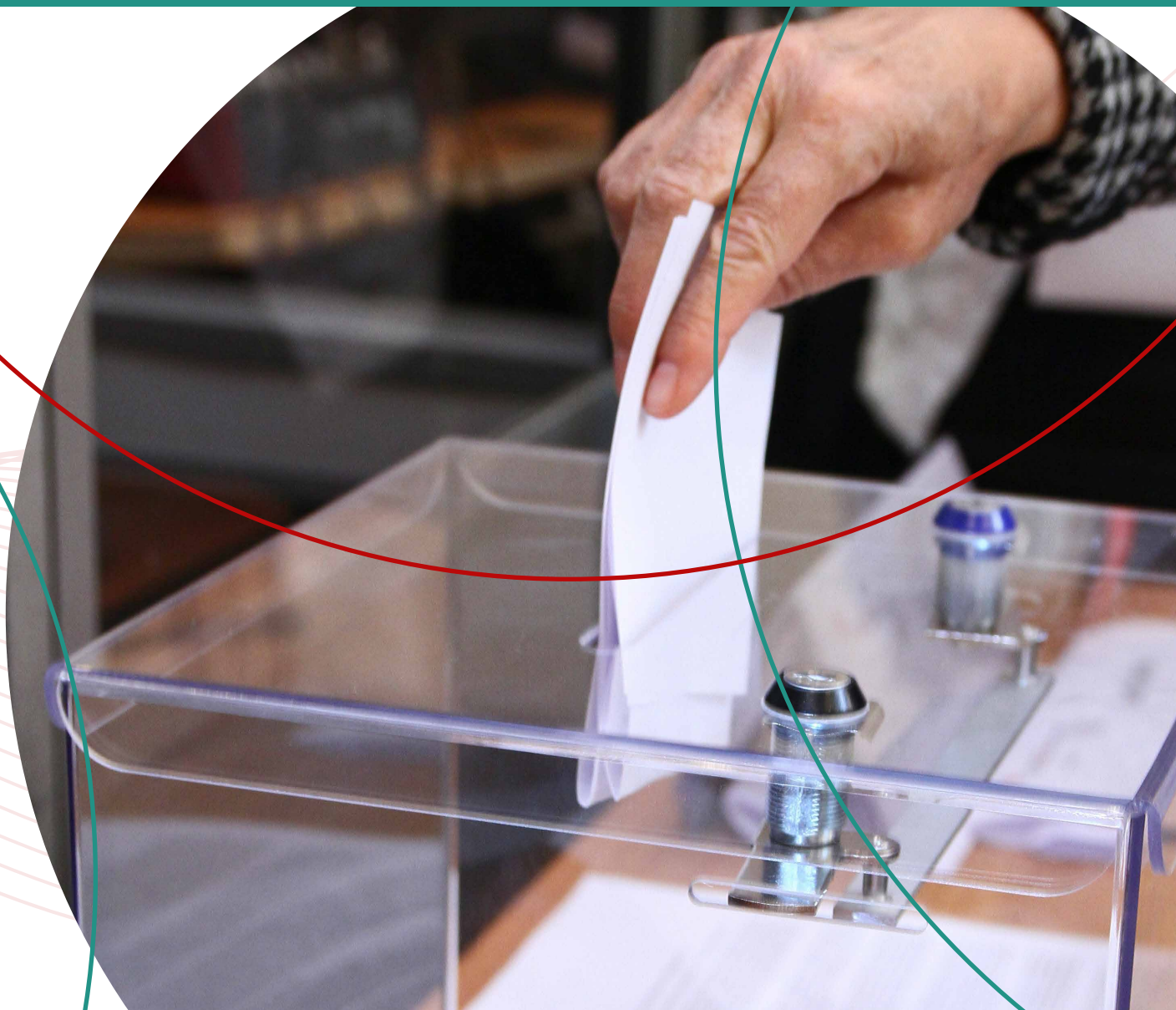


VOTING DURING PANDEMICS MAKING DEMOCRACY RESILIENT IN TURBULENT TIMES

EXPERIENCES FROM CENTRAL - SOUTH - EASTERN EUROPE

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INTRODUCTION

Writing that *COVID has changed everything* or that *it has magnified existing challenges* is a little bit like stating the obvious by now. Although the pandemic isn't yet over, already many volumes have been devoted to diagnosis and predictions about the respective trajectories of socio-economic phenomena that it induced. At the same time, there seems to have been relatively less attention paid to what COVID meant, when it comes to political processes. This is precisely the niche that this publication intends to address.

It has been already two years since the first cases of the disease were discovered in Europe. While the numbers of the infected victims had been growing rapidly, several of the EU member states put all the things on hold, entering full lockdowns. It may appear to have been very long time ago for everyone. And for many politicians, particularly, it has been an equivalent of half of a regular legislative period. Consequently, in several states, the national, regional and/or local elections had been scheduled to take place and came under the question. Although their taking place was a requirement coming from within the national regulations, still this time around the determination to proceed with them and the decisions how to organize them have become expressions of political will.

Altered circumstances meant that there was a need for new provisions to guide the conduct of the institutions in charge of the elections. In some cases, like Poland, this meant executive bill. But in some it would translate to amending the entire electoral code, as it was the case in Bulgaria. For others, the



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elections of the last two years would coincide with the decades long debate about how to reform the electoral code altogether and make the electoral outcomes more representative. Example of it was Czech Republic, where 2021 elections were organized in the spirit of a profound electoral reform that had been debated from over twenty years. Looking at these, as also at the analyses regarding for example Romania, there is one very apparent conclusion. When it comes to public debate, the disputes about how to adjust the electoral codes have been in a natural way overshadowed by the pre-occupation with the pandemic. But at the same time, for the centre left, they have always been understood more as a legalistic dispute than a political one. And that may have been a little bit of an idealistic compartmentalization. First, because the right did not hesitate and attempted to bend the rules in a way that would suit them and feed into what they believed to have been trends favourable to them (i.e. in organization of the votes from abroad). Secondly, it is a very old, but very true rule: *if you do not control the ground, you are likely to lose*. Today it is reaffirmed by the examples that show that unless the electoral law is amended alongside the line of a majoritarian political compromise, very often the extremes will benefit from the changes.

When it comes to organizational aspects of the vote during the pandemics, the main question was how to enable a universal participation. Legislators have been aware that the voters may be anxious about going to polling stations, where they could contract the disease. For many that argument could become yet another aspect of reaffirming their initial position that the best thing one could do is to abstain from participating altogether. Similarly, many potential members of the electoral commissions were rather unsettled about a prospect of meeting so many people at once, while the

virus could still be at rise. Additionally, with the sanitary situation at hand, it was also somewhat possible that many voters would be in the quarantine on the election day and/or have a difficulty to organize their trip to the polling stations (especially the case of elderly or disabled voters). The prediction was also that women would be a social group that would in overall terms meet with difficulties, not being able to free themselves from the domestic obligations that the pandemic circumstances shifted disproportionately onto their shoulders. With low turnouts that had been noted in so many EU Member States over the recent years already, legislators were worried that the above-mentioned circumstances may additionally decrease the number of participants and put the representativeness of the outcome into question. The attempts to remedy included idea of a universal voting by post (idea of which experiment spectacularly failed in Poland), voting via machines (which raised many questions i.e. about public procurement in Bulgaria) or voting away from domiciliation (which was a polarizing debate in Romania). There are certainly many lessons to be learnt here and these in itself would call for a debate within the centre left about the specific aspects of participatory democracy.

Moreover, the respective lockdowns (and lack of them) and other precautionary measures have significantly influenced the character of the electoral campaigns. In majority of cases, the contenders decided to rely more heavily on the opportunities that emerged from increased use of internet. It was not only offering an almost unregulated channels of communication, but also – if to forget about the paid ads and more professional videos for the moment - did not require substantial funds. This seemed to have worked out well for the fringe organisations, who no longer had to face a competition for media attention. It

was undoubtedly a factor that helped the new organisations in Bulgaria not only to raise, but to enter “the big league”. At the same time, the internet enabled also a breakthrough for the politicians, who were not shying away from provocations. Example of this was the strategy by Andrej Babis and his cliffhangers, where he was announcing he *would be telling the truth* (the whole truth and nothing but the truth) the day after. It is unlikely that he would be able to sustain such a suspension moment via regular media.

The internet campaigns altered the character of the campaigns during this pandemic. Suddenly, it was possible to communicate continuously and, on any matter, which meant that it was in the candidates and their spin doctors to decide what message they wish to project. They no longer needed to rely on journalists or news cycle to pick these up. It was also possible to use the party or candidates’ pages to offer “full disclosure”, showing through these every and any moment of the campaign in ‘real time’. These practices seem to have been particularly popular in Bulgaria, but also in Czech Republic. The other side of this coin was however that there was a lot of communication products floating around, with less and less attention paid to the actual content. Spin doctors went for shortcuts, emphasizing the slogans and not even trying too hard to dive into any profound aspect of the electoral programme. The calculations were that the catchy statements and telling videos will attract interest, while anything more complex would only attract those, who became known as *trolls*. The game was about enlarging the bubbles (the online communities), and not so much about providing high-quality debates.

Though this is a reflection only based on summarizing the articles included in this volume, it seems that the centre left was not that prepared for such a campaign. It remains

devoted to the idea that the campaign is about big debates, about creating a conversation and about meeting people in their local communities. This was not an option this time around and some of the analysts suggest that the inability to transform was what made centre left parties fit the negative stereotype of being traditional ones or rather more straightforward said: simply old fashioned. That is offered as one of the reasons why it did not attract young people, yet again.

However different and however turbulent the elections have been, the campaigns and the outcomes gave way to many new processes. In Poland the historical low in the presidential elections was a catalyst of the unification process of the centre left (*understood here as SLD and Wiosna*), which in October 2021 saw a congress and emergence of a new party *Nowa Lewica*. In Romania, there was a different kind of dynamics regarding the governmental negotiations, as also there is a realization that the political preferences among diverse groups of the electorates have changed. That was especially the case for the voters casting their ballots from abroad. In Bulgaria, the three general elections (one regular and two snap ones) saw a great recompositing of the political stage with the quick elevation of new groupings and removal from power of Boyko Borisov alongside with his GERB. That said, they also saw weak results from BSP – some even say historical lows – which will require social democrats to seriously examine their state and potential future choices. Finally, in Czech Republic, the elections have proven a certain paradox. After years of debate how to make the outcomes more representative, this was the time when the biggest amount of “wasted” votes was noted. The CSSD found itself outside of the parliament, after many rather dramatic developments. They exposed that the party was divided internally just a few months ahead

of the vote. Also, anticipating the new formula to calculate the votes, Czech voters tended to believe that the support casted on the centre left or left would anyhow be *wasted* as in the predictions they did not appear to be safely crossing the threshold. That conviction saw them drifting to back other parties instead.

To that end, the articles in this volume are quite unique, when it comes to angle that they cover. They are meant to help analyzing the electoral history of the four countries in the Central, South and Eastern Europe in the two years under COVID pandemics. They encompass the case studies of Poland, Romania, Bulgaria and Czech Republic, looking at three dimensions: electoral laws, electoral campaigns and post-electoral negotiations. The texts have been drafted by academics, who had been invited through the FEPS Member Foundations in these Member States and we remain wholeheartedly grateful to Institute for Social Integration, Centrum Im. Ignacego DaszyDskiego, Masarykova demokratická akademie, Foundation for a Democratic Left and Drustvo Progresiva for their support in convincing those experts to join this extraordinary initiative. The project, within which the volume is published, builds also on the years of cooperation between the

Institute for Social Integration (ISI) in Bulgaria and FEPS. We value very much that having such solid fundamentals, we could jointly create a new opening that we hope will provide Progressives in the region and beyond that with much needed insights and possibly inspiration. To that end, this volume is also finishing with a cliff-hanger and the organisers would like to already invite you to reconnect with us in the months to come, when we plan to provide you with a sequel that will – alongside the same lines – examine the developments in Slovenia and Hungary respectively.

Finally, I would also like to thank all the authors and colleagues involved in what became a process marked with meetings and peer-review rounds. And here especially I would like to express gratitude to Katya Koleva, President of ISI, Dr Stoyanka Balova, the Executive Director of ISI and Céline Guedes, FEPS Project Officer – without whose enthusiastic engagement and hard work neither the process nor the publication would be possible.

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CHAPTER 1 ---

CHANGES IN THE ELECTORAL LAW AND PRE-CAMPAIGN STRATEGIES

LEGAL FRAMEWORKS OF ELECTIONS AND ELECTORAL ADMINISTRATION DURING THE PANDEMIC COVID-19 IN POLAND

I. Introduction

The aim of the paper is to present legal frameworks of elections and the activity for electoral administration during the pandemic COVID-19 in Poland in the context of elections that were held in this time in this country. I will present the regulations of the Electoral Code, that were binding during the pandemic, and the changes that were enacted this time. I will also examine the impact of the pandemic on elections that were held at the time and on the activity of electoral administration as well as a general assessment of Polish electoral rules during the pandemic.

II. Polish electoral regulations – general remarks

In Poland, all issues connected with all the elections (presidential elections, local and regional elections, parliamentary elections to both chambers of Polish parliament – the Sejm and the Senate, the elections to European Parliament) are defined by one act – the Electoral Code. This act regulates such issues as the organisation of electoral administration (State Electoral Commission, General Electoral Office, recruitment of the electoral commissioners and electoral officers, composition of the electoral commissions), general rules of conducting elections, as also financing and organising electoral campaigns. It defines what the crimes and offences against elections are, what court control on the correctness of elections and activities of electoral administration is and also many other specific issues, starting from procedures to nominate candidates ending with the announcement of election results. The electoral system that is regulated by the Electoral

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Code is very complicated and is not commonly understood by society or sometimes, even by the political class. That is caused mostly by the fact that each election is organised and held at least partly according to different rules and by different authorities. Nevertheless, the Electoral Code, which was enacted in 2011, has not been changed many times, except for a large reform of electoral administration in 2018. Therefore general principles concerning organising and conducting elections are the subject of a common political agreement by the majority of Polish political parties.

During the pandemic, only presidential election and many local by-elections (both mayors and local councillors) were held in Poland. That is the reason this paper will focus only on these two types of elections.

III. Presidential election

Presidential elections are general, equal, direct and are held in secret voting. The President of the Republic of Poland is elected for a five years term and can be elected only twice consecutively. A presidential election is set by the speaker of the lower chamber of the parliament (Marshal of the Sejm) not earlier than 7 months and not later than 6 months before the term of office of President of the Republic of Poland expires. Marshal of the Sejm sets the date for the presidential election for a day free from work, not earlier than 100 days and not later than 75 days before the end of the term of office of the incumbent President of the Republic of Poland. Marshal of the Sejm sets the date of the presidential election in the form of an order. Presidential elections are held by the State Electoral Commission that is a permanent electoral authority and by authorities appointed for each presidential election: electoral barrow commissions and circuit electoral commissions. These authorities are

supported by permanent electoral officials: electoral commissioners and electoral officers. The candidates are nominated by at least 100 000 citizens who have electoral rights. They are represented by electoral committees, which are created by at least 15 citizens with full electoral rights.

On the 6th of August 2020 the 5-year term of office of the incumbent President of the Republic of Poland, Andrzej Duda expired. As a result, the Marshal of the Sejm enacted on February 5, 2020, an order in which the presidential election called for on 10th of May 2020. But in March 2020 the pandemic of COVID-19 came to Poland. Public authorities decided to set many restrictions limiting many fundamental rights and freedoms like especially the freedom to travel or the freedom of assembly. That meant that conducting an electoral campaign and organising or holding presidential elections started to be perceived either by public opinion or by public authorities as a real legal and practical problem.

That was the reason to announce on the 6th of April 2020 an Act on the Special Rules for Holding General Elections of the President of the Republic of Poland Set in 2020. This bill declared that the only way to vote during this presidential election would be by poste. Voters wouldn't have to file any application to vote this way. Every voter would receive directly a few days before elections an electoral package with a return envelope, voting card, envelope for the voting card, instructions and declaration of personal and secret voting. Voting would consist of putting the return envelope with a voting card and declaration of personal and secret voting inside a special electoral mailbox prepared by post on the day of elections between 6 a.m. and 8 p.m. All these regulations caused huge public debate, in which opposition parties, politicians and journalists claimed that postal voting could bring a danger for the health and

the life of voters, that the Polish Post is not able to organise postal voting and that the postal voting is a way to rig elections. This bill passed by the Sejm, but the Senate rejected it, using the maximum 30 days to deliberate after having received it from the Sejm. Sejm rejected the opinion of the Senate and as result – despite the fact that the President signed this act and it formally came into force on the 9th May 2020 – the presidential elections couldn't be held on the date that had been ordered by the Marshal of the Sejm. The presidential election was set for the 10th of May 2020, but it did not take place. It brought about a huge political and constitutional crisis. It was solved on the one hand by the State Electoral Commission, which presented such an interpretation of the Electoral Code that created a base to conduct next presidential elections, and – on the other hand – by the Sejm that on the 2nd of June 2020 adopted the Act on Special Rules of Organisation of the Presidential Election in 2020 with the Possibility of Postal Voting.

This is the legal and political context of the changes in the Polish electoral law which was connected with the COVID-19 pandemic.

Consequently, the alterations in the electoral law, which were enacted during the pandemic a can be divided into two groups. The first group consists of changes in the Electoral Code that are permanent and do not apply only during the pandemic. The second group are special regulations that are only for elections during the pandemic and lose their validity afterwards. Both groups consist of small groups of regulations.

The first of the group concerned a few changes in the Electoral Code, which were enacted at the beginning of the pandemic on the 31st of March 2020, Sejm voted for one of the several acts regarding special regulations focused on preventing and combating COVID-19. It included

changes in the Electoral Code. They were concerned about the extension of the possibility of postal voting. Before the pandemic, this possibility was present in the Electoral Code, but was strictly limited to disabled voters and was not used often. Postal voting was perceived, especially by right-wing politicians, as a way to rig elections. The pandemic legislation extended the right to vote by postal voting. Currently, postal voting is available to voters during quarantine, insolation and home-insolation connected with infectious diseases, as well as to some groups of disabled voters (disabled voters with a significant and moderate degree of disability) and voters who are more than 60. Postal voting consists of three stages. Firstly, an entitled voter has to inform the electoral commissioner that he/she is going to vote by postal voting. This information can be delivered to the electoral commissioner either on paper, orally or via the internet. Then, a few days before elections, this voter receives an electoral package by post. It consists of a return envelope, voting card, envelope for the voting card, instruction and declaration of personal and secret voting. Thirdly, the voter fills in the voting card, puts it into an envelope and puts this envelope to the return envelope together with the declaration of personal and secret voting. And then sends the return envelope to the electoral commission. The presented rules of postal voting guarantee basic principles that are declared in the Polish constitution and in the Electoral Code, such as generality, equality, directness and to a minimal extent – secrecy.

The second group of changes consists of special rules according to which the Presidential Election in 2020 was held. They were dedicated only to these elections. On the 2nd of June 2020, Sejm enacted the Act on Special Rules of Organisation of the Presidential Election in 2020 with the Possibility of Postal Voting. It meant that the Electoral Code was applied to these elections only in part. It should be

highlighted that the extraordinary rules were not only connected with epidemic circumstances and health and life protection, but they were meant to remove consequences of the constitutional and political crisis brought about by non-organizing of the presidential elections (that had been called for the 10th of May 2020). Taking it into consideration, in this paper I would however present only these special electoral rules that were connected with the pandemic circumstances.

It is possible to indicate three essential differences between general regulation of presidential elections in the Electoral Code and the special rules dedicated to the presidential election held in 2020.

Firstly, during the presidential election in 2020, the possibility of postal voting was extended to all the interested voters. Except some small groups: hospital patients, prisoners or sailors on ship. It should be highlighted that postal voting is not popular. In the presidential elections of 2020, only 0,5% of voters voted by post in the end. It is also important to underline that conducting postal voting did not cause relevant allegations and was not a reason for voters' protests. That means postal voting did not play its advertised role even though its preparation was connected with immense effort, especially – enacting some group of executive acts and guidelines. At the same time, postal voting did not threaten the correctness of elections, especially when it comes to reviving the secrecy of voting.

Secondly, during the presidential election of 2020, members of the electoral commissions were obliged to have personal protective equipment during their work, like masks, face shields, gloves and disinfectant liquids. They also had to comply with specific rules of sanitary safety in the polling stations that were enacted by the Minister of Health. These rules included duties

like limiting the number of people in the polling station, ventilating it, disinfecting surfaces like handles, tables, light switches or ballot boxes and sharing disinfectant liquids to voters.

Thirdly, during the presidential elections of 2020 the number of members of the electoral commissions was reduced. This way it was ensured that all electoral commissions would be appointed while many people were afraid of serving as the commission members because of the danger of being infected. Holding the presidential election in 2020 did not increase the number of people infected by COVID-19. It means that the presented regulations to protect the health and life of voters worked effectively. It is also possible that spreading information by mass media before election day about all measures taken to protect voters from being infected COVID-19 was one of the reasons behind the very high voter turnout in this presidential election.

IV. Local by-elections

During the pandemic, many local by-elections were held in Poland: both mayors and local councillors. The changes in the Polish electoral law that were enacted and came to force during that time did not concern any specific regulations dedicated only to local by-elections. Nevertheless, one should point out two important issues connected with these elections.

Firstly, the public authorities responsible for organising these elections (Prime Minister, voivodeship) introduced the practice of postponing the set of dates to the next ones because of a high number of infections of COVID-19 in the respective area, where an election was going to take place. These public authorities followed opinions presented by the sanitary administration. Prime Minister and the Presidents of voivodeships are political

authorities and that's why some said that postponing local by-elections was going to have an impact on election results. Finally, in the key local elections it turned out that it did not and the postponed by-elections could have been treated as fair.

Secondly, extending the possibility of postal voting, which was described before in this paper concerned also the local by-elections. the voting by post in local by-elections was not popular either.

V. Conclusions

In Poland, the changes of the electoral law that were enacted and came to force during the pandemic were connected with two categories of reasons: the need of holding an election in pandemic circumstances, and the necessity to solve a political and constitutional crisis (resulting from the fact that presidential election set on the 10th of May 2020 did not take place). The first group of changes consisted of the regulations that are strictly connected with the COVID-19 pandemic circumstances. The alterations from the second group were a consequence of the internal political situation in Poland and therefore are incomparable to changes in electoral law in other countries. It is the reason why they should be treated more as a political phenomenon and as a result they cannot be considered as an example of typically legalistic ways of changing electoral law. In both the political and legal debates, many doubts were raised about the constitutionality of these changes and the way they were processed by the parliament. Nevertheless, finally the result of these elections was accepted by all political parties, the international community and confirmed by the Polish Supreme Court. The presidential elections in 2020 did not significantly violate the basic electoral principles like generality, equality, directness and secrecy of voting.

Secondly, the changes in the electoral law connected with the need of holding an election in pandemic circumstances served two main purposes. On the one hand, they were going to protect the health and life of voters and people who were involved in the activity of electoral administration. That's why new regulations consist of some sanitary codes that minimise the risk of getting infected in the polling station. On the other hand, they were going to enable people, who during the pandemic would not be able to participate otherwise – because of infection, quarantine, isolation, home-isolation and fear of infection – which would preclude them from going to vote in the polling stations. That's why presented regulations concerned extending the possibility of voting by post. All these regulations were the way to guarantee the universalism of elections held during the pandemic and this aim was achieved.

Thirdly, the changes in the electoral law that were enacted and came to force during the pandemic did not concern any new ways and techniques of voting, such as voting by internet. Creating and passing such regulations requires time and discussions, which have been difficult during the pandemic. That's the reason they were not even tackled in public debate on changes in electoral law during the pandemic.

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VOTING DURING PANDEMICS IN ROMANIA: CHANGES IN ELECTORAL LAW

Special voting arrangements (SVAs)

COVID-19 pandemics posed challenges for democratic regimes all around the world for several reasons, which range from the need to impose some restrictions to human rights and freedoms, to organising free and fair elections. Among the issues raised by the organisation of elections are the need to preserve public health and ensure equal campaigning conditions, while low voter turnout and limited international observation missions also threatened the process. Many countries chose to postpone elections for short periods (around 100 elections were postponed in 2020 and the first months of 2021), and this was not considered undemocratic by scholars of the electoral process¹. Most of the states that organised elections had to decide and implement measures to address the pandemic situation and minimise its negative effects on accessibility and turnout, ensuring the possibility for social distancing and avoiding crowds, and guaranteeing the right to vote to ill or quarantined persons. There are several possible special voting arrangements (SVAs) implemented by different states in order to address these challenges, which include the following: (1) the possibility of early voting; (2) the possibility of postal or electronic voting; (3) proxy voting – the possibility to authorise another person to vote on one’s behalf; (4) mobile ballot box for ill, quarantined or isolated persons; (5) COVID-19 arrangements in polling stations – such as specially designated time slots or special polling stations for infected and quarantined persons, or drive-thru voting². In the following analysis, we will show which of these arrangements were adopted in Romania and assess whether they had an impact in terms of efficacy and fairness.

1 Toby S. James, Seat Alihodzic, 'When is it democratic to postpone an election? Elections during natural disasters, COVID-19, and emergency situations', in *Election Law Journal*, vol. 19, no. 3/2020, pp. 344-62.

2 Erik Asplund *et al.*, 'Elections and COVID-19: How Special Voting Arrangements Were Extended in 2020', *International Institute for Democracy and Electoral Assistance*, 25.02.2021, <https://www.idea.int/news-media/news/elections-and-covid-19-how-special-voting-arrangements-were-expanded-2020>.

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Elections in Romania during pandemics

Two rounds of elections have taken place in Romania during the COVID-19 pandemics: the local elections, held on September 27, 2020, and the national elections for the Senate and the Chamber of Deputies, held on December 6, 2020. The local elections were initially scheduled to take place in June 2020, but they were postponed through an emergency ordinance of the government because of the pandemic risk.

