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Veröffentlichungsversion / Published Version

Zeitschriftenartikel / journal article

Empfohlene Zitierung / Suggested Citation:

Chytilek, R., & Šedo, J. (2007). How the Tailor of Marrakesh Suit Has Been Altered: Advantage Ratio as a Tool in Post-Communist Electoral Reforms Research. *European Electoral Studies*, 2(1), 30-62. <https://nbn-resolving.org/urn:nbn:de:0168-ssoar-59234>

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How the Tailor of Marrakesh Suit Has Been Altered: Advantage Ratio as a Tool in Post-Communist Electoral Reforms Research

**Roman Chytilék
Jakub Šedo**

Abstract

The text analyzes the character of the second wave of electoral system reform in post-communist countries. It describes the direction of the change in *status quo* after the first reform, which was usually implemented by participants on the basis of imperfect or incomplete information. We claim that the character of the second reforms favored the bigger and established parties and accentuated the tendencies towards establishing electoral competition between political parties at the expense of other participants (independent candidates). We furthermore use a sample of 40 electoral events in 15 post-communist countries to analyze the potential of the strongest electoral parties and other parliamentary parties to transform votes into seats, and we connect this characteristic with the electoral changes made, arguing that the logic of the electoral rules and the effects arising from the actual shares of the vote won in elections sometimes reinforced one another but – at least in some electoral events - also ran in opposite directions.

Introduction

Even in the middle of 2006, sixteen years after the collapse of non-democratic regimes in Central and Eastern Europe, there is still an exceptionally topical research problem of whether post-communist countries in the sphere of institutional reforms have already spent the credit arising from the *advantage of backwardness* (cf. Kitschelt 2003). Have their institutional political frameworks now achieved a state where the transaction costs necessary to change the rules can be compared to those in established Western democracies? In this context, electoral systems represent a very flexible and dynamic institutional component, from the potential rejection of the opposing hypothesis (“post-communist countries still benefit from the advantage of backwardness”) should start. This analysis is closely connected with research on the causes, content, course, and results of electoral reforms in the set of cases under observation.

The current electoral reforms in the Ukraine and in Russia and the new round of discussions about them in the Czech Republic suggest that it is still the case (Birch et al. 2002:188) that in most countries within the post-communist area, it would be still very difficult to

assess whether their electoral systems have already achieved balance without any normative favoring of certain criteria over others. For electoral researchers, research on elections and electoral systems in Central and Eastern Europe is therefore still the study of electoral dynamics and not of electoral structure. Even after 10 years we can still consider valid the statement by Rein Taagepera (Taagepera 1996) that given the non-existence of a generally accepted theory of electoral change, this study – in the environment of several competing theories (Benoit 2004, Colomer 2005, Katz 2005, Andrews – Jackman 2005) – represents a theoretical and methodological challenge of considerable range and intensity.

The aim of this article is to describe the form and consequences of the second reform of electoral systems in post-communist countries in relation to party actors. Our research is thus defined for each country by the interval between the election event preceding the second electoral reform and the election event preceding any third reform. The focus on *post-zero-stage bargaining* is motivated by our interest in examining the moment of the first “altering of the tailor of Marrakesh suit” (cf. Taagepera 1996), i.e. the electoral system accepted by participants in an environment with imperfect information and unclear preferences regarding the form of electoral system, which often resulted in a final decision that was supposed to minimize for all participants the risk and size of possible loss (cf. Birch et al. 2002: 3-28). We agree with Rein Taagepera that electoral systems formed as products of the first electoral reform often fitted very poorly into the institutional frameworks formed by communism. We will also base the theory of the following article on the approaches (Birch 2003, Birch et al. 2002, Benoit 2004, Smyth 2005) that connect the second change exclusively 1) with one or more participants’ belief that the electoral reform will bring them more seats in the parliament or other benefits, and at the same time 2) with the ability to enforce this change.

We will try to show that the tailor of Marrakesh suit was altered in such a way that 1) the character of changes in the second reform favored the bigger parties with country- support, and 2) the reforms resulted in a state that accentuates competition between political parties as opposed to maximizing involvement by a broad range of participants (particularly independent candidates). We will also try to compare the ability of political parties before and after the reform to convert votes into seats, and categorize the electoral systems being examined to the relative strength of political parties.

1. Data and Methods

We use the term “second reform” in this text for the second modification of electoral systems (made after the *pre-founding elections* in the countries where they were held, or after the *founding elections* in countries where *pre-founding elections* were not held), which changed the way seats are distributed among candidates. These are modifications which 1) changed the basic voting formula (majoritarian into mixed, mixed into proportional, etc.), the hypothesis being confirmed by the change along the line majoritarian – mixed – list proportional: reducing the role of seats filled by nomination strengthens the role of political parties in nominating later deputies (by preventing or at least hindering individuals nominated without party background from obtaining seats); or (2.) changed the proportion of seats distributed in a mixed electoral system, the hypothesis being confirmed by the growth in the use of the tier list as a sphere where the competition between political parties is preferred; (3a) changed the rules within the proportional component of mixed electoral systems, or (3b.) changed the rules within a list proportional electoral system. Of these changes, the following are considered relevant: (1.) changes in the electoral threshold – the hypothesis being confirmed by the growing threshold: the higher the threshold, the greater the obstacle for smaller parties; (2.) modifications to the threshold or nomination rules for coalitions – the hypothesis being confirmed by the penalization or exclusion of coalition candidacies: this hinders or excludes possible strategies that could allow representation of small parties; (3.) effective changes in the number and magnitude of electoral districts – effective changes in the number of electoral districts do not include marginal shifts where no relevant effect can be expected. Changes in the number of electoral districts are particularly disregarded if distribution in the second tier is based on the logic of compensatory seats. The hypothesis is confirmed by the growth in the number of districts, because this limits the chances of smaller parties to gain seats. (4.) changes in the translation of votes into seats – the hypothesis being confirmed if the new translation formula is less advantageous to small parties; (5.) change in threshold setting – the hypothesis being confirmed if a national threshold is introduced instead of regional. Our analysis does not cover factors of electoral competition only indirectly related to the translation of votes into seats (access to the media, financing of campaigns etc.), without denying their importance.

With regard to how the hypothesis is formulated, we do not distinguish between “big” and “small” changes (cf. Smyth 2005). We also think that such division is inevitably of a nominal

character only, and its heuristic capacity is limited. For example, it is possible even within a single type of electoral system to easily identify electoral reforms whose effects are quite comparable to change in the type of electoral system.

For the study of electoral dynamics in the post-communist countries, not only voting rules but also *the actual voting results* must be taken into consideration (Taagepera – Shugart 1993). In each instance current politics also influenced vote distribution and helped to translate (along with the electoral rules) votes into seats. Therefore, our concern is equally divided between electoral rules and voting results. Consequently we turn our attention to the analysis of electoral contests in the countries that experienced a second electoral reform.

