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# Political Institutions and Party Switching in Post-Communist Legislatures

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### Political Institutions and Party Switching in Post-Communist Legislatures<sup>1</sup>

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#### I. Introduction

Party-switching, floor-crossing and defections are regular features of parliamentary life. Yet, even though disloyal behaviour on the part of individual parliamentarians weakens the cohesion of political parties, and as such works to undermine the very effectiveness of parliamentary government (Sartori 1994; Schattschneider 1942), the comparative literature on party switching and defections remains underdeveloped. A particular shortcoming of this literature is the assumption that defections and switches are "symptomatic of some underlying system-wide conditions, such as electoral realignment (Canon and Spusa 1992) or a weakly institutionalized party system (Mainwaring 1999; Mainwaring and Torcal 2005; Heller and Mershon 2009: 4). Zielinski (2002) echoes this by arguing that the organizational instability of political parties in new democracies is a transient phenomenon that would appear over time and, therefore, does not have much theoretical significance.

This paper seeks to make a contribution to the study of party switching in new democracies. Although the literature on party discipline and cohesion in established democracies is voluminous (Bowler, Farrell and Katz 1999; Becher and Sieberer 2008; Carey 2007; Desposato 2006; Hazan 2003; Heller and Mershon 2008, 2005; Hix 2004; Mershon and Shvetsova 2008; Nokken and Poole 2004; Ozbudun 1970; Sieberer 2006) there is much less written about these phenomena in new democracies (Grofman, Evald and Taagepera 2000; Montgomery 1999). The paper specifically focuses on the effects that political institutions have

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on party switching in the post-communist democracies of Eastern and Central Europe. It argues that political institutions play a key role in shaping patterns of party switching by defining the incentives for and against such behaviour. If institutions matter, then cross-national variation in patterns of party switching must reflect cross-national variation in the relevant institutional arrangements. Specifically, the paper claims that there are two sets of institutions that ought have an impact on and explain variation in the degree of deputies' party loyalty in post-communist legislatures: i) the electoral system; and ii) legislative rules about defections and the formation of parliamentary party groups.

The paper starts with an overview of works on party cohesion and discipline with special attention to the role of political institutions. This is followed by specifying which institutions are likely to have an impact on party switches in the ten new democracies of the European Union. Next, we review preliminary data about the relationship between these institutional arrangements and party switching. Finally, we provide a case study of party switching in Hungary; an excellent example of a post-communist democracy that shows how political institutions can reduce and contain party switching rates over time.

#### II. Theoretical perspectives

*The dependent variable: what is party switching?* 

There are two basic approaches to defining and counting party switches and defections. The first is a parsimonious one that takes any change in a deputy's partisan affiliation as an instance of a party switch (Desposato 2006). On the other hand, Kreuzer and Pettai (2003) argue that there are five to six different types of such changes that should be kept analytically distinct: i) no partisan affiliation; ii) no change in partisan affiliation; iii) party switching, which is the exit from one party and entry into another party by the same politician; iv) fusion, which Kreuzer and Pettai call a "collective reaffiliation strategy" that involves the majority of two or more parties'

members to create a new entity; v) fission, which is another collective reaffiliation strategy that involves a minority of a party's candidates who secede from their parent party to form a new organization; and finally vi) starting-up, which is the creation of an entirely new party by previously unaffiliated politicians. For the purposes of this paper, we shall adopt the parsimonious definition and will report numbers accordingly unless otherwise specified.

#### Party cohesion and discipline

According to Ozbudun's well-known definition, cohesion is "the extent to which, in a given situation, group members can be observed to work together for the group's goal in one and the same way ... cohesion suggests an objective condition of unity of action among parliamentary members, which may or may not be the function of disciplinary repressions" (1970: 305). In contrast to cohesion, party discipline "refers either to a special type of cohesion achieved by enforcing obedience or to a system of sanctions by which such enforced cohesion is attained" (Ozbudun 1970: 305). These definitions as well as the dichotomization between cohesion and discipline is generally accepted in the literature. However, Hazan (2003) suggests a further nuance by suggesting that there is a sequential relationship between the two: discipline starts where cohesion falters. "If the goal is unity of action among party representatives in parliament, this can be achieved either by cohesion or by discipline. When cohesion weakens then discipline can help maintain party unity of action, up to a point" (2003:3).

Institutional accounts of party cohesion focus on the impacts of constitutional factors, the electoral and the party system. With regard to constitutional structures, the conventional argument is that parliamentary systems of government promote greater party cohesion than presidential ones (Beer 1982; Bowler, Farrell and Katz 1999; Huber 1996; Mayhew 1974; Shugart and Carey 1992; Tsebelis 2002). The main reasons for this are the following:

In parliamentary system, where the executive is 'fused' to a parliamentary majority, governments can reward loyal backbenchers with ministerial seats. The re-election prospects of parliamentarians from the majority party are also closely associated with the performance of their party leaders in government. Moreover, governing parties can use a vote-of-confidence motion, which presents their parliamentary supporters with the risk of not being re-elected if the parliament is dissolved (Hix, Noury and Roland 2005: 211-12).

