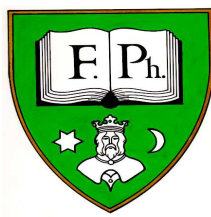


**WORKING PAPERS 3.**

**Erzsébet Soltész**

**DEMOCRATIC TRANSITIONS  
IN EAST-CENTRAL EUROPE  
1989–1994**



**University of Miskolc  
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# **DEMOCRATIC TRANSITIONS IN EAST-CENTRAL EUROPE 1989–1994**

**Erzsébet Soltész**

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The subject of this study is the presentation and the comparison of the democratic transition process in three East-Central European countries: Hungary, Poland and Slovakia. The comparative analysis covers the constitution-making process, the electoral laws, the outcomes of the first democratic elections, the role of presidents, parliaments and governments, the relationships among them, and the way new parties made function these institutions in the first five years of the change of regimes. Some aspects of the common starting situation and the affects of the different social and political cultures on the orientation of these new democracies will also be examined. This text is a revisited version of the paper prepared for the XVI World Congress of the International Political Science Association in Berlin, 21–25 August 1994.

## Introduction

It may have a symbolic meaning that this recent wave of bourgeois revolutions in Eastern Europe began in 1989, year of bicentenary of the French revolution. By that time it became clear in many states of the “real socialism” that the way to the communism was impassable in practice. The weaker the political and military hegemony of the Soviet Union became over its satellite states, the stronger the activity of illegal or semi-legal anti-system opposition became in these countries.

The year of 1989 was the turning point, when the fate of the East-European communist regimes was sealed definitively, but their collapse proceeded in different ways. The common feature of the radical political changes in East-Central Europe was the fact, that about the main questions of the democratic transition and the setting up of new democratic political institution were decided at the so-called national Round-Table talks, during the negotiations between the representatives of the anti-system opposition and those of the communist governments. A series of particularity of the further developments in each country derived then just from this peaceful and negotiating character of the change of regime. The first democratic elections resulted the fall of the former political leadership, but shortly after the former opposition came in power, it turned out, that the democratic transformation of the society and the consolidation of the new regimes would take more time and would be more difficult than expected before.

While in the year of the revolutionary events and the night of the elections day the whole region was full of euphoria, after a year the public opinion polls showed that in the late 1990 Hungarians and Czechoslovakians were the most pessimistic nations in Europe: 84 and 78 percent of population saw their future in black mood (Ágh 1991).

In reality it was to be expected from the very beginning that the way to the democracy would be long and difficult because of many reasons. First, because the transition from a communist type authoritarian regime to the democracy, which had no historical precedent, requires a simultaneous transformation of all spheres of the society. Whilst in other cases of democratic transition the radical transformation of the constitutional-political structure of the states resulted sufficient, in the former communist countries it must renew all, from the economy and the transformation of the ownership relations, which mean the privatization of the state property and creating a market economy. It appears from the events that the formation and the consolidation of a democratic civil and political society in these countries will be a rather time-consuming process also because of the fact that the communist dictatorship endured too long time, so both the population and the new political leaders have vague ideas of the nature of the democracy.

With a comparative analysis of the constitutional-political development of Hungary, Poland and Slovakia, I shall try to examine the development of these states in the first phase of the democratic transition, since the Round-Table talks until 1994.

## 1. Constitution-making process: President, Parliament, Government

In accordance to the negotiating character of the revolutions, the constitution-making process began in each considered country with the national Round-Table compromises. All agreements between the representatives of the communist government and those of the anti-system opposition, which touched the constitutional bases of the existing political system, were transformed into amendments of the constitution in force, and adopted by the communists ruled parliament. Among the first constitutional changes was the abolition of the leading role of the communist party, which was the most important step in the direction of a pluralistic political system. Then it involved the introduction of a competitive electoral system and other fundamental changes.

There is a common feature of these countries that nowhere was elected a special constitutional assembly of which the only task would have been the drafting of a fully new constitution. Consequently, the constitution-making process went on under the new, freely elected legislatures with further radical amendments of the old constitution. Because of the fact that the amendments were results of compromises made by the actors of the national Round-Table talks first, and by the parliamentary parties later, the actual constitutions in force resulted fairly eclectic. The constitutional status of the most important political organs and bodies has been formed and changed not only as a function of power relations between the political forces at the Round-Table talks before the first free elections and in the freely elected Parliaments, but – especially as far as concerning the status of the President – also as a function of personalities.

In this chapter, I shall survey the constitution-making process in the three chosen countries and show the special features of the constitutions now in force, with special regard to the relationships among President, Parliament and Government.\*

Poland was the first country where the ruling communist party forced to begin talks about the sharing of power with the oppositional Solidarity movement headed by Lech Wałęsa. The negotiations at the Round Table began on 6 February 1989 and finished on 6 April 1989. The communist government was the stronger negotiating party at the Round-Table talks, and the Solidarity accepted many of its claims because they were afraid of Soviet intervention. The Polish United Workers' Party (PZPR) cherished the hope that through the creating of a strong presidency, reserved for itself, and a special semi-democratic electoral law, which assures to it a two-third majority in the Parliament (Sejm) it would be able to continue its dominance. The Solidarity accepted the claim of communists to the presidency, and it was tacitly agreed that the communist general Wojciech Jaruzelski would be elected President. However, a deadlock emerged over the powers of the President. The powers of the President, proposed by the communist negotiator included among others, a legislative veto, full control of foreign policy, the military and internal security and the right to dissolve the parliament if it wanted to encroach upon presidential powers. As the deadlock continued, one of the government negotiators suddenly came up with the idea of counterbalancing the powers of the President with a freely elected Senate, which would have veto power over the legislation. The Solidarity negotiators were surprised at first, but they accepted the proposal because they saw the possibility of the first fully free elections to any public body in it. In this manner created a two-chamber legislature, while before 1989 no one thought in Poland seriously about the reintroduction of an upper house. Then the newly established bicameral parliament created a series of new problems in the constitution-making process, which made the law-making process rather complicate.

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\* In reconstructing the constitution-making process I made use of the numbers of quarterly East European Constitutional Review Spring 1992–Winter 1993.

The negotiators at the Round Table agreed that the President of the Republic would be elected by the two houses of the Parliament, but soon after the elections of June 1989 the political relations of force changed radically. On 19 July in a joint session of the Sejm and the Senate Jaruzelski was elected President by the smallest possible margin and with the support of deputies from the opposition, who remained loyal to the Round-Table agreement. The election was a great failure for the PZPR, it demonstrated that the communist party could not count neither on its deputies, nor on its former allies. Jaruzelski understood his delicate situation and although he had a great power, he did not hold up the order of events.

Lech Wałęsa, who did not assume governmental responsibility because of his ambition to be President, created a group with his close supporters – the Centre Alliance (PC) –, which pushed for the legislature to replace Jaruzelski with Wałęsa. But meanwhile there has been formed also an other group around the Prime Minister Mazowiecki, called Civic Movement–Democratic Action (ROAD), which would have liked to place him in the presidency. On initiative of the ROAD on 27 September 1990 a constitutional amendment passed, which provided direct election for the President. The direct election broadened the legitimacy of the Head of State, but its powers remained the same created for Jaruzelski. The election for President took place on 25 November and 9 December, which brought on the triumph of Wałęsa.

In the meantime, the constitution-making process went on clumsily. In December 1989, separate constitutional committees formed in the Sejm and the Senate to draft new versions of the entire charter. However, by this time the conflict between the two houses became settling. As soon as the Senate elected, it began to assert itself, and although it did not dispose of significant formal powers, it claimed moral supremacy over the Sejm referring to its popular legitimacy. Because of the conflicts, the two committees broke off all contacts with one other.

