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Comparative governance in CEE



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Form of state and form of government

Former socialist states

„Postsocialist” states:
Czechoslovakia, Yugoslavia
Baltic states

Czechoslovakia



- after the II WW: federal state (socialist)
- 1990 – velvet revolution (dem.)
- 1993 – Czech Rep., Slovakia



Czechoslovakia

??



**Tomáš Garrigue
Masaryk**



Václav Klaus



Vladimír Mečiar



Czech Rep.



Slovakia

Parliamentary democracy

Racionalized parliamentary governmental system

Leg. – 2 chamber P
 (H of Repres. 200 MPs - 4 ys
 Senate 81Ss-rotation 6 y – since 1996)

Exec. – **Gov.** (trust and confidence with the P)
Head of state (elected by P)

Head of state – Vaclav Klaus
 PM – Petr Nečas

???

Leg. – one chamber P

Exec. – **Gov.** (trust and confidence with the P)

Head of state elected directly for 5 ys; real governmental function when is on the same side with the P majority; other side: counter-balance (Ivan Gasparovic)

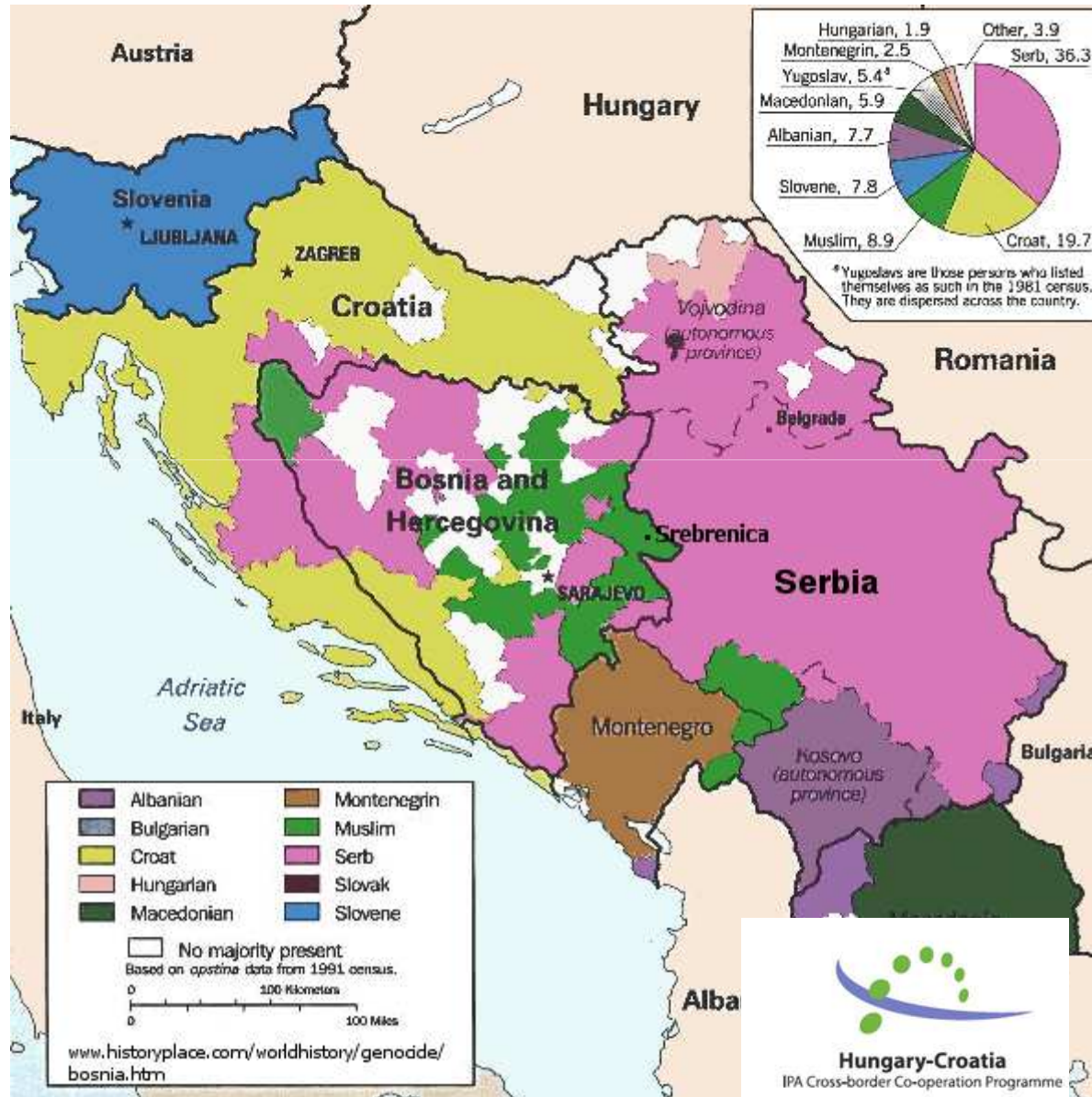
PM –
 Iveta Radicova



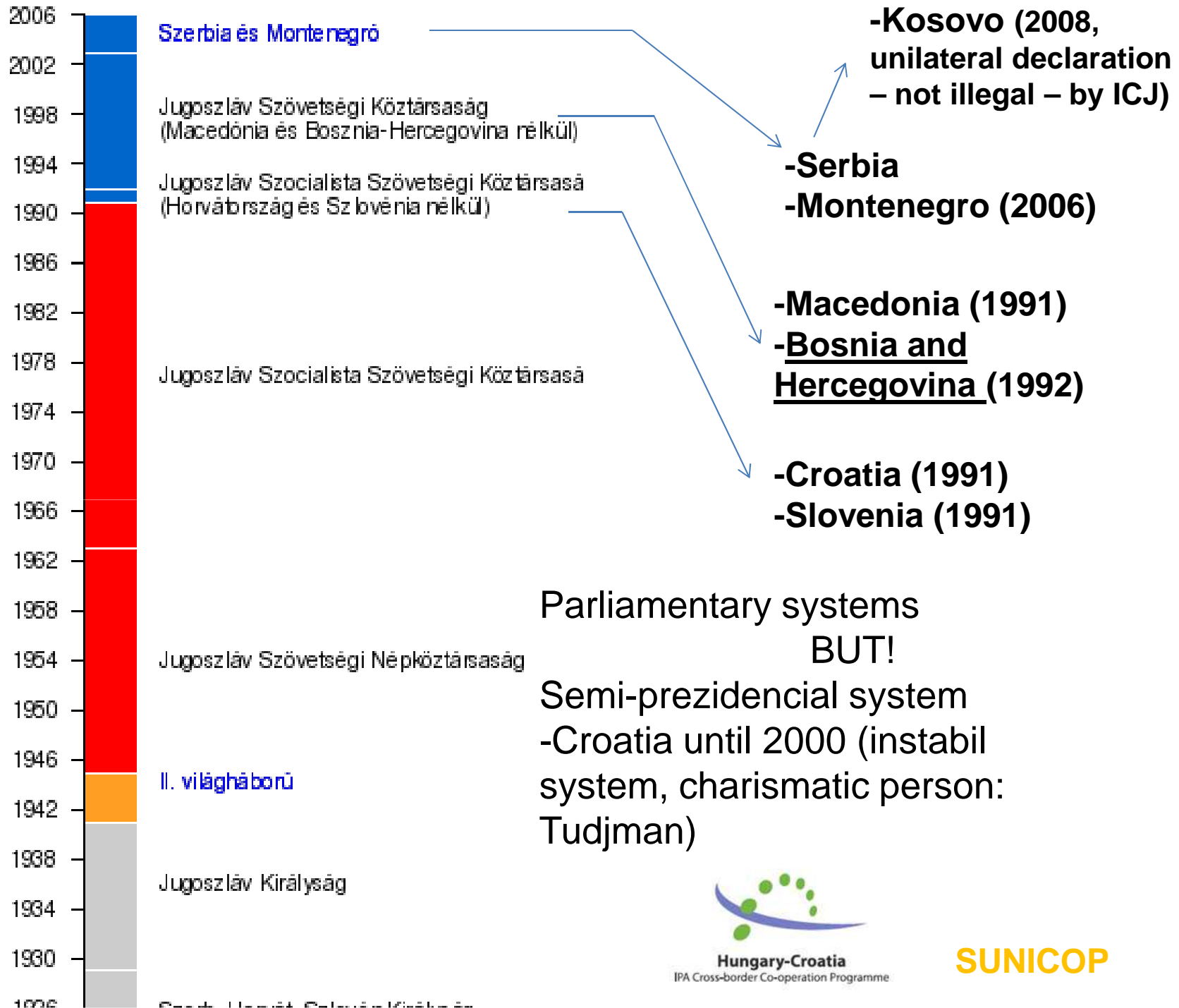
Hungary-Croatia
IPA Cross-border Co-operation Programme