In contrast, the constitutional separation of the executive from legislative accountability reduces the need for parliamentary party cohesion in "presidential/separated-powers systems" of government. Yet, Gaines and Garrett (1993) find that the impact of these constitutional features may be overdrawn as they report on significant dissension and defection from the party line in the British Labour Party between 1974 and 1979.

Another constitutional variable that affects party switching is the incorporation of antidefection clauses in national constitutions that impose penalties on deputies who leave that party
that got them elected to parliament. Most such constitutional clauses are found in former British
colonies in Africa and Asia (Nikolenyi 2011), however, there are also three European instances:
the constitutions of Portugal and Ukraine (2005-10) stipulate(d) that a deputy who leaves his/ her
parent party shall lose his/ her seat in the legislature, while the Serbian constitution takes a more
moderate positions by leaving open the possibility for deputies to place their mandate in the
hands of their party, which in turn can decide to terminate it.

As a general rule, the development of representative forms of government, and liberal democracy, in Europe has been coterminous with the gradual disappearance of the imperative mandate and other forms of restrictions on deputies' freedom of action (see Fitzsimmons 1994: 33-69; Holden 1930; Lewin 1988: 51-3; Pasquino 2001: 205-22). This European norm was summarized in the 1990 Copenhagen Document of the Conference on Security and Cooperation in Europe, which stated that:

To ensure that the will of the people serves as the basis of authority of government, the participating States will ... ensure that candidates who obtain the necessary number of votes required by law and duly installed in office and are permitted to *remain in office until* 

their term expires or is otherwise brought to an end in a manner that is regulate by law in conformity with democratic parliamentary and constitutional procedures (italics added).

Similarly, the European Commission of Democracy Through Law (Venice Commission) also emphasized this same point when it rendered its opinion on the Ukrainian anti-defection legislation:

Without underestimating the importance of parliamentary groups for a stable and fruitful work, membership of a parliamentary group or bloc does not have the same status as that of deputy elected by the people. This distinction is decisive for a parliament representing the people where deputies comply with their conditions and oath (Venice Commission 2009: 8).

Indeed, none of the ten post-communist democracies allow for the imperative mandate in any form in contrast to Russia and Ukraine between 2006 and 2010 (D'Anieri, 2007). In fact, the constitutions of seven of the ten states explicitly rule out any restriction on the freedom of parliamentary deputies to exercise their mandate freely (Czech Constitution Article 26, Slovak Constitutions Article 73, Slovenian Constitution Article 82, Polish Constitution Article 104, Romanian Constitution Article 66, Bulgarian Constitution Article 67 and the Estonian Constitutions Article 62); one of them (Latvia Constitution Article 14) forbids only a particular form of a binding mandate, namely the recall of deputies by their voters; and the constitutions of only two states are silent about the issue (Hungary and Lithuania).

Different electoral systems also provide different incentives for party cohesion. Parliamentarians who are elected under electoral rules that encourage voters to cast a party-oriented rather than a candidate-centered one (Carey and Shugart 1995), such as closed-list proportional representation, will owe their career to the party rather than their own reputation and personal relationship with the constituents. Therefore, since their re-election prospects are also tied to the party, they will be less likely to break their allegiance to their nominating organization. However, low barriers to parliamentary entry provide an exception to this general

rule. If the electoral system is highly proportional and affords even very small parties a reasonable chance to get parliamentary representation, then deputies might be attracted to defect from their nominating party in the hope of re-entering under the permissive electoral rule. Electoral system components that lead to a lowering of entry barriers are large district magnitudes, low nominal and effective thresholds, and easy or no restrictions on *apparentement*, i.e. the formation of joint lists as electoral cartels for the purposes of seat allocation (Lijphart 1994). Conversely, low district magnitudes, high thresholds and restrictions on or the outright forbidding of electoral coalitions can help an otherwise party-centered electoral system to induce cohesion among the party's elected members. Candidate-centered electoral rules, e.g. list-based proportional representation with preferential votes, provide deputies with the incentive to build personal reputation among the voters, which weakens their reliance on the party for prospects of re-election (Cox and Rosenbluth 1995). Again, combined with low barriers to entry, such electoral systems will foster particularly low levels of party cohesion.

The third set of institutional explanations of party cohesion focus on the structure of the party system, namely its competitiveness and polarization, as well as the nature of political party organizations. In his study on the American state party systems, Golobiewski found that "party cohesion is a direct function of the degree of competition between political parties" (1958: 501): he reported weak degrees of party cohesion in most one-party states, but strong ones in states with two-party competition. Similarly to competitiveness, ideological polarization among parties is also reported to have a direct negative effect on party cohesion (Epstein 1956). The logic of this argument is that would-be defectors are discouraged from crossing the floor when the party that they would, or could, join is ideologically far from their parent party. Conversely, when parties are located closer to each other in the ideological space, their legislators would find it easier to cross over the party lines. Castle and Fett (1996) note that cross-pressured Congressmen

who are situated near the centre of the space, on the ideological margins of their parties, are indeed much more likely to switch than their co-partisans who are farther from the centre.