In April 1991 the Senate's committee presented its own draft constitution, and in September, the committee of the Sejm put forward its own draft too. The draft of the Senate's committee contained a very wide range of individual rights and envisaged an essentially presidential form of government, whilst the Sejm committee's draft outlined a broader range of social and economic rights and a parliamentary system, with a President acting as an arbiter rather than a chief of executive power. Since in October 1991 both houses were dissolved, the two draft constitutions were put aside and the new parliament was mandated to start the drafting process all over again. The second, right now fully freely elected legislature undoubtedly disposed of much more legitimacy to draft a new constitution than the first semi-freely elected parliament, but its excessive fragmentation (see Table 2, 3) indicated that the way to accept a new constitution would be longer and more difficult than it expected two years before. It resulted improbable that the new constitution would base on any coherent set of principles or a consistent vision of government. Indeed, both of the constitution-making procedure and the constitution-making process went on in a slovenly way, with a permanent conflict among the President, the Parliament and the Prime Minister.

In the lack of a new constitution, President Wałęsa tried to strengthen his power. In December 1991, he introduced a draft law giving the President discretion to appoint and dismiss Cabinet members. Nevertheless, because of the objections of a special Commission of the Sejm Wałęsa withdrew his proposal. In February 1992 the Democratic Union, the largest party in the parliament, led by former Prime Minister Tadeusz Mazowiecki, introduced a bill "On the relationship between legislative and executive powers", which became the basis of the further debates. However, as a result of a series of compromises there was accepted an interim, so called "little constitution", which came into effect on 8 December 1992. However, the constitution-making process has not finished by this act.

On 30 October 1992, a new Constitutional Commission held its first meeting where the leadership of it was elected. Because of the broad ideological differences within the

Commission, the leaders decided not to draft the new constitution themselves but they decided to wait six months for drafts to submit to them. The schedule called for them to finish work on these drafts after another six months. According to a law of April 1992 the same Constitutional Commission, the President, and any group of 56 members of the Sejm or Senate had the right to submit draft constitutions. Before the final deadline of 30 April 1993, seven draft constitutions had been submitted to the Constitutional Commission. After that the Commission began the work of considering the competing drafts and synthesizing them into coherent entire. The work went on rather slowly because of the mentioned profound ideological differences, which existed in the Parliament, and because of the complexity of the procedure. As an anonym author writes, "The Polish Parliament is not a special Constituent Assembly, but has dual role: it is working on the constitution and 'making politics' at the same time... It resembles the situation of soccer players who are playing a match while trying to change rules of the game at the same time." (*East European Constitutional Review*, Fall 1992: 14) The Commission should have finished its work until 30 October 1993, but the Parliament dissolved again before this time.

The compromise, which reflected in the interim constitution, is limited to checks and balances between executive and legislative powers, it does not include the fundamental rights and freedoms and provisions on the judicial powers, these issues probably must wait until the new constitution adopted. The actual parliament, because of its political composition, at least now it seems to have more chance to accomplish the constitution-making process and probably Poland finally will have a complete constitution during this legislature. However, the interim constitution clarifies Poland's political structure and – probably for the first time in Poland's history – has introduced the concept of separation of powers and real mechanism of checks and balances.

According to the interim constitution, the President and the parliament have a role to play in the formation of the cabinet. The first move belongs to the President: he or she names the Prime Minister and, on the Prime Minister's motion, appoints the cabinet. There is a special rule, however, which is in connection with the prerogative of the President in domestic and international affairs, namely that the constitution requires the Prime Minister to seek the President's opinion in naming the foreign, defence and internal affairs' ministers. After that the cabinet appointed by the President, is required to win the approval of an absolute majority in a vote of confidence in the Sejm within fourteen days. If the cabinet fails to pass this test, the initiative passes to the Sejm, which must muster an absolute majority for its own candidate. If the Sejm fails in turn, the President can try again, this time for a simply majority. If the President falls short, the Sejm gets another chance, likewise with a simple majority. In case of hopeless deadlock, the President has a choice: he or she can dissolve the Parliament or appoint his own Government to rule for six months. Unless the Sejm in that period manages to build a majority for either the President's Government or an alternative one, the Parliament automatically dissolved, and new elections are held then. This procedure seems to be rather complicated but it reinforces the interdependence of the President and the Parliament, and impedes the excessive power of President over the Government.

Whilst the President has a role in the formation of the cabinet, he or she deprived on any role in its dismissal: the motion of non-confidence is reserved for the Sejm. Although any non-confidence motion require only the backing of forty-six deputies (10 percent of the MP's), the non-confidence vote is passed provided an absolute majority of all members concur. This provision makes the cabinet more independent from the pure negative power of the Sejm. Indeed, in the old constitution, the Sejm's power to oust the Government or specific ministers was unlimited, and in addition to it, the Prime Minister had to seek the approval for changes in the cabinet. To avoid a repeat of situations in which a newly elected Prime Minister found himself heading the acting cabinet of his predecessor (which was the case of



Olszewski and his successor Pawlak), and unable to make changes without appealing to the Sejm for approval, according to the interim constitution the President appoints new ministers solely at the Prime Minister's request. The Sejm in turn has the right to initiate a non-confidence vote in a specific minister.

The Sejm has also the right to elect a new Prime Minister supported by an absolute majority before it can vote to censure the existing cabinet. It is a provision that might be considered a modified version of constructive non-confidence vote incorporated in the German 1949 constitution. If the Sejm passes a non-confidence vote without electing a new Prime Minister, the President accepts the resignation of the Government or dissolves the Sejm. The President is still authorized to dissolve the Parliament if it fails to adopt the budget within three months.

The head of state has important checks on the legislation through the right of veto, because the President's veto can be overridden only by a two-thirds majority in the Sejm. The President has also the right to call for a national referendum, provided the Senate votes its approval. Therefore, the President checks on the Sejm through his veto power, but he cannot bypass it by means of referendum because of being checked by the upper house.

The power of the cabinet increased also by the possibility that it can ask for an expedited legislative process in certain circumstances and the "little constitution" allows the Sejm to vest the Government with the right to issue decrees with the force of law. To win this right, the Government needs support of an absolute majority. The Sejm decides which areas of legislation are subject to "special powers" and how long these powers are in force. Until the "special powers" are in force, no any other bodies can submit legislation in those areas. The President countersignatures the Government's decrees and only he or she has the right to veto them. In case of President's veto, the cabinet can turn to the Sejm to treat decrees vetoed by the President as normal draft legislation. The interim constitution enumerates also the legislative areas, which cannot be subjects of "special powers": constitutional changes, election of the President, the Sejm, the Senate and the organs of local self-government, budget, personal freedoms and political rights, social security and labour benefits, international agreements.

In the original draft constitution the "special powers" of the Government would have associated with the system of parliamentary sessions, and between the two (fall and spring) session the Government would have ruled by decrees. However, the Sejm rejected the idea to return to the system of parliamentary session and insisted on its continuous functioning and uninterrupted supervision of the Government. Thus, the text of the "little constitution" reflects an ill-matched compromise.

In summary we can share the opinion that "the little constitution represents a compromise between presidential and parliamentary systems of government. Polish political practice rather than constitutional theory shaped the terms of the document; the person of the current president was the point of reference for both the draft's supporters and its critic. The little constitution is more a codification of the status quo than a new departure." (Vinton 1992: 19)

As far as concerning this latter statement, *mutatis mutandis* it is valid also for the new Slovak constitution. The constitution-making process in Slovakia was similar to that of Poland from the point of view that it has shaped as a function of political power relations. The main difference is that this process began when Slovakia constituted still an unified state with the Czech Lands (Bohemia and Moravia) and continued under the new, independent Slovak state.

