the type of the electoral system and the number of parties in the party system to the likelihood that pre-electoral coalitions will be formed. The first is the Disproportionality hypothesis (Golder 2006b), which posits that parties are more likely to form pre-electoral coalitions under disproportional electoral laws but only if the level of party system fragmentation is sufficiently high. It is assumed that parties are motivated to form pre-electoral coalitions under these conditions in order to make optimal use of their electoral support under the constraints of the electoral law. The second hypothesis is the Signalling hypothesis and it suggests a positive relationship between the number of parties and the formation of pre-electoral coalitions. This is based on the assumption that parties seek to send voters signals about the types and range of governing coalitions they can expect them to form by forming pre-electoral coalitions with particular other parties. The more
complex the party system, i.e. the larger the number of parties, the greater the need for parties to send such signals to their would be supporters.

In related work Blais and Indridason (2007) examine the formation of pre-electoral coalitions under a particular type of electoral system, namely France’s majority run-off rule. They support Cox’s (1997) earlier argument refuting Duverger’s notion that run-off rules limit electoral cooperation only to the second round. Indeed, extant work on electoral coalition in run-off systems has largely focused on coalitions formation and cohesion in the second round (Tsebelis 1990). Blais and Indridason (2007) show and identify a number of conditions that led to the formation of joint nomination agreements between the French Socialist and Green parties in the 2002 election. In his seminal work on electoral coordination under various electoral rules, Cox specifically identifies two instances when the run-off system may encourage parties to form pre-electoral coalitions, both of them depicting particular party system formats: the first is the format of the \textit{divided Centre} and the second is the format of \textit{lopsided bipolarity} (Cox 1997). In each instance, Cox argues, the pole that is more divided and fragmented than its main competitor(s), will have an incentive to go through a merger process and reduction in the number of parties offered to the voters. In turn, voters will find it easier to make their votes count and reduce the number of viable parties to its optimal level, which Cox determines at $M+1$, $M$ standing for district magnitude.

The government formation literature has examined how pre-electoral coalitions and electoral alliances constrain the government formation process in terms of the range and type of executive coalitions that parties are likely to form after the election (Strom, Budge and Laver 1994, Nikolenyi 2004). An important finding that emerges from this
work points out that pre-electoral coalitions help in the selection of the equilibrium government when multiple such equilibria are possible. More recently, Carroll and Cox (2007) have shown that pre-electoral coalitions may distort the Gamsonian effect of parties’ seat shares on the number of executive portfolios they receive.

**What constitutes an electoral coalition?**

In spite of the growing interest in the study of electoral coalitions, there is still no clear definition and taxonomy of their different types and modes. In the very basic sense, electoral coalitions are a form of electoral coordination among political parties. However, not every form of coordination can be, or should be, considered an electoral coalition. Political parties can engage in electoral coordination in a myriad of ways and we need to clarify which of these practices constitute an electoral coalition. We claim that an electoral coalition is an organized and institutionalized form of electoral coordination among political parties that is made credible by the presentation of joint candidates in the election.

Golder’s view of electoral coalitions is based on a dichotomy: there are “parties that compete independently at election time (no pre-electoral coalition) and parties that do not compete independently (pre-electoral coalition)” (2006: 16). While she suggests that there is a continuum of degrees of electoral coordination among political parties she refrains from providing a full taxonomy thereof. Golder (2006:17) further states that the “specific form that electoral coordination takes in a particular country is likely to depend on the electoral rules, the regional distribution of the party system, and other factors relating to the relative strengths and ideological positions of different parties”. Although
she proceeds to describe five main types of electoral coordination among political parties, for the purposes of her analysis she ultimately considers all of them as one, i.e. instances of electoral coordination.

According to Golder (2006: 17-9), the highest levels of electoral coordination are nomination agreements and joint candidate lists. The former is tied to electoral systems that provide for single-member districts, while the latter form of coordination is possible only when there are multi-member districts. In the case of nominating agreements, the coordinating parties agree to run a single coalition candidate to represent them in the districts while in the case of joint lists the coordinating parties run a single list of candidates that come from the different parties. An intermediate form of coordination takes the form of dual ballot instructions and vote transfers. Again, the electoral system is crucial in making these types of coordination possible: dual ballot instructions assume that voters have multiple votes to cast while vote transfer instructions assume that the electoral law provides for open lists and the transferability of voters’ preferential votes over candidates. Ultimately, however, all that parties do when they resort to this type of electoral coordination is to ask their supporters to cast their votes in a particular way. The third and weakest form of electoral coordination identified by Golder is the “public commitment to govern together” or not to govern together with certain parties (2006: 201).