The national elections in 2020 saw **the lowest turn-out in the post-communist era**, with 33.24% of the voters present at polls. It is not clear to what extent this very low turnout is linked to the pandemics, or whether it is just a confirmation of a general trend of a decreasing number of citizens interested in elections: turnout for parliamentary elections was 39.44% in 2016, 41.76% in 2012, 39.2% in 2008, while before 2008 it was always well above 50%³. It is however likely that the pandemic situation played an important role in absenteeism – sociologists have shown that turnout was lower in densely populated developed urban areas which were more affected by COVID-19⁴. The electoral campaign was also largely affected by the pandemics, since public gatherings were severely restricted and door-to-door campaigning was not possible. Another explanation for absenteeism might be political fatigue: this was the fourth round of elections organised in the last two years. Low turnout is one of the elements that decrease the legitimacy of the elected officials, raising questions about the state of democracy; however, this is not necessarily specific to the Romanian case, as most of the Western democracies have seen, during the last decades, ever lower turnouts.

The legal framework

Romania does not have a single Electoral Code, but a series of documents (laws, but also administrative acts) that compose quite an intricate framework for holding different types of elections. The most important is Law 208/2015 on the election of the Senate and the Chamber of Deputies; other legal provisions concern voting by mail (Law 288/2015), the functioning of the Permanent Electoral Authority (Law 208/2015), the financing of political parties and electoral campaigns (Law 334/2006). Throughout time, numerous amendments and changes have been made, either in the form of laws, government decisions, or emergency ordinances, to this legal framework. This practice is not directly linked to the adaptation to the pandemic context, and adds further complexity to the rules for organising elections in Romania. The OSCE observer mission for the National Elections in 2020 criticised this practice that leads to “legal uncertainty”⁵. A coalition formed by several NGOs, *Cod Electoral Acum!*, has been actively lobbying since 2015 for the creation of a single Electoral Code, but so far its requests have been neglected and postponed by decision-makers and therefore it is not likely that a unified Electoral Code will be adopted any time soon. One of the most important criticisms of the coalition, as well as of the OSCE election observer mission reports, concern the fact that electoral legislation is modified too often, very late before each round of elections, and through emergency ordinances (EOs) issued by the government – that is, not through the Parliament; all these issues raise concern about the fairness and ultimately about the legality of the process (as we will

3 Source: International Foundation for Electoral Systems, *Election Guide*, www.electionguide.org/countries/id/178

4 Dumitru Sandu, „Contextul de votare la parlamentarele din 2020”, 15.12.2020, <https://www.contributors.ro/contextul-de-votare-la-parlamentarele-din-2020/>.

5 OSCE – ODIHR Special Election Assessment Mission, *Statement of Preliminary Findings and Conclusions*, Bucharest, 7 December 2020, available at https://www.osce.org/files/f/documents/4/9/472812_0.pdf.

show, some of these EOs have been invalidated by the Romanian Constitutional Court).

Changes to the legal framework

There were several changes operated through different types of legal acts during the election year. Some of them were invalidated through decisions of the Constitutional Court (see section on *Legal disputes* below). However, the most important changes are brought by Law 202/2020, modifying Law 208/2015. The Law was criticised by the OSCE Election Assessment Mission for being adopted too late, in September 2020. Of the SVAs mentioned in the introduction to this analysis, Romania offered the possibility for postal voting and the mobile ballot box; both mechanisms existed, however, before the pandemics.

Postal voting was first used in 2019 for the presidential elections and is accessible only for Romanians living abroad. Its initial rationale was to allow a larger participation for the very numerous Romanian citizens living and working abroad, but it proved a very useful instrument in the pandemic context. In order to be able to vote by post, one needed to pre-register with the Permanent Electoral Authority (digitally), which sent an envelope containing the ballot. The main change in 2020 with respect to 2019 was the extension by 30 days of the period in which one could register. However, distance voting is quite limited in Romania: it is only possible by post, and not electronically, and is only available for citizens living abroad. 21.329

citizens voted by post at the national elections in December 2020⁶, although there were 39.244 requests initially⁷. While around 4000 requests were not validated by the Permanent Electoral Authority, there were complaints that around 14.000 envelopes were "lost" or retarded on their way back to Bucharest⁸. This raises serious issues about the respect of the right to vote of the people, who opted for postal voting, but the delays in postal deliveries can also be related to the pandemics. It is also true that the Electoral Bureaus sent emails to all those who registered for postal voting.

But whose envelopes were not received until 3 days before the date of the elections. They were kindly requested to consider voting in person⁹. Around 9000 envelopes reached their destination at the electoral bureaus after the deadline.

The mobile ballot box was used in most of the previous Romanian elections for people, whose health condition prevented them from going to the voting stations. Law 202/2020 only extended those provisions for COVID-19 infected, quarantined or institutionally isolated persons. However, the law did not cover those cases in which the people were quarantined or infected the very day of the election, and therefore they could not provide documents in support of their request for the mobile ballot box. As a result, there were cases, in which voters could not go to the polling stations, but they lacked the legal basis for requesting the mobile ballot box¹⁰.

Law 202/2020 also **extended the period of voting** to 2 days but **only for the citizens living abroad**. This change should be understood in

6 <https://prezenta.roaep.ro/parlamentare06122020/abroad-precincts>

7 Autoritatea Electorală Permanentă, *Raport privind organizarea și desfășurarea alegerilor pentru Senat și Camera Deputaților din anul 2020*, www.roaep.ro, p. 101.

8 <https://stirileprotv.ro/stiri/alegeri-parlamentare-2020/senatorul-usr-radu-mihail-cere-explicatii-despre-voturile-prin-corespondenta-ale-romanilor-cate-plicuri-au-ajuns-in-tara.html>

9 Autoritatea Electorală Permanentă, *loc. cit.* p. 103.

10 *Ibid.*, p. 112

the context in which Romania has a very large diaspora (estimated between 4 and 8 million, but no official figures are available), which turned out massively in the very poorly organised 2014 Presidential Elections. At that time, very long queues formed at the polling stations abroad, and this led to protests in several European cities. The diaspora votes are very relevant in the final results especially in the Presidential Elections. For the National Elections, Romanians living abroad form a constituency with only 4 deputies and 2 senators, therefore it can be considered that they are underrepresented in the Parliament. The number of citizens who voted abroad was 265.490¹¹, way below the figures of the 2019 presidential elections (944.077¹²). While concerns about the COVID pandemics might have kept voters away, there are several other factors, which contributed to the decrease in turnout. First, there were fewer polling stations in 2020: 748 in 92 counties (almost 100 less than in 2019); the decrease in the number of polling stations was directly linked to the pandemics. Second, the stake of the elections was not perceived as being as important as that of the 2019 elections (the underrepresentation of the diaspora being also a factor).

The only **digital innovation** of the legal framework in the context of the pandemics was that, for the first time, electronic signatures were accepted on the lists of supporters that the parties and candidates need to depose to the Electoral Bureau in order to participate in the elections. This provision was made through two low-level legal acts – Decisions of the Permanent Electoral Authority, for the local and national elections separately. The legal provisions also reduced the necessary number of supporters by half, given that the pandemic conditions did not allow for the collection of

signatures on the streets. This was a request from smaller parties and NGOs that complained before the pandemics that the necessary number of supporting signatures was too high. However, it is likely that these steps towards digitalization and easy access for candidates to participate in elections will be maintained after the pandemics. Which means that the situation actually prompted improvements to the electoral rules.

Other, less important provisions, allowed citizens living abroad to vote at any polling station, not only where they had residence; and the possibility to extend the voting time until 23:59 (the polls normally closed at 21:00) if there were queues in front of the polling stations. However, for the citizens inside the country, it was not possible to vote in a county different from the county of residence. Combined with the reduction of mobility caused by the pandemics, this may also have been a factor that contributed to the low turnout.

What is interesting about the changes in electoral legislation is that they may not necessarily be linked to the pandemic context. Some of them had been already put in place in 2019, for the presidential elections, in order to address already existing concerns about the diaspora vote. However, because there is no unified Electoral Code, but different laws for each kind of election, those provisions were not valid automatically for the 2020 elections. This is why they had to be re-stated through Law 202/2020. Other provisions met long-time demands from the civil society or the smaller parties. In fact, **there was little innovation in the electoral laws that directly addressed the pandemic context.**

11 Ibid.

12 <https://prezenta.bec.ro/prezidentiale24112019/abroad-precincts>

Legal and political disputes around the elections and breaches of electoral legislation

Electoral laws were at the core of the various political crises in 2020 Romania. At the end of January, the government assumed its responsibility before the Parliament for a law providing for the election of the mayors in two rounds, instead of the system of majority voting (in place since 2011). The proposed system would have favoured the party in power (National Liberal Party). According to the electoral calendar, the term for the local elections was supposed to be June 2020. Constitutional norms, as well as the recommendation of the Venice Commission, advise against any modifications of the electoral laws during the election year, and especially against changes in the electoral laws to be enacted by the government and not the Parliament. The rules for electing the mayors were an important electoral stake, since the government, despite these recommendations, still assumed its responsibility. But it lost: a censure motion was filed and the government was ousted on the 5th of February 2020. However, it insisted on pressing on the electoral legislation by adopting, between the date of the reading of the motion and the day of its voting, an emergency decision (OUG 26/2020) with the new electoral rules (interim governments cannot issue emergency ordinances). This decision was attacked by the Ombudsperson at the Constitutional Court, which decided it was unconstitutional. We mention this event (which is prior to the pandemics) in order to emphasise the political tensions surrounding the elections and the efforts of the major parties to arrange the voting system in their favour. However, all the parties agreed to postpone the date of the local elections from June 2020 to 27th of September.

Before the national elections, there was a legal

dispute among the Romanian state institutions – specifically, the Parliament and the G – as to who had the competence to establish the election date. The dispute was possible because the Parliament was dominated by the left-wing Social Democratic Party (PSD), while the executive was controlled by the National Liberal Party in a minority government supported by the President. On the 27th of July, the Parliament passed a law establishing the date of the national elections, but the government contested it before the Constitutional Court and, while the judgement was pending, it established the date of the elections for 6th of December. Later on, the Court confirmed that it was the competence of the Parliament to set the date of the elections: although the legal dispute was won by the Parliament, in reality it was the government who had the upper hand. The pandemics context, which led to the parliamentary debates to be held on-line, may have had the practical consequence of strengthening the government and weakening the Parliament, whose different reunions were more difficult to organise for logistical reasons.

The complaints addressed to the Central Electoral Bureau during the election period were not unusually numerous or pandemic-related. There were 124 such complaints, most of them concerning the display of electoral campaigning material, electoral fraud, and the composition of the local electoral bureaus. All were given answers by the Central Electoral Bureau. One could even argue that the pandemics lowered the risk of fraud by the so-called "electoral tourism", that is, the situation in which voters were mobilised to vote several times in different polling stations. This situation was sometimes reported for previous elections, but there were no such complaints in 2020.

Assessment as to the respect for the principles of fair elections

How did the pandemics affect the fairness of the Romanian elections? It would appear that, first of all, it accentuated certain endemic problems of the system. The main issue here is the legal uncertainty and the intricate legislative framework, which were already a problem before 2020. The pandemic context led to even more complicated provisions, which were adopted very late in the process of organising the elections. This is also the most significant problem identified by the OSCE ODIHR elections assessment mission to Romania¹³, which otherwise concluded that the national elections “were organised professionally despite challenges posed by the COVID19 pandemic”¹⁴.

Second, in what concerns the content of the provisions, although measures were taken to facilitate access of voters in the pandemic context, some issues could still be improved. For example, postal voting was only made possible for citizens living abroad, as well as the extension of the duration of voting to two days. This actually leads to unequal access to voting between citizens living inside the country and those living abroad.

The persons who fell ill or quarantined the day of the elections were not covered by the law to request the mobile ballot box. Although this is unlikely to have significantly affected the result of the elections, the authorities should keep in mind for the future elections to insure the right to vote to citizens in that situation.

Another issue that raised concern was the fact that a lot of members of the election bureaus for polling stations withdrew a few days before

the elections (around 14% of the appointees). The unusually high rate of withdrawal can be related to concerns about the pandemics. The problem was that their replacements did not have the adequate training for fulfilling their roles, and this may have affected the administrative capacity of organising the elections.

Last, but not least, we should look at the way in which overall social trends generated by the pandemics can have effects in terms of equal access to elected public functions. Gender issues are a telling example. Lockdowns, remote working and remote schooling for children have increased the household workload of women, who therefore have less time to get involved in public affairs. The proportion of women in eligible positions on party lists was already low in Romania, but the last national elections led to a Parliament in which only 18% of the elected members are women. Therefore, in assessing the effects of the pandemics, one should not only look at formal arrangements, but also to the underlying societal and political dynamics.

13 OSCE Office for Democratic Institutions and Human Rights, Special Election Assessment Mission Final Report, Romania – Parliamentary elections, 23 April 2021, <https://www.osce.org/files/f/documents/3/3/484562.pdf>

14 OSCE Office for Democratic Institutions and Human Rights, Statement of Preliminary Findings and Conclusions, 6 December 2021, https://www.osce.org/files/f/documents/4/9/472812_0.pdf

PARLIAMENTARY ELECTIONS 2021: POLITICAL MESSAGES, SLOGANS AND COMMUNICATION OPPORTUNITIES IN THE VIRTUAL SPACE

The intensive exchange of information and the growing possibilities of the Internet determine the new rhetorical practises that are manifested in the online space. These new opportunities are increasingly altering the political sphere and it can be said that they change the face of the standard election campaigns. Candidates' ideas, visualisations and content arguments quickly become available to a wide range of people, who in turn spread the messages until the information reaches an impressive number of users of the global network.

The development of the online space and its dynamic imply a rethinking of political rhetoric and in particular pre-election political rhetoric. The assumption is that the pre-election political rhetoric makes from the art of persuasion in the context of the public and media appearances of the candidates is oriented towards the practical-applied dimensions, as the rhetorical techniques and tools are adapted to the new communication channels (social networks, virtual groups, forums and blogs)¹.

Social networks provide fast and easily accessible communication among millions of people, but they can also be used to reach a specific targeted audience. Launched as a channel for information transfer, they are fast becoming a focal point of social interaction, providing opportunities that no other information channel can offer.

The article shows the main trends in the messages and slogans of the leading political parties and coalitions, as well as analysis of their techniques and communication strategies in cyberspace in the two election campaigns for the 2021 parliamentary elections (those in April and July). The corpus of verbal and visual messages includes posts on social networks, live stream videos and election campaign materials.

¹ Kassabova, I. *Virtual political communication in the election campaign for the 45th National Assembly in Bulgaria* [online][visited on 29.09.2021] <https://rhetoric.bg/виртуална-политическа-комуникация-в>

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The methodological framework of the examined subjects was constructed based on preliminary sociological surveys before the two choices. According to the preliminary data of the sociological agencies from the end of March 2021, the GERB-SDS coalition had the opportunity to participate in the 45th National Assembly in the first place. In July, together with the party of Slavi Trifonov they were with less than 1% difference for the first place. The BSP was placed in second place in March and in third in July with little distance from its main opponent. In third place in March was the party „There is such a people“ fourth - DPS. Democratic Bulgaria was nominated as the fifth safe participant in the 45th National Assembly, and „Stand up! Bandit out!“ and VMRO were also identified as potential parties that will cross the barrier.²

In addition to the above, in the early parliamentary elections the polls showed close to the threshold of 4% formation „Bulgarian Summer“, „Vazrazhdane“ and „Bulgarian Patriots“.³ The study of persuasion techniques and tools in virtual space will be intertwined with specific examples and verbal expressions used by these latter formations, which have been identified as potential participants in both parliaments.

Communication strategies and tools for impact in a virtual environment

In view of this, it is necessary to clarify some theoretical definitions of political rhetoric, its meanings and applications.

Nelly Stefanova considers the traditional framing

2 Trend. *Attitudes of Bulgarians towards the upcoming parliamentary elections* (March 2021), [online][visited on 09.09.2021] <https://rctrend.bg/project/нагласи-на-българите-прямо-предстоя-5/>

3 Trend. *Attitudes of Bulgarians towards the upcoming parliamentary elections* (June 2021), [online][visited on 29.09.2021] <https://rctrend.bg/project/209520/>

4 Stefanova, N. *Short Terminological Handbook of General and Political Rhetoric*, Sofia: University publishing house „St.Kliment Ohridski“, 2015, p.213

5 Mavrodieva, I. *Political rhetoric in Bulgaria: from rallies to web 2.0 (1989 – 2012)*. Sofia: Paradigma Publishing House“, 2012, p. 40.

6 Alexandrova, D. *Metamorphoses of rhetoric in the XX century*. Sofia: University publishing house „St.Kliment Ohridski“ 2013, p.308

of the concept of political rhetoric to be a branch of rhetorical science that explores the ideas, rhetorical means and argumentative models that determine political communication and play an important role in its analysis. Stefanova also explains the term as a relationship between two separate concepts - politics and rhetoric, namely the ability to manage society and science, studying the theory and practice of public speaking.⁴ She believes that political speech can be defined as an inseparable segment of public governance and human social activity.

In the broadest sense, it can be said that political rhetoric includes „all the speeches of politicians, statesmen, party leaders, citizens who are engaged in political activity.“⁵ These addresses can be in verbal or written form, and there are various oratorical genres that can be defined as a tool for announcing ideas, messages, ideologies in the political process.

Donka Alexandrova writes that “political rhetoric is strategic symbolic action that is aimed at society and aims to discuss vital topics”. Alexandrova also points out that to be presented to the public, the expression of politics is planned, by selecting for the respective speech act. Moreover, “political rhetoric arises in a specific situation and is shaped to influence a specific audience, which can be direct, live or indirect, through some communication channel”.⁶

Next, the context of the election campaign should be clarified. It is important to note that the regular parliamentary elections were the first to be held in a pandemic. So even in the

middle of the campaign's high, new anti-epidemic measures were imposed, which prevented the gathering of people, even in open spaces.

Social networks

These limitations and the lack of face-to-face encounters have made social networks and electronic media the main tools and environment for communication between politicians and citizens.

The use of social networks as a tool for persuasion is one of the most powerful weapons for directing the behaviour of large groups of people. Social networks are an extremely convenient channel for suggestions and dissemination of information. Through them, it is possible to multiply and manipulate any messages. The implementation of such techniques is carried out through the various techniques and tools that the network offers.

During the election campaigns, we witnessed two types of political speech. First, GERB (and SDS), which for almost 10 years in government organised their main messages around the successes of their management - having built roads, increased incomes and dealt with the healthcare crisis, were all other parties, which the main strategy was to bet on „anti-GERB“ rhetoric.

If we can look for similarities between the two communication strategies outlined in this way, then we can clearly see the use of populism in both. With declining confidence in the political system, and despite rethorics, in real declining incomes, the health crisis, and low political culture, the easiest way for political parties to please voters is to promise more than they can deliver.

7 (Merriam-Webster. *Live Stream* (2020) [online][visited on 29.09.2021] <https://www.merriam-webster.com/words-at-play/what-does-live-stream-mean>

Trolling, an effective tool

The main technique used by the specialised teams professionally involved in the election campaign to engage in discussions on various topics was the use of trolls. The term „troll“ originated with the development of the global network and is used on the Internet as slang for a person who shows disrespect to another user of the network by initiating disputes or publishing provocative content, which is often off topic.

Consequently, one of the most unacceptable tactics used by political formations and implemented through communication through false identities is the „game“ with people's fears. The examples ranged across a wide spectrum - from the inability to deal with the COVID-19 crisis through the suspension of repairs to major roads in the country, to the inability to absorb EU funds. As early as 2020, it was clear that tackling the pandemic would be one of the main topics in the 2021 election campaign. Even though the verbal confrontation during it should be based on facts, empathy and real decisions, and not on manipulation and exploitation of human fears.

Live streaming

Another tool for communication in social networks, which in recent years has become increasingly popular in the political sphere, is the „Life stream“. The phrase comes from the English words „live“ and „stream“ and is „the streaming of digital data (such as audio or video material) that is delivered continuously and is usually intended for immediate processing or reproduction.“⁷. Life stream is possible both from personal user profiles and from pages in the social network Facebook. There are two

options for recording video in real time - the first is through direct recording over the network, and the second, which is increasingly used in the political sphere, is using specialised streaming software. Live videos are available to viewers with or without a Facebook account. Those without an account can access the stream directly via the URL or can watch it live embedded in a specific website or blog.⁸

This mean of communication has another advantage. Apart from being viewable in real time, it then remains as a rewritable video.

During the election campaigns, the potential of this instrument was used by most of the analysed political formations. With examples we will illustrate however only those who relied on it as a priority. Former Prime Minister Boyko Borissov, who went with a 'study visit' to various construction sites in the country as part of his administrative duties, where he was the most active politician using a „Live stream" while driving his jeep.

This party, GERB, was also among the most active formations, which daily took advantage of the opportunities of live broadcasts. The leading idea during the campaigns was to demonstrate an apparent closeness of their leader Borissov to the citizens. In rhetoric, this technique is known as the „mechanism of identification", which Nelly Stefanova defines as simulative.⁹ The author adds that „identification can be different" and in rhetorical communication the use of „common language" can be a key factor in the successful identification of the speaker with the audience.¹⁰

Another political party, which actively used the „Life stream" in the campaign was „Democratic

Bulgaria". During both election campaigns, the party was one of the most active communicators on Facebook, broadcasting several „live events" on various topics they included videos for campaigning for voting, video comments of leading candidates on current issues, participation in television formats, realisation of purposeful discussions and pre-election forums.

The slogan this party used in the April elections was „Bulgaria can do more", the coalition also put this as a message in the introductory words of its manifesto. In the elections in July, the formation changed its slogan, making it more specific - „Freedom. Legality. Modernization. "The choice of words directly corresponds with the slogans from the protests that took place in the summer of 2020. Thus, although not directly, the formation portrayed itself as the "party of protest", as it was catalogued in the short life of the 45th Parliament. The slogan sounded as a negative assessment of what has been achieved so far and the pace at which Bulgaria has been moving since joining the European Union: „Freedom, legality and modernization will unleash the potential of our country. This is our understanding of duty and patriotism. Our Bulgaria is a Democratic Bulgaria,, the coalition points out.

Furthermore, Vasil Bozhkov's formation - „Bulgarian Summer" - was also active in virtual space. For objective reasons and the lack of opportunity for face-to-face communication, Bozhkov's main connection with the citizens was ensured through social networks. The main tool was video recording.

The difference here is that this formation also used pre-recorded videos, which were distributed on the network for various purposes - meeting

8 Facebook, *Business help manager* [online][visited on 09.09.2021.] <https://www.facebook.com/business/help/626637251511853>

9 Stefanova, N. *Short Terminological Handbook of General and Political Rhetoric*, Sofia: University publishing house „St.Kliment Ohridski", 2015

10 Back there

the candidates of the movement, visualisation and proposals for solutions to specific pressing problems in different cities in the country; questions to responsible institutions, promotion of sports events with a specific cause and realisation of virtual discussions.

Hashtags

The platform actively used another network tool that allows modelling the audience on social networks. By imposing specific messages, virtual communities were created using hashtags (#). The hashtags, or in Bulgarian “keywords”, “labels”, which comprises events, causes, publications, news and information, have become fashionable in the latest virtual time in the Bulgarian reality.

They mark certain content in Internet publications, which can be distinguished as a sign of homogeneity in terms of audience and uniting the interests of different users. The main markers of the civic platform were the messages #Be Healthy, #Be Brave and #JusticeForEveryone.

Then, Maya Manolova, the leader of “Stand up! Bandit Out!”, was also among the most active participants in the virtual space through a „live“ broadcast during the two election campaigns. The main strategy she relied on was to promote transparency of her work through monologues in different parts of the country. Manolova continues to use the live broadcasts as an MP, regularly sharing with the virtual audience her opinion on current issues - in connection with the update of retired pay, the debate on forming a government, etc. Regarding the slogans, the very name of Manolova’s formation had the role of a slogan - „Stand up! Bandit out!”

Following the traditions, the scope of virtual

rhetoric extends from attracting and retaining the audience’s attention, applying argumentation methods in a combination of verbal and visual codes, as also it goes beyond conveyed the desired message, there are software programs for creation of a public speaking „product“, followed by retransmission of the public speaking events, as well as their storages in the virtual space, which makes materials available for further distribution.¹¹

That is why it is extremely important to properly consider the „feedback“ from the respective audiences. An additional added value when using the „live stream“ tool is the ability to analyse and verify the extent to which the message was successful and how the audience reacted. This can be measured in two complementary ways - quantitatively and qualitatively.

Short video formats are the most common and the most successful in terms of transmitting political messages in virtual space.

Sponsored publications

The most widely used tool for sending messages and promoting them on social networks by political parties during election campaigns was „sponsored publication“.

The tool provides the opportunity for the argumentation to become quickly accessible to a wide range of people through payment. In addition, the option „targeting“ is available. Depending on the message, appeal, thesis, a different audience can be selected.

To successfully target publications and quotes to the right audience, political representatives must have a general knowledge of their voter’s profile.

11 Dobreva, D.. Theoretical and terminological review of concepts in virtual rhetoric. [online][visited on 09.09.2021] <https://rhetoric.bg/десислава-добрева-теоретичен-и-терми>

This is where the most common mistakes are observed. Then, when the parties have not properly targeted their audience, they most often draw a wave of negative comments and the result quite often has the opposite effect.

An example of the successful strategy within the two elections is „Democratic Bulgaria“, which gave priority to sponsoring their messages within Sofia, where is the main location of a large group of their supporters.

Search engines and Google ads

From the point of view of internet traffic, the Google search engine is the undisputed leader in Bulgaria. In terms of targeting messages and fragmenting the audience, Google has developed its own product called Google ads, which allows users to view their messages on multiple external sites, which through the Google ad sense platform register and visualise on websites, part of Google’s affiliate network.

Over 80% of Bulgarian sites visualise advertising through Google. Until recently, this mechanism was used mainly by business corporations, but in the last two years it has increasingly entered political PR. Innovators in this direction are the formations „GERB-SDS“, „Democratic Bulgaria“, „Bulgarian Summer“ and the patriotic formations, which appeared in both types of elections under different names of the coalition.