The key nexus that connects the nature of party organization with the party's parliamentary cohesion is the degree of influence that the national party leadership has over the candidate selection process. If the composition of the party's team of candidates is controlled exclusively by the national leadership, deputies have an incentive to be loyal to the party line and the party label in order to secure their re-nomination. Alternatively, if a party has an open and inclusive candidate selection process, such as the primaries that are used by the two main American and several Israeli parties, or if the local branches and caucuses have direct impact on the nomination of the party's local candidate(s), then deputies' will want to be responsive to the needs of their constituents no less than to the expectations of the central party leadership (Hazan 2003: 5; Rahat and Hazan 2001). Similarly, Gaines and Garrett found that "[i[f] a Member's constituency party – responsible for reselection—had preferences that differed substantially from those of the national party leadership, it put heavy pressure on their MPs to defect from the party line" (1993: 128).

The rational choice models offered by Laver and Underhill (1982) and Laver and Kato (2001) provide alternatives to these institutional accounts. Focusing on party mergers as way to cash in on gains from synergy, Laver and Underhill (1982) show that parties can almost always make gains by merging and forming a larger player that would, in turn, have a greater bargaining power. They note two exceptions to this: first, parties have the incentive to keep merging when the legislature is divided in two equal halves between the players; and second, when there is a large dominant party surrounded by a number of very small parties in the legislature. Laver and Kato (2001) push this analysis further by relaxing the assumption that parties are unitary actors. They show that no legislature is immune to defections because there are always gains to be made by an individual or a group of legislators who exit from their parent party.

#### III. The Institutional Bases of Party Switching

Although political institutions are not the only factors that affect party cohesion, discipline and switching, the review of the literature in the previous section clearly shows that they matter a great deal. However, not all of the institutional variables that we surveyed are equally relevant for the comparative study of post-communist legislatures. First of all, since all ten post-communist democracies have an essentially parliamentary form of government, the constitutional design of executive-legislative relations ought not matter. Second, since none of these states have in place anti-defection laws, or any other institution of binding mandates, party laws of these types cannot be considered relevant either. Third, since the party systems of the new democracies are mostly under- or weakly institutionalized, it is not conceivable to think about them as independent variables either. The only institution that has remained more or less stable in the post-communist democracies and that also has sufficient cross-national variation is the electoral system. Based on the review of the literature, we expect that electoral systems will have the following effects on party switching:

**Hypothesis 1**: Party-based electoral systems, such as closed list PR, will lead to fewer instances of party switching compared to electoral systems with elements of personal vote, such as open list PR systems.

**Hypothesis 2**: Electoral systems with higher average district magnitude will have more frequent instances of party switching than electoral systems with smaller districts.

To these expectations, we add one more that links party switching to the existing parliamentary rules of procedure.

**Hypothesis 3**: The stricter the parliamentary rules on defections, and the higher the threshold for new party formation in parliament the less frequent party switches will be.

The electoral systems of the ten post-communist democracies fall into three distinct groups with regard to the two dimensions that we expect to have bearing on party switching, i.e. district magnitude and the openness of the party list to voter input. There are three states where the electoral system, at least until very recently, has not allowed voters to indicate their preferences over candidates and as such limited their ability to cast a personal vote: Hungary, Bulgaria, and Romania. The same three states have also had the lowest average district magnitude values: Hungary at 7.6, Bulgaria at 7.7, and Romania at 8.2.

Hungary has used a mixed-member electoral system for all post-communist elections. Technically, voters cast a personal vote for candidates in the nominal tier of the electoral competition, i.e. in the single-member districts. However, since every party runs only a single candidate in these districts and voters can only cast a single categorical vote it is not clear that voters are necessarily more motivated by the personal reputation of the candidate than by that of the party that runs him or her (Carey and Shugart 1995). The party list tiers of the Hungarian electoral system consist of closed regional and national lists. Bulgaria used mixed systems to elect its Constituent Assembly in 1990, however, closed list PR was used for all subsequent national elections until 2009 when a mixed member system was created with the establishment of 31 single member districts. However, the party lists remained closed as before. Similarly, Romania also used a closed PR system until 2007 when a new formula was adopted to provide for more voter input in deciding which candidates would enter parliament.

The next group consists of four states (Czech Republic, Latvia, Lithuania, and Slovakia) where the use of preference votes is optional. There are important differences however among the our states: in Latvia, as well as in Lithuania since 2008, voters' preference votes determine the ultimate ranking of candidates on the list, while in the Czech Republic and Slovakia, preference votes matter only their overall number reaches a certain threshold. These four states

have the highest average district magnitude values among the ten post-communist democracies: Czech Republic at 14.3 (since 2002); Latvia at 20; Lithuania at 70, and Slovakia at 150.

The Slovak electoral system provides for partially open candidate lists competing in a nation-wide PR district. Until 2002 voters were allowed to cast up to four preferential votes, which was reduced to 3 that year (Krivy, 2003: 75). However, a candidate's position on the party list could change, in the order of the number of preferential votes received, only if at least 10% of the voters supporting that list indicated a preference. Changes to the electoral systems in 2006 reduced the number of preferential votes required to move a candidate to the top of the party list from 10% to 3% (Rybar, 2007: 699-700). In 2002, an important piece of legislation was passed to prohibit dual party membership. This meant that political parties that united purely for electoral purposes to cross the threshold could no longer maintain their separate and distinct identity in the inter-election period. (Birch et al, 2002: 77-9). The Czech electoral system also provides to partially open lists with average district magnitude dropping from 25 to 14.3 in 2002. Voters have up to four preferential votes that they can cast for candidates on the same list, although these votes become effective only if at least 10% of a list's supporters indicate such preferences. If so then candidate who secured at least 10% of these preference votes would move to the top position on the party's list in a given district. In 2001, the minimum requirement for preference votes to matter was lowered from 10% to 7% (Millard and Popescu 9).