While the notion of a continuum of electoral coordination among political parties is helpful, I disagree with Golder’s claim that all forms of coordination constitute an electoral coalition. Instead, we build on the standard view in the coalition theoretic literature, which assumes that for a coalition to be present the contracting parties’
agreement to cooperate has to be credible. At the stage of parliamentary politics credibility means that coalition partners must delegate ministers to the coalition government in order to be counted (Strom 1990). Similarly, we stress that an electoral coalition assumes that the coordinating parties do not run independently, i.e. they either run a single jointly supported candidate or they ran joint list of multiple candidates together. In the case of latter three types of electoral coordination identified by Golder, i.e. dual ballot instructions, vote transfers, and the public commitment for or against governing together, this assumption is violated. In these cases parties do not coordinate in credible fashion, they merely ask or instruct their supporters to vote in a particular way, which the voters may or may not follow. In other words, the latter practices are forms of electoral coordination but not electoral coalitions among political parties per se. Accordingly, an electoral coalition must be officially registered as such if the electoral regulations so require and / or it must be also explicitly identified as such to the voters either because the coalition has a specific name or because the constituent parties are clearly spelt out. Thus, so-called hidden coalitions, whereby a host party accommodates candidates of other parties on its own list and under its own name are not counted as electoral coalitions.

Table 2 provides information about the size and frequency of electoral coalitions in the ten ECE democracies. It is important to reiterate that we have limited our attention to successful electoral coalitions that have become relevant players by virtue of crossing the threshold of representation and winning seats in the national legislature. The Table shows that both the size and the frequency of electoral coalitions vary considerably across the ten states. During the two decades between 1990 and 2010, half of the states
have held 5 and the other half have held 6 parliamentary elections, a total of 55 elections for the group. In these 55 elections we have identified 76 electoral coalitions, an average of 1.4 coalitions per election. While this number might not appear high, it is strikingly higher than what Golder (2006) reports for the 23 established democracies that she surveys. Even though Golder’s definition of electoral coalitions is more inclusive of forms of inter-party coordination that we do not consider electoral coalitions, she can still find only 240 coalitions for 364 elections, an average of 0.66. At the same time, the average number of electoral coalitions per country is lower among the post-communist democracies (7.6) than among Golder’s samples of established democracies (10.43).
Table 2: Electoral coalitions in post-communist states

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
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<tbody>
<tr>
<td>A</td>
<td>State</td>
<td>Number of elections</td>
<td>Number of electoral coalitions</td>
<td>% of seats for electoral coalitions</td>
</tr>
<tr>
<td>C</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D</td>
<td></td>
<td></td>
<td></td>
<td>Size of electoral coalitions per assembly</td>
</tr>
<tr>
<td>E</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>B</td>
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<table>
<thead>
<tr>
<th>State</th>
<th>Number of elections</th>
<th>Number of electoral coalitions</th>
<th>% of seats for electoral coalitions</th>
<th>Size of electoral coalitions per assembly</th>
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<tbody>
<tr>
<td>Bulgaria</td>
<td>6</td>
<td>17</td>
<td>22.3</td>
<td>58.1</td>
</tr>
<tr>
<td>Czech Republic</td>
<td>5</td>
<td>1</td>
<td>15.5</td>
<td>3.1</td>
</tr>
<tr>
<td>Estonia</td>
<td>5</td>
<td>12</td>
<td>12.9</td>
<td>30.9</td>
</tr>
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<td>Hungary</td>
<td>6</td>
<td>8</td>
<td>46.1</td>
<td>61.5</td>
</tr>
<tr>
<td>Latvia</td>
<td>6</td>
<td>7</td>
<td>11.9</td>
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<tr>
<td>Lithuania</td>
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<td>Poland</td>
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<td>Romania</td>
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<td>Slovakia</td>
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<td>Total</td>
<td>55</td>
<td>76</td>
<td>21.8</td>
<td>28.3</td>
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</table>