Google ads and similar also carry some risks, when we examine the effectiveness from a political point of view. The visualisation of the political message of one formation is quite possible to appear in a text or article published in online media by another political party, which extends to the opposite side of the political spectrum, as are the examples in Figures 1 and 2.



Figure 1

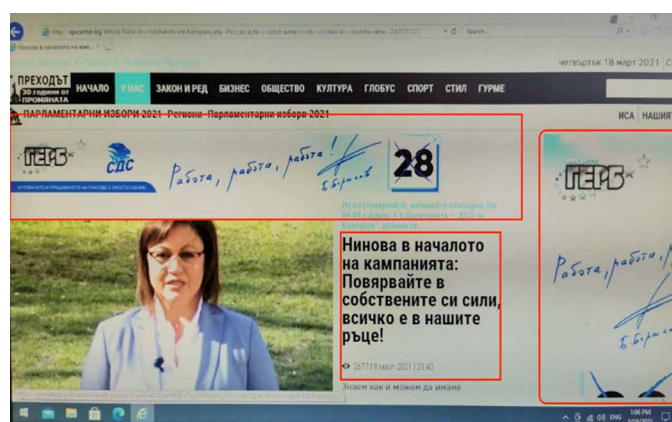


Figure 2

Tik Tok

In recent years, political formations running in elections have been looking for an increasingly innovative opportunity to present their theses through the various ways and methods of persuasion available because of the development of the Internet.

One of the most recent methods, which was used in the 2021 parliamentary election campaigns, is the production and distribution of short videos through the Tik Tok application.

The platform is a kind of social network that allows you to record, edit and share short 15 or 60-second videos, with music overlays, sound and visual effects. What characterises it as a kind of „social network“ is that its users can like, comment and share content.

According to various data, users having this application are representatives of generation Z, which can hardly be convinced of one thesis or another in the traditional way. That is why Tik Tok is used in the political sphere, as a strategy which aims to present politics as something modern.

An innovator, who championed this app in the Bulgarian context, is the leader of „Stand up! Bandit out!“ - Maya Manolova. At the end of December 2020, Manolova started using her own page in „Tik Tok“, where she published humorous videos with serious content.

Conclusions

As a result of the development of technologies and the improvement of social networks, there have been significant transformations in the style and manner of conducting election campaigns. First, it should be noted that the language and style of communication are changing, as are the basic characteristics of thinking and expression.

Large texts that require more time and focused reading find it difficult to attract an audience on the Internet. The short forms of the chat, the new abbreviations of the emoticons, the numerous ways to save time, which are favoured by many users on the network, are used instead.

There are also changes in the language and written culture of consumers. All this inevitably leads to change and structural transformation in language practises.

Innovators in the use of virtual methods of communication with voters come mostly from right-wing and nationalist parties. The left continues to conduct conservative campaigns through personal meetings in community centres and rally events, which makes it more difficult for them to reach the voters of the younger generation. This is also a small part of the reason why young voters do not recognize the BSP as an attractive political force that represents their interests.

Instead Slavi Trifonov's party - „There is such a people“ was the favourite among the young generation in both elections. It should be noted that Trifonov was and continues to be active in the social network Facebook. During the election campaign, Trifonov did not use the analysed tools, but the accumulated capital in the form of „likes“ in his profile, allowed his messages to be read and shared by a huge number of users on the network.

During the election campaigns, the content on Trifonov's personal page was particularly dynamic, combining calls by Trifonov and his colleagues for high electoral activity. Also, as part of the journalistic program Studio X, they criticised the government of GERB, presenting animated information messages, where they presented the advantages of the machine voting, introduced for the elections in July.

But in general, not only clear and precise, but also influential messages were missing. It should not be forgotten that political rhetoric is associated not only with beauty, but also with influential speech. More than 2,000 years ago, Aristotle said that “there are three ways to persuade an audience, and that is ethos, logos, and pathos”. This triad manifests itself in a new contemporary form of virtual rhetoric.

Monological rhetorical genres such as speeches, statements and addresses are skilfully used by most political speakers who convey these through the innovative approaches that social networks offer. Much more interesting are those pages on the social network that combine verbal messages, images and videos presented in a visually readable and accessible to users. Social networks are gaining importance, both in the daily life of every citizen and in the political sphere, and we can define them as the most powerful weapons for directing the behaviour of large groups of people.

To that end, another conclusion that can be drawn is that social networks are a kind of conductor of public attitudes and largely serve as a public sphere. But they cannot entirely replace the space that Habermas defines as a public sphere. The physical occurrence of the event, rally or protest, even coordinated virtually, is the basis for the crystallisation of the processes associated with revolutionary social and societal changes.

That said, it is good to keep in mind that the capabilities of the network and communication platforms are improving with each passing day, and for citizens to be able to recognize a political formation, it must be „up to date“ with new technologies, otherwise it risks not being recognized by the young and active generation.

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PR VS MAJORITARIAN SYSTEMS IN CZECH POLITICS

Introduction:

PR vs majoritarian systems in Czech politics

There is a long tradition of electoral politics in Czech and Czechoslovak history. Not all electoral eras coincided with liberal democratic politics, though. In Communist Czechoslovakia non-competitive elections were a legitimacy façade for the regime. In liberal-autocratic Austrian (Austro-Hungarian) Empire, elections were a highly exclusive and elitist enterprise (census and curial system). In both cases, interestingly, single-district majoritarian systems were used. Contrarily, in both liberal democratic periods of Czech politics (1918-1938 First Czechoslovak Republic, post-1989 democracy), proportional-representation (PR) party-list systems were used. A narrative exists in certain part of Czech political and intellectual elite establishing a linkage between those two concepts: liberal democracy and a PR party-list system. Similarly, a symbolic linkage is established between liberal democracy and parliamentary regime.

Whereas in the First Czechoslovak Republic and in the 1990-92 democratic Czechoslovakia the PR party-list dominated throughout all electoral arenas, in contemporary Czech Republic slightly more balance can be found, although PR clearly prevails, as well. It is used in, arguably, the only first-order electoral arena: lower chamber elections (Chamber of Deputies). In addition, it is used in most of the second-order arenas: municipal self-government elections (since 1990), regional self-government elections (since this level of government was established in 2000) and European Parliament elections (since Czechia joining the EU in 2003). Two-round majoritarian systems are used in the two remaining electoral arenas: upper chamber (Senate) elections (since 1996) and direct presidential elections (since the 2012 constitutional amendment).

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Within the broad and diverse scope of PR party-list systems, two major distinctions may be made: one concerning the proportionality (electoral district magnitude, mathematical formula translating votes to seats, legal threshold, etc.) and one concerning the openness of the voting (preferential voting vs. fixed-order “closed” lists). Historically, Czech politics has moved from a highly proportional (no legal threshold, large districts, Hare LR formula) and closed-list system used in the First Republic and in the 1946 election to current arrangement which is still fairly proportional and where up to 4 preferential votes may be given within a single party list (with a 5 % threshold for a candidate’s skip up).

In the following text, the focus is solely on the dominant Czech electoral arena: Chamber of Deputies elections. Electoral reforms (and some reform attempts) are explored, as well as their impact on the strategic behaviour of political players.

Fashion of electoral engineering in 1990s and 2000 electoral reform attempt

A powerful counter-narrative to the PR bias emerged in the 1990s pushed by then new right-wing Civic Democratic Party (ODS) and

promoting majoritarian forms of democracy, including “Anglosaxon” winner-takes-all electoral systems. This fits within the general context of that era’s belief in electoral engineering and overall preference for government “efficiency”: majoritarian-leaning, typically mixed electoral systems spread throughout the post-communist, especially post-Soviet region, including, e.g., Hungary (but introduced also in some East Asian democracies or, not at least, in Italy as a part of its shift away from the First Republic). ODS’s admiration for British politics (and party leader Klaus’s personal admiration for Thatcher) received an unexpected ally in late 1990s, when also the other major Czech party, left-centre Social Democracy (ČSSD), temporarily joined this call for implementing some majoritarian elements into Czech politics. So called “opposition agreement” pact between the two parties, their shared frustration about smaller parties’ veto power and about the traps of government-coalition politics led to the first major attempt of an electoral reform. Perceived low government efficiency in Czechia, fragile and narrow government majorities – this all was (wrongly?) identified with the electoral system.

Table 1: before and after the 2000 ODS-ČSSD reform attempt

	Average electoral district magnitude	Electoral district magnitude span*	Mathematical formula used	Legal threshold***
1990-1998 system	25	11-39	Hagenbach-Bischoff LR	5-7-9-11
2000 reform (Court- rejected)	5,7	4-6	Modified d’Hondt**	5-10-15-20
2002-2020 system	14,3	5-26	d’Hondt	5-10-15-20

* District magnitude is not defined in a fixed way in the Czech law (see below)

** Divisor based on this sequence of numbers: 1,41-2-3-4-5-6-7...

*** 5 % for a single party, 10-15-20 % (7-9-11) for 2-, 3- and 4-member coalitions respectively

Table 1 shows how dramatic was the change designed by ODS and ČSSD in 2000. A combination of fairly small electoral districts and a Czech invention, majoritarian-adapted d'Hondt divisor, sharply increased the district-level effective threshold of representation (approx. 15 %) and would have most likely led to a strongly bipolar "Spanish-style" restructuring of the Czech party system. At the same time, smaller parties' capacity to resist the new system via electoral coalitions was radically undermined by the additive legal thresholds. A four-member coalition which was emerging at that time would face a 20% barrier, rather than just 11%. The justification for the reform was explicit: reformatting the Czech party system and facilitating two-member government coalitions (rather than 3-4) with more robust majorities.

The reform was pushed through both chambers of parliament against the resistance of smaller parties, but challenged constitutionally by President Havel. The Constitutional Court partly agreed with Havel and nullified the key parts of the electoral law reform (35 districts and modified d'Hondt) upholding, though, the 5-10-15-20 additive threshold.

ODS and ČSSD had to respond to the 2001 Court's verdict quickly proposing a compromise version ("standard" d'Hondt divisor and 14 electoral districts corresponding to Czechia's administrative division – see Table 1 above). Smaller parties abandoned the project of a 4-coalition opting for a two-member coalition instead. This moderately disproportional but coalition-punishing system remained in place until the next constitutional challenge almost two decades later.

Impact of the system and majority bonus reform attempt

Five parliamentary elections took place under the 2002-2020 system. Only two of them (2006 and 2017) saw some slight and notable distortions of disproportionality. Parties found a way of by-passing the "anti-coalitional" effect of additive threshold: running formally as a single electoral party "with support" of others, e.g. TOP 09 and STAN in 2010 and 2013 elections. The system was slightly opened in terms of preferential voting before the 2010 election (increasing the maximum of preferential votes from 2 to 4, and lowering the candidate skip-up threshold from 10 to 5 %). This had a significant *intra-party* impact on the usage of preferential voting by voters in the 2010 election. A really huge and *inter-party* effect of preferential voting only came in the 2021 election (see below in Table 3).

Table 2: Pre-reform-system proportionality

1990		1992		1996		1998	
Party (% V)	S/V	Party (% V)	S/V	Party (% V)	S/V	Party (% V)	S/V
OF (49,5)	1,28	ODS (29,7)	1,28	ODS (29,6)	1,15	ČSSD (32,3)	1,15
KSČ (13,2)	1,21	KSČM (14)	1,25	ČSSD (26,4)	1,15	ODS (27,7)	1,14
HSD-SMS (10)	1,10	ČSSD (6,5)	1,23	KSČM (10,3)	1,06	KSČM (11)	1,09
KDU (8,4)	1,13	LSU (6,5)	1,23	KDU-ČSL (8)	1,12	KDU-ČSL (9)	1,11
Note: S= seats, V=votes S/V = seat/vote ratio Values 1+ mean overrepresentation		(KDU-ČSL (6,3))	1,20	SPR-RSČ (8)	1,13	US (8,6)	1,10
		SPR-RSČ (6)	1,17	ODA (6,4)	1,02		
		ODA (5,9)	1,18				
		HSD-SMS (5,9)	1,19				

Table 3: Post-reform-system proportionality

2002		2006		2010		2013		2017	
Party (% V)	S/V	Party (% V)	S/V	Party (% V)	S/V	Party (% V)	S/V	Party (% V)	S/V
ČSSD (30,2)	1,16	ODS (35,4)	1,14	ČSSD (22,1)	1,27	ČSSD (20,5)	1,22	ANO (29,6)	1,32
ODS (24,5)	1,19	ČSSD (32,3)	1,14	ODS (20,2)	1,31	ANO (18,7)	1,26	ODS (11,3)	1,10
KSČM (18,5)	1,11	KSČM (12,8)	1,01	TOP 09 (16,7)	1,23	KSČM (14,9)	1,11	Pirates(10,8)	1,02
KDUČSL(14,3)	1,09	KDUČSL (7,2)	0,90	KSČM (11,3)	1,15	TOP 09 (12)	1,08	SPD (10,6)	1,03
		SZ (6,3)	0,48	VV (10,9)	1,10	ODS (7,7)	1,04	KSČM (7,8)	0,97
Note: S= seats, V=votes, S/V=seat/vote ratio, Values 1+ mean overrepresentation, Values 1- mean underrepresentation. The closer to 1, the higher the absolute proportionality. The closer to each other, the higher the relative proportionality. Source: calculation based on www.volby.cz						Úsvit (6,9)	1,02	ČSSD (7,3)	1,03
						KDUČSL(6,8)	1,03	KDUČSL(5,8)	0,86
								TOP 09 (5,3)	0,66
								STAN (5,2)	0,58

Tables 2 and 3 show that it was not the election immediately after the ODS-ČSSD reform (2002)

when the impact of the reform manifested itself. It was rather the election after (2006).

In 2002, just like in 2010 and 2013, there were no parties in the “critical harm-size” category that would have been punished by the system, i.e. 5-7 % with the support evenly distributed throughout the country. In 2006, there was one such party (Greens winning only 6 seats with 6 % of votes), while in 2017 there were even 3 such parties. Both elections with high distortion, i.e. 2006 and 2017, led to challenges launched against the election law by the affected parties. The 2006 case stood out for two reasons: it was the first such experience and Greens faced a particularly unfortunate set of circumstances: not only institutional effects of the electoral law, but also unprecedented concentration of votes between the 2 major parties (almost 70 %) which took electoral reform bonus. After 2006, a lack of genuine understanding of electoral system effects also played a crucial role. Greens blamed, wrongly, the d’Hondt divisor *per se* as the main cause of their underrepresentation, rather than the combination of this divisor (standardly used in most PR systems) with unevenly sized electoral districts. The Constitutional Court rejected their challenge and the system remained unchanged. Ironically, the 2006 election was the first and only election so far which brought a *genuine* 100:100 electoral “stalemate” (the prevention of which was the principal aim of the 2000-2002 reform efforts by ODS and ČSSD!)

The constitutional challenge was not the last response to the disproportional 2006 result. Greens joined, along with another small party, an ODS-led government coalition and the three parties tried to modify the system following simultaneously two seemingly contradictory goals. On one hand, they proposed to redress the underrepresentation of weak parties, increasing the magnitude of electoral districts and returning to a more proportional formula. On the other hand, they tried to strengthen the position of the winning party by introducing a majority bonus.

The government commissioned several electoral system experts to prepare various alternative technical solutions: so-called Scottish, Dutch, Greek variants, etc. The winning Greek variant was based on very large electoral districts with Hagenbach-Bischoff quota (easier playground for small parties) and a country-wide majority bonus for the winning party (all the seats that Hagenbach-Bischoff would not allocate in the count at the district level). Playing with the idea of a majority bonus was almost like playing with fire because the Constitutional Court had already shown once (in the 2001 verdict) how strict its interpretation of the constitutional principle of proportional representation was. The size of the bonus could have been around 10 seats (i.e. 5 % of the legislature) according to that time estimates. Eventually, the reform proposal was defeated in the parliament in 2009. The failed reform attempt was a rather awkward common platform for the strongest party (35 %) and the two weakest (6-7 %). It still illustrates quite nicely how fundamentally contradictory interests can be reconciled within the broad and diverse scope of PR institutional settings.

2017 constitutional challenge and 2021 electoral reform

With two subsequent elections (2010, 2013) not bringing substantially disproportionate outcomes, the issue of electoral reform disappeared from the spotlight for some time. After the 2017 election, though, a group of senators representing minor parties challenged the electoral law again, this time focusing more rightly on the *combination* of the formula and the district magnitude. In quite a controversial manner, the Constitutional Court took several years to decide. The verdict came in the middle of the pandemic and only 8 months before the 2021 election. The Court nullified the core of the electoral system mechanism again, moving

even one more step further than in 2001. Not only did it rule unconstitutional the combination of the 14 uneven sized electoral districts and d'Hondt divisor, but also the 5-10-15-20 additive threshold. It admitted some opinion shift regarding the threshold from its 2001 verdict emphasising that the impacts of the system were being judged holistically (i.e. the overall anti-proportional effects of all the challenged provisions). In the reasoning of the verdict, the Court also made it clear that it wasn't nullifying the very existence of 14 electoral districts. It was just forcing the legislators to combine them with a more proportional procedure or mathematical formula of vote-seat translation. According to some experts, a very elegant way of addressing the problem might have been, e.g., maintaining the 14 districts and d'Hondt but simply reversing the sequence of steps in the seats allocation – assigning the *party seats first* (on the country-wide level, i.e. in one huge 200-M district) and the regional seats after.

Parties achieved a compromise across both parliament chambers surprisingly quickly and smoothly. Perhaps it was due to the previous re-formatting of the Czech party system (5 opposition parties had grouped into 2 blocs) that the parties decided not to take this opportunity to shift towards a highly proportional system. D'Hondt divisor was replaced with two slightly “softer” formulas, Imperiali and Hagenbach-Bischoff quotas (LR). The 14 districts were maintained as well as the priority seat allocation into them. The Czech system thus remains super-proportional in respect to the weight of the 14 regions. It is less proportional, though, in respect of party seats. As for the additive coalition thresholds, a 5-8-11% rule was established (for single parties, 2-member and 3-member + larger coalitions, respectively). It must be noted, as well, that parties preferred minimalistic adaptations of the electoral law due to time pressure and the pandemic context.

There was a near consensus, e.g., that the 14 regions should be maintained, as well as that some barriers against coalitions.

Abandoning d'Hondt (and not choosing, e.g., Sainte-Laguë instead), the 2021 reform marked a return to a quota-based two-count system analogous to the pre-2002 one. Leftovers (i.e. vote and seat remainders) are a basic definitional feature of quota systems. In this they fundamentally differ from divisor formulas that allocate all seats in a single count. Imperiali quota somewhat reduces the remainder likelihood but does not eliminate the problem completely. That's why a second count is taken in which all the remainder votes are shifted onto the country-wide level and the remaining seats are allocated to the parties using Hagenbach-Bischoff quota. If some seats still remain unassigned the largest remainder (LR) method is applied to assign them.

Table 4 – 2017 and 2021 party seats – old vs. new system vs. “ideal” proportionality

2017				2021				2017				2021			
	o.s.	n.s.	diff		o.s.	n.s.	diff		o.s.	id.	diff		n.s.	id.	diff
ANO	78	69	-9	Spolu	71	71	0	ANO	78	64	-14	Spolu	71	69	-2
ODS	25	24	-1	ANO	70	72	+2	ODS	25	24	-1	ANO	72	68	-4
Piráti	22	24	+2	PirSt	38	37	-1	Piráti	22	23	+1	PirSt	37	39	+2
SPD	22	23	+1	SPD	21	20	-1	SPD	22	23	+1	SPD	20	24	+4
KSČM	15	16	+1	Note: o.s.= old (pre-2021) system (d’Hondt) n.s. = new system (Imperiali in 1 st count, Hag.-Bischoff in 2 nd count). 14 electoral districts in both syst.	KSČM	15	17	+2	Note: Id.= “ideal” proportion (1 country-wide M=200 constituency, d’Hondt). Source: author’s own calculation based on www.volby.cz						
ČSSD	15	15	0		ČSSD	15	15	0							
KDUČSL	10	11	+1		KDUČSL	10	12	+2							
TOP 09	7	9	+2		TOP 09	7	11	+4							
STAN	6	9	+3		STAN	6	11	+5							
total	200	200	0		total	200	200	0							

Table 4 projects the current new (post-2021) electoral system onto the real 2017 electoral outcome and compares it to the then valid system. The difference is quite significant (20 seats) due to uneven distribution of votes and high fragmentation in that election. Analogously, it projects the old (2002-2021) electoral system onto the real 2021 electoral outcome. Here, the difference is small (4 seats) due to a very low fragmentation. Ironically, the “softer” (more proportional) system actually punished the two smallest parties (by 1 seat each) and rewarded the second strongest (in votes) ANO! Finally, the table compares both systems to the “missed chance”, i.e. to an “ideal proportionality” system

(“Slovakia-style”, one huge country-wide electoral district where formulas make almost no difference¹ – d’Hondt is chosen here). In 2017 the difference is dramatic: 30 seats. In 2021 it is medium: 12 seats.

Preferential votes and their impact on intra-coalition outcomes

Electoral coalitions are not a usual thing in Czech politics. The fact that two were running in the 2021 election as major players, in combination with preferential voting, brought about the greatest electoral surprise of 2021. The final

¹ In the 2021 „ideal proportion” calculation, all formulas tested (d’Hondt, Sainte-Laguë, Hare LR, Hagenbach-Bischoff LR and Imperiali LR) bring exactly the same result except one (Imperiali divisor – one seat difference, from SPD to Spolu). In the 2017 „ideal proportion” calculation, d’Hondt and Imperiali LR bring the same result. Sainte-Laguë, Hare LR and Hagenbach-Bischoff LR only differ by one seat (from ANO to ČSSD). Imperiali divisor differs slightly more and, quite predictably, in the opposite direction (2 seats from STAN and KSČM to ANO). All calculations (in Excell documents) are available by the author at request – ji.koubek@gmail.com .

distribution of seats within coalitions differed markedly from previous expectations. In both coalitions it was the stronger/ -est component that was punished by the voters casting their preferential votes. The Pirate Party suffered in particular. Bringing a 61% share to the PirStan coalition according to a survey², it ended up with 4 deputies (out of 37) only. This was just because STAN supporters were twice as likely to cast preferential votes as Pirate supporters. Along with the two left-wing parties that failed to be re-elected (ČSSD, KSČM), Pirates are undoubtedly the main losers of the 2021 election.

Table 5 – Impact of the preferential votes (compared to the party list order of candidates)

	El.	List	Dif.		El.	List	Dif.
ODS	34	39	-5	Pirates	4	26	-22
KDU-ČSL	23	17	+6	STAN	33	11	+22
TOP 09	14	15	-1	PirStan	37	37	0
Spolu	71	71	0	El.= elected, List= party lists			

Table 6 – wasted votes (for parties below the legal thresholds)

	1990	1992	1996	1998	2002	2006	2010	2013	2017	2021
Wasted votes	18,81	19,11	11,16	11,32	12,55	5,98	18,85	12,62	6,29	19,91

Table 6 shows clearly that the share of wasted votes in 2021 was the highest since the fall of non-democratic regime in 1989-90. Even more worryingly, there has been some bias in the waste. Almost 14 %, i.e. $\frac{3}{4}$ of the total of wasted votes, were cast for parties that may be classified

Table 5 compares the numbers of actually elected deputies to the numbers based purely on the party lists' composition. The "List" columns show what the numbers would have been if the voters had not used their preferential votes and had followed the party-offered hierarchy on the lists. This is actually a highly relevant comparison because parties' commitment *not* to call voters to use preferential voting was a very important part of the coalition deals.

Legal threshold and wasted votes – asymmetric impact on the left

Just like preferential voting, legal threshold is usually not a major factor in Czech elections. The share of wasted votes is usually quite low because the *a priori* (psychological) impact of the legal threshold clearly prevails over the mechanic impact. Put simply, voters are reluctant to vote for parties which are not likely to meet the 5% threshold.

as left-wing or left-centre (ČSSD – 4,7 %, KSČM – 3,6 %, Greens – 1 %) or that most likely fit within the left-conservative sector of electorate (anti corruption Příklad movement – 4,7 %).

² Details available in Czech here: https://www.novinky.cz/domaci/clanek/klic-k-vysledku-piratu-podle-stem-volici-stan-krouzkovali-dvakrat-capeji-40377871#dop_ab_variant=0&dop_source_zone_name=novinky.sznhp.box&dop_req_id=CvPnh560IWI-202111121330&dop_id=40377871&source=hp&seq_no=7&utm_campaign=&utm_medium=z-boxiku&utm_source=www.seznam.cz The findings of the survey are entirely congruent with the 2017 election balance of power between the two (11 % for Pirates, 5 % for STAN).

Conclusions

The first important conclusion to be made is that the party system restructuring preceded the Court's intervention into, and the reform of the electoral system. Namely, 5 opposition parties – 2 of them middle-size, 3 small-size – had formed two coalition blocs by January 2021. Both blocs claimed the ambition to become the main challengers of the ruling Babiš's ANO party. The coalitions were formed *in spite* of the coalition-unfriendly provisions of then valid electoral law (5-10-15-20 additive threshold). They were formed *because of* the electoral system's slight bias in favour of large parties with support around 30 % and its strong bias against small parties with support just over 5 %. The goal was to avoid the repetition of a 2017-like asymmetric fragmentation (and, resultantly, underrepresentation) on the "anti-Babiš" part of the spectrum.

The second conclusion refers to the Constitutional Court, which has proven over the two decades to be a powerful and independent veto player regarding the electoral rules. In both key verdicts, 2001 and 2021, it displayed a remarkably strict and narrow interpretation of the Czech constitutional principle of proportional representation in the Chamber of Deputies. With the timing of its 2021 verdict, moreover, it did not hesitate to put the political players under time pressure.