The constitution-making process began in Czechoslovakia after November 1989 in the same way as in Poland and Hungary that is with the radical amendments of the Stalinist constitution of 1960 and the Federation act of 1969. Whilst Poland was the first communist state where the Government was obliged to initiate negotiations with the opposition, the

Czechoslovak communist leadership was the last to do so. After trying to crush the mass demonstrations by force and seeing the collapse of all communist regimes around, on 26 November Prime Minister Ladislav Adamec met with a delegation of the Civic Forum, a spontaneous social movement created on 19 November under the leadership of Vaclav Havel. This meeting marked the beginning of a serious political dialogue between the Government and the opposition.

The Round-Table talks took place on 8 December 1989 and endured not more than two days. The political events of 1989 in Czechoslovakia have gone far more over than in Poland and Hungary: in December 1989 was formed a non-communist Government headed by the former First Deputy Prime Minister Marian Čalfa, and on 29 December Vaclav Havel was elected President in place of the former communist President Gustav Husák. This way Czechoslovakia constituted an exceptional case among the former communist countries because the forces of opposition came into power prior to the first free elections, thus they could have managed the democratic transformation from the position of executive power.

A new Parliament was elected in June 1990, with a self-imposed mandate to complete a new constitution within its two-year term. There were formed a special constitutional committee and a commission of experts named by the Parliament to work on drafting a new federal constitution, meanwhile the Parliament succeeded in passing a number of piecemeal amendments to the standing constitution. In the Parliament were passed a Bill of Rights and Freedoms (November 1990), and a law giving the federal and republican parliaments the right to declare a referendum on the form of the state. However, the things not worked out in accordance with the expectations. From late of 1990 a series of political problems have come out between the Czech and Slovak parts of the country.

Because of the increased activities of the Slovak National Party, the political striving strengthened after an independent Slovakia. In 1991, Slovak leaders began to insist on a “state treaty” to precede the constitution and formalize the sovereignty of each republic and the federation as an act of voluntary union. As the political power relations in the Slovak National Council began to change in favour of nationalist forces, the emphasis shifted to the preparation of the constitutions of the separate republics, which has also been in progress since 1990. Slovak lawmakers and constitutional experts have prepared various drafts of Slovak constitution since 1990, but it was only after the June 1992 elections that the drafting process accelerated rapidly.

One of the campaign promises of the Movement for a Democratic Slovakia (HZDS), headed by the nationalist Vladimir Meciar, was the adoption of a new Slovak constitution before the end of August 1992. After the elections (see: Table 8) the new Slovak Government dominated by Meciar’s party, had several different drafts at its disposal when its experts set to work on the constitution. The final version contains much of those proposals, but even more of the constitution’s provisions were on the winning party’s own conceptions. In order to meet the deadline promised in the electoral campaign, the draft was completed rather hastily. On 17 July, the Slovak National Council declared the sovereignty of Slovakia; on 1 September it adopted the new constitution, which entered into effect on 1 October 1992. On late November, a constitutional law to abolish the Czechoslovak Federal Republic was passed in the Federal Assembly, so at midnight on 31 December 1992 the independent and sovereign Slovakia was born. This way Slovakia has become an independent state for the first time in its history (apart from the Slovak Republic of 1939–1945, which was a fascist puppet state).

The experts among other shortcomings of the charter emphasize the pure propagandistic character of some articles, the inconsistency of the relationship between the executive and the legislative branches of Government, and the unsatisfactory minority rights (see: Mates 1992 and Holländer 1992). According to the issue of this treatise, now I shall concern only with the status of the Parliament, President and Government, and the relationships among them.

The National Council (as the constitution says) is the sole constitutional and legislative body of the Slovak Republic. It consists of 150 members and it is elected for a four-year term by universal, equal and direct suffrage by secret ballot. The National Council itself verifies the ballot's validity, but its decision can be challenged in the Constitutional Court. Probably it derives from the hasty drafting of the constitution, that according to the Article 77, if a deputy is appointed to the cabinet his mandate is suspended for the duration of his term in office but it does not say whether or how the absent deputy should be replaced. This provision disadvantages the governing parties because his deputies in Government cannot vote in Parliament.

The National Council elects the President of the Republic by a three-fifth majority of all members for five-year term, but there is another defectiveness of the constitution: it does not envision a situation in which a three-fifth majority cannot be mustered and no President can be elected. According to the Article 105: "In case the President has not been elected or at the time of vacancy before the election of the new President, or after the new President has been elected but before he has been sworn in, or he has been unable to perform his official duties, the powers of the President shall be delegated to the Government of the Slovak Republic... In these cases the Government may vest some of the powers of the President in the Vice-President. During such time, the Prime Minister shall act as Commander-in-Chief of the armed forces." This manner the constitution gives some presidential powers to the Government in the event that a President fails to be elected, but does not contain any provisions specifying who would appoint the Government, accept its resignation or remove ministers, whose appointments were not approved by the National Council.

There is a special and in the parliamentary democracies unusual provision in the charter, namely the political responsibility of the President to the Parliament. "The President may be recalled by the National Council of the Slovak Republic for activities against the sovereignty and territorial integrity of the Slovak Republic or a conduct aimed to destroy the democratic and constitutional regime in the Slovak Republic." (Article 106) It means that the Parliament has the right to remove the President from his post for political reasons. According to the Article 107: "The President may be prosecuted only for treason, in which case he shall be arraigned by the National Council of the Slovak Republic and his case shall be adjudicated by the Constitutional Court." (Neither in Poland, nor in Hungary can the President be removed without a verdict of the Constitutional Court.)

According to the constitution, the President is the representative of the state both at home and abroad. He has the right to dissolve the Parliament, provided the Government's program "has been rejected three times within six month of the elections, in which case the President shall hear the opinion of the President of the National Council of the Slovak Republic. The new elections shall be announced by the President of the National Council of the Slovak Republic within thirty days". (Article 102 d) As we can see, the announcement of the elections belongs to the powers of the President of the Parliament and not to the President of the Republic as in Poland and Hungary.

The Government (as the constitution says) is the supreme body of the Slovak Republic. The President of the Republic appoints and removes the Prime Minister and other members of the Government, but the Government is responsible to the Parliament. The Parliament votes confidence to the Government through the approval of its program. According to the Article 88, a vote of non-confidence in the Government or a member thereof may be submitted to and considered by the Parliament provided one fifth of its members so requires, and the vote of non-confidence is passed provided an absolute majority of all members concur. As I have mentioned before, there is an unusual thing in the practice of parliamentary democracies the right of Parliament to recall the elected President, it is similarly unusual that the Government in fact has the right of legislative veto. In the proposed constitution, the right to refer

proposals back to the Parliament for further discussion was given specifically to the Prime Minister (Holländer 1992: 16), but according to the approved text Article 87 (4) the President is obliged to return bills whenever the Government requires him to do so. Furthermore, as the same Article 87 (2) says, “Laws of the National Council of the Slovak Republic are signed by the chairman of the National Council of the Slovak Republic, the President of the Slovak Republic, and the Prime Minister of the Slovak Republic”. That is a law adopted by the Parliament to come into force requires also the sign of the Prime Minister.

Despite the Slovak constitution formally is a new and complete charter, it does not mean that the constitution-making process in Slovakia would be accomplished. It resembles to the Polish little constitution by the fact that it is not based on some coherent set of principles; it is such eclectic like that. So the constitution-making process must continue inevitably also in Slovakia until a coherent document passed.

In Hungary, similarly to Poland and Czechoslovakia, the democratic constitution-making process started in 1989 with the radical revision of the communist constitution (adopted in 1949). The most important difference, however, is that as a consequence of some specific political circumstances the old Parliament accepted already in October 1989 a series of amendments which concerned some 80 percent of the old communist constitution so that the radically reformed charter constituted the legal basis of the democratic transition. Among the above-mentioned specific political circumstance, we have to point out at least two.