In terms of the frequency of electoral coalitions, the ten post-communist state fall into three clear clusters. The first comprises Bulgaria, Estonia and Poland which account for more than half of all observed coalition, (39 out of 76). While electoral coalitions have played an important role in all of Bulgaria’s and Poland’s post-communist elections, they were no longer permitted in Estonia after 1999. Yet, there were so many electoral coalitions in Estonia’s first two democratic elections, that country still has the second highest number among all ten states. The second group comprises Hungary, Latvia, Lithuania, and Romania each of which have has 7 or 8 electoral coalitions, in other words around 1 per election. Finally, the third cluster consists of three states, Czech Republic, Slovakia and Slovenia, where electoral coalitions have barely played a role.
The second column in Table 2 reports on the average size of electoral coalitions in the ten states. On this measure, another three clusters of states can be clearly identified. Two states stand out having the largest electoral coalitions: Hungary and Romania. In the former, electoral coalitions provided clearly defined government alternatives to the electorate and won a majority of the parliamentary seats in three most recent elections (2002–2006, 2010). The second cluster comprises the Bulgaria, Poland, and Slovakia. Electoral coalitions in these three states, when they were formed, won a little over 20% of the seats. However, while coalitions have been formed very frequently in Bulgaria, and a little less so in Poland, they have become non-existent in Slovakia following the 1998 elections. In fact, three of the four electoral coalitions in Slovakia were formed in the country’s first elections after the Velvet Divorce. The average size of electoral coalitions in the remaining five states are much smaller ranging from 10.6 in Slovenia to 15.5 in the Czech Republic.

The most important information is provided in the last column of the Table, which takes into account both the size and temporal frequency of electoral coalitions. In this column I report the combined parliamentary seat share of all electoral coalitions divided by the number of elections held in the country. Once again, Hungary and Bulgaria stand out having the largest electoral coalitions. In both countries, political parties formed large electoral coalitions most of the time. They are followed by Romania, Poland, and Estonia where electoral coalitions have acquired between 30% to 40% of the parliamentary seats. Once again, it is striking that the relatively high percentage in Estonia is obtained form only two elections in which electoral coalitions were permitted. Finally, in the remaining
five states electoral coalitions have been much smaller. In the Czech Republic and Slovenia electoral coalitions have been particularly marginal players.

Electoral coalitions in the post-communist democracies have not lasted long. The overwhelming majority of them contested only one legislative election and either dissolved or was reformed in some other composition in the next election. In two instances, the SLD of Poland and the SDS of Bulgaria the electoral coalitions were transformed into genuine political parties. Out of the 76 electoral coalitions that contested the 55 elections only 10 competed more than once. Four electoral coalitions contested and won seats three times (the ODS and the Coalition for Bulgaria in Bulgaria; the SLD in Poland; and the MSZP-SZDSZ coalition in Hungary). The other six contested the polls successfully on only two occasions. These were the SDS in Bulgaria; CDR in Romania; the FIDESZ-KDNP and the FIDESZ-MDF coalitions in Hungary; the coalition of the Greens and the Latvian Farmers Union in Latvia; and the Moderates in Estonia).

**Electoral Reform**

The development of post-communist electoral systems conforms to the broader universal pattern that characterizes the evolution of electoral laws in democracies elsewhere. Colomer (2004: 55-60) reports that in general changes in electoral systems towards more inclusive formulas are more frequent than the other way around, and that while the number of countries around the world that use indirect or majoritarian electoral system decreases over time, the number of countries using PR does not. Patterns of post-communist electoral reform conform to these universal trends. Most new democracies in

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1 This sections draws on Nikolenyi (2011).
the region adopted PR early on at after the transition to democracy. While some started out with and have retained mixed systems (e.g. Hungary, Lithuania), others have moved toward greater proportionality either by replacing their mixed systems with PR (as in Bulgaria, Croatia, Russia and Ukraine) or fine-tuning their existing PR systems (Birch 2003: 40). Regressive movements from PR toward less inclusive systems have been noticeably absent although this was not for the lack of trying, as we shall see. According to Birch, et al (2002) parties in Eastern and Central Europe “seek both to maximize their seat share and to minimize their potential loss. This will tend to lead them to adopt proportional representation over majoritarian systems, as the former lead to greater predictability in outcomes, which are less costly” (2002: 186).