The third conclusion is about the choices that have *not* been made after the 2021 Court verdict. As already mentioned above, political players missed the opportunity to make the system genuinely proportional (for differences see table 4 above). They missed it not by mistake but rather on purpose. The constellation of forces in spring 2021, when the forced electoral reform was taking place, reflected the changed reality. Instead of a fragmented 9-party system, a game of 3 strong players was already being played. ANO

and the two anti-ANO coalitions had no interest, arguably, to insist on "soft" rules favouring minor parties. Ironically, it was precisely small parties' senators (now belonging to those two anti-ANO blocs) who had originally challenged the system in 2017.

The fourth conclusion is that vote distribution and party fragmentation matters at least as much as the mechanics of the electoral system itself. The 2017 and 2021 election comparison provides a particularly clear contrast between a highly fragmented outcome (2017) where the electoral system differences matter highly (see simulations in table 4) and a much less fragmented 2021 outcome.

The fifth conclusion refers to preferential voting which had an unexpected impact on both "anti-ANO" coalitions. Voters tended to favour the weaker components in both coalitions. The Pirate party was punished heavily within the PirStan coalition.

The sixth and final conclusion points to the fact that a record-high share of votes (20 %) was wasted in the 2021 election and that $\frac{3}{4}$ of this were left-wing or left-leaning votes. Similarity to the Polish 2015 election – the first one after which Polish Sejm also lacked any left-wing component completely – is striking.

Putting the last two conclusions together, the overall message is more than obvious. Czech left-wing (left-centre) has suffered an unprecedentedly heavy loss. Traditional left has remained below the legal threshold. Pirate party, the only non-right-wing element in the emerging victorious anti-ANO bloc, whose leader had ambitions to become Czech Prime Minister, has four deputies in the Chamber of Deputies.



CHAPTER 2 ---

THE ELECTORAL CAMPAIGNS UNDER THE COVID CIRCUMSTANCES

THE 2020 PRESIDENTIAL CAMPAIGN IN POLAND: AN EXCEPTION OR BUSINESS AS USUAL?

The aim of the paper is to analyse the dynamic, form and content of the 2020 presidential campaign in Poland through the lens of the COVID-19 pandemic's impact on the electoral process.

We would like to answer the following questions:

1. Did the pandemic significantly change the electoral campaign? Or did it only affect the form of communication (social media), with the content and the main competitors remaining as usual?
2. What issues dominated the campaign content of the candidates? And what does this say about the Polish political landscape? Was COVID-19 and the country's recovery from the pandemic a polarising issue? Did it mobilise any specific groups supporting a particular candidate?
3. How were the exceptional circumstances of the pandemic exploited by the ruling party's incumbent, the opposition challengers, and the "newcomer"?
4. What did the limitations (and deconfinement) mean for the centre left?

Background of the 2020 presidential election

The 2020 presidential election in Poland was originally meant to be held on the 10th May. Until the very last moment, there were no legal guidelines for how to organise such an event in times of a pandemic. The ruling Law and Justice party (PiS) proposed substantial changes to the electoral law just one month prior to the day of the election. In the midst of the ensuing chaos, with the government facing a potential disgrace,

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the election was postponed. Four days before the official election date, the Agreement party (Porozumienie), which is a part of the governing United Right (Zjednoczona Prawica) alliance and was opposed to keeping the original date, reached an arrangement with senior partner (PiS) to set new dates for the election. Given that the governing parties were now speaking with one voice, the following day the National Electoral Commission declared the election could not take place on 10th May. In early June, the Speaker of Sejm (the lower chamber of the Polish Parliament) ordered the first round of the election to be held on 28th June and scheduled the second round for 12th July. This brief timeline of events makes it starkly obvious just how much a decision-making chaos reigned over the election, which is considered a celebration of democracy in every European country.

While numerous countries decided to postpone elections and referendums because of the pandemic outbreak, the situation in Poland was extraordinary, as the delay was actually not caused by the pandemic at all. In fact, the right-wing government had initially gone against the global trend and insisted the vote should be held as originally scheduled, regardless of the pandemic. Not only had they not declared a state of emergency (under which any elections would have been prescribed for at least 90 days), but they also decided to change the rules of the game when the electoral campaign had already been well underway. Just weeks before the original date of the first round, Sejm discussed and endorsed a draft of a bill which stipulated that the presidential election would be carried out exclusively by postal voting. Clearly, this undermined the core democratic principles enshrined in the Polish Constitution, according to which the elections should be direct and enable voters to cast the ballot anonymously.

Where did the ruling United Right coalition's stubbornness to hold elections on time despite the

pandemic threat come from? It would be naïve to think that they were concerned with adhering to constitutional deadlines and feared potential charges of undemocratically extending president Andrzej Duda's term. In the spring 2020, polls were consistently showing that it was the incumbent president, who was the frontrunner. His candidacy had been supported by Jarosław Kaczyński, chairman of the Law and Justice party. Over the previous 5 years, president Duda has steadily signed off on all the bills pushed through the Parliament by the United Right, even those undermining the rule of law. He had proven to be a guarantee of easy governing for PiS and its allies. The ruling camp was afraid that delaying the election would cause the expected negative economic consequences of the pandemic to weaken the incumbent president's support, altering public sentiments and political leanings at large. In a nutshell, they dreaded an electoral defeat. This also explains the hastiness and the botched attempts to advance the new electoral bill, despite the criticisms coming from international institutions (such as the OSCE and its Office for Democratic Institutions and Human Rights) and many lawyers. Their objections were rooted in the belief that the proposed changes would lead to running the election in a way that has very little – if anything – to do with basic democratic values, according to which the elections should be universal, direct, equal and enable anonymous ballots.

When the United Right realised in early May that the election could not be held as originally planned, the governing side accused the opposition and the local governments of disrupting the process, portraying them as the actual culprits of the disgraceful situation. Local governments became the target of PiS' blame game after they had refused to transfer personal data of all voters registered in their respective constituencies to the state-owned Polish Postal Service. In doing so, they rebelled against the minister

in charge of the organisation of the election, who tried to force them into compliance. The audience of the state-owned media, subordinate to PiS from 2015 onwards, were therefore convinced that there was good will on the side of the government, but that the opposition, 'as always', acted recklessly.

The chaos surrounding the election date dominated the first round of the campaign, which began even before the pandemic reached Europe and lasted until the announcement of the new election date. Hence, prior to 10th May it was not so much the pandemic, the resulting risks to public health or managing the economic fallout of the lockdown, but rather determining the key rules of the electoral game that was the crux of the contest among the major presidential candidates.

Main actors in the electoral game

The selection of presidential candidates had begun towards the end of 2019, before COVID-19 first reached Europe. All parliamentary parties fielded their runners. PiS was the first to do so. On 24th October, 2019, in an open letter to the newly elected members of the Sejm and Senate, PiS chairman Jarosław Kaczyński announced that the party would strongly support the incumbent, Andrzej Duda.

The leader of the largest opposition party, Civic Platform (PO), decided to hold primaries in order to complete the nomination process. Małgorzata Kidawa-Błońska emerged as the winner in December 2019. However, after the postponement of the election, she withdrew from the presidential race under the pressure from her own party, dissatisfied with declining poll numbers. She was replaced by Rafał Trzaskowski, who became the new candidate of the Civic Coalition (a political and electoral alliance of four parties that cooperated in the

run up to the 2019 parliamentary election). Time constraints meant that no in-depth intra-party discussion took place on his candidacy. In a very short period, Trzaskowski managed to gather over 1,6 million signatures under his registration submission, thus securing his eligibility to run in the election.

In December 2019, Władysław Kosiniak-Kamysz, the chairman of the Polish People's Party (PSL), also announced his intention to run in the election. At the beginning of January 2020, the Left nominated Robert Biedroń as its candidate. The Confederacy of Liberty and Independence party held an open presidential primary, modelled on US politics, leading to the nomination of Krzysztof Bosak at the party convention on 18th January, 2020.

Another person who turned out to be an important actor in the election was Szymon Hołownia, a newcomer to the political arena who declared his intention of competing for presidency in December 2019. He quickly established a solid foothold, polling well along the candidates put forward by main parliamentary parties, with his support oscillating around 10%. In early May 2020, with numerous COVID-related restrictions still in place, some polls gave him as much as 20% of support among citizens declaring their intention to vote. However, the Civic Platform's successful gamble with Trzaskowski meant that Hołownia was confined to third place in the race from there on.

There were a total of 11 candidates on the ballot. By Polish standards, it is not a particularly high number, but the pandemic made the requirement of collecting at least 100 000 citizens' signatures harder to meet. Besides, the government of the United Right had been altering the electoral code, shortening the official deadlines – all to make it even more difficult for all potential runners, aside from their own, Andrzej Duda.

As there was no winner in the first round held in June, the top two candidates – Andrzej Duda (43.5%) and Rafał Trzaskowski (30.46%) – advanced to the second round. Szymon Hołownia (13.87%) and Krzysztof Bosak (6.78%) came third and fourth, respectively. Władysław Kosiniak-Kamysz (2.36%) and Robert Biedroń (2.22%) both underperformed, taking the fifth and sixth place. The second round held in July was very tight. With over 20 million votes cast, the difference between the competitors was less than 500 000 votes. The incumbent secured his re-election by a slim margin, garnering 51,03%, compared to Trzaskowski's 48,97%. Given such a close contest, each campaign detail could have changed the outcome.

A strange campaign in turbulent times

Numerous studies show that in a two-candidate election, the incumbent possesses a significant advantage over the challenger. The incumbents' superiority is rooted in their visibility as candidates (Spälti et al. 2017), media attention bias (Prior 2006) and campaign strategies they can employ which are not available to the challengers (Ashworth and de Mesquita 2008; da Fonseca 2017; Peskowitz 2019). Accomplishments in office constitute means of differentiation from other candidates and can serve to gain advantage over the opponent by convincing the voters that the incumbent is more fit for public office than the challengers (Rafałowski 2021). In the case of the 2022 presidential election, apart from these general advantages the incumbent also benefited from the bias in the campaign coverage – state-owned media clearly favoured Andrzej Duda, covering his campaign more broadly and in a favourable manner, while the challengers were marginalised and even libelled (ODIHR 2020). According to the OSCE's Office for Democratic Institutions and Human Rights, the state-owned broadcaster, TVP, "failed in its

legal duty to provide balanced and impartial coverage" and „acted as a campaign vehicle for the incumbent”.

Another issue that – at least potentially – favoured the incumbent president stems from the attitudes of citizens in an emergency situation, such as a pandemic. The “rally ‘round the flag” effect theory (Mueller 1970) predicts boosts in government support in times of international crisis, including war, as these crises distract the public from other important issues and call for national solidarity. It has been suggested that there is evidence of a “rally ‘round the flag” effect of the pandemic (Bol et al. 2020; Schminke 2020; Yglesias 2020).

In Poland the assessment of the government and the incumbent president during the corona crisis heavily depended on the previous support of the ruling party and the opposition parties. PiS' supporters believed that the government did a rather good job, while the supporters of other parties pointed to a lot of scandals (including financial ones) and to the health care system's and the administration's lack of preparedness, not to mention the unnecessary deaths unrelated to COVID, but resulting from the overall deficiencies in the organisation of health care. It was therefore natural that the pandemic became a campaign topic, especially during the second phase (May and June 2020), following the logic of competition between the candidate supported by the ruling party and the main challenger supported by the largest opposition party. However, while it did become a vital theme, it did not dominate the debate. Why was this the case? It seems that the campaign staffs of the 2020 presidential candidates did not see the potential in focusing their campaigns on the pandemic issues. The incumbent president would not have been able to expand his electorate base, and the candidates supported by the opposition parties would have fared poorly as defenders of the citizens against a health

threat, precisely because as the opposition, they were cut off from the decision-making process, monopolised by the ruling party. The only candidate who tried to tap into the political capital in the anti-vaxxer movement was the nationalist Krzysztof Bosak, nominated by the Confederacy. In fairness, it would have been strange if he had not reached for these resources. Neither the left-wing opposition nor the centre-right Civic Platform could manage this electorate. While PiS made half-hearted advances towards anti-vaxxers, such attempts could hardly have been credible given the government's efforts to contain the pandemic by implementing restrictions and promoting vaccinations. Hence, the social contestation of restrictions was left as fodder for the nationalist party that had previously appeared to be a single-issue formation.

The pandemic presented the society with a number of massive issues: the shortcomings of the healthcare system, the unprecedented risks to public health, the economic consequences of the restrictions for businesses and employees alike, the shift to distance learning and the need to provide home day care for children. Given such a wide scope of vital problems affecting people's everyday lives, it might be surprising that the campaign was focused on other, unrelated matters. After the postponement of the election, PiS and the incumbent president centred their message on the attitude towards LGBT+ people. During his rallies, Duda labelled homosexuals and their views on sexuality "neo-Bolshevism" and made a repeated claim LGBT "was not a description of a person, but an ideology". Duda's narrative dehumanised LGBT+ circles and portrayed them as a threat to a traditional concept of a family, of which was supposed to be a defender if re-elected. After the first round, Duda's staff introduced another value-centred topic: euthanasia. This was even more surprising given the fact that euthanasia had hardly been mentioned in a broad public

discourse. The president argued that a (hypothetical, in any case) move to legalise euthanasia would somehow mean a compulsory murder of older people. Such an absurd rhetorical figure was supposed to stoke yet more fears in PiS' and Duda's electorate. Duda implied that as long as he was in office, senior citizens could feel safe, but the victory of his main competitor, Rafał Trzaskowski, would present them with a genuinely existential threat. Tapping into fear was always designed to demobilise the voters who might support other candidates and attract those who were still undecided. It was also supposed to create a clear-cut division and a distraction from real economic issues and health risks caused by the pandemic.

Similarly to all campaigns from 2005 onwards, the 2020 contest was a bipolar affair between candidates supported by the two largest parties. Not for the first time, all other candidates ended up victims of the PO-PiS stalemate. The pandemic did little to change that. In 2005, PiS' and PO's candidates (Lech Kaczyński and Donald Tusk, respectively) together garnered 69,43% of all votes. In 2010, Jarosław Kaczyński and Bronisław Komorowski had as much as 78%. In 2015, Andrzej Duda and Bronisław Komorowski collectively achieved 68,53%. In 2020, the number stood at 73,96%. These numbers clearly show that any space for other presidential contenders in Poland is very, very limited.

In the 2020 election, the Left's candidate fared very poorly, marking a new historical low – which they would not have envisioned in their worst nightmares. Robert Biedroń, a well-known MEP of Wiosna, finished the race with a result that, in terms of percentages, was even worse than that of a TV celebrity who had run on the Left's behalf five years earlier. Actually, in 2020 many left-wing voters put their support behind Trzaskowski in the first round, as Biedroń never seemed to be in contention. Of course, Biedroń's heavy defeat can be attributed to the strong

polarisation of the political scene, but this is only a partial explanation. In the same election, Szymon Hołownia garnered nearly 14% of votes by building his political message on questioning the adequacy of the PiS-PO divide. In doing so, he showed there actually was a substantial group of votes willing to look beyond PiS and PO. They saw Hołownia as a symbol of a new quality of politics. In fact, searching for political alternatives among candidates previously unrelated to politics has become a hallmark of the current times, not only as a reaction to the pandemic. But was the candidate of the left really unable to attract even a fraction of the voters exhausted with the rivalry of the two big parties? The 2020 election result is the answer as far as the facts are concerned, but it does not say everything about the potential of progressive candidates in Poland. Here, the parliamentary elections are a much better indicator, although the inability to mobilise the left-wing electorate to vote in the first round of the presidential election for the candidate nominated by the left-wing party is not a good omen for the future.

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2020 ROMANIAN ELECTORAL CAMPAIGN

1. Introduction

Organising local and general elections in the midst of a global pandemic is a real challenge for any responsible government. Not in Romania, though it would seem. 2020 was business as usual for the Romanian political elite during the elections. While most of the EU countries were struggling with lockdowns due to a surge of COVID-19 related cases, the Romanian political class decided to abolish all restrictions for voting citizens, with a complete disregard for human life and health, in order to have a “democratically elected” power in charge.

Consequently, the elephant in the room – the COVID-19 pandemic – did not appear to be a real issue for Romania’s main political parties during the elections. Moreover, some news outlets even reported on rumours that testing was halted nationwide in order to provide a justification for the removal of restrictions. The elections required only minimal measures, such as social distancing and masking, while all other measures were temporarily suspended.

In the following sections I will try to cover a number of aspects regarding the electoral campaign of 2020, by trying to address several questions – what were the main issues structuring the 2020 campaign discourse in Romania? What was the impact of the global Covid-19 pandemic on both the organisational aspects of the campaign and also on shaping the political message all across the Romanian political spectrum?

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2. Main issues structuring the Romanian political debate in 2020 – the fight against corruption.

The number one topic of the Romanian parliamentary elections in December 2020 was not, as one might have thought, the public health issues raised by the raging COVID-19 pandemic, but the fight against corruption. Both the National Liberals and the Save Romania Union (USR), along with the newly formed Alliance for the Union of Romanians (AUR) forged their electoral strategy around pushing an anti-corruption agenda directed against the biggest party on the Romanian political scene, the Social Democrats (PSD). Undoubtedly, the intention of this anti-corruption agenda was to capitalise on the aftermath of the massive anti-corruption street protests that took place before the pandemic, between 2017-2019, and also on the perceived precarious economic situation of the country, in order to augment their own electoral performance. The success of this strategy was to push all three parties into the parliament, and to enable the Liberals and the USR to form the new Romanian executive. But one question remains unanswered for the foreign observer who seeks a better understanding of the 2020 electoral process: what does the anti-corruption discourse mean in the specific Romanian context and what is its impact on the Romanian party system?

For more than a decade, Romanian politics have been revolving around the fight against corruption. What one needs to do when looking at corruption in Romania, is to distinguish between corruption as a social, political and economic reality, and corruption as a political and ideological discourse meant to mobilise voters and coagulate them around various forms political action – either electorally or otherwise, such as getting involved in social movements and protests.

Corruption has been a systemic feature of Romanian life since the inception of the modern nation state in the second half of the 19th century and this history engendered what Eric Uslaner calls a “Culture of corruption”, generated by a vicious circle of inequality, low out-group trust and high corruption (Uslaner, 2008, 6). Thus, corruption in Romania is an endemic phenomenon. And the usual essentialist approach to it - inspired by liberal modernization theory stating that “corruption is the product of underdeveloped market economy and democratic institutions and practises” - is in my opinion blind to the way in which corruption is a constitutive part of Romanian social reality as a social and symbolic practice (Zerilli, in Haller&Shore, 2005, 83-4). It is one of the main mechanisms fueling Romania’s strong informal economy and politics (see Klima, 2020; Ceyhun, 2021; Kim, 2005). After the 2007 EU accession, Romania added to its long list of corruption issues those regarding the EU funding, involving dubious arrangements concerning high-level officials, fraud or fund misuse, or fictional EU-funded projects meant to serve the clientele system (Bratu, 2018, p. 2-3, see also Hoaxhaj, 2020). As such, the issue of corruption as an embedded trait of Romanian realities must be understood as a relevant variable for all interested in the study of Romania’s social, economic and political life.

At the same time, when discussing corruption from a political and ideological standpoint, a different picture emerges. Corruption is, at least in the Romanian setting, more often than not instrumentalized for political gain and in order to craft a specific ideological identity. In other words, the goal is to create an identity narrative, and not to really address or solve the problem. Moreover, apparently in the Romanian case, the anti-corruption fight itself can be turned into an act of corruption (Mendelski, 2020)

Ironically, the issue of corruption was pushed into the mainstream by former right-wing

president Traian Băsescu back in the mid-2000s as a major part of his presidential campaign(s), while he himself was dealing with serious corruption charges (ANUL 2004 – alegeri in Romania | Infopolitic). But what was initially populist rhetoric meant to reshape a candidate's public image, became over time a central issue of the Romanian political agenda.

An apparent cleavage between 'corrupted' parties and anti-corruption forces, reformist and anti-reformists or between pro and anti-European, seems to be fracturing Romanian society and politics it is structuring the party system as well as the dominant political discourses (see Gingerich, 2014, p. 252). As a consequence, this cleavage shapes election outcomes. Moreover, it seems that this cleavage also illustrates the classical ideological divide between the Left and the Right, but with an Eastern-European twist: former communist vs anti-communist. For a non-Romanian reader this may seem confusing, probably, because, in reality, it's not about corruption, but about its understanding within the Romanian political context. Both major parties, the Social Democrats and the National Liberals in Romania have corrupted politicians. For example, the Liberals fell to a new low in 2016, when Baia Mare's mayor Cătălin Cherecheș was re-elected while he was in prison for bribery charges. As also, the former Social Democrat leader Liviu Dragnea is also serving time since 2019 for corruption charges that took place during his time as President of Council of Teleorman county in 2000-2012. Therefore, apart from its strict judicial meaning, corruption in the Romanian political context should be understood as more or less a discursive convention referring to several issues perceived as crucial and, interestingly, all of them related to the Social Democrats, who are seen as associated with a certain 'system':

Firstly, a lack of modernisation (both institutional and infrastructural): the Social Democrats

are held responsible for Romania's poverty and underdevelopment. Actually, all governments (including the Social Democrats) since the mid-1990's adopted neo-liberal policies that gradually contributed to the current state of affairs – privatisations, eliminating progressive taxation, closing up hospitals and so forth.

Secondly, the predominance of informal politics in governmental action as well as in grass roots politics. For example, the Social Democrats are accused of protecting the so-called 'local barons', of allowing them to control local politics and to push their own proteges into public offices. This however is yet another complex issue that is oversimplified and politicised, as both major parties are trying to attract local barons in order to consolidate their electoral base.

Thirdly, the perceived conflict between two major camps: former communists vs anti-communists. The 'communists' are represented in this view by the Social Democrats (also wrongly considered to be heirs to the defunct Romanian Communist Party of Nicolae Ceaușescu), while the anti-communists are literally all other significant political organisations. The Social Democrats are perceived as defending their privileges and power positions, while the other parties are fighting against them, for the betterment of Romanian society. This ideological positioning led in 2014 to the chants of "down with communism!" on the streets of Romania and abroad against Victor Ponta, former leader of the Social Democrats and presidential candidate at the time. This happened in spite of Ponta's public neoliberal stance in economic policy and his adherence to Anthony Giddens' 'third way' in terms of social policies.

Fourthly, the alignment with either Russia or the Western world as a strategic foreign policy option became a sort of a mantra for all parties opposing the Social Democrats, who were accused to side with Moscow and the Russian president

Putin, and, consequently, to be against the EU and Romania's national interests. This, again, is untrue: the Social Democrats are one of the artisans of Romania's Euro-Atlantic integration and, apart from some isolated instances during Liviu Dragnea's leadership, they never abandoned their allegiance to Western values and institutions.

Thus, the issue of corruption in Romanian politics is a discursive top-down approach to party competition, a discourse in search of an electorate.

In the 2020 elections, citizens rallied across the political spectrum for or against one of the two dominant positions. The notable exception still is the party of the Hungarian minority, the Democratic Alliance of Hungarians in Romania (DAHR) that, due to its loyal ethnical base and its reliable 5 percent of the vote, chose the role of a hinge' in the Romanian coalition making game, therefore governing with literally all parties of the political spectrum, as long as they agreed to specific policy issues pushed by the DAHR on behalf of the Hungarian community.

3. Parties, programs and campaign strategies

The reality of the 'corruption' cleavage is confirmed by the fact that it shaped the Romanian party system by creating new parties solely relating to this specific topic, engendering two main models of political positioning – a democratic-populist one, embodied by the Save Romania Union (USR), and a right-wing, authoritarian and neo-fascist one, represented by the Alliance for the Union of Romanians (AUR).

USR

The USR is a populist middle-class party relying on the big cities' electorate (such as Bucharest, Timișoara or Brașov). Initially, its sole message

was aimed against corruption, identified with the biggest party in Romanian politics, the SDP. USR initiated a campaign to start a referendum for changing the Constitution, under the slogan 'Without any condemned people in public office!', which it is still pushing in 2020. Also, in the 2020 parliamentary elections USR tried to run under another anti-corruption slogan – "A Romania without thievery". When USR formed, its ideological stance was a mix of left and centre-right leaning ideas professed by politicians and activists that met during the 2017 and 2018 anti-governmental protests.

Their political Values Charter stands as a populist credo, by stating that USR "was born in the 21st Century, an age where the left-right division is frequently used as a tool for deception and disunion in regard to the citizen's legitimate hopes and aspirations."(...) "we are going to define public policies starting from the real needs of the people, not by relying on the narrow agenda of some interest groups and not by obeying the letter of some often outdated ideologies."; "USR is the party that brought us together by rejecting the clientelist model, which is authoritarian and antiquated, imposed by the other parties during the transition from communism"("Noi suntem USR", 2019). After reading through the entire document, it's rather clear that the USR originally aimed to reconcile the contemporary dominant populist trend with the liberal ethos, an endeavour that resembles Emanuel Macron's project in France (Nicolescu&Bujdei, 2018, 73-4). Similarly, their political program for the 2020 elections, entitled "For a Romania without thievery! The USR PLUS plan for a revolution of good governance!", states that "The old parties have failed. After 31 years we no longer have any expectations from them. The progress is too slow with them in charge. They have destroyed Romanian's trust in the state and in the political process. We no longer have patience. We cannot stand their lies and incompetence." (O Românie fără hoție!, 2020). What is

remarkable in the 40-points USR program is the fact that there are no coherent measures regarding the COVID-19 pandemic. 6 of the 40 points refer to the health reforms, but none of them mentions the pandemic (40 de angajamente la guvernare, 2019, points 9-14).

But their populist-liberal initial stance rapidly changed towards a right-wing neo-conservative position (involving neo-liberal economic policies, such as the privatisation of healthcare in Romania and attacking the few remnants of the welfare state still present, doubled by conservative political values, which were best illustrated by USR's support for the 2018 'referendum for the traditional family', directed against LGBTQ rights). USR's whole rhetoric is furiously centred against the PSD (and lately against the Liberals, accusing them of 'baronial' informal politics, much like the PSD). One of their last such endeavours during the campaign was a poll that was cancelled after the revolted respondents posted pictures of the questionnaire in which they were asked if they would accept that friends or family members voted for the PSD (Sirbu, 2020). These tactics won the USR (and their allies in PLUS) more than 15 percent of the vote on 6 December. They became the third party in Romanian politics and partnered in government in 2021 with the National Liberals (which had a similar campaign aimed against the PSD) and the DAHR.