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Breakup of Yugoslavia



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Baltic states



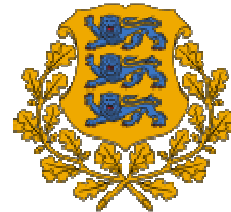
- Polish-Lithuanian Confederation
- Russia
- 1920: independence
- After 2WW: Soviet Union
- 1990-1991:
independence
predecessor: „1920”

Latvia



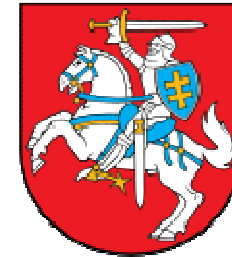
Parliamentary democracy

Estonia



Lithuanian ConsCourt: the governmental system is parliamentary containing semi-presidential components

Lithuania



Rationalized parliamentary Governmental system / semi-presidential
Decisive – approach of the head of state (usually parliamentary components are outbalanced)

Compare! „Western democracies”

France, Austria, Switzerland,
Germany

United Kingdom



Pres: Nicolas Sarkozy



PM: François Fillon



France

Semipresidential system

- Marseillaise
- language: french
- national sovereignty

Governance of the people, by the people, for the people (minorities do not exist)

V. Republic Constitution 1958;

Ch. de Gaulle

- Reinforcing the position of head of state (Pres.)
- P: controlling Gov
- P: narrow room for legislation
- Exec. : Pres. + Gov; Gov. sessions are chaired by the Pres.
- Gov: responsible for the P
- Pres: representing the national unity above parties
- Pres: elected directly
- **Pres**: wide-ranged IPD
- Pres: suited to de Gaulle



Hungary-Croatia
IPA Cross-border Co-operation Programme

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Austria

- 1920: federal constitution of the 1st Republic (B-VG) – KELSEN
- 1938: Anschluss – 1955: regaining sovereignty
- Formal constitutional law: B-VG + numerous acts of constitutional force



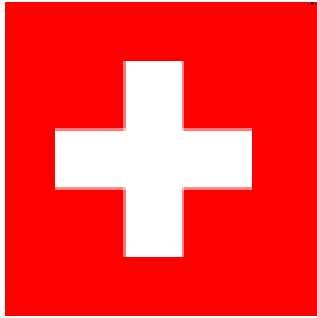
Federal republic

**Parliamentary democracy
with presidential characteristics**



Heinz Fischer
federal president





Switzerland



- 1848 Federal Constitution (BV) - referendum
- 2000 last total constitutional revision

Federal republic

Democracy based on consensus

Characteristics of the governmental system

- Gov.is not responsible for the P
- leader of the Gov (federal president) is primus inter pares