Theoretically, two competing approaches dominate the literature on electoral reform in post-communist democracies: rational choice versus structural accounts. In terms of their empirical foci, rational choice studies tend to focus on individual country cases (Benoit and Hayden 2004; Benoit and Schiemann 2001, Kaminski 2002; Remington and Smith 1996; Grofman, Mikkel and Taagepera 1999) and provide analytical narratives (Bates 1998) of their attempts at electoral reform. They share the common view that electoral laws are essentially the products of social choices. Therefore, they assume that in order to understand what determines electoral reform, we need to understand the motivations and strategies of the actors themselves that are involved in designing and re-designing the electoral system. Structural accounts do not dispute the importance of actors’ self-interest. However, they also highlight the important role of contextual variables (Birch et al 2002), history (Lijphart 1992), and path dependence (McFaul 1999) in understanding electoral reform. Yet, apart from their differences, both
the rational choice and the structural perspectives agree that uncertainty plays a very important role in determining the politics of post-communist electoral reforms. Because electoral law choices in these new democracies take place under very high degrees of informational uncertainty, conventional models of institutional design, of either the rational choice or the structural bent, cannot be easily applied to the region (Geddes 1996).

Rational choice accounts point out that the adoption of initial electoral systems at the time of the transition to democracy was often characterized by miscalculation and unintended consequences due to the uncertainty associated with a yet un-institutionalized party system and a poor informational context about public opinion and expert knowledge about the effects of electoral systems (Grofman, Mikkel and Taagepera 1999; Kaminski 2002). Since decision makers were uncertain about the number of political parties, the preferences of voters, and exact impact that electoral rules would have, they often supported institutional choices that worked against their interest in the longer term (Andrews and Jackman 2005: 68-9). Therefore, even though electoral reformers may have behaved in a self-interested manner *ex ante*, the prevailing uncertainty severely hindered their ability to correctly predict the consequences of their institutional choices *ex post* (Shvetsova 2003).

For instance, Moraski and Loewenberg (1999) draw attention to the unanticipated effect of legal thresholds of representation: while electoral reformers expected that thresholds would keep extremist and post-communist parties marginalized they could not foresee that proportional representation would open “the parliaments of these countries to the fluctuation of public support in newly democratic countries not yet having stable
party systems. … the principle effect of thresholds was not to create obstacles to particular parties but to exaggerate swings in electoral support in the allocation of parliamentary seats” (162). Uncertain expectations about the consequences of electoral systems also meant that decision makers who were involved with the crafting of the transitional electoral laws focused a lot more on the basic choices of the system, i.e. whether it should be based on proportional representation, plurality-majority, or a mixed principle, while ignoring very important technical details, such as the district magnitude, the level of the threshold etc (Shvetsova 2003:203-206).

Rational choice works recognize that the sources of uncertainty become weaker with the passage of time as party systems get more institutionalized, expert knowledge becomes more widely available, the effects of electoral laws become better understood, and parties develop more reliable estimation of the distribution of their electoral following (Benoit and Hayden 2004; Benoit and Schiemann 2001; Remington and Smith 1996). Therefore, instances of miscalculation in electoral reform processes also ought to decrease over time and subsequent, i.e. post-transitional, changes to the electoral system will be more likely to be guided by the logic of actors’ rational calculations. However, reduced uncertainty might actually reduce the likelihood of future electoral reform. Shvetsova (2003: 201) predicts that as “[i]nformational improvements … clarify the distributive consequences of institutional choices”, they lead to more intense conflicts and disagreements over them, which in turn will make future electoral reform either much less likely or more protracted than it was the case with the relatively speedy adoption of the initial transitional electoral systems.
Structural accounts of post-communist electoral reform do not deny the importance of self-interested strategic calculations under conditions of uncertainty. However, they add that political actors’ choices are also influenced and constrained by broader forces that were outside their immediate control. For example, electoral reform may be path dependent. Through the examples of the establishment of the Russian Presidency, the Duma election law, and the upper house of the Russian parliament, McFaul (1999) shows that institutions may become sticky once they are created and they may prove to be very resistant to amendment even if they no longer reflect the interests of the powerful who could change them. Lijphart (1992) cites the availability of foreign electoral system models, historical models from the countries pre-communist democratic past, and the presence of politically strong ethnic, linguistic and religious minorities as possible sources of influence on electoral system choice (216-9).