The first specific feature of the Hungarian peaceful revolution was, that the forces of opposition were organized and articulated themselves already in the late 1980s, thus when the national Round-Table negotiations took place (13 June – 18 September 1989), the oppositional forces were prepared for it. In September 1987 in Lakitelek the Hungarian Democratic Forum (MDF) was established, and the participants of the meeting issued a manifesto, which called for introduction of multiparty system in Hungary. The MDF wanted to cluster eminently the nationalistic and populist forces of the society. The Alliance of Free Democrats (SZDSZ) announced its formation in November 1988. It had its roots in the intellectual anti-system opposition of the late 1970s and early 1980s: it was an urban party with a middle-class appeal. The Alliance of Young Democrats (FIDESZ) came into existence in March 1988. It was also an intellectual anti-system movement with a distinct youth appeal. The above-mentioned and other organizations were completely new formations. But simultaneously also the so-called “historical parties” were newly formed one after, i.e. the parties, which had been existed before the communist regime, for example the Independent Smallholders Party, the Christian Democratic People’s Party etc. The representatives of nine different groups of the opposition formed the so-called Round-Table of the Opposition in March 1989 in order to discuss the way of the peaceful democratic transition in Hungary and to conciliate their actions.

The second important characteristic of the democratic transformation in Hungary was that in the same time the ruling communist party strengthened the reformist wing headed by Rezső Nyers and Imre Pozsgay members of the 1988 politburo. They perceived the connection between political and economic reform and came out in favour of so-called socialist pluralism. Imre Pozsgay the leader of the reform-oriented wing of the Hungarian Socialist Workers’ Party (MSZMP) was participant of the meeting of the MDF in Lakitelek, by which he challenged János Kádár’s disapproval. The crisis of the ruling party and the conflicts between the orthodox Leninist wing and the reform-oriented one continued during 1989. At the party congress in October 1989, the MSZMP broke up into two new parties: the Hungarian Socialist Party (MSZP) with Pozsgay and his followers and the new Hungarian Socialist Workers’ Party (MSZMP) with Károly Grósz and his followers.

This way the actors of the national Round-Table negotiations in Hungary differed from those of Poland and Czechoslovakia. The Hungarian national Round-Table in practice was

triangular: the representatives of the MSZMP, those of the Round-Table of the Opposition and those of different social organizations backed by the ruling party participated in the negotiations.

The negotiations had a series of controversial issues, but there was a consent to have a strong parliament. The particular importance of the Parliament comes in Hungary from its historical traditions and just from the early and strongly established multiparty system. The ruling communist party still hoped to have some popularity and good chances in the coming free elections so it was interested in a strong parliamentary system. The oppositional organizations also had an interest in a strong parliament controlling very closely the Government with a system of passing all the “fundamental laws” or “acts of constitutional force” only by a qualified two-third majority (Ágh 1992).

They agreed also that the President would be elected by the Parliament, but the MSZMP propose a popular election for the first time, which would be hold prior to the parliamentary elections. The ruling party hoped the very popular reform communist Imre Pozsgay would have been elected President for the first term for the political transition. The Hungarian Democratic Forum accepted this compromise but the liberal parties rejected it. So the modified constitution, which was adopted by the old Parliament on 18 October 1989 (and promulgated on 23 October 1989) contained two method of election. According to the first one, written in the main text of the law, the President is to be elected by the Parliament. Nevertheless, among the closing provisions there is a sentence saying, that “if the President representatives-enacted by this law will be elected before the election of the new Parliament, he should be elected by the voters... for four years.” (Act XXXI. 1989). The Free Democrats attacked the compromise and they initiated a referendum where the question was whether the voters want to elect the President before or after the parliamentary elections. The referendum took place in November 1989, which in the question of presidency had a clear consequence: 50.14 percent of the voters declared against the compromise of the national Round-Table and for the delay of the presidential election after the parliamentary elections. However, the referendum was a defeat rather for the MDF and not for Pozsgay (who later left the MSZP and became independent).

The parties of opposition at the national Round-Table talks wanted a strong Parliament and a weak executive power because they did not hope sweeping victory at the coming elections, but wanted to influence the law making process in the legislation at least indirectly. As I have mentioned before, in October 1989, when the constitutional amendments passed by the Parliament, the old MSZMP broke up into two parties, so the chances of these parties reduced significantly.

In the spring 1990 elections the Hungarian electorate voted resolutely against the communist regime. The new MSZMP could not meet the electoral threshold and the MSZP, the other successor party of the old MSZMP won only 11 percent of seats in the Parliament (see Table 9). This way the MDF and its allies found themselves in front of the task of governing and a constitution, which assured too much power to the Parliament and too little independence to the executive body. This problem was then resolved through a compromise made by the largest party of government (MDF) and the largest party of parliamentary opposition (SZDSZ) in late April 1990. According to the pact the number of “fundamental laws”, which required a majority of two-third, was reduced to twenty, in turn the MDF agreed that a leading personality of the SZDSZ Árpád Göncz would be elected President, and the role of the presidency was slightly extended (head of the army, rights to the appointments). In addition to the reducing the number of the two-third majority laws, they agreed to introduce the constructive non-confidence vote of the German type, which changed the whole Hungarian political system, creating this way a strong Government and a much weaker Parliament. In May 1990 the Parliament accepted the new amendments of the constitution

based on the April pact, elected the Prime Minister and on 3 August elected Árpád Göncz as President of the Republic.

During the first democratic legislature (1990–1994) the constitution-making process came almost completely to a halt because the governing coalition was not interested in further constitutional changes. As we can see, the constitution-making process in Hungary did not differ from that of Poland and Slovakia from the point view that it evolved completely under the changing political power relations. This way also the Hungarian constitution in force reflects some direct political effects of the specific democratic transition and accordingly it contains some inner contradictions.

The Hungarian constitution also contains some particular solutions, which are rare in the democratic states. Such is for example that the Prime Minister *is elected* by the Parliament upon the proposal of the President of the Republic. (In Poland and Slovakia the head of state appoints the Prime Minister). The elected Prime Minister nominates the ministers and the President of the Republic appoints them. The other specific provision of the Hungarian constitution is, that the government's program *is to be adopted* by the Parliament. In Poland and Slovakia (and generally in the other parliamentary states) the Government presents itself to the Parliament, submits to it its program and asks for a vote of confidence, but through the vote of confidence the program of the Government does not become that of the Parliament or of the parliamentary majority.

The Article 39 of the constitution, which regulates the control of the Government by the Parliament, contains a specific inconsistency. On the one hand, it states that the Government and its individual members are responsible to the Parliament and they are obliged to report to it on their work, in the other hand the institution of the constructive non-confidence impedes to call them to account individually. It means that the Government may because called to account only simultaneously with the election of a new Prime Minister. "So, in principle, responsibility is full – with the virtually full exclusion of accountability. This system of Government formation and responsibility places the Prime Minister into the centre of executive power. He is the one who, in... fact, appoints the ministers and, through the President of the Republic, he can dismiss them any time. That is, the transformation of the Government is up to the Prime Minister, which is not limited in legal sense by either the Parliament or the President of the Republic. The Parliament can turn the Government out of office only by the way if the Prime Minister and even that, only through the election of the new Prime Minister." (Schmidt 1992: 51)

The head of state has the right to dissolve the Parliament, but this right is very limited. "The President of the Republic can, simultaneously with setting the date for the general elections, dissolve the Parliament if the Parliament withdraws its confidence from the Government in at least four occasions within twelve months during the mandate of the same Parliament, or in case of the termination of the mandate of the Government the person proposed by the President of the Republic for office of the Prime Minister is not elected within 40 days from making the first proposal." (Article 28) "It is characteristic that the constitution regulates this right of dissolution not under that of the legal standing of the President of the Republic but under that of the Parliament is almost suggesting, that the right to dissolve is primarily one of the Parliament, and it belongs to the President of the Republic only in exceptional circumstances." (Schmidt 1992: 55)

It is a further special feature of the Hungarian constitution that contrary to the majority of the parliamentary states the right to convene the Parliament belongs to the President of the Parliament and not to the head of state. There is only one exception from this rule: the convening if the statutory meeting of the Parliament following the general elections belongs to the President of the Republic.