Our sample contains electoral contests from 15 post-communist countries (Albania, Bosnia and Herzegovina, Czech Republic, Estonia, Croatia, Lithuania, Latvia, Macedonia, Moldova, Poland, Romania, Slovakia, Slovenia, Serbia, and Montenegro). It excludes Belarus, Bulgaria and Hungary (where no second reform has taken place within the observed parameters), Russia (with no election results from the second electoral reform as yet), and the Ukraine, where the crucial – and still not fully resolved – methodological problem lies in correct evaluation of the phenomenon of “independent deputies”, which is absolutely necessary in order to evaluate the results of electoral competition here.

The selection of countries was followed by selection of electoral events (N=40) satisfying the entry conditions (the last election before the second reform to the last election before the third reform). The focus on the second reform means that not all countries are represented by the same number of cases, and research in any of the countries may not necessarily start or end in the same year/period.

Table 1. Sample: Electoral events under observation

Country	Interval	Elections total
Albania	1992-1996	2 (1992, 1996)
Bosnia and Herzegovina	1996-2002	4 (1996, 1998, 2000, 2002)
Czech Republic	1998-2006	3 (1998, 2002, 2006)
Estonia	1995-2003	3 (1995, 1999, 2003)
Croatia	1992-1995	2 (1992, 1995)
Lithuania	1992-1996	2 (1992, 1996)
Latvia	1993-2002	4 (1993, 1995, 1998, 2002)

Macedonia	1998-2002	2 (1998, 2002)
Moldova	1998-2005	3 (1998, 2001, 2005)
Poland	1991-1997	3 (1991, 1993, 1997)
Romania	1996-2004	3 (1996, 2000, 2004)
Slovenia	1996-2004	3 (1996, 2000, 2004)
Slovakia	1994-1998	2 (1994, 1998)
Serbia	1993-1997	2 (1993, 1997)
Montenegro	1992-1996	2 (1992, 1996)

For all the examined cases (electoral events), we used the percentage of votes gained in elections and number of parliamentary seats won to calculate the advantage ratio (%seats/%votes) of the winning party (ARW) and the weighted and unweighted advantage ratio (ARR) as the mean of the ARs of the other parliamentary parties. Weighted ARR allows better control of the situation when there are parties of various sizes in the system, while unweighted ARR provides better information about possible deviations in the proportion of votes to seats for small parties. While ARW is a relatively common topic of electoral research in post-communist parties (Smyth 2005, Andrews – Jackman 2005), ARR in both its simple and weighted form represents an attempt to capture the potential of other parliamentary parties to convert votes into seats in an environment with varied presence of many factors, the most important of them being wasted votes.

We also established the standard deviation of both ARW and ARR within the whole system. We have divided the values of ARW and weighted ARR for both components of every electoral competition (winning party, other parties) on the basis of statistical inference into three categories: *medium* (interval within AR +/- standard deviation), *low* (AR is lower than meanAR-standard deviation), and *high* (AR is higher than meanAR + standard deviation). This resulted in nine logical combinations which we have used for classifying the examined cases. Among those, we focus mainly on the combinations that lie outside the *centrum securitas* (the *medium-medium* category).

2. Electoral Rules and the Second Reform

The aim of this section is to deal with the character of the second reform in regard to the defining criteria mentioned above, and then put it into the wider context of territorial political- and party political pluralisms under which it took place. According to our criteria, following reforms have taken place:

1. A transition along the line majoritarian – mixed – list proportional was detected in the second reform in Macedonia; the reverse trend was not identified.

2. The proportional component was strengthened in the second reform in Croatia, while in Albania it was weakened.

3. Among proportional components of mixed electoral systems and among list proportional systems, we can identify the following changes:

1. the basic threshold was raised in Croatia (from 3 to 5%), in Lithuania (from 4 to 5), in Latvia (from 4 to 5), Moldova (from 4 to 6), Poland (from none to 5, or from 5 to 7 in the national district), Romania (from 3 to 5), and Slovenia (from about 3 to exactly 4). It was not lowered in any country;
2. coalition candidacies were excluded or became more difficult in the Czech Republic (from 7, 9 and 11% according to the number of parties to 10, 15 and 20%), Estonia (forbidden), Croatia (introduction of a higher limit for coalitions, 8 and 11% according to the number of parties), in Lithuania (introduction of a higher limit of 7%), in Moldova (introduction of a higher limit of 9 and 12% according to the number of parties involved), Poland (introduction of a higher threshold of 8%), Romania (from 4 – 8% according to the number of parties to 8 – 10%), and in Slovakia (from 7 and 10% according to the number of parties to 5% for each party in the coalition). Conditions were not eased in any country. The raising of the limit for independent candidates in Moldova (from a factual 0.99% to 3%) can be put into a similar category;
3. the number of electoral districts (at the level where it can be effective in the distribution) was increased in the Czech Republic, Poland, Serbia and Montenegro, while it was lowered in Slovakia;
4. a less advantageous translation of votes into seats for lower parties was introduced in the Czech Republic, Poland (at the level of regional districts as well as in the national district), and in Slovenia; while the modification in Bosnia and Herzegovina was less disadvantageous to smaller parties;

5. in the reforms being analyzed, the electoral threshold was shifted between the regional and national level only in Montenegro, and this shift was in the direction opposite to the hypothesis.

Table 2 summarizes the changes made. In the next part of our discussion, we turn to a description of the broader context in which the second reforms have taken place.

Table 2. Overview of the second electoral reforms

Country	Order of elections and reforms conducted				
	1. – 2.	2. – 3.	3. – 4.	4. – 5.	5. – 6.
Albania	TRS to MMP	MMP to MMM	third	fourth	fifth
Bosnia and Herzegovina	PRL ↑	PRL ↓	0	0	x
Montenegro	PRL ↓	PRL ↓	third	0	fourth
Czech Republic	PRL ↑	0	0	PRL ↑	0
Estonia	STV to PRL	ineffective	PRL ↑	ineffective	x
Croatia	TRS to MMM	more p., ↑↑	third	0	x
Lithuania	TRS to MMM	p. ↑	third	fourth	x
Latvia	TRS to PRL	PRL ↑	0	0	x
Macedonia	0	TRS to MMM	MMM to PRL	x	x
Moldova	TRS to PRL	ineffective	PRL ↑↑	0	x
Poland	introduction of PRL	PRL ↑↑	0	third	fourth
Romania	PRL ↑↑	0	PRL ↑↑	ineffective	x
Slovakia	PRL ↑↑	0	PRL ↑	third	x
Slovenia	PRL ↓	0	PRL ↑	0	x
Serbia	TRS to PRL	0	PRL ↑	third	x

Second electoral reform is highlighted in bold
0 – no or marginal change (eg. increase/decrease in assembly size by 1-2 seats)
ineffective – change without influence or with marginal influence on distribution of seats
x – electoral period has not expired yet
p. – change related to proportional tier of MMS
↑ – some deterioration of conditions for smaller political parties (decrease in district magnitude, raise of threshold by 1 percent, exclusion of coalition candidacy, change in electoral formula)
↑↑ – major deterioration of conditions for smaller political parties (raising of threshold by 2 or more percents, combination of the above mentioned factors)
↓ – some improvement of conditions for smaller political parties
↓↑ – ambiguous change in relation to smaller political parties
Abbrev.: TRS – two round system, MMM –mixed member superposition, MMP –personalized proportional system, STV – single transferable vote, PRL – list PR.