But how did the COVID-19 pandemic affected or influenced the way in which the USR conducted their campaign? First of all, as I mentioned before, from a programmatic standpoint, USR apparently paid little attention to the pandemic. The issue only appears scarcely in their texts, as a "serious health crisis" (O românie fără hoție!, 2020). Their tactic on the ground was to first create a dynamic and competent image for the candidates, double their goal by a populist approach: the claim "we are like the people" and the appearance as respecting the COVID-19

measures. Thus, USR released a series of electoral promos that were mostly popularised in the online environment, where leaders like Mr. Barna (at the time the leader of USR) were pictured as a young and dynamic entrepreneur (electoral clip no 1&2), or clips where the main theme was the corruption (electoral clip 3). At the same time, while USR tried to appear to be one of the political actors that respected and upheld the COVID-19 safety measures, it tried to move some of their campaign activities online. Therefore, they organised an online rally with their supporters ("Primul miting digital din România", 2020)

National Liberals - PNL

The National-Liberals had a completely different approach to the campaign. Being the governing party meant that they focused mostly on their accomplishments or on their future projects as a party in power. Their main statement in this regard was the "We develop Romania" (Dezvoltăm România) program – a 340 pages document that was literally unreadable by the median voter. The language used is mostly technical, as if the document was targeted towards some European institutions, but not towards the Romanian citizens. This dull, technocratic approach is also reflected in PNL's promotional clips, where an impersonal voice is presenting the successes of the party in regard to the labour market and in government generally speaking (electoral clip 4&5). To this it must be added that the liberal prime-minister, Mr. Cișu, chose to limit the measures regarding the COVID-19 pandemic in order to protect the economy, after the former prime-minister, Ludovic Orban (also from the National-Liberals) took a strong stance in the spring of 2020 by imposing a lockdown that lasted from March until May. Nevertheless, the National-Liberals perceived themselves as having the pole position in the electoral race, due to their

one year in power, and this was, in my opinion, the main variable shaping their campaign. A low effort, low-cost campaign, blind to the pandemic, that appeared to have visible effects in the polls – in the summer of 2020 the PNL was leading 33% to 21.9% the Social Democrats in this respect (DIGI24, 2020). As a result, after the elections, when actually placing behind the Social Democrats (29.32% for the PSD and 25.58% for the National-Liberals), the liberals claimed victory and opened negotiations with USR to form the new government. This tactic proved in the end inefficient, as 2021 unfolded: the fragile coalition with USR crashed and, at the time I am writing this, the liberals are negotiating with the social democrats a PSD-PNL coalition government.

For most analysts and commentators in Romania and abroad, the elections on 6th December produced a huge surprise, by the unexpected success of the far-right Alliance for the Union of Romanians (AUR). Romania appears to be following the footsteps of other EU countries by voting a populist, xenophobic and anti-European far-right party into parliament.

But unlike its counterparts from the West, AUR has a different message and electoral base. AUR is a product of the COVID-19 pandemic as well as of the structural crises that have been affecting Romanian society for the last two decades. It is a patchwork of various nationalist right-wing groups that united to fill the spot emptied by the demise of the former Greater Romania Party (GRP) lead by the late Corneliu Vadim Tudor. The main difference between the AUR and the GRP lies in AUR's more diverse ideological base. While the GRP was an heir of the national-communist ideology preached by Nicolae Ceaușescu during the 1970's and 80's, AUR, has multiple influences, that include national communists, neo-legionaries (neo-fascists) and anti-vaxxer sovereignism inspired by the Trump and QAnon movements in the US. What is really important is that AUR managed to:

1. Create a political program that is extremely well-written in order to protect their anti-democratic position - for example, taking out of context all fragments involving freedom and liberty or democracy would make the party to appear as being nothing more than another national-populist movement, duplicating the already existing models from abroad. But, reading those fragments in context, the analyst will be surprised to learn that AUR is redefining the core concepts of the demo-liberal modern state in an anti-democratic, anti-illuminist and anti-modernist manner that should, in my opinion, trigger a stronger reaction from the democratic forces in Romanian society (see Programul partidului politic Alianța pentru Unirea Românilor).
2. Construct a very successful low-cost, online grassroots campaign that tactically was a surprise to all other political actors in Romania. If the main parties competing for power were using the usual means in order to spread their messages in social media – paying ads , growing pages and trying to engage the electorate with professionally made promotional videos – AUR adopted a very different strategy, involving peer to peer interaction, clear-cut messaging and expanding their social-media bubble (Popescu, 2020).

AUR reflects the other side of the anti-corruption discourse, again blaming the PSD for the poverty and the corporate takeover of Romania, and also for the under-development that pushed almost half of the working force out of the country. That is why their electoral base consists mostly of poor regions and low-income Romanians working abroad (often illegally). AUR pledged to reject any political alliances in Parliament, a fact that will present as a serious challenge for any potential ruling

coalition with a weak majority that was formed by the Liberals and the SRU.

The Social Democrats had a very complicated task ahead of them: to overcome the post-Dragnea drop in the eyes of the electorate, and to counter the virulent campaigns aimed at them from all corners of the political spectrum. And being the opposition party to a right-wing government appeared to be just the right remedy for the problem. From this perspective, we must notice that the PSD was literally the only major party to address the COVID-19 pandemic in the 2020 electoral campaign. Their “Plan for combatting the COVID-19 pandemic” is a clear, six points strategy to mitigate the pandemic by mass testing, monitoring the sick, by rising the public’s awareness through communication and educative campaigns designed to rebuild the trust between the public and the authorities and to correctly inform everyone about the COVID-19 risks, vaccine, treatments and measures, a restructuring of the medical system in order to make it able to cope with the high numbers of sick people in need of help and, a strategy aimed at the vulnerable categories (Combaterea pandemiei COVID-19, 2020). Apart from that, the PSD had a confusing message in 2020, as they did for some time – a mixture of national-populism, neoliberalism and social-protectionism that reflects in my opinion the persistent identity confusion that is plaguing the social democrats in Romania. The PSD is still searching for a centre-left identity in a post-communist world, and this actually is the main issue that the party must address in the future. The inertial electoral victories are a clear sign that a large part of the electorate is still identifying with the idea of centre-left, but the recurrent inability to take a clear decision in terms of political identity is starting to be a contributing factor to the long-term erosion of the social-democrats (see electoral clip no 6, 2020 included in references).

4. Conclusions

In conclusion, what were the main traits of the 2020 Romanian electoral campaign? First, the absence of the obvious – the COVID-19 pandemic. Apart from the PSD program, no other relevant party tackled the very complicated issue of the pandemic, except for the generic mentions, these were: going through a “severe healthcare crisis “ (USR), and this in itself it’s a clarifying message in regard to the impact that the pandemic had on Romanian political life in late 2020. Furthermore, the lack of references to the healthcare crisis does not mean that has not been present. And this allowed the AUR to build a message inspired by the conspiracist narrative that ultimately reflected in the vote count. AUR, in my opinion, is the most relevant player in the 2020 elections. They are the sole political party that risked a grass-roots online campaign, using a language that did not resemble the one used by the mainstream parties and thus they managed to mobilise the working men and women from the Romanian diaspora. Clearly the PSD and the national-liberals were unable to tap into the electoral pool of the diaspora, in spite of their repeated and often insistent efforts.

The only other political force that had a similar impact was USR, but unfortunately their mostly middle-class message failed to inspire the bulk of the Romanians working abroad. In the end, perhaps, this situation reflected a class reality to which the mainstream parties are unable to react properly. The USR addresses the intelligentsia - mostly college-educated, employed in the high paying jobs Romanians, also those abroad that ultimately decided to relocate in order to have access to a real career opportunity, while AUR targeted the low-income, working class (and mostly unskilled) workforce that was forced to find a comparatively more well-paying job abroad in order to assure its own survival. Both categories are aspiring, in political terms, for a better

Romania – in social, economical and political terms. But their worldviews could not be more different. The mostly cosmopolitan, well-educated middle-class voters are hoping for a more liberal, open and diverse Romania, whilst the low-skilled, poorly paid workers that feel that they are humiliated and stepped upon in order to gain a measly salary are looking towards a more authoritarian, autarchic and traditionalist Romania as a place that they eventually could return to.

Moreover, there was a consolidation of the so-called “Corruption cleavage” discussed above. The inability of the mainstream liberal and social-democratic parties to address core issues like poverty, inequality, migration, marginalisation and increased vulnerability within Romanian society further pushed votes towards a radicalised populist stance by a large section of the populace. In other words, the business-as-usual politics turned out to have a more centrifugal effect than expected. Perhaps the best arguments to this respect are offered by recent research done by the Center for Independent Journalism – “The Illiberal Discourse in Romania’s Exceptional Year, 2020. The Healthcare Crisis and the Electoral Campaigns, Vectors of Hatred in the Public Discourse” (Holdiş&Rus, 2021). The data was collected from the 15th of March to the 10th of December 2020 by media monitoring. The research team found that, during 2020 the Roma community was particularly blamed for the spread of the COVID-19 virus in Romania (Holdiş&Rus, 2021, pp. 8-9), followed by the migrants (p. 11-12). Both issues have a deep meaning for the Romanian diaspora in the EU, in terms of their self-perception in relation to the societies of their adoptive countries. The relentless grass-roots association of Romanians with the Roma, and with the immigrant threat generally in Western Europe has fueled a strong identity response that became particularly visible during the 2020 elections. Romanians abroad chose, for the first time, to vote with a xenophobic, nationalistic party and abandon their long-praised support for the European institutions and overall vision.

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ANALYSIS: --- CHANGES AND DEVELOPMENT OF BULGARIAN ELECTORAL LEGISLATION IN 2021

I. INTRODUCTION

This analysis is focused on the Bulgarian Electoral legislation that was in place during the regular parliamentary elections on 4th April 2021 and the snap parliamentary elections on 11th July 2021.

The Bulgarian Constitution and the Electoral Code determine the main legislative

framework for the country elections. It further includes: the Law on Political Parties; the Law on Assemblies; Rallies and Demonstrations; the Law on Administrative Violations and Penalties; the Penal Code, as well as the decisions of the Central Election Commission (CEC). This paper intends to examine the changes to the legal frame of the election process, as also to offer some recommendations for the future.

The legal frame defines that 240 members of the National Assembly are elected by closed list proportional representation from 31 multi-member constituencies ranging in size from 4 to 16 seats. The number of seats in the constituency is determined according to the population of the electoral region. The electoral threshold is 4% either for parties and coalitions. 4% of the votes usually means 10 members of Parliament, 10 is also the minimal number to form a parliamentary group. The allocation of the mandates between parties and coalitions in

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each constituency is based on the Hare method. It was used in Bulgaria in the first European elections in 2007. Hare's quota is determined by the formula $s \cdot vq = v$, where "v" is the number of all actual votes, and "s" is the number of seats in the multi-member area. The Electoral Code gives a chance not only for the party candidate's list, but also for independent candidates, who can run in the different districts if they manage to collect signatures from their supporters and pass the registration procedure in district election commission. Nevertheless, in Bulgarian history there is no independent candidate, who could have managed to gain enough votes to enter the Parliament.

There were two important changes in the Electoral Code in March 2021 and in May 2021. All of them directly influence the election process. They were made in contradiction with the "good practises" of the Venice Commission, which states that legislative changes in Electoral Law should be made not less than 6 months before the elections. In both cases the amendments were made just a few days before the start of the election campaigns.

Furthermore, campaign finance is regulated by the Election Code and the Law on Political Parties. The 2019 amendments to the campaign finance legal framework reduced public funding for political parties, reintroduced the right of legal entities to donate to election campaigns, and removed the donation ceiling. But additionally, these lowered the requirements for political parties to receive public funding and premises, recalculated the amount of public funds for the election years and provided for dissolution of a party in case of non-participation in European Parliament elections.

The election campaign starts 30 days before the election day. The first election campaign in April and the one in June/July were held amidst the COVID-19 pandemic and the implementation of

the related vaccination program. Although the second one was not affected by the anti-covid measures, because the majority of events were positioned outside.

Officially, according to the voters' lists in both election in April and in July elections there were about 6 700 000 people enlisted to vote (the number also includes Bulgarians who live and vote abroad).

I. Regular elections on 4th April 2021

On 14th January, President Rumen Radev called the parliamentary elections for 45th National Assembly for the 4th April y. And in February 2021, two months before the regular parliamentary elections, the Bulgarian Parliament opened the Electoral Code for changes. There were proposals for changes filed by the ruling party centre – right GERB, their coalition – partner – the Patriots front and by the opposition – the socialists and liberals. The debates were intense and the final text was accepted after 14 hours of arguments with the votes of the majority without not much consensus between the ruling parties and the opposition.

The main dispute concerned the voting method – if to vote with a ballot or through a machine. The second hot topic was how to ensure the full voting rights for people under quarantine staying at home and staying in hospitals.

The Members of Parliament decided that there would be parallel machine voting in all polling stations with more than 300 voters, modified the appeal system of election related disputes (moving jurisdiction from Bulgarian Supreme Court and Central Election Commission to Regional administrative courts and the Regional Election Commissions) and simplified protocols to announce the results. This happened shortly before elections and without inclusive

public consultations. Unfortunately, there was no preliminary assessment of the impact of the changes in the electoral legislation and our opinion is that they were made pro forma and not really to improve the election process.

As a result the Central Election Commission (CEC) was put in an impossible position to prepare in short term two types of voting in 9 400 polling stations, where voters would be able to choose voting by paper ballot or through an electronic device. The latter would be equipped with a touchscreen. The CEC issued some 250 decisions related to technical preparations, candidate registration, campaign and election day procedures, including for voters in quarantine and those hospitalised due to COVID-19. The CEC carried out a tender procedure to identify a private vendor responsible for delivery, servicing of the machines, and training of election officials. The chosen private company, actually the only candidate, was CIELA – NORMA - a publisher of legal literature and owner of popular legal software.

The Election Code prescribes that the compliance of the voting devices with the legal requirements and technical specifications is to be certified by the State Agency for Electronic Government, the Bulgarian Institute for Standardisation, and the Bulgarian Institute of Metrology. These institutions approved a certification methodology and on the 19th February initiated the verification of the devices.

The other significant change in the legal frame of the elections regards the content of the election protocols. The Members of the Parliament decided that it is not necessary to write in the protocols of the election commissions the following data: how many ballots are not used and how many ballots were destroyed during the voting process. This change led to many mistakes in the protocols with the election results.

II. Early elections on 11th July 2021.

The 45th Parliament was not able to approve a government, because the first three parties: GERB-UDF, “There is such a people” and BSP returned the mandates and nobody formed a cabinet. Consequently, the President Rumen Radev was obliged to schedule snap parliamentary elections on 11th July 2021.

In May 2021 the Members of the 45th Parliament managed to accept a few new amendments in the Election Code. They included:

- mandatory machine voting for polling stations with more than 300 voters;
- establishment of a new Election Commission (CEC), formed only by the representatives of the parliamentary political parties and coalitions;
- Removing of the limitations and changing of the criteria for establishing polling stations abroad, especially outside of the European Union.

We consider the above described changes as positive, but again, they were introduced shortly before the new elections and this limited the time for informing voters on the new procedures, as also affected legal certainty, contrary to international good practice.

The biggest change is that voters could only vote with voting machines in regular polling stations with at least 300 registered voters, both in-country and abroad. Many people think that machine voting will reduce opportunities for electoral malfeasance, others believe that the machines could be manipulated, without offering any evidence to support such claims. Paper ballots could be used only in polling stations under 300 voters and if the machine in the big stations malfunction.

According to the amendments, accepted in May 2021 the results printed by the machine would

be part of the official protocol of each station. But the law does not provide for a mechanism to verify whether the results are accurately tallied by the machine, reducing the transparency of results.

III. Recommendations

Ensuring stability of the legislation

The Electoral Code

It was adopted on the 5th March 2014 and till now it has been changed 23 times (or approximately once per every 4 months). The majority of changes had been done a month or two before the election day, but the Code is a complex legislation and the often the changes create of some uncertainties about the law. Our point of view is that the Electoral Code should be changed not more than once per year, this way and the lawmakers should consequently follow the rules written down:

- a. Legislation must enable those affected to understand how the law applies to them;
- b. The clarity of a proposed legal change should be continually assessed, from policy development through to consideration by Parliament (for Acts) and consideration by the rule-maker (for legislative instruments).

Establishment of the 32th electoral constituency for the Bulgarians who vote abroad

Now these votes are not added to the constituencies in the country, but form part of the votes counted in the distribution of seats at the national level. Votes from abroad are not taken into account in the distribution of party mandates between regions. Voters abroad (unlike others) do not vote for majority candidates, but only

for candidates under the proportional system. According to a decision of the Constitutional Court of 12 May 2009, 6 constitutional judges consider that this contradicts the Constitution of the Republic of Bulgaria.

Change in rules of appeal of the decisions of the district election commissions

The article 73 of the Electoral Code states: *“The decisions of the district election commission may be challenged within three days of their announcement before the Central Election Commission, which shall issue a decision within three days. The decision of the district election commission, confirmed by a decision of the Central Election Commission, is subject to appeal under Art. 98, para. 2 of the Administrative Procedure Code before a three-member panel of the administrative court at the location of the respective district election commission. In other cases, the decision of the Central Election Commission is appealed to the Supreme Administrative Court”*.

In practice, the second sentence means that decisions of the district Elections Commissions (for example registration of candidate’s lists, ruling on complaints about violations in election campaigns, etc.), which were appealed from but confirmed by the Central Election Commission, can be further contested only in front of regional administrative courts, but not in front of the Supreme Administrative Court. In the past, only the Supreme Administrative Court had the competence and jurisdiction to deal with legal claims under the Electoral Code, but in 2019 without detailed motivation, these prerogatives were transferred to administrative courts around the country. On top of that, the decisions of the regional administrative courts are final and can not be appealed in front of the Supreme Administrative Court. The only explanation for this change given unofficially by members of the Central Election Commission

was that the Supreme Court is too busy for those cases and that the members of Central Election Commission are too busy to represent it in the court.

Restore the right of parties and coalitions

Especially those represented in the European Parliament, but not at the National level to have representatives in the District Election Commissions and the polling stations. Till May 2021, the mentioned parties had at least minimal representation in the election commissions, but this was changed by the members of the 45th Parliament without a lot of consideration for the diversity and amnesty in the election process.

In conclusion, we should state that there was another early national election on 14th November 2021 and again in September in his last days the 46th Parliament made changes in the Electoral Code, it seems therefore that having unsteady electoral legislation is already a tradition for Bulgaria, not an exception.

ELECTION CAMPAIGN IN THE CZECH REPUBLIC: THE VICTORY OF SIMPLE NARRATIVES?

INTRODUCTION

In recent years, in the field of political marketing and political communication there is a debate about the role of permanent political campaigns and their professionalisation (see Strömback 2009, Tenscher and Mykkänen, Restrepo-Echavarría, Rodríguez-Díaz and Castromil 2018). Political parties and individual leaders continuously use ongoing opinion polls, data analysis and political PR experts. This practice can be observed in the environment of Czech politics. In addition, the phenomenon of permanent campaigns is exacerbated by the fact that, at least since 2006, elections have been held in the Czech Republic every year. Many of them can be considered as so-called second-order elections, which do not attract as much attention from voters and political parties as elections to the Chamber of Deputies (these would be elections in the Czech Republic are Senate, European Parliament or regional elections).

However, the era of permanent campaigns translates into strong pressure for professionalisation of political parties, specifically in the area of campaigning. The emphasis on external media and data experts and the management of the party organisation during and outside the election cycle is also caused by other external factors (decrease in party identification, increase in electoral volatility, decrease in interest in political party membership or decrease in turnout, etc.). And while the Western political parties have had decades to adapt, Czech political parties have to deal with them in a much shorter time. How were they doing in the campaign before this year's elections to the Chamber of Deputies, which were affected by the unprecedented health crisis? The following text traces the period from the announcement of the elections to the beginning of October 2021.

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CAMPAIGN AT THE HEIGHT OF PANDEMIC

The story of the election campaign officially began to be written on 28th December 2020, when the President of the Republic Miloš Zeman announced the date of elections to the Chamber of Deputies for Friday, 8th October 2021 and for Saturday, 9th October 2021. At the time of the announcement, the number of people infected by COVID-19 began to rise uncompromisingly, and Czechia was entering the worst months during the entire pandemic. Political parties at this time communicated primarily through social networks or traditional media. The stage of the Chamber of Deputies also became an important platform, where they presented their respective positions. In particular, the negotiations on extending the state of emergency promised the attention of the media and a large number of voters.

The marketing movement of the current Prime Minister Andrej Babiš (ANO movement) kept a considerable distance from other political competitors for almost the whole of 2020. Back in April 2020, according to the opinion polls, electoral support for Andrej Babiš reached more than 30% of the vote, while the Pirate Party lagged behind electoral support by around 15%. From April to the end of the year 2020, however, the ANO movement gradually lost the favor of voters and fell to 25%, but still held the lead. The primary reason for the decline in ANO's preferences was the onset of the autumn wave of the COVID-19 pandemic and the chaotic actions of the government, especially of Babiš himself. He continued to refuse to accept the country's standard crisis management procedures, which would strengthen the position of Deputy Prime Minister Hamáček (ČSSD) and he decided to manage all aspects of the fight against the pandemic himself. For example, Babiš took on the role of national vaccination coordinator, and the

vaccination campaign was not launched until the end of the year. The image of the Prime Minister as a successful manager began to fall apart due to fatal mistakes in the autumn and early 2021. The preferences of the ANO movement and the ČSSD declined, and in January the ANO movement took second place in public opinion polls for the first time since March 2014. The newly formed pre-election coalition composed of the Pirate Party and STAN (Mayors and the Independents) briefly became the leader of the political scene.

While Andrej Babiš got into a defensive position due to the increase in the number of people infected, hospitalised and deceased from COVID-19, the government's Social Democrats have always tried to act as a constructive force. With rational arguments, Jan Hamáček (party chairman of ČSSD) defended the need to extend the state of emergency to ensure the supply of protective equipment, the operation of hospitals and the continuation of quite unpopular anti-epidemic measures. To that contrary, the opposition tried to make the most of the political points out of society's frustration and refused to prolong the state of emergency. Although the ČSSD acted as a calm force and, unlike the ANO movement, it was not forced to replace any of its ministers due to a failure of the ministry during the pandemic, it was constantly losing in polls and found itself on the threshold level for election to the Chamber of Deputies. If we look at the attitudes of voters of individual political parties to government anti-epidemic measures and policies to support the economy, it turns out that ČSSD voters were respectively slightly more critical of their party compared to ANO voters. This is despite the fact that Jan Hamáček's performance itself was perceived more positively in comparison with Babiš' chaotic micromanagement.

PARTY	Definitely effective	Rather effective	Rather ineffective	Definitely ineffective	Doesn't know
ANO 2011	10,5%	45,5%	35,5%	4%	4,5%
CSSD	3,2%	41,9%	25,8%	16,1%	12,9%
PIR/STAN	3,8%	34,6%	50%	7,7%	3,8%
SPOLU	0%	13,3%	43,3%	36,7%	6,7%
KSCM	8,7%	39,1%	21,7%	26,1%	4,3%

Table 1 „Do you think that the measures that the Czech state is taking against the spread of coronavirus are effective or ineffective?“ Data source: CVVM, analyzed by author.

PARTY	Not enough	Adequately	Too much	Doesn't know
ANO 2011	13,5%	59,5%	19,5%	7,5%
CSSD	12,9%	61,3%	12,9%	12,9%
PIR/STAN	65,4%	19,2%	0%	15,4%
SPOLU	86,7%	6,7%	3,3%	3,3%
KSCM	30,4%	52,2%	4,3%	13%

Table 2 „Do you think that the Czech state is doing to support the economy affected by the coronavirus measures?“ Data source: CVVM, analyzed by author.

Who were the people who were willing to vote for the government parties of the ANO movement and the ČSSD in February, despite the problematic management of the state during the pandemic? More than half of the voters of the Social Democracy and ANO were identically non-working seniors, i.e. one of the most endangered groups by the pandemics (CVVM 2021), but at the same time the most loyal part of the electorate. In the opposition right-wing coalitions SPOLU and PIR / STAN support was more evenly distributed among employees, self-employed and students. Thus, primarily those segments of society that were dependent on various government compensation programs or were severely constrained by anti-epidemic measures (e.g. closed educational facilities).

The opposition was aware of its target voters and strongly criticised the government during the culminating second wave, not only for the collapse of health care, but also for the lack of protection for self-employed, working families and single parents (who had to stay at home with their children). Opposition parties, notably the PIR / STAN and SPOLU coalitions, demanded from the government a clear roadmap on how it planned to handle the crisis, while at the same time refusing to agree to an extension of the state of emergency. That was however the only effective tool the government could work with to fight the spread of the disease. The absence of constructive behaviour of the opposition manifested itself in the following months as a great lack of clarity.

The defensive position of the governing parties was also reflected in the communication of its representatives. If we take the twitter account of Prime Minister Babiš, in the period between January and March, the Prime Minister communicated purely information related to the state of the Czech healthcare system and the procedure for negotiations on the supply of vaccines. With the exception of the period between 11th and 13th February, when the strongest competitors PIR / STAN and SPOLU in the Chamber of Deputies spoke out against the extension of the state of emergency. At that time, the Prime Minister, as well as the chairman of the ČSSD, Jan Hamáček, criticised the opposition's actions calling it "*as politicking at the expense of health care*".