Semi-direct democracy

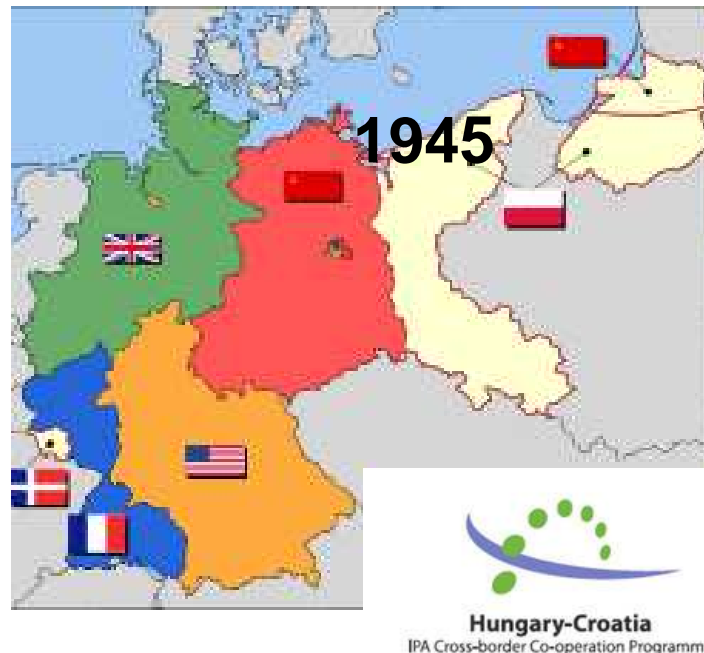
- any Act of the Federal P can be challenged by a plebiscite;
- a plebiscite can amend the BV

Federal Republic of Germany

Weimar Constitution (1919)

Established a parliamentary republic on the base of a federal state

Bonn – Grundgesetz (1949)



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Germany

Western occupying powers – 1948

- mandate to the PMs of the Western landers
 - to establish the conditions of the convocation of the **constituent assembly**

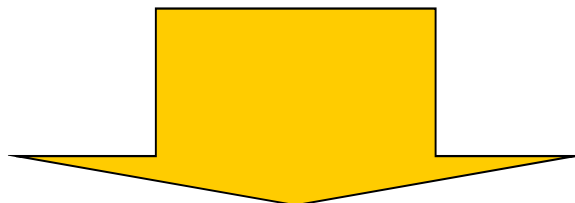
Parliamentary Council 1949

- adoption of a transitory basic law
 - ratified by the occupying powers
 - and landers

Grundgesetz

Main objectives

- elimination of the shortcomings of Weimar Const
- avoiding the repetition of nazi dictatorship



- unequivocal commitment to the inviolability and inalienability of human rights
- direct exercise of the power by the people is almost entirely impossible
- no emergency powers of the president (suspension of HRs)

Grundgesetz

Territorial scope 1949-1990

- Only West Germany
- W-Berlin: limited
- East-Berlin: NO



BUT!

Preamble:
Scope of reunification of Germany



Federal chancellor 2011

**East-G accession to W-G:
1990 – Fed. Rep. of Germany**



Benelux states

Belgium, the **N**etherlands,
Luxemburg

Benelux treaty: 1947

United Kingdom of the Netherlands (Const. 1815)



Border of Belgium and the Netherlands 1831

1830 independent Kingdom of Belgium

- French support
- NO one (Russia, Prussia, UK, Austria)

Constitutional monarchy

- king's actions (countersignature, IPD none)
- unitary and centralised
- No ConstCourt
- parliamentary system:
 - Exec.: king (not resp. to the P) and decision of the king (Gov.)
 - Leg.: king + Chamber of Rep. + Senate
 - Judiciary

Constitution 1831

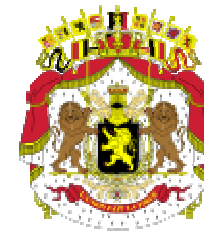
French Const. 1830 and 1791

1970-1993 → **federalism!**
ConstCourt!