Before the third election, Albania switched from a personalized proportional system to a mixed-superposition system, at the same time increasing the number of deputies elected in single-member districts from 100 to 115 (for more information, see Albania's Second Multi-Party Elections, March 22 and 29, 1992 and Observation of the Parliamentary Elections held in the Republic of Albania, May 26 and June 2, 1996). On the one hand, contrary to the hypothesis, there was an increase in the number of seats that were not necessarily subject to the competition of political parties; on the other hand the change was intended to strengthen the strongest party (parties). However, the reform was only temporary: the proportion of elected deputies was changed in the following elections, and later the country returned to a personalized proportional system (see Albania, Parliamentary Elections June 29, 1997 and The Electoral Code of the Republic of Albania 2000).

In Bosnia and Herzegovina, the second reform was seen in a change in the method of translating votes into seats before the 1998 election (the country's first reform was the institutional change established by the Dayton Agreement, which altered among other things the structure of national parliament – see Hladký 2006: 299 – 300; Herceg – Tomić 1999: 105 – 111). The reform involved replacing the Hare quota and its method of the largest remainder (under which the remaining seats can only be captured by the party that has already captured a seat in the first count) with the Sainte-Laguë divisor (see Herceg – Tomić 1999: 226 a 376 – 380). This modification eased access to a first seat for smaller parties, i.e. contrary to the proposed hypothesis. The new rules remained effective in the same manner in the following two electoral competitions. A smaller modification was made only prior to the next election, held in 2000. The modification further divided the territory of the then-existing two electoral districts represented by the Federation of Bosnia and Herzegovina and the Republic of Serbia into 5, resp. 3 electoral districts. Nevertheless, in view of the large proportion of compensatory seats in the second count, this reform (when measured by its influence on the “mechanical” results of elections) cannot be considered effective (see Hloušek 2001 and Izborni zakon Bosne i Hercegovine).

In the Czech Republic, a second change in the parameters under consideration occurred only before the 2002 election, when several smaller modifications were made to the rules: 1) the number of electoral districts grew from 8 to 14, 2) the form of translating votes into seats changed; two counts using the Hagenbach-Bischoff quota (first at the level of districts, then at the

national level) and the largest remainder were replaced with a single count at the level of electoral regions using the d'Hondt divisor, 3) the election threshold (5% for a single party, 7% for a two-member coalition, 9% for a three-member coalition, 11% for a coalition with four and more members) was replaced with 5, 10, 15 and 20% respectively (see Belko 2004: 199 – 200, 205 – 206).¹ All the above-mentioned changes conform to the hypothesis of the deteriorating position of smaller parties, both parliamentary (their under-representation became more likely), as well as non-parliamentary, whose chances of successfully forming coalitions became even smaller. The electoral system remained unchanged for the following election held in 2006.

As far as Estonia is concerned, a second reform was undertaken already before the third election held in 1995. The number of electoral regions was reduced from 12 to 11. However, we do not count this step as an effective reform; more crucial for determining the proportion of power among parties is the third tier, which takes place within a single national district.² The effective change in our opinion is the subsequent change in which Estonia excluded the possibility of coalition candidacy in the 1999 election (see Elections and Referendums in Estonia 1989-1999). The deterioration of conditions for coalitions confirms the hypothesis, because one of the possible strategies became inaccessible for smaller parties. The same rule basically applied for the 2003 election; partial, and from our point of view ineffective changes included increasing the number of partial districts from 11 to 12, and a certain increase in the proportion of seats allocated in the second count, with the third count still retaining its decisive role (Riigikogu Election Act 2002).

The voting rules in Croatia experienced a series of changes before the election in 1995. Although they did not concern the basic character of the system, with the mixed-superposition electoral system being used, they considerably changed voting in both components. Disregarding the special seats (guaranteed for the Serbian minority and other national minorities in 1992, reserved for national minorities and the Croatian diaspora in 1995), the change was brought about by: 1) a decrease in the number of elected deputies from 120 to 108, 2) a change in the proportion between the majoritarian and proportional components (from 60:60 to 28:80), and 3) raising the threshold in the proportional tier from 3% to 5% for parties running independently, 8% for two-member coalitions, and 11% for coalitions with more members (see Kasapović 1993: 90 – 94 and The Parliamentary Elections in Croatia, October 29 1995). Both the shift in favor of the proportionate component and the raising of threshold within it suits the hypotheses, as the

conditions of smaller parties deteriorated because of the threshold, and another set of seats was transferred under the control of party ballots. The modification of 1995 was changed for the following elections when Croatia switched to the list proportional electoral system (Hloušek 2004: 148-150).

Lithuania switched to a mixed-superposition electoral system in 1992 and modified the rules for voting in the proportional tier before the following elections (70 out of 141 seats, distribution within a statewide election district). The election threshold was raised for single parties from 4 to 5%, and stricter conditions were introduced for coalitions, which had to exceed the limit of 7%. The exception was abolished for national minority parties, which previously not subject to any threshold (Dančák 1999: 91, 1996 Law on Elections to the Seimas of the Republic of Lithuania). The above-mentioned change corresponds to the expected trend of worsening positions for smaller political parties, at least at the level of one of the voting components. The modification from 1996 went through another change before the following elections in 2000, but this and the following reform concerned the method of voting in the majoritarian component (Law on Elections to the Seimas, As Amended 2000, Law on Elections to the Seimas, 2004).

Latvia reformed its list proportional electoral system right away for the next elections after its introduction. The election threshold for candidate lists was raised from 4 to 5%. This raise corresponds to the proposed hypothesis, as the threshold for representation of smaller parties was raised. In the following elections there was no change in the parameters under consideration (Law on Elections to the Fifth Saeima, 9 June 1992, Saeimas vēlēšanu likums).

One of the consequences of the conflict between the Macedonian state and Albanian rebels was the second change of the Macedonian election law suggested by the Ohrid Agreement that led to a ceasefire – see Рамковен договор, implemented after the subsequent talks. The mixed-superposition electoral system used in 1998 was replaced with a list proportional electoral system. The shift to this voting procedure corresponds to the outlined hypotheses, but on the other hand the conditions for competing parties were somewhat mitigated by the new rules. This is because the proportional tier in 1998 used a 5% threshold (votes were cast in one district where 35 out of the total 120 seats were filled), which wasn't transferred to the new modification. The proportional system is now used for filling 120 seats in 6 districts of the same size, and no artificial threshold is applied for competing parties either at the state or regional levels (Law on

the Election of Members for the Parliament of the Republic of Macedonia 1998, Law on Election of Members of Parliament of the Republic of Macedonia 2002).