Babiš' traditional communication channel was his Facebook account, where he was regularly publishing videos summarising the previous week every Sunday. The content of these videos was mostly devoted to the pandemic, but there were already significantly more attacks on political competitors. However, the Prime Minister's marketing team was also able to make the most of the unprecedented crisis to successfully increase the reach out of Babiš' message. Although the government ministers regularly spoke at press conferences and informed about new measures, the most important steps were always communicated only by Babiš and very often through his Facebook account. From the point of view of political communication, this was a logical step. The prime minister was under media pressure and regularly could not answer direct questions clearly. But unlike it was the case with the press conferences, he was able to fully control the content of his regular Sunday programs on Facebook.

The decline in support for government parties was also confirmed by a March opinion poll. The electoral model assigned the PIR / STAN coalition even 34% of the votes of voters, ANO

only 22% and the ČSSD even 4.5% (the threshold for entering the Chamber of Deputies is set at 5% in the Czech Republic). This survey can be considered as a turning point both for ANO and, of course, for PIR / STAN. It was also decisive for determining the central line of the spring campaign of both political entities.

PIRATE'S CAMPAIGN FAILURE AND RENEWAL OF ANO MOVEMENT

It is characteristic of the Czech political scene that the main competition of the hitherto dominant ANO movement has become the PIR / STAN coalition. These are parties that do not have a firm ideological anchor. On the contrary, they emphasise the absence of ideology and, in the same spirit as the ANO movement, promote effective state governance and so-called "reasonable policies", which should contrast with the policies of traditional political parties such as the ČSSD or the SPOLU coalition. STAN is a heterogeneous grouping, whose representatives are primarily mayors or local politicians and are not united by any fixed value line. In parallel, before joining the coalition with STAN, the Czech Pirate Party was a typical example of a cyber party (as defined by Margetts, 2002), with a rich internal party democracy, promoting liberal policies with a social emphasis. Its brand corresponded to the archetype of the rebel, as did the brand of the ANO and Andrej Babiš movement at the beginning of his political career. Pirate leader Ivan Bartoš was able to embody the dynamics, rebellion and protest character of his party. All this only until the moment when public opinion polls indicated that Bartoš could become Babiš' main challenger. The coalition launched the official part of the campaign on 18th May in Prague, within sight of the Office of the Government. It was a clear symbolism, with the central message they chose "*Let's give the country back the future.*" They referred to

the need for a new beginning of a country torn by a pandemic and the chaotic leadership of the prime minister. However, the launch of the campaign, especially among Pirate sympathisers, provoked contradictory reactions, as there was only one woman out of all the leaders introduced for each constituency. The campaign was guided by data from public and internal surveys, which attributed high potential to the coalition, and that together originally the Pirates' protest and the regionally profiled STAN could become a catch-all party. And here lies probably the central error in the campaign strategy settings.

PIR / STAN started in the presentation of program points primarily on social networks, but it did not show a clear central line or message. The visuals did not correspond to the individual messages and there were too many topics that the coalition communicated about. PIR / STAN could not properly define the segments to be addressed and, given that their electorate was not dominated by any group definable according to socio-demographic characteristics, they offered each of them something. Subsequently, their campaign on the networks became the subject of jokes, and even an unofficial web application was created, which generated random images with random slogans for users, copying the official visuals of the campaign. The central slogan *"Let's give the country back the future"* did not resonate sufficiently in the flood of the coalition's own other messages.

The effort of the coalition to change the image of leader Ivan Bartoš was also noticeable. Especially among the more conservatively tuned STAN voters, there were concerns about the unpredictability of the Pirates and some of their original policies. Although Ivan Bartoš kept his iconic dreadlocks, he increasingly took on the role of a traditional politician, and even a statesman (example of which was the presentation of his visit to EU and NATO institutions on social networks). He abandoned formerly

vigorous and courageous statements, and on the contrary, he was very careful not to discourage hesitant voters with his message.

This was also reflected in the policies offered by the coalition. Pirates have never been a being that we could calmly place in the left spectrum. They themselves rejected the existence of a right-left division and insisted on the promotion of rational solutions and efficiency. However, they were able to profile some personalities who communicated social issues from a perspective that was not social democratic, but rather social liberal. That has changed since the coalition with the right-wing STAN was concluded. In addition, the Pirates were anxiously trying to get rid of the label of "neo-Marxists", which was often used by populist competition (ANO, SPD). It was clear that the Pirates are gradually losing their identity and with it it's "traditional voters". This was confirmed by surveys over time. In addition, a group of younger voters, who are not very interested in politics and vote in protest, and which they managed to win at the beginning of 2021, gradually moved to the ANO movement.

As the epidemic situation in the country began to improve, the government eventually abolished anti-epidemic measures and life returned to relatively normal patterns. Also, ANO managed to stop the decline in electoral preferences. Andrej Babiš moved from a defensive position in April 2021 and communicated his own topics much more actively.

The electoral profile of the ANO movement is known from publicly available data. More than half of Andrej Babiš' voters are seniors over 60 years old, four-fifths are over 45 years old. This is a segment of voters that has passed massively from the ČSSD and the KSČ M. The ANO movement believes more women, half of their constituents do not have completed secondary education, another third have a high school diploma. These people are much less

resilient to disinformation and fear-spreading campaigns. This corresponds to the fact that the MEDIAN research agency managed to create a psychological profile of the ANO voter by combining data on voting behaviour and data on consumer behaviour. It shows that supporters of Andrej Babiš prefer to spend their free time at home, are more closed, show an effort to secure the family and tend to tradition, stability and security. Important topics for them are healthcare (especially for the elderly) and migration. They are very afraid of Pirates. Andrej Babiš' team has been working with its own very detailed data on the electorate for a long time and leading Czech and world marketers, thus, very likely that they had a similar voter profile available when creating the election campaign strategy.

The messages that Andrej Babiš has been spreading in public since the end of this spring correspond exactly to what his target groups wanted to hear. While in April and May Andrej Babiš attacked Pirates primarily in connection with the EC audit of his conflict of interest, which Pirates had been very active in pointing to for a long time. In June he launched a sharp communication offensive. In his speech at the Chamber of Deputies, he was able to include all topics that had a strong mobilisation potential for his constituents. He warned against the Pirate Party, which, according to his interpretation, supported migration. He warned against green policies that would endanger Czech industry and jobs. And he also sharply opposed the EU institutions, which are to threaten the sovereignty of the Czech Republic. With this one speech, he managed to raise the topics of the campaign a months in advance. Other parties, especially the PIR / STAN coalition, which had problems with the confusing communication of its own

topics already, now only reacted to Andrej Babiš' statements. The Prime Minister managed to delay the topic of the uncontrolled pandemic. Pirates, EU institutions and migration were now the "biggest threat" to Czech citizens.

Andrej Babiš' precisely adjusted communication machinery continued. On 15th July, he published a simple message on Facebook and Twitter: "I'll tell the truth tomorrow." One short sentence aroused an incredible response. The media immediately began to speculate on possible content. Users on social networks commented on and shared the status. Subsequently, the Prime Minister launched his new publication on the website www.sdilejteneztozakazou.cz¹, in which he recalled how, together with Viktor Orban, they had prevented refugee quotas or presented his vision of the country's future. The title of the book, "Share before they forbid it," is at first glance full of paradoxes. It is intended to give readers the impression that there are attempts to silence the Prime Minister, because he alone is telling a truth that "traditional politicians" do not like. The Prime Minister, who is one of the country's highest constitutional officials and also one of the richest Czechs. The name also corresponds at least subliminally to the style of communication, which is typical for so-called chain emails, through which a number of misinformation spreads uncontrollably. It is no coincidence that the primary target of these disinformation emails, which are mainly sent to the senior population, is Pirates. Even the analysis of the Czech Elves group² points to a correlation between the negative focus of the disinformation scene on Pirates and the decline of their electoral preferences. Moreover, especially due to pandemics and quarantine measures, people were more dependent on cyberspace and information published online.

1 Share before they forbid it.

2 An Internet group that aims to combat foreign disinformation campaigns and Russian propaganda in Czech cyberspace.

Babiš' offensive messages against the Pirates continued during the summer. In the eyes of his constituents, the Prime Minister managed to portray the Pirates as an existential threat to the country's national interests. In order to reach his messages to the widest possible audience, he repeated his strategy of seemingly randomly published populist slogans. In the last week of September, he published the following statements within a few hours, apart from one another

- They would like to let Brussels decide everything. I really don't want that! And what about you?
- Raise taxes? I really don't want that! And what about you?
- They would rather parasitize hardworking people. So I really don't want this!
- Tax apartments? So I really don't want this! And what about you?
- Bicycles instead of cars? I really don't want that! And what about you?
- They want to punish the hardworking and the honest people. I really don't want that!

The published texts warned of perceived threats and their purpose was to raise concerns about the changes that the government of Pirates and other parties would potentially bring. Moreover, the closer to the election, the stronger the feeling of national sentiment and reservations about certain groups of the population or supra-national institutions were. The more radical tone of communication was not accidental. The ANO movement needed not only to retain its own voters, but to get new ones too - either from the ranks of non-voters or voters of competitors. There was not much to take from the Social

Democrats, so for ANO it was possible to get the KSČM voters and especially the SPD. Reaching out to SPD voters would not be anything that would run counter to ANO's current strategy. On the contrary. According to sociological data, a typical SPD voter is very similar to the ANO movement's voter profile: anti-European and anti-immigrant focus, a man aged 45-59 from a smaller town and with a basic education.

Although a number of commentators and politicians condemned the Prime Minister for these statements on the networks, there was perhaps no nationwide medium that did not mention them. Babiš succeeded in applying the same strategy that Donald Trump used extensively during his tenure as president. Like Babiš, he was criticised in the media for his populist and nationalist behaviour, but at the same time the same media continued to spread his message. After all, today a number of scientific studies deal with the problematic relationship of the mainstream media to populist politicians and define this relationship as mutually beneficial. Thanks to shocking statements, the media have a higher audience, while politicians, on the other hand, manage to set the agenda and spread their messages. The case of the Czech Prime Minister was no exception. The media, political competition and citizens addressed the content of several prime ministerial statuses. And the biggest competitors PIR / STAN and SPOLU again only reacted to the topics spoken by Babiš. He continued and added a massive outdoor campaign to the current campaign on social networks. The blue-colored billboards announced that the prime minister would fight for the citizens "until his body was torn." (see Appendix pp.70)

Before we analyse the election campaign of the Social Democrats, we must stop at another important competitor of Andrej Babiš. The SPOLU coalition is composed of parties that we call "traditional" in Czech political discourse.

These are parties with a classic party democratic organisation and a firm ideological anchor. The strongest party in the coalition is the ODS, which in the 1990s was the hegemon of the right-wing part of the political spectrum and the strongest opponent of social democracy. The other two entities, TOP09 and KDU-CSL, were also conservatively liberal entities. The SPOLU coalition campaign, officially launched in May, repeated similar mistakes as the PIR / STAN coalition. Although the central motto was *"Let's put Czechia together"*, all the statements concerned primarily criticism of Andrej Babiš. The coalition resigned itself to more visible efforts to present its own program, failed to offer specific program priorities, and repeated only moral appeals and calls for abstract change. In September, the coalition launched a hot phase of the campaign, presenting altered visuals with the message *"Change You Can Believe In."* (see Appendix) The inspiration from Barack Obama's successful campaign was obvious. But the SPOLU campaign could not surprise with anything. Its critical tone did not differ from the opposition's daily output. On the other hand, its campaign did not need any surprises or concrete proposals. The SPOLU coalition was able to capture the moods of Czech society with an abstract promise of „change“. The nature of the electoral environment strongly favoured such a campaign. Society was divided into two main groups – those seeking change and those who prefer the status quo (mainly voters of Andrej Babiš). In that case, a simple story about the struggle of good (SPOLU coalition) against evil (Andrej Babiš), accompanied by strong emotional appeals full of hope, is enough for the success of the campaign. (see Appendix pp.70)

Where was the position of ČSSD in the pre-election rivalry between the populist ANO and the centre-right coalitions of PIR / STAN and SPOLU? Their own Social Democrats have failed to stop the decline in electoral preferences

since joining the ANO coalition, with a few exceptions. It thus entered the election year 2021 with support ranging between 4-5% of the vote. Which was very depressing for the party that won the parliamentary elections in 2013. Preparations for the election campaign were influenced by several factors and events. We will mention the two most important ones: the election congress and the Vrbetice case. In April, when most political parties were already preparing for the campaign, it was still being decided within Social Democracy who would lead it to the elections. The then chairman Jan Hamáček, who was criticised for his too servile relationship with Andrej Babiš and the decline in preferences, was challenged for the post of party chairman by the then Minister of Foreign Affairs Tomáš Petříček. A large part of the commentators presented the congress as a clash of the conservative wing (Hamáček) with the liberal wing (Petříček). The ČSSD has long rejected this split and tried to eliminate the reputation of the disputing party. However, the congress did not contribute to these efforts. Although Hamáček managed to defend his position as chairman and get his supporters into the party leadership, he subsequently, as deputy prime minister, asked President Zeman to remove Tomáš Petříček from the position of foreign minister without publicly explaining the move to his own party. To the public, this step acted as a resolution of internal dispute. This exchange proved to be all the less understandable for two main reasons. Hamáček did not find a replacement for Petříček in advance and had to lead Czech diplomacy alone. And then, at that time, Hamáček, as Deputy Prime Minister and Minister of the Interior, already had information from the Czech secret services about the activities of Russian agents on Czech territory and new findings about their contribution to the explosion of the ammunition depot in Vrbetice in 2014.

Czech diplomacy responded in time and expelled 18 employees of the Russian embassy in Prague. Social democracy could benefit from this bold and forceful step. However, in early May, an article was published in one of the most widely read online dailies, accusing Hamáček of trying to exchange the secrecy of the Vrbětice case with the Russian government for the supply of the Sputnik vaccine. The article referred to the testimonies of people whose names the medium refused to publish. Hamáček denied these claims, but a few weeks before the publication of the article and information about Russia's involvement in the explosion of the ammunition depot, the Minister of the Interior had publicly presented a plan to travel to Moscow and negotiate the supply of a vaccine. He cancelled this trip only after a press conference, where he and the Prime Minister revealed information about Vrbětice and the Russian secret services. In the following weeks, ČSSD dominated the media, but purely in connection with the unclear journey of the party chairman to Moscow and his intentions. Although Hamáček filed a criminal complaint against the authors of the article, he still could not credibly explain his role to the public. While in January the ČSSD had around 6% of the vote, according to the average of the election models of leading research agencies, in April it fell to 4.4%.

In the following months, the party managed to stop the decline of voter preferences and even recorded a slight increase, but the official campaign wasn't launched till the end of August. Until then, the party's communication in the media and public space was minimal. With regard to the decline in the credibility of its leader, the ČSSD bet in the summer on an outdoor campaign without the faces of its politicians and only with programmatic slogans. In response to the not very positive perception of the brand, it proceeded to a partial rebranding. ČSSD chose a simpler logo for the campaign (backed away from the rose) and abandoned its long-standing

orange colour. The new visuals were made in red (see Appendix pp.70), which was to symbolise the clear left-hand direction of the party. Although red is traditionally associated with the social democratic movement in Western Europe, in the Czech context, betting on red was relatively risky, as it is a colour associated with the Communist Party (KSČM).

The necessary dynamism for the campaign was brought by the party's deputy chairwoman and Minister of labour and social affairs, Jana Maláčová, who became the leader of the candidate list in the capital city of Prague. In the position of Minister, Maláčová did well. She was able to polarise, engage the public, and become a frequent target of criticism of the right-wing opposition for its social policy. But this is exactly what the ČSSD needed for its revival. As a traditional party of the establishment, social democracy has not been able to compete with new movements and parties on issues related to effective state management or the fight against corruption. On the contrary, it has always been strong in the classic right-left conflict, which was, however, subdued by the rise of ANO, Pirates and similar entities on the Czech political scene. While Andrej Babiš scared society with migration, the opposition scared voters with Babiš, the Social Democrats exposed their campaign to clear programmatic theses. They warned against the onset of a right-wing government, which could resume the privatisation of public services, increase VAT on food or freeze pensions or the minimum wage. In addition to the light elements of the negative campaign, however, the social democrats also communicated the positive points of the program in the outdoor campaign, such as the plan to reduce real estate speculation and the state housing policy or guarantee retirement at the age of 65. The campaign was guided by internal qualitative and quantitative research into the wishes of core and potential voters and was able to attract attention.

The central motto of the campaign was “*So that no one would endanger your life security, that’s why the ČSSD is here*”, which should evoke in people the feeling that the Social Democrats are the only party that can defend the interests of workers, families with children or seniors. In addition, the ČSSD, in essence, as the only political entity, opened the issue of taxes, which was quite risky. Voters are very sensitive to raising taxes, and tax policy issues are also difficult for many to understand. However, the Social Democrats tried to explain that high-income people, and especially multinational corporations and banks, should share in the costs of the pandemic.

However, the party was limited by low electoral preferences throughout the campaign, which did not give it so many opportunities to influence the public debate in the pre-election period. In the last weeks before the elections, the ČSSD presented the results of a survey of research agencies, which attributed to it 10% of electoral potential (not preferences!) and tried to reassure its potential voters.

CONCLUSION

The Czech Republic is one of the countries hardest hit by the pandemic. The chaotic leadership from the government of Andrej Babiš and the absence of constructive action by the opposition led to more than three tens of thousands of deaths and the complete exhaustion of the Czech healthcare system. Nevertheless, the issue of a pandemic has not become a central theme of the election campaign. As the epidemic situation improved and people returned to a normal way of life, space was created for political parties to set a different agenda. In particular, the ANO movement, which was in a defensive position during the second wave of the pandemic, has returned to the position of sovereign since the spring of 2021, setting the

tone and content of all political communication in the country. As soon as opinion polls identified the two biggest competitors of ANO - the PIR / STAN and SPOLU coalitions, the team around Andrej Babiš set out a clear strategy aimed at portraying opposition parties as the only real threat to Czechia. The closer to the election, the more aggressive the ANO campaign has become.

Andrej Babiš again managed to get into the position of the only fighter for Czech interests and a victim of the intrigue of EU representatives with the help of the domestic opposition. He portrayed all the problems associated with his conflict of interest and the threat to drawing European subsidies as an attack on the interests of the Czech Republic. He adhered very carefully to the set strategy, aware of the characteristics of the target groups that he must address. His campaign can be described as populist and nationalist, but absolutely top-notch in terms of craftsmanship. Competition from the opposition failed to hold its own line and all too often slipped into often hysterical reactions to Babiš. The PIR / STAN campaign did not have correctly defined target groups, and therefore a range of topics to communicate. The SPOLU coalition, in turn, reduced the campaign to moral appeals (“So we don’t have to be ashamed of the prime minister”) and the ongoing criticism of Babiš. As such, it offered the voters a very simple story. A story about the change that this coalition is about to bring. A story about the hope of the final political elimination of Andrej Babiš and the victory of good over evil. Ultimately, the coalition’s campaign is proof of the strong potential of storytelling in political campaigns and politics in general.

The KSČ M’s campaign was de facto completely invisible, and the party thus relied on a core of loyal voters. In the polls, however, together with the Social Democrats, it was on the verge of election to the Chamber of Deputies. The ČSSD

did not bet on the personality of the leader in the campaign. Perhaps the most visible face of the campaign was the Minister of Labour and Social Affairs, Jana Maláčová. Social Democracy sought to provoke a right-wing conflict and communicate program topics. The negative campaign was not aimed at the personalities of the opposing candidates, but purely at the policies they promote and which may jeopardise the social conditions of the middle class and low-income voters.

NOTE

Although the SPD campaign is not described in the text due to limited space, this party deserves a brief mention. The SPD, as a classic example of a right-wing populist party that rejects migration, did not deviate from the scheme we know from its counterparts abroad. The SPD warned against migration, promoted exit from the EU and food self-sufficiency. However, as the only relevant political party, it managed to attract the attention of voters as part of a grassroots campaign. The party held farmers' markets at its meetings, where it was possible to buy local food without the margin of supermarkets at very low prices. In addition to an active grassroots campaign, SPD is also successful on Facebook. Its chairman, Tomio Okamura, has the most followers of all politicians (over 300,000 followers). And although Andrej Babiš attracts the most attention from politicians and the media, Okamura has the most interactions with Facebook users. But what Okamura and Babiš have in common is the favour of the Czech disinformation scene. Sharing hoaxes on networks or chain emails full of untruths are also one of the factors influenced by a pandemic, the influence of which on voters' decisions must be taken into account.

If we were to evaluate the form of the election campaign in the Czech Republic during the

pandemic, we can observe a strong emphasis of political parties on communication in the online environment. Even as the parties return to the grassroots campaigning, the resources they spend on online advertising are increasing. In the period from 1.1. 2021 - 22.9.2021 Tomio Okamura, for example, spent more than 1.7 million crowns on advertising on Facebook. With regard to the trends of digital marketing in the world, higher investments in online communication and advertising can be expected for Czech political parties in the future as well.

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List of Czech political parties mentioned in the text:

ANO 2011 - Party led by Prime Minister Andrej Babis.

PIR/STAN – Coalition of the Czech Pirate Party and STAN party.

SPOLU – Coalition of the ODS, KDU-CSL (People's Party) and TOP09

ČSSD – Czech Social Democratic Party

SPD – Party of the Direct Democracy. Led by Tomio Okamura. Populist and anti-immigration.

KSČM – Communist Party of Bohemia and Moravia.



Picture 2 Visuals of SPOLU coalition depicting a simple narrative about change and the struggle between good and evil. „Change you can believe in. vs. Threat we have to stop.“ Source: www.kdu.cz

APPENDIX



Picture 1 Andrej Babiš's billboard. „I will protect you from illegal migrants.“ Source: www.olomouckydenik.cz



Picture 3 Visuals of ČSSD. „So that no one endangers your standard of living. That's why the ČSSD is here.“



CHAPTER 3 ---

THE POST-ELECTORAL PROCESSES AND GOVERNMENTS' FORMATIONS

POLAND

POST-ELECTORAL PROCESS

During the pandemic the only national election that took place in Poland were the presidential elections in 2020. The constitutional election date was set in May. Attempts to organise the vote within the constitutional term (May 2020) failed. Government's project to organise postal elections during the pandemic was blocked in the Senate, in which the majority had the opposition to the Law and Justice Government. Finally the elections were conducted on 28th June and 12th July 2020.

During the whole campaign, the leader in the polls remained Andrzej Duda. The Civic Platform decided to nominate Małgorzata Kidawa-Błońska, the former Spokesperson of the Polish Lower Chamber (Sejm). Postponement of the election date gave the Civic Platform an opportunity to change their candidate from Małgorzata Kidawa-Błońska to Rafał Trzaskowski, the mayor of Warsaw.

The Left, after the success in the parliamentary election, nominated Wiosna's leader, Robert Biedroń, Member of the European Parliament (MEP) to run. For the candidate of the Peasant's Party, it was their leader, Władysław Kosiniak-Kamysz that was nominated. But the pandemic caused critical changes in the polls. The black horse of the campaign was conservative TV personality with the ecological and anti-establishment agenda, Szymon Hołownia. The last representative of parliamentary parties was Krzysztof Bosak, a far-right politician, a member of Sejm since 2019, representing the Confederation party.

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CANDIDATE	PARTY	VOTES	%
Andrzej Duda	Independent (supported by PiS)	8 450 513	43,5
Rafał Trzaskowski	Civic Platform	5 917 340	30,46
Szymon Hołownia	Independent	2 693 397	13,87
Krzysztof Bosak	Confederation	1 317 380	6,78
Władysław Kosiniak-Kamysz	Peasant's Party	459 365	2,36
Robert Biedroń	Left (Spring)	432 129	2,22

Presidential Elections Results, First Round, 28th June 2020¹.

CANDIDATE	PARTY	VOTES	%
Andrzej Duda	Independent (PiS)	10 440 648	51,03
Rafał Trzaskowski	Civic Platform	10 018 263	48,97

Presidential Elections Results, Second Round, 12th July 2020².

Despite Trzaskowski's unprecedented mobilisation of supporters from various opposition parties, his tactics did not pay off and he was defeated in a run-off by incumbent President Duda by 422,000 votes.

POSTAL VOTING

Crucial element of the political process in Poland during the pandemic was the government's attempt to organise postal voting. The intention of the government was that the organiser of the elections would have been the Polish Post and not the independent National Electoral Commission, as usual. That was the main reason why the parliamentary opposition tried to block the postal elections. Consequently the idea of postal voting has been discredited among the public opinion.

In the foreseeable future postal voting would be an option for people with disabilities. As it is stated in the Electoral Code, Voters with disabilities and those older than 60 years could request to vote by proxy 9 days before the election. Another option for those groups of voters is proxy voting. This solution was criticised by previous ODIHR reports as it is in violation of international standards and OSCE commitments related to the secrecy of the vote.

What is more, the idea of e-voting (voting via internet) was not introduced to the public debate during the last presidential campaign. It has to be said that a peak of popularity of this concept took place in Poland at the beginning of the 21st century. Nowadays this issue is not a vital topic in the public debate.

1 <https://prezydent20200628.pkw.gov.pl/prezydent20200628/en/wyniki/1/pl>

2 <https://prezydent20200628.pkw.gov.pl/prezydent20200628/en/wyniki/2/pl>

MEDIA

In the Polish media system are three nationwide broadcast televisions: Polsat, TVN and TVP (the public broadcaster), which together attract a little over 75 percent of all TV audiences. All three broadcasters also have a round-the-clock news channel, *TVP Info*, *TVN24* and *Polsat News* respectively.

Referring to the report of the Ombudsman's Office and the Institute of Discourse and Dialogue the two main candidates had similar share in the air time. What made these TV stations different was the context in which candidates were presented. The main news service of TVP ("Wiadomości") is responsible for 81 percent of Andrzej Duda's positive exposure in TV evening information services. What is more, "Wiadomości" is responsible for as much as 83 percent of Rafał Trzaskowski's negative exposure. On the other hand "Fakty" (the main TVN news service) was responsible for 77 percent negative exposure of Andrzej Duda and 88 percent of Trzaskowski's positive exposure. These data show the political polarisation between the main media in Poland – state-owned TVP, which supported Andrzej Duda and was controlled by American capital TVN. Polsat was the station that tried to keep an equal distance to both candidates³.