In summary, as we could see, each here examined constitution contains some inner inconsistencies and we cannot consider the constitution-making process finished until the elimination of them. They all reflect the changing political interest of those parties, which contributed to drafting of them, and there will be long-lasting constitutions only if those will be based not only on the compromises of the parties but on the broad consensus of the society. It is an open question, how long it will take. However, all these constitutions essentially are democratic and – provided holding them in respect – proper to hinder the return to the authoritarian regimes.

## **2. Electoral laws and elections after 1989**

### **2.1 Poland**

The first electoral law in the process of democratization emanate on 7 April 1989 was destined to have but a short life because of its not fully democratic character. The rules of election were adopting by the negotiating parties at the national Round-Table in a special political moment when the Polish United Workers' Party (PZPR) had some dominance. The PZPR wanted to guarantee to itself and the governing coalition a qualified majority in the Sejm therefore it kept to the previously sharing of the Sejm seats.

According to the political compromise concerning the elections 65 percent of the seats in the Sejm were reserved to the PZPR and its allies, and only 35 percent of them were ceded to the so-called independent representatives. As regards the Senate election there was no confidence any restriction. For the election of the 460 Sejm representatives the country was divided into 425 constituencies, each one electing one representative, and a national list was reserved on which 35 high ranking leaders ran unopposed. The constituencies in the Senate election was based on Poland's 49 provinces (voivodeships), each one electing two senators, except two most populated provinces Warsaw and Katowice, each have been given three senatorial seats. Senators were elected by block vote (i.e. the voters had as many votes as many senators was to be elected in the province). The novelty in the candidacy was that each citizen who had right to vote could be presented as a candidate by collecting 3 000 recommendations. The elections, both in the Senate and the Sejm were to be held in a two-round absolute majority system, but for the national list only one voting round was provided. To be elected in the first round a candidate had to meet 50 percent plus one of valid votes, and the second ballot was limited to two candidates who obtained most votes in the first one. To elect the candidates included in the national list more than fifty percent of valid votes needed.

The elections took place on 4 and 18 June 1989, with a turnout of 68.8 and 25.3 percent respectively. In the first round the Solidarity gained a formidable victory: Citizens' Committee candidates (i.e. those backed by the Solidarity) captured 92 seats in the Senate and 160 seats of the 161 for which the Solidarity was allowed to compete, while in the other 264 constituencies where the Solidarity did not stand candidates, only three representatives were elected. The national list created an unexpected problem, because it was not defined precisely the way, how the votes would be considered valid. The electors crossed out names in the list, so remained only two candidates who realized the fifty percent of votes. Therefore, it was necessary to modify the electoral law by elections decree (12 June 1989) before the second ballot, according to which created other 33 constituencies. In the second round other seven Solidarity backed senators and one more Solidarity representative were elected, while in the other constituencies the Solidarity supported candidates who stood closer to its political ideas.

Table 1

Composition of the Parliament in Poland after the 4 and 18 June elections

Parties	Seats	
	Sejm	Senate
Polish United Workers' Party (PZPR)	173	
United Peasant Party (ZSL)	76	
Democratic Party (SD)	27	
PAX	10	
Christian-Social Union (UChS)	8	
Polish Christian-Social Alliance (PKZS)	5	
Citizens' Parliamentary Club (OKP)	161	99
Independent		1
Total	460	100

By the time the elections had taken place, the political development in Poland went far over the political compromise. The elections demonstrated that the PZPR lost completely its leading role in the society, and it would neither be able to maintain its political dominance not even with an imposed majority in the Sejm. The PZPR failed to form a Government, so in September 1989 the Solidarity came to governmental power. Contradiction between the Government and the Parliament made necessary to accept a new electoral law and hold new elections.

Whilst the 1989 electoral law was intended to conceal appearance in the Sejm of the real political articulation of the society, the lawmakers with the 1991 electoral law have swung to the other extreme. For the Senate election the plurality system was adopted with 100 constituencies. To elect 391 Sejm representatives the country divided into 37 districts, with from 7 to 17 seats in each, determined according to population. 69 seats were reserved to be allocated from national lists of the parties. To register its list in a district, a party had to collect at least 5000 signatures of voters resident in the given district. The party managed to register its list in at least five districts, had the right to register a national list. Voters in each district were to show their preference by selecting one party list and placing a check beside the name of the candidate for whom they wished to vote.

Seats in the districts were allocated to the parties through the Hare-Niemeyer method, with no threshold. The 69 national seats were awarded through the modified Sainte-Laguë method on a nation-wide base to each of those parties, which surpassed the threshold of five percent nationally and/or managed to have their candidates elected in at least five districts. These thresholds were not valid for the parties of the ethnic minorities, for which some seats were guaranteed.

In the 27 October 1991 elections 111 parties, organisations and groupings put up so-called "electoral committee" of which 64 managed to stand regional list and 40 of them tried to compete with national list. Because of the different electoral coalitions the number of the national lists were reduced to 27. In spite of the different electoral formula both houses of Parliament turned out highly fragmented. The 15 percent of the seats in Sejm, reserved for the parties with more than 5 percent of votes did not prove to be efficient, the largest party with 12.31 percent of votes acquired 13.5 percent of seats. As many as 11 parties got 1–1 seats and nine parties were able to reach the five percent limit to share in bonuses.



Table 2  
Results of 27 October 1991 Sejm elections

Parties	Seats	Percentage of popular votes
Democratic Union (UD)	62	12.31
Democratic Left Alliance (SLD)	60	11.98
Catholic Election Action (WAK)	49	8.73
Polish Peasant Party (PSL)	48	8.67
Confederation for an Independent Poland (KPN)	46	7.50
Civic Centre Alliance (POC)	44	8.71
Liberal Democratic Congress (KLD)	37	7.48
Polish Peasant Party-Peasant Alliance (PL)	28	5.46
Solidarity (NSZZ Solidarność)	29	5.05
Polish Beer Friends' Party (PPPP)	16	3.27
"German Ethnic Minority"	7	1.17
Christian Democracy (ChD)	5	2.63
West-Polish Alliance (PZZ)	4	0.23
Party of Christian Democrats (PChD)	4	1.11
Labour Solidarity (SP)	4	2.05
Real Politics Union (UPR)	3	2.00
Party X	3	0.47
Movement for Autonomy of Silesia (RAS)	2	0.35
Others	11	
Total: 29	460	

Table 3  
Results of 27 October 1991 Senate elections

Parties	Seats
Democratic Union (UD)	21
Solidarity (NSZZ Solidarność)	11
Catholic Election Action (WAK)	9
Centre Alliance (PC)	9
Polish Peasant Party (PSL)	8
Polish Peasant Party-Peasant Alliance (PL)	7
Liberal Democratic Congress (KLD)	6
Democratic Left Alliance (SLD)	4
Confederation for an Independent Poland (KPN)	4
Party of Christian Democrats (PChD)	3
"German Ethnic Minority" (four committees)	1
Others	17
Total: 31	100

As the tables 2 and 3 show, the composition of the Polish Parliament turned out fairly fragmented in both houses. Although different electoral formulas were used, the result was almost the same; moreover, the plurality system yielded more parties in the Senate than that of proportional representation in the Sejm. It can be explained by the fact, that the plurality system brought to the surface the characteristic regional political articulation of the country. The regionalism in Poland is rather strong in comparison with Hungary and Slovakia. The multitude of new parties, which entered for the competition, indicates that the stage of creating new parties in large numbers was not over at all. The fact, that the largest party in the Sejm held only 13.5 percent of seats shows, that the parliamentary party system was close to be atomized. The composition of the legislative body anticipated the difficulties of governing; indeed, this Parliament could not work out its time, just two years after it had to hold elections again.