Moldova switched to the list proportional electoral system in 1994. We do not consider the decrease in the total number of elected deputies from 104 to 101 for the 1998 election as an effective change, and we see the second reform in the modification used in the 2001 election. This involved changes that affected single parties, coalitions, as well as independent candidates. The threshold was raised for single parties from 4 to 6%; coalitions had to deal with a higher threshold as opposed to the preceding modification (9% for two and 12% for more parties); and independent candidates had to gain at least 3%, while before they had only needed the number of votes corresponding to the Hare quota within the election district (which in the case of Moldova is the whole country – this was de facto 0.99% of votes). All three changes correspond to our hypothesis because they were aimed directly against the smaller parties, against their potential attempts to form coalitions, and also decreased the possibility of success by independent candidates (Ženíšek 2004: 266). The same rules applied in the following election in 2005.

The Polish reform carried out before the election in 1993 is a relatively frequent subject of researchers focusing on electoral engineering. Only a minimum of features were preserved from the preceding election law by which the parliament was elected in 1991. The following changes were made for the distribution of 391 seats (out of 460) in individual electoral districts: 1) introduction of a state-wide electoral threshold at 5% for single parties and 8% for coalitions, while before there had been no threshold, 2) increasing the number of electoral districts from 35 to 52, and 3) switching to the d'Hondt divisor from the original Hare-Niemeyer quota. The following features were newly introduced in distributing the remaining 69 seats in the national district 1) an election threshold at 7%, instead of the preceding 5%, or gaining seats in at least 5 districts, and 2) the d'Hondt divisor instead of the Sainte-Laguë divisor (Kubát 2000: 32-35; Antoszewski – Herbut – Sroka 2003: 112). All of the described changes correspond to the trend toward strengthening larger political parties at the expense of smaller parties, and making it practically impossible for very small parties to succeed.

Romania in its electoral reforms chose exclusively the path of raising the election thresholds. The second reform was carried out before the 2000 election when the rules were changed both for single parties and for coalitions. Parties had to exceed a 5% threshold instead of 3%, while for coalitions the threshold of 4 – 8% according to the number of parties in the

coalition rose to 8 – 10%. Both changes confirm the outlined hypothesis because they further limited the potential of smaller political parties. The rules remained valid for the following elections, before which only the number of elected deputies was slightly decreased (due to the decrease in population), and conditions for representation of ethnic minorities slightly deteriorated (Birch et al. 2002: 96-98, Lege Nr. 373 din 24 Septembrie 2004 pentru alegerea Camerei Deputatilor și a Senatului).

Slovakia initiated its second modification of election rules in the aspects under consideration before the election held in 1998. The reform involved among other things 1.) introducing a single national electoral district instead of the preceding four districts, and 2.) changing the election threshold, as the previous 5% threshold for single parties, 7% for coalitions of two or three members, and 10% coalitions with more members was replaced with the 5 % requirement for all parties, including those competing as parts of coalitions (this de facto excluded coalition candidacies; moreover, the law also expanded the range of candidacy forms considered to be coalitions). A decrease in the number of electoral districts somewhat contradicts the hypothesis, but on the other hand the size of the districts and the form of translating votes into seats practically prevented this variable from having an effect on election results. The second reform fully suits the presented hypotheses as a way of limiting the strategic possibilities of smaller political parties. This modification was used only once, and Slovakia returned to the previous threshold setting before the following elections (Belko – Kopeček 2003: 46; Krištofik 2001).

Slovenia slightly changed its electoral system before the 2000 elections, the fourth since the fall of the old regime. In the parameters under consideration, the changes concerned the election threshold and the way of translating votes into seats. There had not been a specific threshold until then, but a parliamentary party had to gain at least as many votes as to receive at least three seats (i.e. in fact slightly over 3% of votes), and according to the new rules it needed at least 4%. In the translation of votes into seats, the biggest change concerned the second count when instead of allocating the remaining seats according to the remaining votes, distribution was carried out according to the logic of compensatory seats (Zakon o volitvah v Državny zbor 2000). Both changes correspond to the presented hypothesis because the threshold was raised, and the new form of translating votes into seats eliminated a certain bias in favor of smaller parties in the second count. The same rules as in 2000 were later used in the last election in 2004.

The second change in Serbia was made before the election in 1997; the change concerned the number of electoral districts. Instead of the original 9 districts, the country was divided into 29 districts (see Goati 2001: 125 – 126). The change is in accordance with the outlined hypothesis, even though its specific results were markedly influenced by the negative reaction from the opposition to the changes made. The electoral system in this form was only used once.

Montenegro had made a second viable modification of its list proportional electoral system already before its third elections, held in 1996. The change concerned the number of deputies (decreased from 85 to 71), the number of electoral districts (division into 14 districts instead of the original single national district), and in a de facto manner the election threshold as well. The original 4% threshold at the level of the single state-wide district now only applied at the level of individual districts (Pavićević 2002: 21, 25, 35). In Montenegro we thus have an element confirming the hypothesis (higher number of electoral districts) combined with an element not corresponding to the hypothesis (transferring the threshold to a lower level); the overall change resulted in a somewhat deteriorated position for the small national parties, and a worse situation for small parties with high regional concentration. The rules were again changed before the following election, abandoning electoral districts³ and returning to the national threshold, newly at 3% (Pavićević 2002: 22).

Among the fifteen analyzed electoral reforms, most of the modifications conform to the outlined hypothesis, with a few disputable cases and reforms indicating the opposite trend. The hypothesis is fully confirmed by the second electoral reforms in the Czech Republic, Estonia, Croatia, Lithuania, Latvia, Moldova, Poland, Romania, Slovenia, and Serbia. In Macedonia and Slovakia, we can say that the more significant changes follow the trend proposed by the hypothesis (transition from mixed system to list proportional system in Macedonia, and increasing the obstacles to coalition candidacy in Slovakia) rather than the opposite trend (relaxing the rules of proportional voting compared to the preceding proportional component of the mixed system in Macedonia, removing partial electoral districts in Slovakia). The electoral reform in Montenegro can be considered from the point of view of the hypothesis as a disputable case: neither of the trends can be singled out as the more important, because a considerable increase in the number of electoral districts was accompanied by removal of the national election threshold. Albania and Bosnia and Herzegovina represent cases that contradict the hypothesis because in Albania the number of deputies elected in the majoritarian system grew, and in Bosnia

and Herzegovina they introduced systems of translation of votes into mandates more advantageous for smaller political parties.