Latvia uses an open-list PR system that allows voters the option of indicating positive or negative preference votes for as many candidates on the list as they like. The determination of final candidate positions on the lists is decided entirely on the basis of these preference votes (Pettai and Kreuzer 1999: 177). Lithuania has used a mixed electoral system for all post-communist elections. In contrast to Hungary, however, the system allows voters to alter the ranking of candidates on the party lists by indicating both their positive and negative preferences. Although parties could technically choose to present closed lists, evidence suggests that they refrain from doing so (Clark, Martinatis and Dilba, 2008: 323; Pettai and Kreuzer 1999: 176-7).

The third group of states consists of Estonia, Poland and Slovenia where the design of the electoral system leaves no choice for the voters but cast a preference vote. In terms of their values of average district magnitude, these states occupy an intermediate category between the previous two states: Estonia's is at 8.4, Poland's is at 11.2 and Slovenia's is at 11.

The Estonian electoral system allocates seats at three tiers. In the multimember districts voters cast their support for one candidate whose election depends on securing enough votes for a full Hare quota (Pettai, 2004). Unused remainder votes are pooled by party lists, which receive additionl seats in the ditrist for each full Hare quota. The third tier of seat allocation takes place among party lists that receive at least 5% of the total nation-wide vote. These seast are allocated among closed national party lists using a modified d'Hondt formula with its divisors raised to the power of 0.9 (Grofman, Evald and Taagepera 1999: 238).

Although Poland has had three different electoral systems in place since 1991, each of them was a variant of a basic open-list PR system. Voters have to indicate their support for a candidate of their choice on the party list that they support. These votes were converted to seats by using the Hare-Niemayer largest remainder rule until 1993 when the d'Hondt method was adopted instead. (Jasiewicz 1994: 403). Slovenia's PR system changed significantly with the electoral reform of 2000, which changed the ballot from closed to an open list. Previously, voters cast their support for one of the competing candidate lists with no possibility to alter the order of candidates. Since 2000, however, voters indicate their support for a single candidate. Seats are allocated among parties in the order of the pooled vote totals of their candidates using the Droop quota (Rose and Munro 2003: 294). As before, lists receive a seat for each full Droop quota contained in their vote totals in the districts with the remainder votes being reallocated among the lists using the d'Hondt rule.

Parliamentary rules about switches, defections and party group formation

The post-communist democracies vary with regard to the restrictions that their legislative rules place on the formation of parliamentary groups. The most important dimension of these rules is the minimum size requirement, i.e. the number of deputies it takes to form a parliamentary party group. In this regard, we can identify three distinct groups of states moving form the most restrictive to the most permissive rules.

The most restrictive rules are in place in Bulgaria, the Czech Republic, Romania, and Hungary; in each of these states the parliamentary rules of procedure require a minimum of 10 deputies for the formation of a parliamentary party group. The National Assembly of Bulgaria provides for the strictest rules. Independents are not allowed to form a party group and deputies who defected from his or her parent party is not allowed to join another party group during the term of the legislature. The minimum number of deputies required for the formation of a party group is 10 with no exceptions allowed. Party groups are dissolved if their membership drops below this minimum. The minimum requirement for party groups formation is also 10 deputies in Romania, however, the rules are more lenient in that they allow defectors, as well as members of a party whose size fell below 10 deputies, to form new party groups. In Hungary, it also takes 10 deputies to form a parliamentary party group with one exception: deputies elected from the same party list, in the list tier of the country's mixed-member system, can form a group with fewer than 10 deputies as long as every deputy elected from the same list joins the group (Standing Orders #14 and 15). Defectors are allowed to join another existing party group after having spent six months as an Independent. This rule, however, does not apply to party splits that result in the creation of new party groups.

In the Czech Republic, prior to the Velvet Divorce it took only 5 deputies to form a new group, which according to Kopecky (2007: 180-1) contributed to the rampant instability of parliamentary parties in the last pre-Divorce legislature. In 1995, however, new Rules of

Procedure were adopted in the lower house that sought to restrict party switching in three ways: i) it raised the threshold of forming a parliamentary party group form 5 to 10; ii) it specified that a new parliamentary party group would be recognized only if its members came from parties other than the ones that got them elected; and iii) unless the Chamber decided otherwise, such new parties were to excluded from financial assistance as well as participation in the various parliamentary bodies (Chapter 9, Article 77). In terms of parliamentary party groups that are formed immediately after an election, the Czech Rules remained quite permissive and required a minimum of only 3 deputies. The Rule also state that deputies can form parliamentary groups of only that party which elected them and that no party can form multiple groups.