**The Hypotheses**

My starting point to develop the hypotheses about reforming the rules on electoral coalitions is provided by the list of six specific reasons that Katz (2005: 61-3) offers to explain why incumbent legislators, and more specifically those of them who have won under the existing electoral rules, may want to change the electoral system that has clearly benefitted and allowed them to enter into office. The first reason is that the current winners may expect their chances of winning to dwindle under the existing rules. In order to increase the chances of their future victory, they may resort to changing the electoral system even though such institutional change may also result in worse unexpected
consequences as mentioned above. Second, the current winners may not be in a position to control electoral reform entirely and thus changes may be “imposed upon them” (Katz 2005: 63). For example, Nikolenyi (2011) shows that the institutions of consensus democracy played a crucial role in effecting the outcome of the final electoral reform package in the Czech Republic in 2000, Slovenia in 2002 and Romania in 2007. Third, electoral reform may be the result of conflicting interests among members of the winning coalition, i.e. some winners may clearly benefits from such change even though others may be more inclined to stay with the status quo. Fourth, some winners may calculate that they would win more seats under a particular set of new rules. This point is also stressed by Benoit (2004). Fifth, it is also possible that “parties may value long-term change in the competitive system over short-term electoral advantage” (Katz 2005: 63). Finally, the winners’ interest in electoral reform may be driven by non-electoral interests, which they are willing to exchange for electoral gains.

The literature on why political parties form electoral coalitions helps to identify particular conditions that may result in the kind of calculations on the part of the current winners listed by Katz. Specifically, I suggest the following:

**Hypothesis 1:** Political parties may restrict electoral coalitions when such coalitions prove unable to reduce the fragmentation of the party system in spite of other incentives in the electoral system, such as relatively lower district magnitudes. High levels of party system fragmentation often result in unstable governments, which increase the costs of the current electoral system in place for all parties involved.
**Hypotheses 2:** Even when party system fragmentation is moderate, the winners may restrict electoral coalitions in situations of divided Centre and lopsided bipolarity that encourage the opposition to coalesce and challenge incumbents.

**IV. Discussion**

Hypothesis 1 is strongly supported by evidence from the ten post-communist party systems. The three most severe cases of restrictions were introduced in countries (Estonia, Latvia and Poland) where the level of party system fragmentation reached extremely high levels leading to highly unstable governments.

Until 1999, electoral coalitions clearly dominated and defined the Estonian party system. In 1992 the vote and seat shares of electoral coalition were 76% and 89.1% respectively. Three years later, however, both their vote and seat share dropped to 63.7% and 65.3%.

Out of the nine formations that won seats in the 1992 election only two were individual political parties, the Estonian National Independence Party (ERSP) and the Estonian Entrepreneurs’Party (EEK), while the others were all coalitions. The largest PEC, in terms vote and seat shares, was Pro Patria (Isaama), which consisted of six nationalist and conservative parties.\(^2\) After the national elections, the alliance was transformed into a united political party, however, it never managed to repeat its strong

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\(^2\) Lagerspatz and Vogt (2004: 86) list the following parties and constituents of the Pro Patria PEC: the Christian Democratic Party (EKDE), the Christian Democratic Union (EKDL), the Liberal Democratic Union (ELL), the Estonian Liberal Democratic Party (ELP), the Conservative Peoples’ Party (EKR), and the Republican Coalition Party (EVK). According to Bugajski, however, the Pro Patria was “a coalition of four national conservative parties” (72).
electoral performance in the first election. For the March 1995 elections, the Pro Patria formed a coalition with ERSP, which won 7.9% of the votes and only 8 seats. Later that year the two parties merged and became the Pro Patria Union (*Isamaalit*).

The next largest PECs in the 1992 polls was the Secure Home (KK) alliance formed by the Coalition Party (EK), the Rural Union (EM), and the Democratic Justice Union (EDO). In 1995, the EK and the EM formed a PEC once more and won 41 out of the 101 seats in the legislature. The senior party in both of these coalitions was the EK which advocated the adoption of liberal market reforms and the cause of European integration.