On 19 September 1993 the Polish voters were called to elect the third Parliament of the democratic transformation. This time the electoral formula was the same as in 1991 but the electoral law accepted in April 1993 introduced some amendments in order to reduce the fragmentation of the legislative body and make the Government more stable. According to it the law provided a 5 percent threshold for the parties and a 8 percent one for the electoral coalitions. In addition to it, only those electoral committees had right to put up national list, which were able to stand regional lists at least in a half of the 52 constituencies.

Table 4

Results of 19 September 1993 Sejm elections

Parties	Percentage of popular votes	Seats
Democratic Left Alliance (SLD)	20.41	171
Polish Peasant Party (PSL)	15.40	132
Democratic Union (UD)	10.59	74
Union of Labour (UP)	7.28	41
Confederation for an Independent Poland (KPN)	5.77	22
Non-party Bloc to Support Reforms (BBWR)	5.41	16
German Ethnic Minority” (four committees)	0.71*	4
Total		460

\*4 seats in the Sejm automatically belong to the representatives of ethnical minorities, independently from the proportion of votes.

Table 5

Results of 19 September 1993 Senate elections

Parties	Seats
Democratic Left Alliance (SLD)	37
Polish Peasant Party (PSL)	36
Solidarity	9
Democratic Union (UD)	4
Union of Labour (UP)	2
Non-party Bloc to Support Reforms (BBWR)	2
Others	10
Total	100

## 2.2 Slovakia

On 27 February 1990 the Federal Assembly approved the new electoral law based on the principle of proportional representation (see Bankowicz 1991; Pehe 1990; Wightman 1990; Batt 1990). The choice for the proportional party-list system reflected the Czechoslovak electoral tradition between the two world wars and taking the experiences of those elections into consideration, the law established two barriers in order to impede a proliferation of parties in the new legislative bodies. The first one limited the candidacy and the second one served to reduce the number of parties, which would dispose of parliamentary representation. According to the law only those registered political parties, political movements or coalitions of parties could compete in the elections, which had at least 10 000 members or, failing that, were able to present a petition for the party signed by a minimum of 10 000 supporters. This requirement was equally related to the bicameral Federal Assembly (House of the People, House of the Nations) and the two (Czech and Slovak) National Councils. To exclude the less supported parties from the political representative bodies, a 5 percent threshold was fixed, but in Slovakia it was decided that the limit should have been lowered to 3 percent in order to accommodate the national minorities' anxieties.

A further modification as far as the previous practice was that the voters would have the right to indicate up to four names within the chosen party-list, but those preferential votes would only be taken into account where at least 10 percent of those voting for the list used the opportunity to express preferences between the candidates. Then the candidates obtaining more than half of preferential vote would move to the top on that party list. This proviso served to reduce to some extent the excessive power of parties over parliamentary deputies. For the Federal Assembly elections the country was divided into 20 districts (12 Czech and 8 Slovak constituencies) while for the election of National Councils 8 and 4 districts were marked out respectively. To assign the seats used the method of largest remainders with the Droop quota.

The elections took place on 8 and 9 June 1990. Altogether 23 different political groupings registered for the elections, but the number of parties involved in them was much higher: almost all contender lists included several movements or parties in order to cross the electoral threshold. The turnout went beyond expectations: 96 percent of the electorate took part in the elections.

Table 6

Results of 8–9 June 1990 Czechoslovak Federal Assembly Elections in the Slovak constituencies

Parties	House of the Nations		House of the People	
	Percentage of popular votes	Seats	Percentage of popular votes	Seats
The Public Against Violence (VPN)	37.28	33	32.54	19
Christian Democratic Movement (KDH)	16.66	14	18.96	11
Communist Party of Czechoslovakia (KSCS)	13.43	12	13.81	8
Slovak National Party (SNS)	11.44	9	10.91	6
Coexistence (ESWZ)	8.49	7	8.58	5
Total		75		49

Table 7

Results of 8–9 June 1990 Slovak National Council Elections

Parties	Percentage of popular votes	Seats
The Public Against Violence (VPN)	29.34	48
Christian Democratic Movement (KDH)	19.20	31
Slovak National Party (SNS)	13.94	22
Communist Party of Czechoslovakia (KSCS)	13.34	22
Coexistence (ESWZ)	8.66	14
Democratic Party (DS)	4.39	7
Green Party (ZS)	3.48	6
Total		150

As the 6 and 7 tables show, the adopted electoral system yielded indeed moderate legislative bodies as far as concerning the number of parties. In June 1992, the term of the legislative bodies expired and new elections took place on 5 and 6 June 1992. The electoral system was an amended version of the one used in the 1990 election (Pehe 1992). In a major departure from the 1990 electoral law, the new law stipulated that a coalition of two or three parties must win at least 7 percent, and a coalition of four or more parties at least 10 percent of the votes to qualify for any parliamentary seats. This proviso had the intention to avoid the Parliament becomes too fragmented after the elections.

Table 8

Results of 5–6 June 1992 Slovak National Council Elections

Parties	Percentage of popular votes	Seats
Movement for a Democratic Slovakia (HZDS)	37.26	74
Party of the Democratic Left (SDL)	14.70	29
Christian Democratic Movement (KDH)	8.88	18
Slovak National Party (SNS)	7.93	15
Coexistence – Hungarian Christian Democratic Movement	7.42	14
Total		150

### 2.3 Hungary

The Hungarian electoral system is much more complicated than that of Slovakia and Poland: it is a mixture of different systems. According to the 1989 electoral law, the 386 parliamentary seats are allocated on three levels with three different systems. 176 representatives are elected in single member constituencies with absolute majority of the votes in the first round, and plurality in the second one. At this level, the precondition of candidacy is very simple: who wants to register as a candidate, has to collect at least 750 recommending tickets from the voters living in the district. The second level of candidature is the multimember constituency. There are 20 territorial multimember constituencies: the nineteen counties and the capital, Budapest. Parties which have been able to put forward candidates in one-fourth of the single member constituencies, but if the county is divided into less than eight constituencies at least in two, are allowed to put up a county list of candidates. The third level, i.e. the national one is also reserved for the registered political parties: a national list of candidates can put up only parties, which were able to put forward at least seven county lists. The law provides 152 seats for the county lists and 58 for the national ones.

The voter in the first round votes for an individual candidate and for a county party list. The first round is valid if more than half of the citizens living in the constituency voted, and in this case the regional competition among parties is over, but the allocation of seats among county and national party lists is possible only after the second round. To be elected in the first round one has to obtain an absolute majority of the valid votes. If no candidate gets more than fifty percent, a second ballot is held, in which only those can compete who has got more than 15 percent of the valid votes. If there are not three persons at least having this result, those three candidates can run for the seat, who won the highest number of votes. The second ballot is valid if one-fourth of the citizens voted, and wins who gets more votes.

In the allocation of the county- and national lists' seats are taken into account only the parties with more than four percent of nation-wide votes. The allocation of seats in counties goes on through the Hagenbach-Bischoff quota (all valid votes divided by the number of seats plus one) and the largest remainders. However, to get a seat in basis of remainders, the remainder must reach two-thirds of the quota. If not all the seats of the county can be allocated this way, the remaining seats are transferred on the national level. The allocation of seats of the national lists and those non allocated in counties go on through the d'Hondt method in the basis of remaining votes in the counties and the votes of candidates in single member districts who failed to win. In this case are counted the votes received in the first round.