The second group consists of three states: Poland, Slovakia and Lithuania. The rules of the Polish Sejm are unique in that they distinguish between two types of parliamentary party groups: parliamentary clubs (klub poselskije) that require a minimum of 15 deputies and parliamentary groups (koto poselskije) that require a minimum of only 3 deputies. Thus, one the one hand the Polish rules have an even more restrictive element than those that are in place in the states of the first group, however, it also allows for exceptions that significantly weaken the restrictive effect of the rules. In Slovakia new Rules of Procedure were introduced in 1996 that increased the minimum size requirement for party groups from 5 to 8 (Chapter 9, Article 64). In contrast to the Czech Republic, the Slovak rules allow electoral coalitions, and not just individual political parties, to establish their own parliamentary groups. The minimum size requirement for parliamentary party groups in Lithuania is 7, almost the same as in Slovakia. However, Article 38 of the Rules of Procedure of the Lithuanian Seimas provides that deputies are free to form a party group "voluntarily, not restricted by any mandates". The only grounds upon which party groups cannot be formed are local and professional interests. In this sense, the Lithuanian rules are unique because they do not require deputies to have been elected by the same party in order to form a legislative party group. Another exception under the Lithuanian

rules is that deputies are allowed to form interim groups "for the implementation of common interests concerning a concrete matter" (Article 42) but the formation of such a group requires only 5 deputies.

The third group consists of the three states with the lowest minimum size requirement: Estonia, Latvia and Slovenia. The Rules of Procedure of Slovenia's National Assembly (Article 28-31) require only 3 deputies for the formation of a party group by deputies who were elected on the candidate list of the same political party. Although every party is limited to establishing only one parliamentary party group, deputies are allowed to form new groups if their party splits up. If a deputy ceases to be the member of the party that elected him/her, he/she is free to organize a group of unaffiliated or independent deputies subject to the same minimum membership requirement as ordinary groups are. However, during the term of a National Assembly, deputies may form only one such group of Independents. The Slovenian rules (Article 29) allow two exceptions from the minimum size requirement: i) the two representatives of the Hungarian and the Italian communities, who are elected by their own communal electorates, are considered to constitute one joint deputy group and ii) deputies elected to the Assembly from voters' lists as opposed to candidate lists of political parties are allowed to form a deputy group regardless of their size. The Latvian and Estonian rules on parliamentary party formation are similar in terms of their minimum size requirements; in both parliaments it takes at least 5 deputies elected form the same party list to form a group. Recent changes to Latvian rules have stipulated that a deputy who leaves his or her party group will not be allowed to join another one during the term of the Saeima. In both countries, political parties are limited to the formation of only one parliamentary group.

#### IV. Electoral systems, party formation rules and party switching

Table 1 summarizes the institutional features of the ten states that we have surveyed above.

Table 1: Electoral systems and party formation rules in post-communist democracies

State	District	Type of candidate	Minimum # of	
	magnitude	list	deputies to form a	
			PPG	
Czech Republic	High	Optional open	High (10)	
Slovakia	High	Optional open	Intermediate (8)	
Poland	Intermediate	Open	Intermediate (3, 15)	
Hungary	Low	Closed and nominal	High (10)	
Bulgaria	Low	Closed*	High (10)	
Romania	Low	Closed*	High (10)	
Slovenia	Intermediate	Open	Low (3)	
Latvia	High	Optional open	Low (5)	
Estonia	Intermediate	Open	Low (5)	
Lithuania	High	Optional open and nominal	Intermediate (7)	

Based on our three hypotheses, the least favourable institutional conditions for party switches can be found in Hungary, Bulgaria and Romania. Each of these states has party-oriented electoral rules, relatively low district magnitudes and parliamentary rules that make it

difficult to form new political parties. As such, we expect that there should be fewer instances of party switches, defections, fission and fusion in the legislatures of these states relative to those of the other states. The diametrically opposite cluster comprises Slovenia and the three Baltic states. In these cases, at least two of the three institutional conditions that are favourable for switches are present. Finally, the third group consists of the Czech Republic, Poland and Slovakia; in each of these states only one of the three conditions that favour party switching is present. In sum, based on these institutional configurations we expect that evidence of party switching from the ten states would fall along the following continuum defined by the states' institutional configurations:

Figure 1: The Continuum of	f Party Switches			
Most switches	I	Fewest switches		
Latvia, Estonia,	Czech Republic,	Hungary, Bulgaria,		
Lithuania, Slovenia,	Slovakia, Poland	Romania		

Table 2 presents preliminary data on the percentage of party switching deputies from six of the ten states. A cursory glance at the numbers in this Table lends strong support for the expectation laid out in Figure 1. Although there were far fewer party switchers in the early Latvian, Polish and Slovak legislatures than expected, subsequent legislatures produced an increase in their numbers that is consistent with our expectations. The most striking case is the Hungarian parliament, with a clear and steady trend of increasing parliamentary party stability. The state with the next fewest instances of party switchers is Romania, followed by Poland and

Slovakia. The Tables also demonstrates that the most party switchers are found in Latvia and Lithuania, precisely as expected in Figure 1.