What is symbolic, the candidates eschewed a joint debate, choosing to appear separately in almost simultaneously transmitted broadcasts on two different channels. The president appeared on TVP, while the challenger's broadcast was on the private TVN24 with coverage also on Polsat.

As OSCE states in its election report: "Poland has a vibrant media sector, but the political coverage is sharply divided along the distinct political lines. The stark polarisation affects multiple facets of the media's work, including ability to access information and the awarding of state-related advertising to the friendly media companies and the exclusion of more critical platforms without evident economic logic"⁴

The attitude of the public media deserves special attention. They unequivocally supported the candidate of the ruling party. This fact was noted in his letter of September 2020 by the, prof. Adam Bodnar. "*Such privileged treatment of one of the candidates by the public media could significantly influence the formation of opinion about the candidates, thus, at least indirectly, influencing the election results*" – claimed prof. Bodnar⁵.

The OSCE put this issue more directly in its report. "Throughout the campaign, the TVP failed in its legal duty to provide balanced and impartial coverage. Instead, it acted as a campaign vehicle for the incumbent and frequently portrayed his main challenger as a threat to Polish values and national interests"⁶.

It is worth noting the different understanding of media pluralism by the Ombudsman and the OSCE, on one hand, and the current Polish authorities, on the other hand. For the Ombudsman and OSCE, the public media should be the area of pluralism. For government officials, the public media should balance the predominance of liberal media and consequently ensure pluralism. It should be emphasised that only the first interpretation results from the

3 Instytut Dyskursu i Dialogu, Raport podsumowujący obywatelski monitoring sposobu prezentowania kandydatów na urząd Prezydenta RP: II tura wyborów prezydenckich, p. 84.

4 OSCE, Republic of Poland Presidential Election 28 June and 12 July 2020, OSCE/ODIHR Special Election Assessment Mission, Final Report, Warsaw 2020., p. 20

5 Address of the Ombudsman to the National Broadcasting Council, VII.564.58.2020.MAW, p. 4

6 OSCE, p. 22

applicable law. Coverage of the presidential election campaign is regulated mainly by the Broadcasting Act and the Election Code. The former outlines the basic principles for public broadcasting as “*pluralistic, impartial, well-balanced, independent.*” OSCE in its final report made a recommendation that “*Favourable treatment of any contestant by public media should be treated as misuse of public funds and should be properly addressed*”⁷.

Referring to the Political Accountability Foundation report about the social media in the presidential campaign, no significant presence of hate speech or black PR has been noticed. Findings show that posts that could be labelled as discreditation of political opponents’ were present in less than five percent of total posts, and in less than two percent of posts from candidates. The two main candidates were mostly focused on increasing their voter base by appealing with their own electoral programmes to those citizens who do not usually participate in elections instead of trying to “steal votes” from their opponent.⁸

Krzysztof Bosak was the most active candidate on Facebook, with 1.318 posts, standing for 23 percent of all candidates’ posts. Szymon Hołownia, with 868 posts (15 percent of candidates’ posts), and Rafał Trzaskowski with 722 posts (nearly 13 percent of candidates’ posts), followed him closely. The Facebook activity of these three candidates amounts to over 50 percent of all candidates’ posts. Andrzej Duda (with 10 percent of posts), and all other candidates, were significantly less active on Facebook.⁹

In general, for all posts observed, two narratives were the dominant ones for the whole election period (from March 26 till July 12): election and COVID 19, and they stood for 47 percent of all posts (elections, 23.1% COVID 19)¹⁰.

THE LEFT AFTER ELECTIONS

Robert Biedroń won 432 129 votes. The main reason of such result was decision of replacement of the Civic Platform candidate with Trzaskowski. This shift had an impact on the voting intentions of liberal and left-wing voters. Trzaskowski’s good numbers in the polls made the possibility of him defeating Andrzej Duda look plausible. Many voters therefore gathered around the mayor of Warsaw, at the expense of the Left’s candidate Biedroń. Indeed, only 400,000 of those voters who had voted left in the 2019 parliamentary elections supported it this time around, while one million former left voters this time chose Rafał Trzaskowski. Another 500,000 former left-wing voters supported the conservative-liberal anti-establishment candidate Szymon Hołownia.

Election result achieved by Robert Biedroń was below expectations. In the first months, it had no visible consequences inside the leftist coalition. But finally it jeopardised a sensitive unification process. It gave an excuse to question the principles of unification. The group of politicians of the former SLD who had opposed this process consisted of advocates of close cooperation with the Civic Platform and a group of local party leaders who feared that the process of joining a New Left by Wiosna politicians would jeopardise their personal position.

7 OSCE, p. 20.

8 Political Accountability Foundation, Polish 2020 Presidential Election(s) Campaign Amid the COVID 19 Pandemic, Social Media Monitoring, Final report, p.6.

9 Political Accountability p. 8.

10 Political Accountability, p. 17.

Finally, the unification process was completed at the New Left Congress on 9th October. Congress passed the party's new program, which the main pillars are. SLD and Wiosna completed the unification process at a congress at the New Left Congress on 9th October. Delegates elected 2 co-leaders: Robert Biedroń and Włodzimierz Czarzasty respectively, former leaders of Wiosna and SLD. This result should be considered as an expression of acceptance for the current political line of the left-wing in Poland.

The New Left adopted a new programme agenda, which is a synthesis of the more traditional social democratic approach of the SLD and more reframed progressive approach of Biedroń's Wiosna. A new element is the emphasis on climate issues. Five pillars of the new programme agenda are: Cooperation, Green New Deal, Equality and Respect, Brave Europe, Caring State.

At the end of the Congress, the newly elected leaders offered cooperation to other democratic parties, which are in opposition to the Law and Justice government. Opposition leaders in Poland are monitoring the unification actions of the Hungarian opposition and are waiting for their final effect. At the same time, it considered that the start of a broad opposition bloc in the 2019 European elections ended in failure of opposition and the landslide electoral victory of the Law and Justice. Some observers believe that the inspiration for the Polish opposition may be the success of two electoral blocs in the Czech Republic, which succeeded in ending the era of Andrej Babiš rule. The model of cooperation between the opposition forces depends on two factors: 1. election date, 2. possible changes to the electoral law.

CONCLUSIONS

The OSCE has made a number of recommendations in the area of media influence on the election process. The two most important are:

- Establishing a clear separation between state and party with attitude that favourable treatment of any contestant by public media should be treated as misuse of public funds and should be properly addressed.
- Guaranteeing the independence of the National Broadcasting Council which institution should be legally required to actively monitor the broadcast media in order to fulfil its mandate to ensure impartial coverage¹¹.

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¹¹ OSCE, p. 27-28.

THE POST- ELECTORAL PROCESS IN ROMANIA

The Social Democratic Party (PSD) won the 2020 Romanian legislative elections, with around 30 percent of the votes both in the Senate and in the Chamber of Deputies¹, leading to a wide representation of social democrats in the Romanian Parliament, based on the proportional representation and the electoral redistribution formula.

Many were surprised by the result, given that only four other parties managed to enter Parliament: the National Liberal Party (PNL), the main government party since November 2019 – 25 percent, the Save Romania Union-PLUS Alliance (USR-PLUS) – 15 percent, the Alliance for the Union of Romanians (AUR) – 9 percent, and the Democratic Union of Ethnic Hungarians in Romania (UDMR) – 6 percent.

At the same time, the People's Movement Party (PMP), an electoral vehicle for the former president Traian Băsescu, fell just short of the 5 percent score needed to enter the Parliament, as well as the Pro România, led by former social democratic prime minister Victor Ponta, even after it joined forces with the Alliance of Liberals and Democrats (ALDE), led by former prime minister and Senate president Călin Popescu-Tăriceanu.

1 Central Election Bureau of Romania. (n.d.). <https://parlamentare2020.bec.ro/>. Retrieved November 1, 2021, from https://parlamentare2020.bec.ro/wp-content/uploads/2020/12/pv_1497.pdf

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Many had expected these elections to restore political stability in a country that has had five prime ministers in as many years, but voter turnout was below 32 percent, it was the lowest in the post-Communist Romania, despite reasonably high numbers (46 percent)² in local elections in late September, which were well organised in pandemic circumstances.

Both the fear of infection, after COVID-19 had revealed the catastrophic state of Romania's healthcare system, and the widespread disillusionment with mainstream politics contributed to the outcome. The elections were called amidst one of the most mismanaged second waves of COVID-19 in the region, with an under-reporting death toll and a small number of daily tests conducted during a campaign focused foremost on scandals, with inter-party infighting reaching paroxysm.

The negotiations

According to political custom and constitutional provisions, the party winning the elections is invited by the President to nominate a Prime Minister, a decisive element in forming the next government. After the 2020 elections, it quickly became clear that President Klaus Iohannis would prefer a centre-right coalition formed around PNL, although Prime Minister Ludovic Orban resigned the day after the elections, after his party's defeat.

Klaus Iohannis appointed Defence Minister Nicolae Ciucă as interim Prime Minister, but Ludovic Orban, who was also the head of the National Liberal Party at the time, remained involved in forming the new ruling coalition.

But the defeat has weakened the Liberals' position in the negotiations with potential partners.

Before the elections, both the Liberals and President Iohannis said Orban would continue as Prime Minister. PNL refused any pre-election alliance and would have preferred to form a government alongside PMP and UDMR. The National Liberal Party and Romania's third largest electoral force, the Save Romania Union-PLUS Alliance have very different electoral bases and philosophies of doing politics and have spent much of the electoral campaign attacking each other, which made negotiations much more difficult.

Romanian media rarely and poorly reported about the real problems faced by citizens and the electoral offer of the main competitors, while the ruling party already had their guaranteed attention thanks to its position in government. It superficially approached the post-election period, focusing more on negotiations themselves than on the essence of the new governing program. Unsurprisingly, while coalition negotiations in earlier decades largely took place behind closed doors, they were now visible to the public. Most often partial information was released to the media off the record in advance by the participants, including the blaming and praising of other actors, even as the negotiations unfold.

Instead of trying to give the coalition a clear sense of direction, the process of government formation enabled top-level party leaders to gamble on their political posts and political survival. USR-PLUS leaders have made it clear that they didn't want Ludovic Orban heading the coalition government. In response, PNL accepted to nominate Finance Minister Florin Cîțu for the Prime Minister position only if Ludovic Orban will get the Chamber of Deputies speaker position. USR-PLUS wanted this position for one of the alliance's co-chairs, Dan Barna, but expressed the willingness to accept to give this position to

² Central Election Bureau of Romania. (n.d.). <https://locale2020.bec.ro/>. Retrieved November 1, 2021, from https://locale2020.bec.ro/wp-content/uploads/2020/10/10-pv_cl_final_rectif.pdf

Orban if the other co-president, former European Commissioner and Prime Minister Dacian Cioloș, would have been appointed to lead the government.

A second scenario approved by the Liberal leadership regarded a new term for prime minister Ludovic Orban, the Senate president position for Florin Cîțu, and the speaker position of the Chamber of Deputies for USR-PLUS.

Meanwhile, after being very much involved in the Liberals' electoral campaign and in the initial negotiations for the coalition, President Iohannis took a step back and said he would let the parties figure it out for themselves who they propose for Prime Minister. After more than a week of talks, the parties agreed that PNL would lead the coalition with nine cabinet seats, while the USR-PLUS would gain six and the UDMR three.

In order for Orban to be elected as President of the Chamber of Deputies, PNL had to give up some key ministries, causing a strong dissatisfaction in the party. USR-PLUS received portfolios such as the Justice Ministry, Transport Ministry, Health Ministry and the EU Funds Ministry, while UDMR took over the Ministry of Development, Public Works and Administration. Also, for the first time in Romania's history, a woman, Anca Drăguț from USR-PLUS, was elected as head of the Senate, the upper chamber of Parliament.

The alternative scenario

In December 2020, the strategy of the Social Democratic Party was to gather a majority around professor Alexandru Rafila, Romania's representative at the World Health Organisation and one of the most visible health experts during the COVID-19 pandemic.

3 Encyclopedia of Romania. (n.d.). <http://enciclopediaromaniei.ro/>. Retrieved November 1, 2021, from http://enciclopediaromaniei.ro/wiki/Guvernul_Theodor_Stolojan.

The proposed solution of a national unity government would have been the reasonable solution to get out of the pandemic and to avoid a political and economic crisis in the coming years. In the post-communist period, Romania also had a national unity government between 1991 and 1992, under the leadership of Theodor Stolojan³. The cabinet was composed of members of the National Salvation Front (FSN) which won the 1990 legislative elections by 66 percent, the National Liberal Party, the Ecological Movement of Romania (MER), the Democratic Agrarian Party of Romania (PDAR) and several technocrats.

After the severe electoral losses in 2019, PSD redefined itself as a strong social democratic party and completely revised its list of candidates, applying significant ethical, legal and moral filters. Besides the fact that it managed to partially regain the trust of the voters (but still standing well below the 46 percent score obtained in the previous legislative elections) PSD has once again become an important member of the Social Democratic family and a genuine promoter of European and Transatlantic values.

Unfortunately for the Romanian democracy, PSD was devoid of allies. PNL and USR PLUS campaigned for the last rounds of elections with a discourse highly critical of the Social Democratic Party, often called "the red plague", a phrase that quickly became a political negative cliché. On the other hand, PSD completely refused any negotiations with the new far-right party entering the Parliament – AUR, which is natural for the party which has defined the phenomena of xenophobia and anti-Semitism as socially unacceptable crimes that have to be countered and punished if committed.

The political crisis

Romania does not have very fond memories of the centre-right coalitions. People's expectations for the winners of the 1996 elections, the Democratic Convention of Romania (CDR), formed on the backbone of the National Peasant Christian Democratic Party (PNȚCD) and the National Liberal Party, were soon evaporate . After four years of deep economic crisis, combined with endless political infighting within the different factions of the government, CDR lost quite pathetically the elections of 2000⁴.

But this time things went even worse. After just nine months since the elections the PNL – USR-PLUS – UDMR coalition collapsed. Florin Cîțu proved to be an ineffective, uninspiring leader. The coalition government led the country along what could at best be described as a very slow reform path, with many elements of backsliding and a heavily politicised state bureaucracy. That aggravated the already strong tendency among many citizens to view existing politicians with serious suspicion.

The first big scandal broke out in April, when Vlad Voiculescu, one of the stars of the USR-PLUS, was dismissed from his second term as Romania's Health Minister overnight, without consulting the coalition partners. In response, the junior coalition party has said that it would only remain a part of the coalition if PNL were to name another head of government. The conflict was settled, however, after a few days of mutual accusations and talks, when the coalition leaders signed an update to the coalition protocol and a new Health Minister,

Ioana Mihăilă, took over the post.

In early September, a new crisis broke out, after the unexpected demise of the USR-PLUS Justice Minister, Stelian Ion. In response, the USR-PLUS alliance announced it withdrew its political support for Florin Cîțu and filed a motion of censure against the government jointly with AUR. Subsequently, the USR-PLUS ministers have resigned, and the secretaries and under-secretaries of state, as well as the prefects and sub-prefects representing this party have been dismissed.

Afterwards, Prime Minister Florin Cîțu has won the leadership election of his party, a vote seen as further reducing the chances of reuniting the fractured coalition. At the same time, after the Constitutional Court admitted a constitutional conflict between Parliament and Government, which was notified by the prime minister, PSD filed its own no-confidence motion against the government.

The motion was passed by 281 votes, much more than the required minimum of 234 or 50 percent plus one in the 467-seat Parliament and the highest number of votes that dismissed a government in Romania so far⁵. The next nomination for the position of prime minister, in the person of Dacian Cioloș, was purely formal. Without the support of either the National Liberal Party or the Social Democratic Party, Cioloș has proposed a cabinet made up entirely of members of his own party. As expected, only 88 MPs voted in favour of the government, causing another negative record in post-communist Romania⁶.

4 Wikipedia. (n.d.). <https://ro.wikipedia.org>. Retrieved November 1, 2021, from https://ro.wikipedia.org/wiki/Alegeri_parlamentare_%C3%AEn_Rom%C3%A2nia,_2000

5 Plugaru, H. (2021, October 5). Moțiunile de cenzură adoptate de Parlament (cronologie). <https://www.agerpres.ro/>. Retrieved November 1, 2021, from <https://www.agerpres.ro/documentare/2021/10/05/motiunile-de-cenzura-adoptate-de-parlament-cronologie-791345>.

6 The precedent took place in November 2009, when the cabinet proposed by prime minister-designate Lucian Croitoru was rejected by the Romanian Parliament with 250 votes against and 189 in favor.

Mediafax. (2009, November 4). Guvernul Croitoru a fost respins de Parlament. <https://www.mediafax.ro>. Retrieved November 1, 2021, from <https://www.mediafax.ro/politic/guvernul-croitoru-a-fost-respins-de-parlament-5080859>.

The second Prime Minister-designate appointed by President Klaus Iohannis was the acting Defence Minister and former head of the armed forces, the retired four-star general Nicolae Ciucă, who served in both Iraq and Afghanistan as a battalion commander. Ciucă entered politics last year as a member of the National Liberal Party and at this point he's one of the party's vice presidents.

In today's Europe, the appointment of a former military as Prime Minister is unusual, even among ex-communist states, where the latest such example was the Polish Wojciech Jaruzelski, in the 1980s of last century. Throughout history, Romania has had eight prime ministers from the army's elite, the most famous being Alexandru Averescu, a hero of the First World War, and the controversial Ion Antonescu, Hitler's ally in the years of the Second World War. However, the last general to lead the Romanian government was Nicolae Rădescu, who resigned in February 1945⁷.

After a week of sterile discussions and negotiations, Nicolae Ciucă has drafted a cabinet lineup made of his party and UDMR ministers, which jointly control 163 parliament seats, 71 seats short of a majority. If we take into account the fact that Ludovic Orban, the former Prime Minister and President of the National Liberal Party resigned from his parliamentary group, together with 16 other deputies and senators, the situation became even more complicated.

In these circumstances, Nicolae Ciucă withdrew his mandate and Florin Cîțu, still serving as caretaker Prime Minister, said that instead of seeking a minority government again, the party drafted a more "flexible" mandate to form a coalition.

Meanwhile, a massive majority of 88 percent of the Romanians believed that the country is moving in the wrong direction, and 31 percent of them would say that the Social Democratic Party should form the government, according to a poll conducted by the Romanian Institute for Evaluation and Strategy⁸.

This crisis also came at a time when COVID-19 cases were rising sharply again, amid one of the lowest vaccination rates in the EU. Since the start of the pandemic, Romania has registered more than 1,7 million cases⁹ and over 55,000 coronavirus-related deaths¹⁰, of which over 15,000 since the crisis broke out. With the highest per capita COVID-19 death rate in the world recorded in October 2021¹¹, Romania surpassed, several times, 500 deaths in a single day, reaching unprecedented casualties in post-war era¹².

The management of the vaccination campaign deserves a distinct case study. After a very good start, in the first months of the year, when it regularly featured among EU's top three nations in terms of the percentage of the population that received at least one dose, Romania has today the second-lowest vaccination rate in the EU

7 Romanian Government. (n.d.). Prime Ministers in history. <https://gov.ro/>. Retrieved November 1, 2021, from <https://gov.ro/ro/fosti%20ministri>.

8 Serescu, O. (2021, October 10). Sondaj IRES: 88% dintre români cred că țara merge într-o direcție greșită. <https://alephnews.ro/>. Retrieved November 1, 2021, from <https://alephnews.ro/guvern/sondaj-ires-88-dintre-romani-cred-ca-tara-merge-intr-o-directie-gresita-sociolog-au-mai-fost-crize-politice-dar-niciodata-nu-am-ajuns-la-un-asemenea-scor/>.

9 Romanian Government. (2021, November 25). <https://stirioficiale.ro>. Retrieved November 25, 2021, from <https://stirioficiale.ro/informatii/buletin-de-presa-25-noiembrie-2021-ora-13-00>.

10 Ibidem

11 Gherasim, C. (2021, October 18). Romania has the highest COVID mortality rate in the world. <https://www.eureporter.co/>. Retrieved November 1, 2021, from <https://www.eureporter.co/world/romania/2021/10/18/romania-has-the-highest-covid-mortality-rate-in-the-world/>.

12 Pițigoi, V. (2021, October 26). Scrisoare deschisă către toți mai-marii țării. <https://spotmedia.ro/>. Retrieved November 1, 2021, from <https://spotmedia.ro/stiri/opinii-si-analize/scrisoare-deschisa-catre-toti-mai-marii-tarii>.

behind Bulgaria, with just 37 percent of adults fully inoculated against COVID-19, compared to the bloc average of 75 percent¹³.

The decline began in May, when the authorities allowed citizens to mingle without masks and gave over-optimistic public messages, including a statement by Prime Minister Florin Cîțu, who said the coronavirus had been “eliminated” from Romania, even though experts contradicted him and warned of a fourth wave¹⁴. Until October the government had made minimal effort to counter vaccine scepticism and avoided taking any unpopular measures. Moreover, the National Liberal Party held a congress with 5,000 delegates in Bucharest right at the beginning of the pandemic wave, despite the public criticism¹⁵.

In addition to pandemic related issues, the significant increase in energy prices is also a major concern, given its impact on citizens, businesses, and vulnerable consumers. In the big cities, thousands of households already have no heating or hot water, a crisis reminiscent of the infamous memory of the winters under the dictatorship of Nicolae Ceaușescu. Romania’s annual inflation rate increased to 6,3 percent in September, the highest reading since 2011¹⁶ and, according to European estimates, the budget deficit will continue to be the largest in the European Union¹⁷.

A grand coalition for Romania

The dynamics of coalition politics in Romania has been largely shaped by pre-electoral alliances. One of the most successful partnerships so far was the alliance - which on first sight seems paradoxical (left / right) - between the Social Democratic Party and the National Liberal Party. The Social Liberal Union, established in 2011 to stop Traian Basescu’s domination over political life, won the 2012 legislative elections with almost 60 percent. The coalition broke apart when PNL decided in early 2014 to exit the cabinet and run on its own in the European elections.

After two failed attempts to form a new government, a new alliance formed around the National Liberal Party and the Social Democratic Party, together with the Democratic Union of Ethnic Hungarians in Romania, represented the necessary compromise solution to end the current crisis. The new parliamentary majority voted to approve and install the Ciucă Government on 25 November 2021. PSD will control nine cabinet seats, including the portfolios of finance, defence, economy, transport, agriculture, health, labour, culture, as well as youth and family. PNL will control the justice, interior, foreign affairs, investments and EU projects, energy, education, digitization, as well as tourism and SMEs ministries, while UDMR will be in charge of the

13 Watts, E. (2021, October 29). COVID-19 in Romania: Doctors plea for help in open letter. <https://www.medicalnewstoday.com/>. Retrieved November 1, 2021, from <https://www.medicalnewstoday.com/articles/covid-19-in-romania-doctors-plea-for-help-in-open-letter#The-importance-of-getting-the-vaccine>.

14 Lică, Ș. (2021, June 29). Premierul Cîțu anunță că am învins pandemia, experții îl contrazic. <https://adevarul.ro/>. Retrieved November 1, 2021, from https://adevarul.ro/locale/cluj-napoca/premierul-citu-anunta-invins-pandemia-expertii-contrazic-1_60d4fe315163ec427193ef4e/index.html.

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16 National Institute of Statistics. (2021, October 12). <https://insse.ro/>. Retrieved November 1, 2021, from https://insse.ro/cms/sites/default/files/com_presa/com_pdf/ipc09r21.pdf.

17 European Commission. (2021, May 12). Previzunile economice de primăvară pentru România. <https://romania.representation.ec.europa.eu>. Retrieved November 1, 2021, from https://romania.representation.ec.europa.eu/news/previzunile-economice-de-primavara-pentru-romania-crestere-pib-cu-51-2021-49-2022-2021-05-12_ro.

regional development, environment and sports portfolios.

However, after a seven-year confrontation between the two parties, it remains a question how long the unlikely alliance between the National Liberal Party and the Social Democratic Party will last. Still, the construction of a *just society* and the strengthening of its social dimension, through appropriate policies that effectively regulate social justice, social mobility, poverty reduction and income inequality is indispensable in the current context. Romanian democracy is vulnerable, but not beyond repair.

Instead of waiting for a better result in 2024, when four different rounds of elections are scheduled (local, European, parliamentary and presidential), the Social Democratic Party is determined to take the risk of governing in an extremely difficult period. If successful, a PNL – PSD - UDMR coalition could last for seven years and may create a political environment more prompt to implement European legislation, eventually proceeding with constitutional reforms, including transforming the country into a parliamentary republic.

Conclusions

Political polarisation is a challenge likely to continue to affect Romanian society. Since 1996, Romania has had a culture based on discontinuity or discord, not on consensus and balance. The deep fragmentation of the political scene made the articulation of the majorities to be placed under the sign of unpredictability and fragility. This is worrying because it amplifies extreme voices, paralyses the governments, and undermines trust in public authorities.

The Social Democratic Party can use the next period for a political rebranding, regaining its reputation as a party of professionals and strengthening its external credibility.

A PNL – PSD - UDMR grand coalition will also provide an opportunity to strengthen the Opposition parties, but Romania is in a critical situation, so the need for national unity goes beyond standard ideological contrasts. Long-term rivals may be ideologically distant, but they are preferred as coalition partners to political parties often characterised by anti-establishment sentiments.

Because the Romanian coalitions were short-lived and unable to survive beyond the next elections, we may have other rounds of political turmoil in the coming years and maybe even early elections, as the pandemic will fade.

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POST-ELECTION — NEGOTIATIONS AND MEDIA COVERAGE

The article analyzes the impact of the covid pandemic on the post-election negotiations. Special attention is paid to the positions of the BSP as the main left wing party in Bulgaria in this negotiation process. The main thesis is that the COVID-19 pandemic has very little influence specifically on the negotiations for forming a government.