The complexity of the Hungarian electoral system was a result of compromise made by participants of the Round-Table negotiations, which reflected the different interests of them. The national lists served to recycle those votes of parties, which do not resulted any seats. With the introduction of barrier of four percent intended exclude the small parties to avoid the Parliament to be extremely fragmented.

The first democratic parliamentary elections took place on 25 March and 8 April 1990. Nineteen parties succeeded in putting up a county list and 12 of them a national one, from which six parties managed to cross the four percent threshold.

Table 9  
Results of 25 March and 8 April parliamentary elections

Parties	Percent of votes	Individual winners	Seats	Percent of seats
Hungarian Democratic Forum (MDF)	24.73	114	164	42.48
Alliance of Free Democrats (SZDSZ)	21.39	36	93	24.09
Independent Smallholders' Party (FKgP)	11.73	11	44	11.39
Hungarian Socialist Party (MSZP)	10.89	1	33	8.54
Alliance of Young Democrats (FIDESZ)	8.95	2	22	5.69
Christian Democratic People's Party (KDNP)	6.46	3	21	5.44
Independent		7	7	1.81
Agrarian Federation (ASZ)		2	2	0.51
Total		176	386	

As on the Table 9 we can see, although 210 seats were allocated according to the principle of proportional representation, the composition of the Parliament did not reflected the real support of the parties. The winner party, the MDF, was extremely overrepresented: with 24.73 percent of the votes, it won 42.48 percent of the seats. However, this result with other important factors provided to the largest party to govern comparatively stably with its coalition partners (FKgP and KDNP). The four percent threshold operated really accordingly to the intentions of legislators, letting only six parties in the Parliament. In spite of the fact that the legislators intended this rather complicated electoral system for a single use, the only amendment of the electoral law made by the first Parliament was the rising the threshold up to five percent.

The second democratic parliamentary elections took place on 8 and 29 May 1994. Twenty parties were able to put up county lists, from which 15 succeeded in standing national list, and only six parties could meet the five percent threshold. Each of them was the same party (at least as their denomination), which passed the threshold four years before. This time, as the Table 10 shows, the Hungarian Socialist Party became significantly overrepresented.

Table 10  
Results of 8 and 29 May parliamentary elections

Parties	Percent of votes	Individual winners	Seats	Percent of seats
Hungarian Socialist Party (MSZP)	32.96	149	209	54.14
Alliance of Free Democrats (SZDSZ)	19.76	17	69	17.87
Hungarian Democratic Forum (MDF)	11.73	4	38	9.84
Independent Smallholders' Party (FKgP)	8.85	1	26	6.73
Christian Democratic People's Party (KDNP)	7.06	3	22	5.69
Alliance of Young Democrats (FIDESZ)	7.00		20	5.18
Agrarian Federation (ASZ)		1	1	0.25
Other		1	1	0.25
Total		176	386	

### 3. Parties in the Parliament and in the Government

The first free elections (also the semi-free elections in Poland) after forty years of monolithic exercise of power seemed to be referenda against the communist parties. The voters rejected resolutely the communists' rule and opted for a democratic and pluralistic transformation of the political system, but they had vague ideas about the nature of the democracy. The first democratic elections accelerated the total disintegration of the old communist parties.

Although the communist and their allies in Poland held the absolute majority of the seats in the Sejm after the 1989 elections, they came out unable to form a Government. By this time began the last crisis in the history of the PZPR, which resulted in its quick disappearance from the political arena. As I have mentioned before, the election of the President on 19 July 1989 demonstrated that the PZPR could not count on its former allies. Jaruzelski the newly elected President nominated Czesław Kiszczak, the politburo member, for Prime Minister, but he failed to form Government. The two traditional coalition partners of the PZPR, the United Peasant Party broke out of the Government coalition and they accepted the offer of Lech Wałęsa to join the Solidarity coalition, and so the Solidarity suddenly found itself in the coveted majority position in the Government formation negotiations. Then the Solidarity

candidate Tadeusz Mazowiecki, who enjoyed the support of the Catholic Church, was elected Prime Minister on September 1989.

Shortly after the electoral and political failure, in the 11<sup>th</sup> extraordinary party congress the PZPR dissolved into two parties (see: Grzybowski 1991; Tálas 1993; Jenkins 1992). The majority of the delegates left the congress, formed the Social Democracy of the Polish Republic (SdRP) and elected Alexander Kwaśniewski as party chair. The minority, rejecting the ideological heritage of the PZPR, under Tadeusz Fiszbach founded the Polish Social Democratic Union (PUS). Then the coalition of these and other post-communist parties ran in the 1991 and 1993 elections as Democratic Left Alliance (SLD).

Similarly to the case of Poland, the final disintegration and the disappearance of the Communist Party of Czechoslovakia (KSCS) followed the first democratic elections (see: Pehe 1992b; Bankowicz 1991; Jenkins 1992; Wightman 1990; Juberías 1992). Under the pressure of public opinion the whole leadership of the KSCS was forced to resign on 24 November 1989 and soon after it altered its political orientation and transformed itself into a “modern leftist party” (Obrman 1990). Although during the electoral campaign the communist party tried to persuade voters that it had given up its old way and had pledged itself to democracy, market and some degree of private enterprise, it was destined to defeat. Its erosion continued throughout 1990, it was plagued by internal conflicts, and by the middle of 1991 it was disintegrated into several factions of which the most important were the Party of the Democratic Left (SDL) in Slovakia and the Communist Party of Bohemia and Moravia (KSCM). The fact that the SDL left out from its own name the word “communist”, carried a real content element: it became essentially a social democratic type party. In June 1992 elections it resulted the second strongest party, while the orthodox communists disappeared at all.

In Hungary the old Hungarian Socialist Workers’ Party (MSZMP) ceased to exist in October 1989. The last (14<sup>th</sup>) congress of the MSZMP at the same time declared itself to be the first one of the Hungarian Socialist Party (MSZP). The newly formed MSZP identified itself as a leftist party committed to the democracy and a social market economy. It really occupied the room of social democratic parties in the Hungarian political scale. In the first free elections it won 10.98 percent of votes and 33 seats in the Parliament (see Table 9), and in the second elections in 1994 it won 32.96 percent of the votes and 209 seats in the legislative body (see Table 10). The other successor party of the old MSZMP, which rallies the orthodox communists, continues to exist as a little party without parliamentary representation, under the name of Workers’ Party.

Whilst the Marxist-Leninist communist parties disappeared from the political bodies, the new parties could not stabilize at once. The communist dictatorship endured too long, so the new political movements and organizations had not any concrete democratic experiences. Because of the unexpected and rapid collapse of the communist world system, these groups did not dispose of coherent state building and society building programs. They were too heterogeneous and this circumstance had an embarrassing effect on the normal working of the parliamentary parties. Shortly after the elections, began the process of disintegration and reintegration of these parties, which characterized the entire first democratic legislatures until now.

From this point of view, the case of Hungary seems to be the simplest one. In the 1990 elections, six parties qualified for the Parliament and four years after, in 1994, we can see apparently the same parties in the Hungarian legislative assembly. Nevertheless, in reality, these parties are not the same as they were four years ago. The former governing MDF split into several groupings along both ideological and political cleavages. Similarly to the fate of the MDF, also the FKgP, the other coalition party broke into more groups. The KDNP, the third partner of the MDF in the first governing coalition, managed to avoid a split, but right

now (in summer 1994) it is struggling against internal crisis. Also the parties of the opposition were confronted with their own crisis of political orientations and/or that of the leadership. The MSZP was the only party, which survived the first democratic legislature without any special shocks. Now it seems that its relative coherent ideology, the stable leadership and relative isolation in the first Parliament were the most important factors, which have contributed to the success of the MSZMP in the 1994 elections.