The third largest PEC in the 1992 election was the Estonian Popular Front (*Rahvarinne*), a successor to the umbrella organization that had united the various reform oriented groups in the last years of communism (Lagerspetz and Vogt 2004: 61). In 1992, the Front consisted of four parties, the largest of them being the Estonian Centre Party (ERK), which remained one of the largest political parties even after the ban on electoral alliances was introduced. Similarly to the outcome of the legislative elections, the Front’s presidential candidate, political scientist Rein Taagepera, also finished third place. The fourth PEC that contested both the 1992 and the 1995 elections was the alliance between the Estonian Social Democratic Party (ESDR) and the Rural Centre Party (EMK) under the Moderates label. This centre-left oriented coalition lost half of the

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3 In 1995, the two parties were also joined by the Country People’s Party, the Pensioners’ and Families’ Union, and the Farmers’ Assembly in the electoral coalition. (Lagerspetz and Vogt 2004: 87).

4 In 1992, the Front comprised the Popular Front of Estonia (ER), the ERK, the Assembly of Nations in Estonia (ERU), and the Women’s Union (EN). Running alone, the Centre Party won a plurality of the seats in both 1999 and 2003. In the latter it finished neck-to-neck with the brand new Res Publica, each winning 28 seats.
seats between the two elections (from 12 to 6). Eventually, these two parties were also joined by the People’s Party (PP) in a merger that created the People’s Party Moderates (RM).

There were three other smaller PECs represented in the first Riigikogu. These were the Independent Royalists (SK)\(^5\), the Estonian Citizens (EK)\(^6\), and the Greens (R)\(^7\) (Lagerspetz and Vogt 2004: 86). Another small PEC that ran in the elections but failed to win a single seat was the Left Alternative (VV) that included the Independent Communist Party. In the 1995 election one small new PEC, the Our Home is Estonia (MKE), which brought together three political parties representing Estonia’s Russian-speaking community, was able to win seats in parliament. There were also three other electoral coalitions running in this election, however, none of them succeeded to cross the threshold of representation.\(^8\)

The effective number of electoral and parliamentary parties in Estonia reached 8.9 and 5.9 in 1992 followed by 5.9 and 4.1 in 1995. As shown above, electoral coalitions dominated the electoral landscape, however, they were unable to produce strong and cohesive parliamentary parties, which also resulted in unstable governments. Although the largest electoral coalition in the 1995 election, the Coalition Party and Rural Union, was able win 40.6% of the seats, it quickly disintegrated as its constituent units formed

\(^5\) The SK comprised the Royalist Party (ERP) and the Royalist Association Free Toome (RuVT).
\(^6\) The EK included the Party of the Republic of Estonia (EVP), the Association of Legal Real Estate Owners in Tartu (TOOU), and the Association of Healthy Life in Noarootsi (NTES).
\(^7\) The Greens list consisted of the Green Movement (ERL), the Green Party (EER), the European Youth Forest Action in Estonia (KENME), the Maardu Green League (URM), and the Green Regiment (RR).
\(^8\) These PECs were Justice, the Better Estonia, and the Fourth Force.
their own parliamentary party groups. Government instability was also high; the Riigikogu elected in 1992 saw the alternation of two cabinets followed by four in the 1995-99 period. All the main arguments in favor of abolishing electoral coalitions in 1999 cited the inability of opportunistic alliances to become cohesive parliamentary entities as the main reason for the institutional reform.

The Polish and Latvian cases were similar in all regards. In Latvia, there were three electoral coalitions that succeeded to have their candidate elected to the parliaments after the 1993 and 1995 elections: the alliance of the National Harmony Party and Economic Rebirth, winning 12% of the votes and 13% of seats in 1993; the United List that combined the Farmers’ Union, the Christina Democratic Union, and a splinter of the Democratic Party, which won 6% of the votes and 8% of the seats in 1995; and the coalition of the Latvian national Conservative and the Green Parties, which won together 6.3% of the vote and also 8% of the seats in 1995. In spite of allowing electoral coalitions to form and compete in the elections, both party system fragmentation and government instability remained at very high levels. The largest parties received only 36% and 18% of the parliamentary seats in 1993 and 1995 respectively and both elections were followed by the formation unstable governments: the Saeima elected in 1993 witnessed the alternation of two governments followed by four in the next Saeima elected in 1995.