Table 2: Party switchers in post-communist democracies (% of deputies switching at least once)

State	Term 1	Term 2	Term 3	Term 4	Term 5
Hungary	23.6%	12.9%	6.7%	4.9%	3.9%
Romania*	11%	17%	10%		
Lithuania	-	12.8%	26.3%	41.8%	
Latvia	5%	37%	23%	27%	24%
Slovakia	0.6%	17.3%	30.7%	15%	
Poland		0.17%	13.22%	18.04%	15.43**

Note: \* Based on Heller and Mershon (2009:11). \*\* This legislature lasted for less than two years due to its premature dissolution.

#### V. Party switching in Hungary

The aggregate cross-national indicators conceal patterns of within–state variation that can reveal useful information about the possible motivations for party switching as well as the vulnerability of different political parties to defections. To provide an example of these variations, we consider the case of the Hungarian legislature since 1990.

Table 3 distinguishes eight types of switches in the Hungarian legislature: those that involve a movement from government to opposition (1) and vice versa (2); those that involve a movement within either the governing coalition (3) or within the opposition (4); those that

involve a movement from the government and the Independents (5) or vice versa (6); and those that involve a movement from the opposition to the Independents (7) or vice versa (8). It is striking to note that after the first post-communist parliament, which was characterized by considerable instability in the ranks of the parliamentary party groups, there have been virtually no switches across the government-opposition divide. Internal movements across parties within either the governing coalition or the opposition have also subsided and completely vanished by the fourth parliament. The types of switches that have occurred in almost every Parliament were those that involved deputies moving from either a governing or an opposition party to the Independents and staying there until the end of the parliamentary mandate.

These observations suggest that party switches in Hungary have not been motivated by either office-seeking or policy-seeking motivations. If switchers had been driven by the desire to be part of the government, or bring an alternative coalition to power, we should have seen considerably more movement between government and opposition. Furthermore, if policy-seeking had been the chief motivation for party switching in Hungary, we should have seen more frequent moves between ideologically proximate parties within either the governing coalition or the opposition. Instead, most switches took place from the opposition parties to the Independents.

Table 3. Type of moves by final destination and parliamentary term

Direction	1990-94	1994-98	1998-02	2002-06	2006-10
Within governing coalition	2		3		
Within opposition	1	28		8	
From government to opposition	15		2		
From opposition to government	41		1		
From government to Independent	23	5	17		1
From opposition to Independent	7	17	3	11	16
From Independent	1				

to					
government					
From	1				
Independent					
to					
opposition					
Total	91	50	26	19	17

Not e: Ind epe nde nts are

considered a destination group only if deputies do not move therefrom.

Table 4 presents data about the net gains and losses of deputies by parliamentary parties in the successive Hungarian parliaments. There are significant differences that set apart the parties of the Left and those of the Right. The former (the MSZP and SZDSZ) have witnessed very little if any change in the composition of their parliamentary party groups over time. In contrast, there were significant net losses of deputies registered by the smaller parties of the Right, e.g. MDF throughout the period, and FKGP until 2002. Independents have consistently made the most gains in every parliament.

Table 4. Net change of deputies per party and parliamentary term

Party	1990-94*	1994-98**	1998-02	2002-06	2006-10
MSZP	-2	-1	+1	0	0
SZDSZ	-10	-4	-1	0	-1
FIDESZ	+4	+12	-2	+4	-3
MDF	-39	-18	0	-15	-11
KDNP	+2	-22	-	-	0
FKGP	-40	-4	-16	-	-
MIEP	+12	-	-2	-	-
Independents		+23	+20	+11	+15

Notes: \*In the first parliament, one of the largest gainers was the ephemeral EKGP which attracted 37 deputies, all but one from the FKGP. \*\*In the second parliament, the second largest gainer was the newly formed MDNP that was born as result of the defection of 15 MDF deputies.

At the early stages of the development of Hungary's party system, the changes that took place in a parliamentary party's composition during each legislative term served as a reliable predictor of that party's electoral performance in the next election. For example, the three largest net losers of deputies in the first parliament were the MDF, the FKGP, and the SZDSZ. In the second post-communist election all of these parties suffered considerable losses and were returned with 77%, 40% and 24% fewer seats respectively. The same process continued during the second parliamentary term. The largest numbers of deputies were lost by the MDF and the KDNP while the FIDESZ picked up more than 50% more seats that it had won in the election. Indeed, this was the period of a fundamental re-organization in the Hungarian party systems

marked by the development of FIDESZ as the leading party of the Right bloc. As expected, the next election confirmed and followed the trend of intra-parliamentary changes in the balance of powers among parties. The FIDESZ emerged from the 1998 election as the largest political party, the KDNP lost its parliamentary presence altogether and the MDF was able to enter Parliament solely as a result of its electoral coordination with FIDESZ. The split and eventual dissolution of the FKGP mid-way through the third parliamentary term was followed by complete electoral annihilation of the party at the ballot box in 2002. The exact same fate was met eight years later by the MDF.

Overall, the gradual reduction in party switches in the Hungarian parliament has gone hand-in-hand with the stabilization of the electorate and the consolidation of a bipolar party system anchored around two large parties: the MSZP on the Left and the FIDESZ on the Right. Instead of being a symptom of a stabilizing party system, party switches have actually played an important role as necessary causes in its development. Changes in party groups have sent clues to voters about both the policy positioning and the organizational viability of political parties that would inform their choices at the ballot box in the next election. To what extent this has been true in the other new democracies will be a matter for future research to decide.