3. Electoral Competition Results. Advantage ratio as a Tool of Analyzing Electoral Changes

Using various proportional or disproportional electoral rules does not necessarily mean that their intended or unintended effects on translating votes into seats must be felt in every electoral competition. In some cases some electoral rules can even produce relatively random results (cf. Taagepera – Shugart 1989:74)

In order to assess the specific way in which the second reforms really influenced the ability of parties to convert their votes into seats, we have calculated separately for every electoral competition the advantage ratio for the winning party and separately the mean and weighted mean of the advantage ratios for other parties/entities that obtained parliamentary representation.

Table 3. ARW and weighted ARR for electoral moments under observation (spatial model)

(AL – Albania, BH – Bosnia and Herzegovina, CG – Montenegro, CZ – Czech Republic, EE – Estonia, HR – Croatia, LT – Lithuania, LV – Latvia, MK – Macedonia, MD – Moldova, PL – Poland, RO – Romania, SL – Slovenia, SK – Slovakia, SR – Serbia)

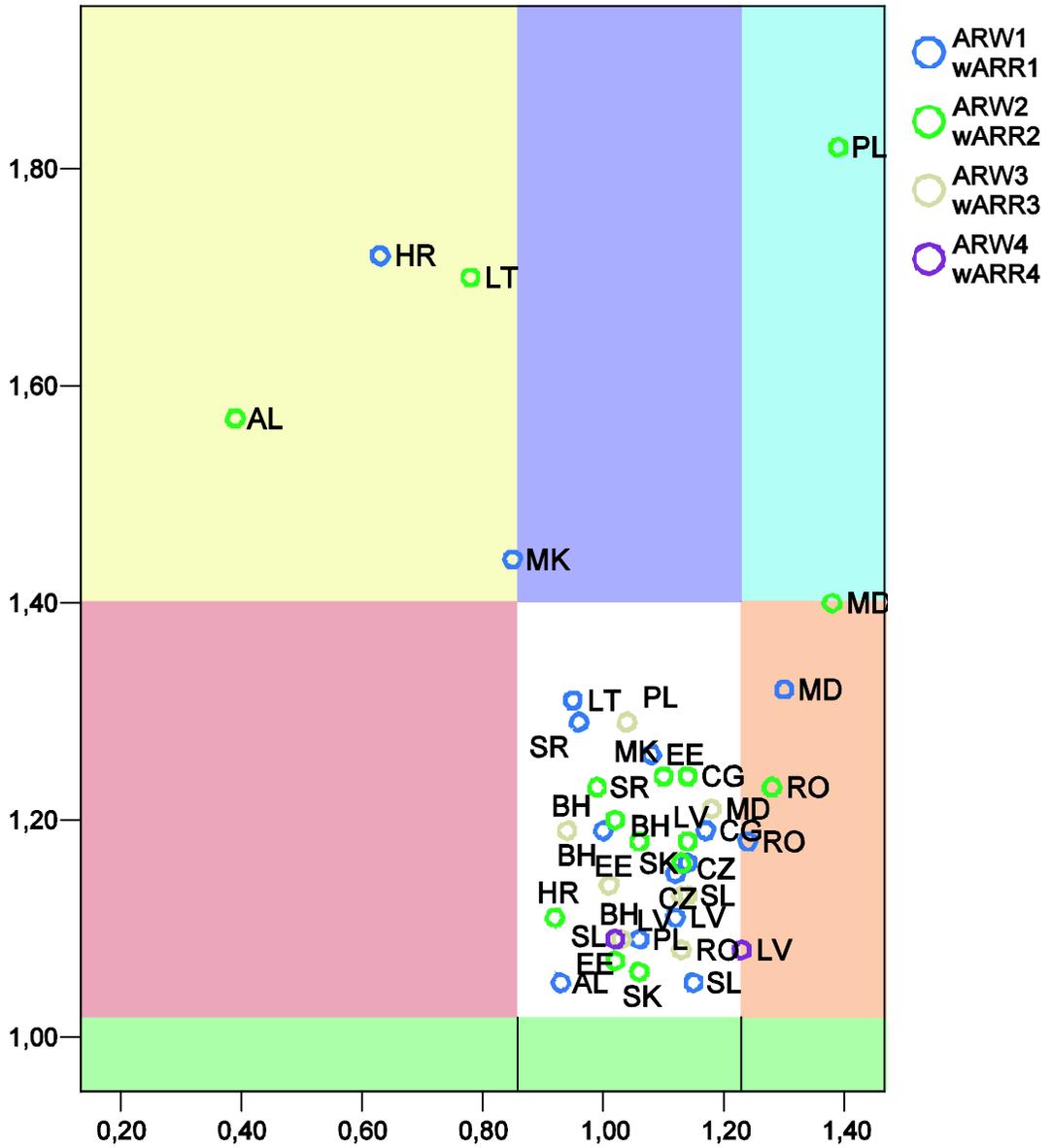
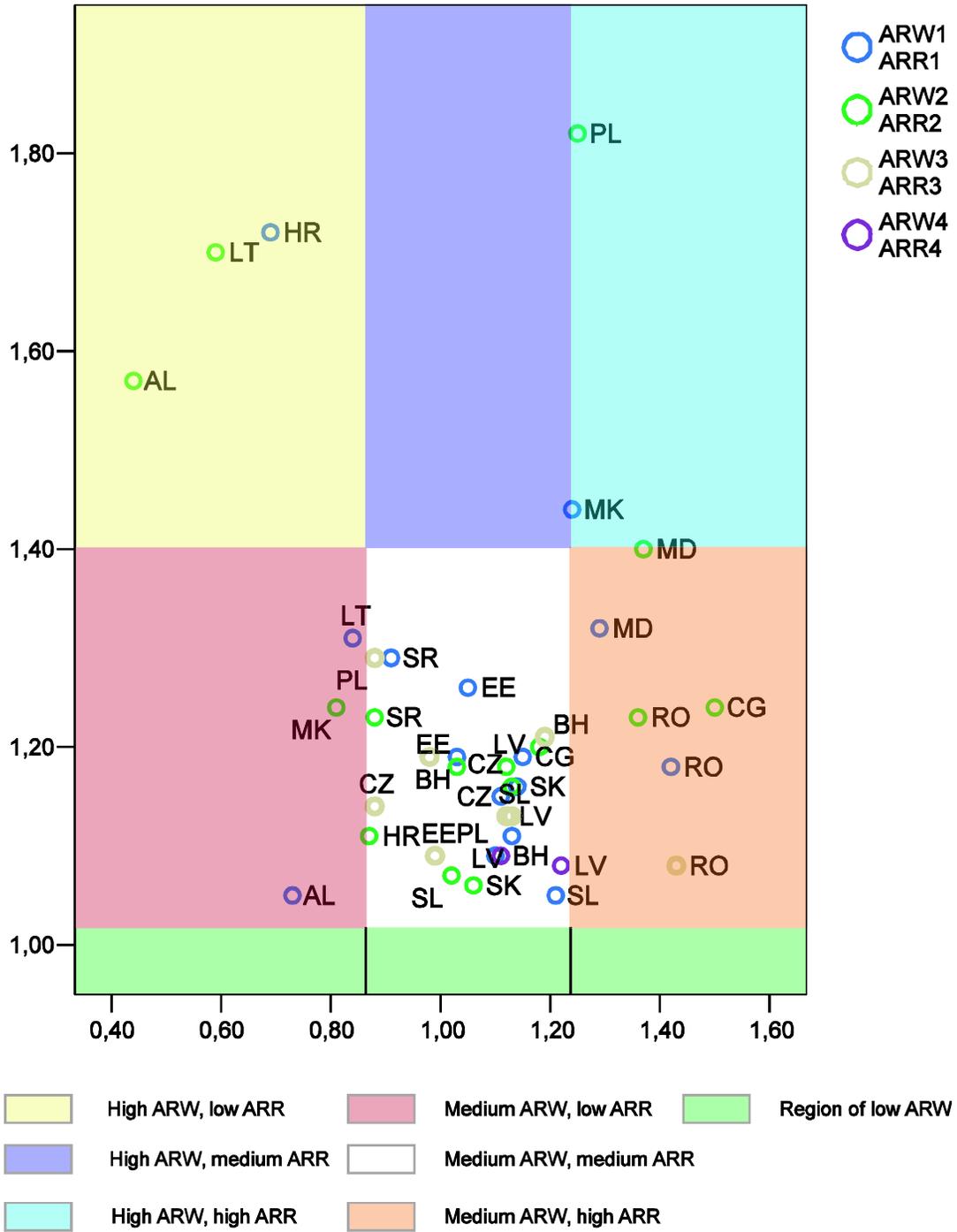