After the elections in April and July 2021, the Bulgarian political elite would like to believe that the pandemic has passed and that it must deal mostly with its consequences. The topic of a new COVID-19 wave is not on the agenda. But as the EU in general does not offer a successful receipt for dealing with the pandemic. For this reason, the Bulgarian political elite does not have the ambition to implement such a model. They are aware of the problems of the Bulgarian healthcare system but have no vision for their long-term solution. For this reason, the topic of healthcare is not central to the negotiation process for forming a government.

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In the negotiation process, the question about the political program of the coalition government is not central. In the Bulgarian political tradition, when forming a coalition government, the main topic is the distribution of positions and power. The management program is a secondary issue. Negotiations for a government in Bulgaria in the spring and summer 2021 hardly reached the issues on the agenda. The parties fail to agree on the distribution of power and positions. For this reason, there was almost no negotiations about anything else.

As the main left-wing party, the BSP was making serious efforts during negotiations to form a government to focus on politics, rather than on the distribution of ministerial positions. The BSP party also focused on measures to overcome the social and economic problems caused by the pandemic. The party's views on health policy sought long-term solutions and are not focused on immediately tackling the pandemic.

The pandemic itself has had a serious impact on Bulgarian politics by catalyzing social tensions. But the reasons for them are the contradictions in Bulgarian society before the pandemic. The social and economic problems in the country are intensifying sharply because of the measures to fight against COVID-19. They influence the political process more than the issues of the health system.

The pandemic sharply limited also the opportunities for policy making, for gathering people, for dialogue between politicians and voters, for the functioning of the political parties themselves. The importance of communication channels and especially of the media and social networks has been growing.

In the years 2020 and 2021, because of the restrictive measures against the pandemic, a serious dividing line appeared in the Bulgarian society. Some citizens are very concerned

about their health and are afraid of COVID-19. They want serious regulations on gatherings and the movement of people. Others are strongly opposed to the measures. For them, the social and economic problems that the pandemic creates are more of a priority to attend. Bulgarian parties and the Bulgarian political elite refused to take part in this dispute, especially before the elections.

Negotiations to form a government in Bulgaria in 2021 ended without result after both elections. Bulgarian political parties did not view the spring and summer waves of the COVID-19 pandemic. Leading are the deep dividing lines in Bulgarian society and politics. For this reason, Bulgaria reached its third parliamentary vote of the year in November, already deeply in the COVID-19 pandemic.

However, the political process in Bulgaria and the efforts to form governments after the spring and summer elections largely ignored the topic of COVID-19 and efforts to tackle it. The main political forces, including the BSP, were hardly tempted to use the topic even for populist talk.

As a major political force in the center-left, the BSP is strongly committed to the issue of fighting the pandemic, but the party's proposals for decisions are mostly focused on tackling the negative social and economic consequences of the COVID-19, rather than clear and concrete ideas for fighting with disease and infection. The BSP, being also in opposition, refrains from extreme criticism of the ruling party on the topic of "COVID-19", as it does not offer solutions that can secretly guarantee another result.

GOVERNMENT FORMATION IN THE CZECH REPUBLIC AFTER THE 2021 ELECTION

Government formation has always been a centre point of electoral studies. Since the 1960s we can observe the growth of various theoretical models (Laver 1998) and corresponding databases that enable us to test these theories through comparative research (see e.g. Lanny, Stevenson 2001). Nevertheless, the research is often based on the cases of West Europe, while the Centre-East European democracies might behave differently. In comparison to the West, the Central Eastern European Democracies are more shaped by electoral performance and size of the parties while in the West the policy-based factors play a larger role (see Döring, Hellström 2013).

Furthermore, the growth of the populism and crucial impact of pandemics once again call for a detailed analysis and description of individual cases. The Czech 2021 general election represents exactly such a unique opportunity to analyse the government formation. The process was heavily influenced by the results of the election which left the political system without centre-left and with populist subjects as the only opposition. In the end, five centre-right parties within two coalitions signed the coalition agreement. Individual strategies of parties varied and corresponded to different theoretical models. Furthermore, to explore how the „*coalition members convert a wide range of social demands into a manageable set of public policies*“ (Strøm, Nyblade 2007: 792), it is necessary to analyse both intra- and inter-coalition bargaining.

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Therefore, the main goal of this article is to analyse the key features of government formation and their impact on future centre-left policies. To do so, the following analysis thus does not treat the 2021 legislative election and subsequent government formation as an isolated event. Instead, it also considers factors such as the formal and informal institutions, political situation, or assumptions about future elections. This approach follows the development in the field of government formation. Individual models moved from zero-sum office seeking models to policy seeking models and later a mixture of both. Subsequently, the theoretical field was enriched by the focus on broader context coalition formation. (Müller et al 2013).

The political system of the Czech Republic and the 2021 legislative election

This chapter briefly introduces the Czech political system. It sets the 2021 legislative election within a broader context and explores the key factors influencing the electoral results. The dynamics of the Czech political system is defined by its institutional setting, most notably by the parliamentary government. The lower chamber of the bicameral parliament has a key role in the legislative process and government formation. Its composition is defined by the proportional representation resulting in the multi-party system. Correspondingly every election resulted in the minority legislature without a single party holding a majority of seats since the foundation of the Czech Republic in 1993.

For a long time, the Czech party system was quite stable and centred around the competition between the centre-left Czech Social Democratic Party (ČSSD) and the centre-right Civic Democratic Party. Another unique feature of the Czech party system was the persistent

existence of the unreformed communist party. The Communist Party of Bohemia and Moravia was usually the third strongest party in the parliament on average gaining 12,4 % of votes in between the 1996 and 2017 elections. The existence of such anti-system opposition complicated the government formation for centre-left governments as the Czech Social Democratic Party (ČSSD) refused to cooperate with the Communists on the governmental level.

The stable party system started to crumble in 2013 when a snap election was called after the spying and corruption scandal surrounding the prime minister from the Civic Democratic Party. The snap election started the slow process of disintegration of the party system. The Civic Democratic Party ended fifth and gained only 7,72 % of votes. Moreover, the 2013 election also saw a rise of the populist politicians Andrej Babiš and Tomio Okamura (see: Havlík 2019). The 2017 election continued in the trend when nine parties entered the parliament. Social Democrats as the other pillar of the party system collapsed, ending sixth with only 7,3 % of votes. The populist ANO party of Andrej Babiš won the election with 29,6 % and the radical right populist party SPD of Tomio Okamura gained 10,6 %.

The government formation after the 2017 election was defined by the inability to form the majority government. Several parties including the Civic Democratic Party refused to cooperate with Andrej Babiš due to his ongoing criminal charges. On the other hand, Babiš refused to start coalition talks with the communist party and the radical right populist SPD. The effort to form a minority government consisting only of ANO failed and finally in 2018 Babiš was able to form another minority government with the Social Democrats passing the confidence vote thanks to the support from the communist party.

As a result, the Czech Republic found itself without a majority government and with a populist leader amid the outbreak of pandemics. During the initial wave of pandemics, the government reacted with a set of decisive measures. As one of the first EU countries the Czech Republic closed its borders, ordered nationwide quarantine, and introduced the mask mandate during March 2020. However, the chaotic leadership, the style of populist prime minister and the structural deficiency of the post-communist state resulted in one of the worst pandemic impacts in the World during the subsequent waves. As of October 2021 Czech Republic ranked seventh in the COVID-19 deaths per capita in the World.¹ The government reacted unpredictably and without a clear strategy. Babiš as the prime minister of the minority government was not able to cooperate with the opposition and disregarded the advice of experts. The focus on the economic impacts of the pandemics resulted in a disregard for the social impacts most notably one of the longest lockdown measures for the education system. However, the Czech economy was not spared the impact of pandemics dropping by 6 % of GDP in 2020.²

One of the worst results of pandemics in the World was expected to be the key topic of the 2021 election. However, the opposition parties were not able to define comprehensive policy alternatives in terms of dealing with the pandemics. With the pandemics fading during the key months before the election, the electoral campaign revolves mostly around the leadership of Andrej Babiš. Similarly, the

party system was structured mostly around the future government formation and two main opposition coalitions formed. Centre-right SPOLU coalition³ comprised Civic Democratic Party, Christian Democrats and liberal TOP09. The second coalition brought together the Pirate party with the STAN party which comprised mayors and other local elites. Both coalitions stressed the pre-electoral commitment of not forming a government with ANO led by Andrej Babiš or SPD. Therefore, the electoral campaign was less about policy and more about the continuation or replacement of the ANO government.

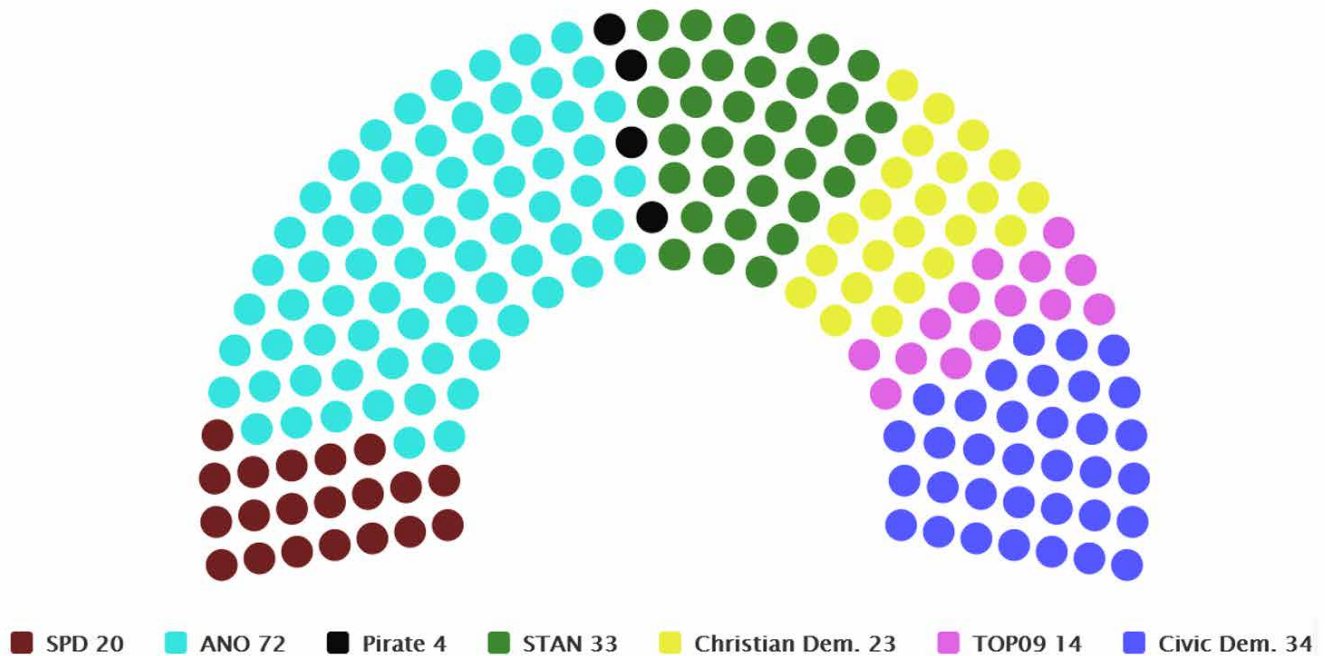
The 2021 legislative election brought a victory for the opposition coalitions. Together they gained a clear legislative majority of 108 seats out of 200. Although the ANO party gained the most seats (72) it was clear that it lost its coalition partners necessary for the majority government. Results of the election were heavily influenced by two main factors – electoral turnout and wasted votes. The overall turnout was the highest since 1998 and increased from 60,84 % in 2017 to 65,43 in 2021. The opposition bloc was able to mobilise their key voting groups, i.e. young voters between 18 and 34 years of age and voters with above-average income. On the other hand, the turnout among older voters slightly decreased. Moreover, although ANO gained staggering support among retired citizens effectively being supported by every second one of them, the SPOLU coalition was able to gain a respectable 18 % of support among retired citizens thus shifting the balance towards the opposition. (Prokop et al. 2021)

1 The statistics are based on the total confirmed deaths due to COVID-19 per million people. In total there are over 30,000 deaths due to COVID-19 in the Czech Republic. Data are from Our World in Data available at: https://ourworldindata.org/grapher/total-covid-cases-deaths-per-million?tab=table&country=~OWID_WRL

2 Data are from the World Bank available at: <https://data.worldbank.org/indicator/NY.GDP.PCAP.KD.ZG?locations=EU-CZ>

3 SPOLU means TOGETHER in English.

Figure 1 – Seats by each party after the 2021 legislative election



The second key aspect was the wasted votes. ANO cannibalised its potential coalition partners who also failed in their mobilisation campaigns. Almost one-fifth of all votes were cast for parties that did not reach the 5 % threshold: the highest number in the history of the Czech Republic. Some of the parties missed the threshold by a relatively small margin. Moreover, the wasted votes accumulated around parties supporting the incumbent government. New movement “Oath” centred around a police officer that was investigating the 2013 government scandal gained 4,68 %. The Social democrats gained 4,65 % and Communists 3,6 %. As a result, the centre-left is not represented in the parliament. The communist party left the parliament after more than 100 years and so did the Social Democrats. The traditional electorate of the left is now represented only by populist movements. Furthermore, older voters and voters with below-median income are underrepresented in the parliament due to

wasted votes. As a result, the new 108-seat majority was elected based on the 43,41 % of votes.

Furthermore, the open list proportional voting in the Czech Republic gives voters four preference votes that can shift the order of candidates in the party lists. The Czech Republic has a small threshold to pass and any candidate with more than 5 % of its party votes at the regional level takes precedence over others. This factor was especially crucial when it came to the coalition blocks as disciplined voters of some parties could easily shift the balance within the coalition. The Pirate Party and STAN coalition was the most affected by the open list proportional voting. During the drafting of the coalition agreement, the Pirate party had approximately three times more voters than STAN i.e., 15% to 5 %. According to the polls, the support for the coalition peaked in winter 2021 reaching almost 30 %. Since then, it slowly declined to 24 % in summer and to a surprising electoral result of

15,62 % in October. Nevertheless, the disciplined use of preferential voting by the STAN voters completely shifted the balance within the coalition. In the end, the Pirate party received only four seats out of 37 for the coalition.

Process of government formation and the centre-left agenda

Theoretical approaches to government formation usually focus on the role of ideology, appointments, or institutions (for an overview see Laver 1998, Müller et al. 2013). Individual factors influence not only the composition of the government but also how it governs e.g. its durability, effectiveness, or citizens' evaluation of its actions. This chapter focuses mostly on the bargaining among parties and subsequently on the role of policy and the size of the parties as key factors influencing the government formation. Another important limitation is given by the fact that the negotiations were not public and some information about the new coalition government was not disclosed at the time of writing of this article.

There are plenty of theoretical approaches to government formation. Their suitability mostly depends on the research design e.g., comparative study or case study. Czech post-electoral context simplified the analysis and institutional factors play a smaller role than expected. Before the election, it seemed that the role of formal and informal institutions would be crucial. In 2013 president Zeman showed that he is willing to abuse the formal constitutional loopholes when he named a caretaker government disregarding

the legislative majority in parliament. The caretaker government never passed the investiture vote and ruled without support until the snap election. Before the 2021 election president already declared that he will formally appoint sitting prime minister Babiš first with the task of government formation. Theoretically the same constitutionally uncomfortable situation as in 2013 could follow with Babiš being prime minister without passing the investiture vote for a prolonged period. However, the position of the incumbent party ANO was weaker than expected given the results of the election. The sudden illness of the president eliminated another key actor. With the worsening covid-19 situation the incumbent government had no intention to interfere in the government negotiations and prepared for a quick transition of power to assume the opposition role.

The final composition of the Czech parliament after the 2021 election further simplified the analysis of the government formation process. Some key players that would normally heavily influence the government formation both directly and indirectly are missing. Three important small parties did not cross the 5 % threshold. The current parliament is therefore composed of three ideological blocks: populist ANO, radical right populist SPD and centre-right parties. In comparison to the previous parliament, Social Democrats and Communists are missing. If we count coalition as one subject the effective number of parties in parliament decreased from 4,81 in 2017 to 3,34 in 2021.⁴ (Laakso, Taagepera 1979). Another most notable change is a higher ideological consistency of the new parliament given by the absence of centre-left parties.

4 The effective number of parties is a useful tool that takes into account the relative size of parties. It is especially useful in the situation of fragmented legislatures where there are small parties present. The effective number of parties represents a number of hypothetical parties of the same size that would have the same effect on the system as having the actual parties of the same size. The effective number of parties is a great tool for a comparative study. However, by design, it is not concerned with the ideological distance of parties. Therefore, the same number might represent a vastly different setting depending on the context. When we break the coalitions into individual parties there is 4,67 effective parties in the Czech Republic in 2021. This does not differ as much from 2017 with the effective number of parties being 4,81. However, the ideological composition of parliament is quite different.

Electoral results made clear that the government formation would be shaped by the bargaining among the five members of the two centre-right coalitions. The electoral campaign centred around Andrej Babiš as a key policy dimension. Thus, there is not an ideologically median party in the Czech parliament but rather two separate blocks – a populist block and a centre-right block. The government bargaining process was therefore delimited for a centre-right coalition who together gained the 108-seat majority out of the 200 seats in the lower chamber of parliament.

In the political science literature the government formation is typically seen as driven by size and ideology (see Lanny 2001: 34-35). These factors usually influence the process the most. The theoretical approach to the government formation evolved from the simplistic models based on the size of parties to the more complex ones considering the ideological space as well. From the standpoint of the size, the minimal winning coalition needing the least parties is the most reasonable solution. (Riker 1962) This model follows strictly mathematical reasoning of game theory and expects the parties to mostly seek fixed sum offices as a payoff. This leads to zero sum games where the gain of one party is the loss of the other. Therefore, there is pressure to form a coalition with the missionaries to best distribute the government memberships.

In practice the assumptions of the strictly mathematical models and game theory do not hold. The value of government membership often varies, and it is not the only payoff. The impact of government members on the future votes and government durability is important as well. Information asymmetry is often present among bargaining parties. Furthermore, parties naturally seek ideologically closer coalition allies. They prefer a government that is ideologically connected although it might not be the minimal winning. The policy is often as important

as government membership. Although new theoretical models are quite complex, mixing both policy preferences with the office payoffs, in practice dominance of one player leads to smaller coalition governments. (Strøm, Nyblade 2007: 790)

The Czech case well sums up the need for a complex approach as strategies of individual parties varied during the government bargaining. The process of government formation in the Czech Republic illustrates both the cooperative model of bargaining between the two coalitions and the non-cooperative model of intra coalition bargaining of individual players. In the end, a surplus majority coalition was formed rather than a minimum winning coalition because bargaining power was dispersed among multiple actors within the coalition. Bargaining was limited to the ideologically connected centre-right without a dominant player shaping the size of the future coalition. The information asymmetry and coalitions further pushed for the larger government coalition than the minimal winning coalition.

Civic Democrats had the most bargaining power which was further enhanced by the information asymmetry. Civic Democrats and Christian Democrats were the only parties with relevant executive experience. Therefore, they had a better understanding of the state structure and processes on a practical level. Both parties were seeking specific offices. They were also policy seeking especially in terms of vetoing specific issues i.e., gay marriage, eurozone membership and radical action on climate change. Last member of the SPOLU coalition the TOP 09 party compromised on the policy issues. Its payoffs were centred on the assumptions of future votes i.e., not only the government membership but also the position of the Speaker of the Chamber of Deputies.

Similarly to the TOP 09, the Pirate Party had other payoffs in mind besides the government

offices. It had to consider future elections, voter reaction and the possibility of enforcing policy preferences in government. Thanks to the preference voting within the coalition Pirate Party fell from 22 seats to just four. The STAN Party on the other hand saw a steep rise from six mandates to 33. Balance within the coalition shifted significantly.⁵ The Pirate Party became a non-pivotal member of the 108-seat majority with small bargaining power.⁶

On the other hand, the opposition role of the Pirate Party would be unclear. The party would be in opposition to a coalition to which it is ideologically connected. Furthermore, it would form an opposition with populist parties. Restricting the opposition to just populist parties was also beneficial for the rest of centre-right parties as it would increase legitimacy and limit the criticism. Moreover, the Pirate Party already showed that it can be an effective opposition which was a further incentive of keeping them in the government. Moreover, the Pirate Party and STAN Party coalition had already settled on a complex policy programme before the election which was driven by the Pirate Party. The STAN P, therefore, focused on the offices as payoffs for their key members during the process of bargaining. Nevertheless, STAN was willing to compromise on the distribution of offices in the coalition. Originally, the coalition agreement expected a fixed ratio of 2:1 in favour of the Pirate P. In the end, the ratio is 3:4.

The intra-coalition therefore mostly focused on office allocation within individual coalitions. The inter-coalition negotiations focused on the policy as well. While the policy preferences represent a cooperative game, the government offices are a zero-sum non-cooperative game. As a result, the programme could accommodate

most policy preferences of all parties while the set of payoffs in the form of government offices was limited. If policy preferences represented an important payoff for the Pirate party, it was successful in the negotiations. Although the coalition represents centre-right parties, its programme at parts deals with issues key for the centre-left parties. Key structural problems identified both by the Pirate party and the centre-left are present, e.g. long-term sustainability of the pension and health-care systems, improvement of the employment of young women with children or inclusiveness of the education system.

Notably, the COVID-19 and its impacts are absent in the coalition agreement. The pandemics are only briefly mentioned in the introduction as the state the country is in. Later it represents one of the examples of states of crisis in parentheses that need better legislation overall. In the section devoted to health care, the pandemics are not mentioned even once. This follows the trend where the topic of pandemics was to a large extent underutilised by the opposition in the campaign. The absence of pandemics enables avoiding the issue that might not reach a coalition agreement in such a short time. On the other hand, the government is going to be formed within a few weeks and it seems that it has no plan for pandemic management besides the vaccination campaign.

The key cleavages within the government coalition remain the centre vs. right-wing progressive vs. conservative. These cleavages however cut differently among individual parties. Pirate party, STAN party and Cristian Democrats could be seen as centrist parties. TOP 09 and Civic Democrats as right-wing. However, TOP 09 and Pirate party are the more progressive with STAN party being the median party in the progressive-conservative

5 The trust within the coalition was also significantly limited by the analysis of the Pirate party that in some cases STAN party propagated its candidates which were prohibited by the pre-electoral coalition agreement.

6 Such parties are sometimes called dummies. They do not have sufficient blackmail potential as they do not threaten the governing majority.

continuum of the government coalition. Civic Democrats and Christian Democrats are the most conservative vetoing e.g. the gay marriage.

The zero-sum game of government office allocation was solved by increasing the number of payoffs. The coalition government agreed to establish three new ministries (for European affairs, for Science, Research and Innovations and legislative issues). In the end, the SPOLU coalition gained premiership and 11 government offices. The Pirate Party and STAN party coalition gained 7. Civic Democrats gained premiership and six other government offices including the Ministry of Finance which plays an unusually strong role in the Czech system. Christian Democrats gained three offices and TOP 09 two. In the second coalition, STAN gained four offices and the Pirate Party three.

Nevertheless, it is important to remember that the offices usually serve as a stepping stone for policy (Müller et al 2013: 15-17). It seems that only Civic Democrats were able to veto some of the candidates from other parties, most notably the most progressive member of the Pirate P Olga Richterová who was a serious contender for the Ministry of Labour and Social Affairs. Otherwise, personal politics was left to individual parties and it will heavily influence the policy preferences.⁷

Furthermore, a large part of policy preferences requires significant financial allocation which is not supported by the current structure of the budget. The room for the investments is narrow and Civic Democrats were able to push through the idea of a fiscal constitution which not only limits the amount of debt but also would prohibit an increase in the tax burden. Therefore, the realisation of individual political preferences will be ad hoc based on the negotiation with

the Ministry of Finance, where hawkish Civic Democrats will be in charge.

The second part of the policy preferences will be driven by the legislation. There the coalition agreement specifies the process on how to reach the compromise among parties. However, the most important provision is the simple maths of how the government proposals become “conditionally agreed”. It requires the majority from both coalition members. This means that the Civic Democrats and STAN Party together effectively hold veto powers. Furthermore, there are no progressive partners in opposition.

The Pirate Party managed to set clear progressive and centre-left policy priorities into the coalition agreement.⁸ Their implementation will be dependent on intra-coalition bargaining where the progressive parties are a minority. There is a real threat it will be postponed based on the insufficient resources and insufficient support in legislation. Still, the future remains unclear as the populist ANO can shapeshift into various forms. It is thus possible that it will assume not only left-wing policies but also a more progressive agenda as well to drive a wedge in the existing coalition.

Conclusion

Czech 2021 election left the country without centre-left parties with only populist subjects in opposition. The new government was therefore formed within the centre-right ideological continuum. Still, the coalition agreement focuses on key issues usually associated with the centre-left agenda. Other key cleavages seemed to tackle the conservative-progressive policy preferences. The progressive parties

7 At the time of writing, this article, it cannot be determined with certainty who will fill the government position besides the premiership (Petr Fiala – Civic Democrats).

8 The coalition agreement in the Czech language is available here: https://www.pirati.cz/assets/pdf/KOALICNI_SMLOUVA.pdf (retrieved 9.11.2021)

represented a minority and had to make some concessions as the conservative parties held the veto powers. Nevertheless, the future of the centre-left and progressive policies will be dependent on the implementation and the intra-coalition bargaining.

The article summarised the main theoretical approaches to government formation. However, many of the practical steps remain unclear and some parties operated under information asymmetry. It is thus possible that the situation under which the government was formed might not apply in a year. The practical implementation of the coalition agreement will also shape the government duration. There are plenty of other scenarios that were not explored during government formation including minimal winning however not ideologically connected.

The case study in this article is thus limited to a rather parsimonious and simplistic model of government formation. The upcoming years might set some factors such as the voters' approval, policy preferences or institutional factors as a key issue. Furthermore, the article assumed that the government parties are to some extent policy-oriented and all parties are stressing policy in the interest of their respective voters. Still, there are many voters not represented thanks to the failure of the centre-left and other smaller subjects. These might shift the policy preferences of individual actors as the date of future elections will get closer.

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