In sum, the Hungarian case study points to three additional areas that future research will explore across the ten states: i) variation in party switches by the direction of the moves; ii) variation in party switches by party size and ideological positioning; iii) the relationship between party switching and electoral change.

#### Conclusion

This paper has attempted to develop an institutional approach to the comparative study of party switching in the ten post-communist legislatures of Eastern and Central Europe. It has posited that electoral systems and the internal parliamentary rules on the formation of parliamentary

party groups will drive cross-national variation in levels of party (in)stability in parliament. Preliminary data provide support for this expectation that will be further tested and evaluated as additional data become available. A brief case study on Hungary, the post-communist state with the clearest pattern of declining rates of party switching, has pointed to important patterns of within-state variation in party switching in terms of direction and the type of party or parties involved. Moreover, the case study also suggested that changes in party parliamentary groups may act as predictors of future electoral performance.

#### References

- Beer, Samuel H. 1982. Modern British Politics: Parties and Pressure Groups in the Collectivist Age. New York: W.W. Norton & Co.
- Becher, Michael and Ulrich Sieberer. 2008. "Discipline, Electoral Rules and Defection in the Bundestag, 1983 -94", German Politics 17 (3): 293-304.
- Birch, Sandra., Frances Millard, Marina Popescu, and Kieran Williams. 2002. Embodying Democracy: Electoral System Design in Post-Communist Europe Houndmills: Palgrave Macmillan.
- Bowler, Shaun; Farrell, David M. and Katz, Richard S. 1999. Party Discipline and Parliamentary Government, Ohio State University Press, Columbus.
- Canon, David T. and David J. Sousa. 1992. "Party System Change and Political Career Structures in the U.S. Congress". Legislative Studies Quarterly 17 (3): 347-63.
- Carey, John. 2007. "Competing Principals, Political Institutions, and Party Unity in Legislative Voting", American Journal of Political Science 51 (1): 92-107.
- Carey, John and Matthew S. Shugart. 1995. "Incentives to cultivate a personal vote", Electoral Studies 14 (4): 417-439.
- Castle, David and Patrick Fett. 1996. "A Predictive Model of Congressional Party Switching". Manuscript. Beaumont: Lamar University.
- Clark, Terry, Zilvinas Martinatis and Ramunas Dilba. 2008 "Electoral mandate and Party Cohesion: Does It Matter in Lithuania?", Journal of Communist Studies and Transition Politics 24 (3): 317-37.
- Cox, Gary and Frances Rosenbluth. 1995. "Anatomy of a Split: the Liberal Democrats of Japan", Electoral Studies 14 (4): 355-76.
- D'Anieri, P. 2007. Understanding Ukrainian Politics. Armonk, New York: M.E. Sharpe.
- Desposato, Scott W. 2006. "Parties for Rent? Ambition, Ideology, and Party Switching in Brazil's Chamber of Deputies", American Journal of Political Science 50 (1): 62-80.

- Epstein, Leon. 1956. "Cohesion of British Parliamentary Parties", American Political Science Review 50 (2): 360-77.
- Fitzsimmons, Michael. 1994. The Remaking of France: The National Assembly and the Constitution of 1791. Cambridge: Cambridge University Press.
- Golombiewski, R. 1958. "A Taxonomic Approach to State Political Party Strength", Western Political Quarterly 11 (3): 494-513.
- Hazan, Reuven. 2003. "Does Cohesion Equal Discipline? Toward a Conceptual Delineation", Journal of Legislative Studies 9 (4): 1-11.
- Heidar, Knut and Ruud Koole, eds. 2000. Parliamentary Party Groups in European Democracies. London and New York: Routledge.
- Heller, William B. and Carol Mershon, eds. 2009. Political Parties and Legislative Party Switching. New York: Palgrave Macmillan.
- Hix, Simon. 2002. "Parliamentary Behaviour with Two Principals: Preferences, Parties, and Voting in the European Parliament", American Journal of Political Science 46 (3): 688-98.
- Hix, Simon. 2004. "Electoral Institutions and Legislative Behaviour: Explaining Voting Defection in the European Parliament", World Politics 56 (1): 194-223.
- Hix, Simon, Abdul Noury and Gerald Roland. 2005. "Power to the Parties: Cohesion and Competition in the European Parliament, 1979-2001", British Journal of Political Science 35 (2): 209-34.
- Holden, Alice M. 1930. "The Imperative Mandate in the Spanish Cortes of the Middle Ages," American Political Science Review 24 (4): 886-912.
- Huber, John. 1996. Rationalizing Parliament: Legislative Institutions and Party Politics in France. New York: Cambridge University Press.
- Gaines, Brain and Geoffrey Garrett. 1993."The Calculus of Dissent: Party Discipline in the British Labour Government", Political Behaviour 15 (2): 113-35.
- Grofman, Bernard, Mikkel Evald and Rein Taagepera. 2000. "Fusion and Fusion of Parties in Estonia, 1987-1999", Journal of Baltic Studies 31 (4): 329-57.