Table 4. ARW and unweighted ARR for electoral moments under observation (spatial model)

(AL – Albania, BH – Bosnia and Hercegovina, CG – Montenegro, CZ – Czech Republic, EE – Estonia, HR – Croatia, LT – Lithuania, LV – Latvia, MK – Macedonia, MD – Moldova, PL – Poland, RO – Romania, SL – Slovenia, SK – Slovakia, SR – Serbia)



The ARW in the overall set was 1.23 (standard deviation 0.18) and the weighted ARR was 1.05 (standard deviation 0.18). The average ARW and weighted ARR before and after the reform did not change.

We then transferred the measured values of ARW and ARR using statistical inference into trichotomic variables with values of low, medium, and high. Their combination resulted in nine logical variations describing the relation between ARW and ARR. The relation between ARW and weighted ARR in individual electoral competitions is shown in the following table

Table 5. ARW and weighted ARR for electoral moments under observation (trichotomized)

ARW/ARR	Low	Medium	High
Low		AL1 BH 1,2,3,4 CZ 1,2,3 EE 1,2,3 HR 2 LT 1 LV 1,2,3,4	MD 1,2 RO 1,2 (4)
Medium		MK 2 MD 3 PL 1, 3 RO 3 SK 1,2 SL 1,2,3 SR 1,2 CG 1,2 (31)	
High	AL2 HR1 LT 2 MK 1 (4)		PL 2 (1)

The most common category is the medium combination (medium ARW- medium ARR, 31 cases). In the remaining categories, 4 cases are represented by the category of high ARW- low ARR and the category of medium ARW- high ARR, and one case falls into the category of high

ARW- high ARR. The category where the winning party has high AR while other parties have low AR is represented by Croatia and Macedonia before the second electoral reform, and Albania and Lithuania after it. The combination of medium ARW and high weighted ARR was typical for the first and second Romanian and Moldovan elections, and a specific situation with high values of both ARW and weighted ARR occurred after the Polish reform. These cases will be discussed further in the text.

From the point of view of evaluating the effect of electoral system with regard to small parties, more importance is attributed to the overview of ARW and unweighted ARR

Table 6. ARW and unweighted ARR for electoral moments under observation (trichotomized)

ARW/ARR	Low	Medium	High
Low			
Medium	AL 1	BH 1,2,3,4	MD 1,2
	CZ 3	CZ 1,2	RO 1,2,3
	HR 2	EE 1,2,3	CG 2
	LT 1	LV 1,2,3,4	
	MK 2	MD 3	(6)
	PL 3	PL 1	
	SR 2	SK 1,2	
		SL 1,2,3	
	(7)	SR 1	
		CG 1	
	(22)		
High	AL 2		MK 1
	HR 1		PL 2
	LT 2		
	(3)		(2)

In this overview, 10 cases fall within categories with low values of ARR, while in eight cases we see high values of ARR with various values of ARW. The ten cases where ARR is low include the Albanian, Croatian, and Lithuanian elections before and after the reform, the Macedonian and Serbian elections after the reform, and the second Polish and Czech elections after the reform. On the other hand, high ARR was achieved in Moldovan elections before and after the reform, all monitored Romanian elections, the second Polish and the second Montenegrin elections. The ARW still remained in the category of *high* in five cases. There were thus eighteen cases outside the *centrum securitas*. In the following discussion we will analyze the

electoral events in question, using this as background for identifying more general conditions of situations that yielded extreme results in one or both *advantage ratio* dimensions in post-communist countries.

Albania

Albania initiated its second reform already before the third election. The aim of the modification carried out by the ruling Democratic Party of Albania (PDSH) was to strengthen the disproportion in election results in favor of stronger entities. This aim was to be achieved by ceasing to base the dependence of distribution on the proportion of votes cast, while separating the proportional and majoritarian distribution and decreasing the proportionality of proportional seats. The PDSH managed to fully achieve its aim, and completely dominated the parliament in the following elections. Here we must add, however, that its lead in the number of votes and consequently in seats was partly due to evident manipulation during the election campaign as well as in the counting of votes (for more details see Observation of the Parliamentary Elections held in the Republic of Albania, May 26 and June 2, 1996).

Bosnia and Herzegovina

After the civil war, Bosnia and Herzegovina formed a new parliamentary body, the lower chamber for which they introduced an electoral system that was not unfavorable for the smaller parties. For the subsequent election held in 1998 the parliament was even more open to these parties. The effect of this has been to decrease the lead that the winner manages to achieve. Particularly the unweighted ARR has strongly influenced by the fact that several parties get into the parliament by a relatively narrow margin, and these parties are then consequently strongly overrepresented. However, the process of de-concentrating of the party spectrum cannot be attributed to the electoral system alone, because with the growing distance from the civil war there has been an erosion in support for the parties that won overwhelmingly in the individual constitutive nations of Bosnia and Herzegovina in 1996 (Izborna Komisija Bosne i Hercegovine; Hladký 2006: 317-321).

Czech Republic

The Czech Republic carried out its second set of reforms before the election in 2002; it was a very moderate version of a law that was meant to help increase the advantage of the big

parties. The expected effect was delayed. While in 2002 no party was within the range of 5 – 10 %, in 2006 the two smallest parties suffered the reform's consequences, as is evident from the values for the weighted average of the AR. It is probably a bit of a paradox that the worst consequences of this electoral reform effect were suffered by the Civic Democratic Party (ODS) that had consistently promoted modifications aimed even more against smaller parties. This is because its potential coalition partners were underrepresented, which allowed the ODS's left-wing rivals to obtain exactly half the seats in the Chamber of Deputies (Dušek 2004: 365-370; Výsledky voleb 2006).