With the splits of the parliamentary parties and the withdrawing from the coalition of a wing of the FKgP, the majority of the governing coalition began to erode shortly after the elections. Accordingly, the law-making process became more and more difficult. However, Hungary was the only state in which the governing coalition essentially remained the same during the four-year term of the first legislature. Because of the death of the first Prime Minister József Antall in December 1993, the former Minister of the Interior, Péter Boross was elected as Prime Minister, but this change did not involve essential changes in the coalition.

Because of the appearance of new parliamentary groups (their number was more than a dozen in 1993), the legislative assembly reflected less and less the real political orientations of the voters. The 1994 elections brought the victory of the MSZP, and the SZDSZ resulted the second largest party. After the elections the number of the parliamentary parties turned back to six. The voters rejected every political extremity, and an interesting lesson of the campaign was that the Hungarian electorate were not responsive to the “anticommunist” campaign of the government, which tried to identify socialist with the communists. Now in Hungary there is a six-party Parliament and a two-party governing coalition with the MSZP and the SZDSZ, which has a qualified majority, so that it has a great power. It may be that this change of Government marks the beginning of the rotation of right-centre and left-centre coalitions in the executive power, but we cannot preclude the possibility of further radical changes in the party system.

The process of the formation of the party system in Poland was much more complicated than in Hungary. Shortly after the first (semi-democratic) elections the Solidarity was forced to form Government, whilst the majority in the Sejm was dominated by the old communist party. The Solidarity in 1989 counted on the role of opposition, thus it was not prepared for governing. Then it had to decide whether it wanted to be a trade union or a political party. As a result of the grave internal conflicts, the Solidarity split into several successor groups. I have mentioned above the disintegration and the transformation of the PZPR, but neither the old allies of it were able to maintain their integrity. In this way the number of the parliamentary groups became 17 before the 1991 elections. Under these conditions the Government coalitions were unable to realize any coherent programs. Because of the conflict between the first Prime Minister Mazowiecki and Wałęsa during the election of the President (Mazowiecki also ran for the presidency) the Government resigned and new cabinet was formed by J. K. Bielicki in 1990. Also this second coalition resulted ineffective against a such fragmented Parliament, so new elections took place in 1991. However, the situation did not become better after the elections: the number of parties in the Parliament turned out higher than before (see Tables 2 and 3). So the composition of the Parliament did not contribute to centre-right coalition headed by Olszewski, who was removed from the power on 5 June 1992, first of all because of its release to the Sejm of the names of alleged secret police collaborators occupying high office. The Olszewski government's handling of the collaboration issue split Polish politics into two hostile camps. After the secret police files were opened, what was a conflict over the government's effectiveness in Olszewski's presentations became a titanic showdown between the forces good and evil: between the forces allied with the Government that favoured pushing on with Poland's democratic revolution and those that accepted the Round-Table compromise and the post-communist status quo.



After this scandal Waldemar Pawlak was nominated Prime Minister, but after 35 days in office he was substituted by Hanna Suchocka. Her seven-party coalition (from which left the Peasant Alliance in April 1993), hardly worked a year. On 28 May 1993 the diverse opposition parties united to pass a motion of non-confidence in Suchocka's cabinet and because the Sejm failed to propose any alternative to the current coalition, President Wałęsa decided to dissolve the Parliament and call early elections.

The September 1993 elections brought out the triumph of the "post-communist" forces: the Democratic Left Alliance and the Polish Peasant Party enjoy of comfortable 66 percent majority in the Sejm, so it is to be expected that the new two-party coalition headed by Waldemar Pawlak will last longer than any other coalitions after 1989. However, we cannot state yet that the actual Polish party system will be stabilized in the next future.

Based on the recent elections it seems that the question of the party system and the governing coalition in Poland and Hungary have reached (almost for the moment) to a rest, Slovakia in turn is preparing for new elections right now.

The Czechoslovak communist regime was the most oppressive one in East-Central Europe; consequently the new political organizations had less time to prepare for the task of governing. The Public Against Violence was the first spontaneous political movement in Slovakia, created a few days before the so-called "velvet revolution", in November 1989. This party managed to get the majority of seats both in the Federal Assembly, and the Slovak National Council, and was the first to undergo internal divisions. It split under nationalists' pressure in March 1991 into the Movement for a Democratic Slovakia (HZDS) led by Vladimir Meciar, and the pro-federal Civic Democratic Union. Other major parties and movements also underwent internal divisions in both republics and as a result of these processes the number of parties, movements and coalitions had grown from the six elected to the Federal Assembly in June 1990 to almost twenty by the end of 1991 (Pehe 1992b).

In Slovakia the fragmentation of the VPN caused the downfall of the Government of Meciar in April 1991, an Jan Čarnogursky, leader of the Christian Democratic Movement became the new Prime Minister. During the years of 1991 and 1992 the Slovak National Council became more and more dominated by nationalist forces. Originally represented only by the separatist Slovak National Party, these forces grew in strength as other parties (such as the post-communist Democratic Left and the Green Party) became increasingly nationalist. In February 1992 also the ruling party of Čarnogursky became a victim of such pressure. One wing of the party, the Slovak Christian Democratic Movement split away and joined the national camp. In late 1991 and early 1992 the ruling coalition in Slovakia lost most of its power base in the population, while support for nationalist opposition parties continued to grow.

After the June 1992 general elections Vladimir Meciar formed the Government again. Although its Movement for a Democratic Slovakia failed to gain the absolute majority in the Slovak National Council (see Table 8), it succeeded in finding an informal coalition partner, the Slovak National Party, without having to compromise its fundamental positions: the SNS was given the economic portfolio (Obrman 1993). On July the Slovak National Council overwhelmingly approved the Slovak Republic's declaration of sovereignty, and in October 1992 the new Slovak Constitution came into effect. Until the dissolving of the Federation (31 December 1992), the activity of Meciar's cabinet was essentially unopposed but shortly after he had to face the criticism of the opposition. In the lack of a president and in accordance with the Slovak constitution, the Prime Minister assumed the presidential powers and promptly used them to name the members of the newly established Constitutional Court. This controversial move brought out the disapproval of the opposition. Only a few days later, on 26 January 1993, the Prime Minister suffered his first major setback since assuming power. His candidate for President of the Republic, Roman Kováč, failed to gain the necessary three-fifth

majority in the first two round of the presidential election in the Parliament, even some HZDS deputies objected to Meciar's candidate. After that, on 15 February Michal Kováč (who is not related to Roman Kováč) was elected President against Meciar's will.

In March 1993 because of the friction between the SNS and HZDS Ľudovít Černák, the only minister who was not a member of the HZDS resigned, and after his leaving, the HZDS became dependent on votes from the opposition to pass legislation.

In October 1993 another formal coalition was established with the SNS giving Meciar a slim majority, but in December it was weakened when the SNS split into two faction. In February 1994 a group of SNS deputies split away to form the National Democratic Party. After the March 1993 crisis, eight HZDS deputies defected to form the Alliance of Democrats, then another group created the Alternative for Political Realism, which later renamed itself the Democratic Union of Slovakia. These developments gave the opposition parties a simple majority in the Parliament and thus the support needed to pass a non-confidence vote, but the ideological differences between the various oppositional groups made it difficult to reach an agreement. The deadlock was resolved when after the President's address to the Parliament took place a non-confidence vote. Jozef Moravčík was nominated Prime Minister, who formed a five-party coalition. On 17 March the Slovak Parliament approved new elections on 30 September and 1 October 1994.

In summary, also the case of Slovakia demonstrate that the party system is under formation yet, and there is an open question whether the coming election will mark the beginning of the democratic consolidation in the Slovak Republic.

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