In Poland, the period between 1991 and 1993 was similarly characterized by extreme levels of party system fragmentation and government instability: the largest party received a mere 13.5% of the seats in the Sejm after the elections of 1991 which was followed by the formation of three unstable governments. Among the 29 formations that entered the fractured Sejm in that election, there were five were electoral coalitions:
the SLD, which won the plurality of both votes and seats; the Catholic Electoral Action (WAK) centered around the Christian National Union (ZChN); the Peasant Party-Programmatic Alliance which brought together the Polish Peasant Party (PSL) with the Union of Rural Youth; the Peasant Accord comprising the Polish Peasant Party Solidarity, the Solidarity of Private Farmers, and the Polish Peasant Party-Wilkanow (Jasiewicz 1992: 498); the Christian Democracy, a coalition headed by the Christian Democratic Labour Party (Millard, 1992: 844). In addition to these coalitions, the Confederation of Independent Poland (KPN) linked its lists for vote counting and seat allocation purposes with two small formations, the Polish Western Union, and the Alliance of Women Against Hardships. After the elections, these parties formed one united parliamentary faction (Jasiewicz 1992: 498). The combined vote and seat shares of the five electoral coalitions were 37.2% and 41.3%.

The hypothesis is further supported by the absence of restrictions on electoral coalitions in highly fragmented party systems where political parties simply did not form such alliances and/or where government instability did not prove to be a difficult problem. The example in case is Slovenia where electoral coalitions have simply not played a role at all in spite of the highly fragmented nature of the party system. Electoral coalitions have not played a major role in Slovenian elections. Although political parties clustered into two distinct blocs in each of the country’s post-communist elections, they submitted individual candidate lists for the most part. Indeed, of all the contenders that have won seats in the country’s 5 post-communist elections, we found only two electoral coalitions. The first was the United List of Social Democrats (ZLDS), which started in 1992 as an electoral coalition of the Party of Democratic Reform, the Social Democratic
Union, and the Democratic Party of Pensioners of Slovenia. However, the coalition was transformed into a political party in 1993 and contested the subsequent elections as such (Rose and Munro 2003: 298). In the 1992 election the ZLSD won the third highest percentage of votes (13.6%) and seats (15.6%). The second electoral coalition was formed only much later in 2008 between the Slovenian People’s Party (SLS) and the Youth Party of Slovenia (SMS). The coalition secured 5.21% of the vote and won 5 seats all of which went to SLS candidates (Fink-Hafner, 2009: 1112).

In addition, the central and dominant position of the Liberal Democratic Party, which led every government, together with smaller coalition partners, between 1992 and 2004 with but a brief interruption in 2000, lent a significant degree of stability to the executive. All in all, there was no reason in Slovenia to restrict the activities of electoral coalitions.

Hypothesis 2 is also supported by evidence from the post-communist party systems. Specifically, there were three states where restrictions on electoral coalitions were introduced because of the development of the kind of strategic situation (divided center and lopsided bipolarity) that may induce incumbents to restrict electoral coalitions by the opposition. The case of a divided center was exemplified by the Czech Republic between 1998 and 2002. The general election of 1998 resulted in a parliament with two large nearly equally sized parties, the CSSD of the left and the ODS of the right with the balance of power between them held by the smaller centrist KDU and the US; without the joint support of both of these smaller parties neither the CCSD nor the ODS was capable of forming a government (Nikolenyi 2003). In an effort to deprive the small parties of their blackmail potential, the two large parties sponsored a comprehensive package of
electoral reforms in 2000 including changes to the district magnitude; the electoral formula and the threshold structures, with a specific provision to increase the threshold for electoral coalitions. In the end, it was only the restriction on coalitions that was upheld by the Constitutional Court (Nikolenyi 2011).

Slovakia in 1998 and Romania in 2000 illustrated the cases of lopsided bipolarity. In both instances the governing coalition, the HZDS and its allies in Slovakia and the Democratic Convention with its allies in Romania, faced a fractionalized opposition that was regrouping to put up a united front against the incumbent in the coming elections. In both instances the government passed legislation that increased the threshold for electoral coalitions in an effort to hinder the chances of the opposition at the ballot box.

**Conclusion**

This paper has sought to explain why several post-communist democracies have introduced restrictive legislation to make it harder for political parties to form electoral coalitions. The central argument is that electoral coalitions are restricted under one of two conditions: i) when electoral coalitions fail to reduce party system fragmentation, which also results in unstable governments; and ii) under conditions of divided centre and lopsided bipolarity which are particularly prone to induce coordination and coalition formation among the opposition parties to challenge the incumbents.
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