2007 →



II. Albert



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United Kingdom of the Netherlands (Const. 1815)

Kingdom of the Netherlands



Constitutional monarchy

- king's actions (countersignature, few IPD)
- federal
- no constitutional review
- parliamentary system:
 - Exec.: king + Gov.
 - Leg.: king + Second Chamber + First Chamber
 - Judiciary

Border of Belgium and
the Netherlands
1831



Beatrix



United Kingdom of the Netherlands (Const. 1815)



Luxemburg

1815 independent Luxemburg

- Personal union!
- 1st Grand Duchy: I. William dutch king
- **1839: independency** (after the Belgian revolution)
- Its Western part belong to Belgium (called Luxembourg)

Constitutional monarchy

- parliamentary system:
 - Exec.: Grand Duchy
 - Leg: Grand Duchy + House of Representatives
 - Judiciary

Constitution
1868



The color code (red and blue) makes this flag different from the Dutch flag

Henrik



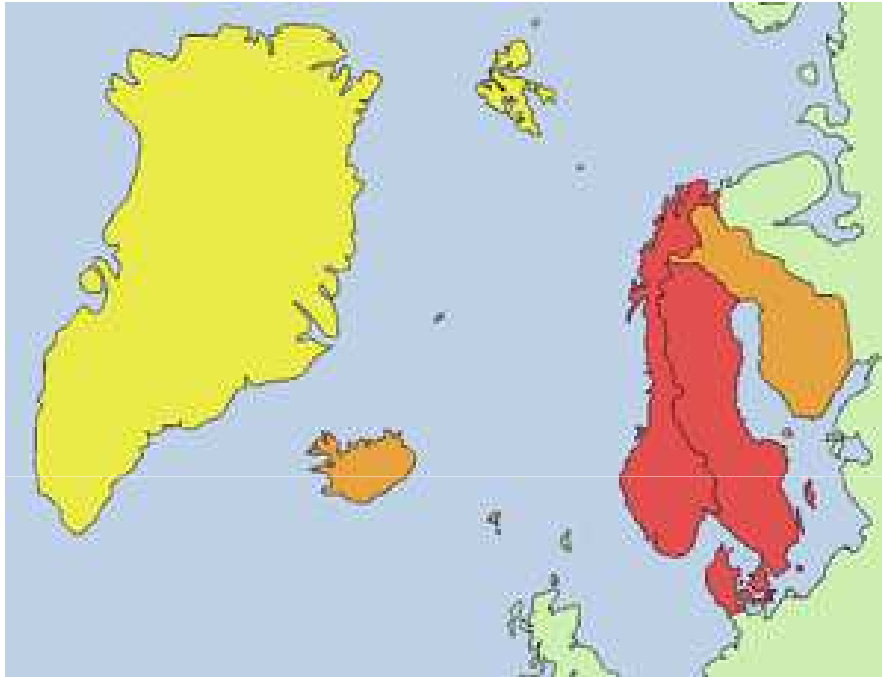


Scandinavia and Finland

Kingdoms of Denmark, Norway
and Sweden



Terminology



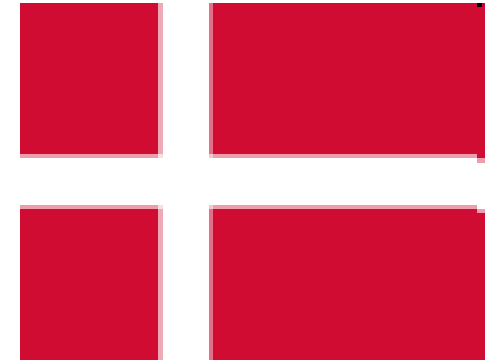
The three
monarchies that
compose
Scandinavia
according to the
strictest
definition

The possible extended usage

The maximal extended usage that takes
Scandinavia as synonymous to the Nordic
countries