Estonia

The peril of the Estonian party system in the first half of the 90s was the high proportion of coalition groups whose splitting contributed to the low transparency or even destabilization of the party spectrum (Pospíšil 2005: 32-33, 61). The electoral law was therefore modified before the election in 1999, preventing other forms of candidacy than by separate political parties or independent candidates (see Elections and Referendums in Estonia 1989-1999). Besides weakening the position of smaller parties in choosing a strategy, in practice this worsened conditions for the winner as well. One of the strong motives for forming coalitions was a specific modification of the d'Hondt election divisor advantageous to the big parties in the final distribution.

Political parties were forced before the election to either complete the integration processes with partners with similar programs, or stand on their own. This is one of the reasons why the values of the winner's AR decreased considerably and came closer to the averages of other parties. The winner still probably has an advantage over the others, but a repeat of the result from 1995, when the coalition of the Estonian Coalition Party (EKE) and the Estonian Country Union (EML) gained nearly a third of the vote, is unlikely. A further decrease in the winner's AR is caused by the fact that in 2003 the second strongest party obtained only a few less votes and the same number of seats as the winner, so its higher AR somewhat deflected the value in favor of other parties.

Croatia

Before the election in 1995, the Croatian Democratic Union (HDZ) decided to change the election law a second time to help the party achieve its goal of staying in power. Although the new law involved more proportional results, it contained a hardened electoral threshold for coalitions (the opposition was divided into a number of small parties), and set aside 12 seats for the Croatian diaspora that traditionally strongly supported the HDZ. Another factor we should mention is the scheduling of elections for a date shortly following the end of the civil war in Croatia and in Bosnia and Herzegovina, at the final stage of which the Croatian army achieved many military successes (see Hloušek 2004: 148).

In the end, the election results in standard voting meant that compared to 1992 the winner's lead was considerably decreased. Moreover, the HDZ failed to repeat its overwhelming victory in single-mandate districts or to significantly increase its lead in proportional voting.⁴

Lithuania

Before the election in 1996, Lithuania slightly raised the election threshold, cancelled the exception for national minority parties, and slightly worsened the conditions for coalitions. This change was accompanied by a considerable shift in the AR in favor of the strongest party and also a certain group of parliamentary parties (see the significant difference between weighted and unweighted average of the AR in these elections). The raising of the election threshold, along with a certain disintegration of the party spectrum, combined to produce more wasted votes than in the preceding elections. Thus the AR in the proportional component for parties capable of exceeding the election threshold grew in this election (in proportional voting) to values approximating 1.5. Moreover, the winning Homeland Union–Lithuanian Conservatives (TS-LK) were clear winners in single-mandate districts (Rose – Munro 2003: 211-225). The combination of these two factors led to a very significant advantage for the winner, which, however, was more a result of the current situation than of the actual change of electoral system.

Latvia

For its founding elections Latvia introduced a proportional system with a 4% election threshold, which was achieved in the 1993 election by no less than 8 party lists. For the next election, therefore, the threshold was raised to 5% in hopes of decreasing their number. The expected effect of the electoral reform was somewhat delayed. In the first election following the

reform there were 9 parties that made it into the parliament; only later did their number decrease to 6 (cf. Hloušek 2003: 127-130, 158-159; Saeimas vēlēšanas). The change was not accompanied by a relevant change in the proportion of the AR of the winning party and of other parties, because the method of translating votes into mandates, one that does not disadvantage smaller parties, remained the same as before the reform. The AR deviated only in the 2002 election, namely in favor of other parties, as a result of differing voter turnout in individual electoral districts, which was clearly to the advantage of a part of smaller parliamentary parties.

Macedonia

The first change was made in Macedonia relatively late, only before the third election held in 1998. For the next election after that they introduced the list proportional electoral system. To a certain extent it was a solution forced from outside. The new system was intended to guarantee that the Albanian minority would obtain proportional representation (which it had previously been able to obtain only when its elites were willing to cooperate in the majoritarian component of voting – Pacák 2000: 27-28, 34, 42; Birch 2003: 164). The change of the electoral system was much felt in the values of AR, especially if we compare the weighted and unweighted averages of other parties (the winner was in both cases clearly overrepresented). In 1998 the unweighted ARR was clearly higher than the weighted ARR because with the exception of the winner, only the weakest party was overrepresented (but very significantly at that). Two years later both values were basically switched – this time the decisive factor for ensuring proportional representation was a gain of over 5% of the votes cast. Although weaker parties were able to obtain representation, they were clearly underrepresented. That is why the value of the unweighted average for other parties was this time much lower compared to the weighted average.

Moldova

Moldova raised the basic election threshold for political parties from 4 to 6% in 2001, which entailed a worsening of conditions for independent candidates and coalitions. The aim of the reform was to prevent the growth in the number of parliamentary parties. Until then, 4 lists had succeeded in every election; this time if the election threshold had been maintained, there would have been 5 entities that would have made it into parliament. However, the raised

threshold was only achieved by 3 parties (or coalitions), and this number remained the same in the following election in 2005 (Asociația pentru Democrație Participativă – Alegeri). Nevertheless, since the other rules were maintained, the degree of overrepresentation of the winning party and other entities has remained very similar. Its change is fully linked to the proportion of wasted votes.

Poland

The Polish election in 1991 allowed the entry of a large number of parties into the parliament, giving certain advantage only to the group of very small parties. In reaction, there was a combination of rule changes: introducing a threshold, decreasing the size of electoral districts, and changing the translation of votes into seats, in order to completely eliminate several parties from the parliament, and give privilege the big parties the advantage over the smaller parties. The goal was achieved, and the number of parties decreased to 7 (or 6 in 1997). Bigger parties were clearly privileged over smaller parties, disregarding the proportion of wasted votes (Birch et al. 2002: 26-28, 31-32; Kubát 2004: 94-114). The proportion only influenced whether the AR would be high (in 1993), or a bit lower (in 1997). The difference in values for weighted and unweighted average is based, then, on whether the winner of the elections had a clear rival. In that event these parties were as overrepresented as the winner, which is supported by the growth in the difference of the AR value for other parties in the weighted and unweighted average.

Romania

Romania changed its electoral system for the second time by way of raising the election threshold before the fourth election, in which the competing parties had to exceed a 5% threshold instead of the original 3% threshold, and the limit was slightly raised for coalitions as well. The change contributed to a further decrease in the number of parliamentary parties, and due to the waste of votes after the reform it also contributed to a short-time increase in the proportion of wasted votes (Birch et al. 2002: 102; Election Results – Romania). When evaluating the AR in Romania, the crucial problem lies in the seats reserved for candidates from national minorities, which have a minimum representation *de facto* guaranteed. If they had been eliminated from the set, the values of the AR for the winner and for other parties would be practically equal, only

slightly influenced by the fact that the winner hasn't yet been the most overrepresented party in the parliament. If the minorities are included in the weighted average of the AR of other parties, there is a very slight deviation in favor of others, but the unweighted average is strongly influenced in favor of the smaller parties.