- Kam, Christopher. 2009. Party Discipline and Parliamentary Government. Cambridge: Cambridge University Press.
- Kopecky, Petr. 2000. 'The Limits of Whips and Watchdogs: Parliamentary Parties in the Czech Republic", in Heidar, Knut and Ruud Koole, eds. Parliamentary Party Groups in European Democracies, pp. 177-94.
- Kreuzer, Marcus and Vello Pettai. 2009. "Party Switching, Party Systems, and PoliticalRepresentation", in Heller, William B. and Carol Mershon, eds. Political Partiesand Legislative Party Switching, pp. 265-86.
- Kreuzer, Marcus and Vello Pettai (2003) "Patterns of Political Instability: Affiliation Patterns of Politicians and Voters in Post-communist Estonia, Latvia and Lithuania," Studies in Comparative International Development 38(2): 76-98.
- Krupavicius, A. (2009). "Lithuania", European Journal of Political Research, 48 (7-8): 1022-36.
- Laver, Michael and Junko Kato. 2001. "Dynamic Approaches to Government Formation and the Generic Instability of Decisive Structures in Japan", Electoral Studies 20 (4): 509-27.
- Laver, Michael and John Underhill. 1982. "The Bargaining Advantages of Combining with Others", British Journal of Political Science 12 (1): 27-42.
- Lewin, Leif. 1998. Ideology and Strategy: A Century of Swedish Politics. Cambridge: Cambridge University Press.
- Lijphart, Arend. 1994. Electoral Systems and Party Systems: A Study of Twenty-Seven Democracies, 1945-1990. Oxford: Oxford University Press.
- Mainwaring, Scott. 1999. Rethinking Party Systems in the Third Wave of Democratization: The Case of Brazil. Stanford: Stanford University Press.
- Mainwaring, Scott and Mariano Torcal. 2005. "Party System Institutionalization and Party System Theory after the Third Wave of Democratization". Unpublished manuscript.
- Mayhew, David. 1974. Congress; The Electoral Connection. New Haven: Yale University Press.
- Malova, Darina and Kevin Deegan Krause. 2000. "Parliamentary Party Groups in Slovakia", in Heidar, Knut and Ruud Koole, eds. Parliamentary Party Groups in European Democracies, pp. .195-213.

- Mershon, Carol and Olga Shvetsova. 2008. "Parliamentary Cycles and Party Switching in Legislatures", Comparative Political Studies 41 (1): 99-127.
- Montgomery, Kathleen. 1999. "Electoral Effects of Party Behavior and Development Evidence from the Hungarian National Assembly", Party Politics 5 (4): 507-23.
- Nokken, Timothy and Keith Poole. 2004. "Congressional Party Defection in American History", Legislative Studies Quarterly 29 (4): 545-68.
- Nokken, Timothy. 2000. "Dynamics of Congressional Loyalty: Party Defection and Roll-Call Behavior, 1947-1997", Legislative Studies Quarterly 25 (3): 417-44.
- Özbudun, Ergun. 1970. Party Cohesion in Western Democracies: A Causal Analysis. London: Sage.
- Pasquino, Pascale. 2001. "One and Three: Separation of Powers and the Independence of the Judiciary in the Italian Constitution", in John Ferejohn, Jack N. Rakove and Jonathan Riley, eds., Constitutional Culture and Democratic Rule. Cambridge: Cambridge University Press.
- Pettai, V. (2006). "Estonia", European Journal of Political Research, 45 (7-8): 1094-1100.
- Pettai, Vello and Marcus Kreuzer. 1999. "Party Politics in the Baltic States: Social Bases and Institutional Context", East European Politics and Society 13 (1): 148-89.
- Rahat, Gideon and Reuven Hazan. 2001. "Candidate Selection Methods: An Analytical Framework", Party Politics 7 (3): 297-322.
- Rose, Richard. and Neil. Munro 2003. Elections and Parties in New European Democracies. Washington, D.C.: CQ Press.
- Rybar, M. (2007). "The Parliamentary Election in Slovakia, June 2006", Electoral Studies. 26 (3): 699-703.
- Sartori, Giovanni. 1994. Comparative Constitutional Engineering: An Inquiry into Structures, Incentives and Outcomes. New York: New York University Press.
- Schattschneider, E. E. 1942. Party Government. New York: Holt, Rinehart and Winston.
- Shabad, Goldie and Kazimierz Slomczynski. (2004), "Interparty Mobility among Political Elites in Post-Communist East Central Europe," Party Politics 10: 2 151- 76.

- Shugart, Matthew Sobert and John M. Carey. Presidents and Assemblies: Constitutional Design and Electoral Dynamics. Cambridge: Cambridge University Press, 1992.
- Sieberer, U. 2006. "Party Unity in Parliamentary Democracies: A Comparative Analysis", Journal of Legislative Studies 12(2): 150-78.
- Tsebelis, George. 2002. Veto Players: How Political Institutions Work. Princeton: Princeton University Press.
- Zielinski, Jakub. 2002. "Translating Social Cleavages into Party Systems: The Significance of New Democracies", World Politics 54 (2): 184-211.

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