Century	Scandinavia and the Nordic Countries							
21st	Denmark (EU)	Iceland	Faroese	Greenland	Norway	Sweden (EU)	Åland (EU)	Finland (EU)
20th	Denmark	Iceland	Faroese	Greenland	Norway	Sweden	Åland	Finland
19th	Denmark				United Kingdoms of Sweden and Norway	Grand Duchy of Finland (Russia)		
18th	Denmark–Norway					Sweden		
17th								
16th								
15th	Kalmar Union							
14th	Denmark	Norway				Sweden		
13th								
12th		Icelandic CW	Norway					
Peoples	Danes	Icelanders	Faroese ¹	Greenlanders ¹	Norwegians	Jämts ²	Swedes	Finns
Minorities	German	Celts/Picts <small>[citation needed]</small>			Sami	Finns/Sami	Finns	Swedes/Sami

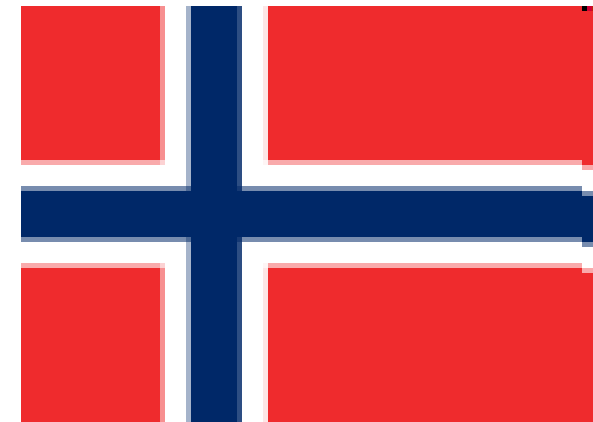
Kingdom of Denmark



II. Margrethe



Kingdom of Norway



Royal Palace - Oslo



Kingdom of Sweden



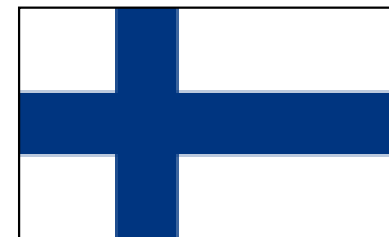
Carl XVI. Gustaf



Republic of Finland



Eduskuntalao
Main building of the
Parliament



Constitutional history

- **Denmark**
 - 1849 constitutional reform
 - Constitutional Act + Act of Succession (1953)
- **Norway** 1814 Constitutional Act – not modified nor modernized
- **Sweden**
 - 1974 Act on Governance
 - 1810 Act of Succession
 - 1949 Media Act
 - 1991 Act on Freedom of Expression
- **Finland**
 - Part of Sweden until 1809; russin regime; 1917 independency
 - 1919 Constitution (semiprezidential)
 - 2000 Constitution (parliamentary)

} No hierarchy!

Membership in the EU

Norway not a MS

- Accession treaty is signed in 1972, BUT! rejection in a referendum (jeopardy of sovereignty, fishing policy)
 - Member of the European Economic Area
 - 1994 EU referenda – rejection, BUT!
 - Member of the Schengen area (1999)
 - Member of the Dublin Convention (EU refugee policy)
 - Europol (crime investigation, 2001), Eurojus (2005), etc.
- **Denmark (1973), Sweden, Finland (1995)**

Form of state

- **Denmark** - constitutional monarchy
 - Powers of the king are symbolic
- **Norway** - limited and hereditary monarchy
 - Power of the king reduced, symbolic; V. Harald
 - order of succession: Const.
- **Sweden** – constitutional monarchy
 - Since 1809, Act on Succession,
 - King: representative functions, Carl XVI. Gustaf
- **Finland** - parliamentary democracy

Form of government

- **Denmark** parliamentary system
 - Const: Leg – king+Folketing; implementation of Acts=king
 - In reality: Folketing – government
- **Norway**
 - 1884 parliamentary democracy
 - Storting (P) – Gov
 - Const: Exec.=King; BUT! in reality: Gov
- **Sweden**
 - Parliamentary democracy
 - Riksdag (P) – Gov (King): representative functions, they are attached to the competences of the Gov in qualified situations
- **Finland**
 - Parliamentary system
 - Eduskunta (P) – Gov and head of state

Thank you for your attention!