Slovakia

The aim of the second reform in Slovakia, adopted shortly before the parliamentary election in 1998, was to provide maximum advantage to the ruling Movement for a Democratic Slovakia (HZDS). At the same time this step was not intended to work against the small parties, as that would necessarily threaten the interests of the Movement's coalition partners. Probably the biggest change was the radical deterioration of conditions for coalitions, officially motivated by an effort to prevent excessive fragmentation of parliamentary factions, but in fact aimed against two opposition groups that were trying to enter the election competition as coalitions. The reform forced the opposition coalitions to transform (three Hungarian parties united into the party called the Party of the Hungarian Coalition, five Slovak parties formed a special electoral party, Slovak Democratic Coalition, whose only members were people from the ballot). But opposition voters didn't abandon them despite these transformations, and HZDS was deprived of power for the first time by means of elections (Kopeček 2006: 188-190). The rules used before and after the reform did not otherwise differentiate the success of parliamentary parties depending on their size, and the proportion of the AR of the winner and of other parties remained equal. The overall decrease was caused by the minimum of wasted votes, since in the strongly polarized society, only a minimum of voters gave their votes to parties that didn't have a chance of entering the parliament.

Slovenia

The extent of the second Slovenian reform is very close to the limit of reforms we have defined as ineffective, because it included only a slight raising of the election threshold (de facto by less than 1%), and a modification of the second count removing a certain advantage for smaller parties (Zakon o volitvah v Državny zbor 2000). The AR values were particularly affected by the second change, as the electoral system is neutral towards overrepresentation of parliamentary parties. The slight raise in the threshold has not yet affected any party, as they have

either managed (if by narrow margins) to exceed the raised threshold, or their gain would not have been sufficient for representation by the original rules anyway.

Serbia

A modification increasing the number of electoral districts came relatively shortly before the election in 1997, which among other things contributed to a boycott of the vote by a part of the opposition (Goati 2001: 123-124; Lučić 2002: 31). Reflecting the smaller proportion of wasted votes and the reduced lead of the winner over the second strongest party, the AR of the strongest party was somewhat changed, but it still remained evidently better than the AR of other parties. There was a certain change among this group, where parties with strong regional background gained more support (at the expense of the boycotting national opposition).

Montenegro

As in Serbia, the second reform was only a temporary step that was followed by a third reform canceling the districts and introducing a national threshold instead of regional thresholds. The structure of parliamentary parties was thus somewhat changed in 1996. While in 1992 only parties supported by Montenegrins (or Serbians) gained seats, in 1996 three parties made it into the parliament (even though with small representation) representing smaller, locally concentrated ethnic groups (two parties representing Albanians and one representing Bosniaks). The system was disadvantageous for parties with more scattered support, especially the Social Democratic Party (SDP), which gained nearly twice as many votes as both Albanian entities together (Centar za monitoring – Izbori). The presence of strongly overrepresented minority parties (the Bosnian Party of Democratic Action had a slightly lower AR than the election winner, while both Albanian parties had much higher) explains the big difference between the weighted and unweighted mean of the AR of other entities. The second strongest party (and, besides the winner, the only nationwide party) achieved clearly lower overrepresentation than the winner, and the small gains of minority parties had little effect on the weighted value. On the other hand, the unweighted value was strongly influenced by the fact that half the parties utilized their votes much better than the election winner.

4. Conclusion

To conclude the substantive discussion, we have found strong evidence in terms of the electoral rules that would tentatively support our hypothesis. The evidence in the realm of actual voting is more ambiguous. This would support our preceding argument that for the analysis of the actual distributions of seats, electoral rules on one hand, and distribution of votes (based on a current political conditions and electoral history) on other, should be for practical as well as analytical purposes taken as two separate research branches that sometimes reinforce themselves but sometimes function as “checks and balances”, producing effects in opposite directions.

As for methodology, probably no separate analytical tool is able to reproduce the complex dynamics of electoral competitions in post-communist countries. We see the significance of using the statistic of *advantage ratio*, separately determined for the winning party, and in weighted and unweighted form for other parties, in the possibility of fast identification of electoral competitions where extreme results are achieved in one or both dimensions. Further research in this area could focus on examining the connections between combinations of ARR and ARW with specific characteristics of the electoral competition. It is for instance likely that the combination of high ARR and ARW is typical for electoral competitions with a high percentage of votes that are not converted into seats (e.g. due to a high thresholds). The combination of high ARW and low ARR is typical of electoral competitions with election rules that are advantageous for the winning party (e.g. bonuses) or big parties (e.g. small electoral districts), while the combination of low ARW and high ARR can be for instance connected with some types of territorially little homogenous electoral competitions. However, this relation is less clear in many of the remaining categories, and must still be established, which motivates further examination of the utility of ARW and ARR as one of the tools for describing electoral change.

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Slovenia

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¹ Originally, the planned reform was supposed to worsen the position of small parties even more. There were supposed to be 35 electoral regions and the d'Hondt divisor was to be modified by increasing the first number in the row to 1.42. These changes were however rejected by the Constitutional Court because according to its view they contradicted the Constitution which guarantees proportional representation for the Chamber of Deputies (see Belko 2004: 205).

² According to the modification, the seat in the first count was captured by the candidate that gained the number of votes corresponding to or exceeding the Hare quota in his/her election district (which leaves a certain chance, though minimal, for small parties and independent candidates). The seats in the second count were captured by parties whose candidates exceeded in total the Hare quota, the condition being that the party gains at least 5% of votes in the area of the whole state. In the third count, the remaining seats were distributed (at that time more than a half – see Pospíšil 2005: 60 and Taagepera 1996) among political parties with at least 5% gain of votes statewide. The distribution used an Estonian modification of the d'Hondt divisor (1, 2^{0,9}, 3^{0,9}, 4^{0,9}...), according to which all 101 seats were distributed and then each party obtained the difference between the number of seats already gained in the preceding counts and the number ascertained in this calculation (see 1992 Riigikogu Elections Law and 1994 Riigikogu Elections Law).

³ Besides the national district, a special electoral district was established in an area with a high concentration of the Albanian minority, where it wasn't required to exceed the threshold of 3% at national level. In this district, the parties representing the Albanian minority could permanently gain 2 out of 5 seats (Pavićević 2002: 22).

⁴ Although the HDZ gained an absolute majority of seats, it was a disappointment compared to the expectations (see Hloušek 2003: 114). The HDZ managed to make the most of the diaspora, where it had de facto 12 seats guaranteed disregarding the number of voters which was much lower than in Croatia itself (for more details see Kasapović 1996: 271-272).