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### Title

Suffer a Scratch to Avoid a Blow? Why Post-communist Parties in Eastern Europe Introduce Lustration

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## Why do they punish themselves?

In 1990, the Bulgarian parliament dominated by Post-communists appointed a special commission to produce a list of persons who had collaborated with the secret police during the communist era.<sup>1</sup> The final list included the names of eighty deputies, that is, one-fifth of all legislators. In December 1993, the Post-communists holding majorities in both houses of the Romanian legislature adopted similar legislation. The law mandated the publication of the names of former agents and informers of Securitate, the Romanian secret police in 1945-1989. Proven informers were forbidden from holding public office (Schwartz 1995). In Hungary, the 1996 lustration act revealed the links of MPs with the secret police and named members of the communist pre-transition government who had been receiving reports from the secret police. This act was passed by a parliament with a post-communist absolute majority. The same legislature issued a declassification bill that in September 1997 opened to the public the secret files of the former regime. Finally, in 1997, the Polish Lower House dominated by Post-communists adopted a bill that instituted the screening of candidates for MPs, justices, and attorneys for their connections to the communist secret services between 1944 and 1990. In addition, the Polish post-communist president initiated a declassification law and proposed a bill founding the Citizens' Archive. Its goal would be to collect, organize, and distribute copies of the ancien régime's documentation to the public (Kwasniewski 1997).

In all these cases, the post-communist successors of the old regime passed laws that seemingly inflicted substantial and immediate political harm on themselves. These laws eliminated many of their members and supporters from public office outright but, more importantly, prevented some of their candidates from running in the upcoming electoral struggles.

Bills similar to the ones described above constitute "lustration laws", that is, legal measures that are adopted in countries following transitions to democracy to verify whether persons running for legislative office had collaborated with the ancien régime. Proven collaborators are either explicitly banned from running for office or their past is revealed to the electorate, who are likely to

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<sup>1</sup> We call the members of formerly communist parties that have adapted themselves to competition in democratic elections "Post-communists." We call "Anti-communists" the parties that insist on harsh treatment of members of the communist ancien régime. We use the hyphenated versions of both nouns on the basis of their relatively highest frequency among Google Scholar hits. For all parties mentioned in this article, their original acronyms, original and English names, spatial positions, and other data are listed in Appendix 2.

judge them harshly.<sup>2</sup> Lustration, along with decommunization (banning from public office former communist party members or leaders) and declassification (revealing to the public the contents of secret police files of the authoritarian era) are examples of transitional justice (TJ) procedures.

Lustration, decommunization and declassification are of particular interest to students of democratizing societies. Politicians in East-Central Europe feel very strongly about lustration because such legislation is directly tied to their interests. A harsh bill may end, and has often ended, careers of former collaborators. Parties who have fewer ex-collaborators amongst their ranks may benefit from introducing lustration laws as a tool of political manipulation that eliminates electoral competition. If politicians care about retaining office and about obtaining larger representation of their parties in legislatures, they must care about lustration. No wonder that introducing, changing, or vetoing TJ remains one of their favorite activities (see Fig. 1).

#### FIGURE 1: TIMELINES OF TJ FOR "NEW EUROPE"

The term "Transitional Justice" also denotes research that deals with righting wrongs committed by members and collaborators of the ancien régime (Kritz 1995a, Poganyi 1997). Its normative component, rooted in legal and constitutional theory, examines possible justifications for retroactivity and problems created by retroactivity (Holmes 1994, Sa'adah 1998). Main questions include: "To what extent should the ideals of rule of law be bent for the sake of punishing the wrongdoers?" and "Can acts that were legal according to authoritarian constitutions be prosecuted?" (Nino 1996, Welsh 1996)

Another strain of TJ research asks positive questions. One may inquire why new democracies attempt to rectify the ancien régime's wrongs (Schmitter and O'Donnell 1986, McAdams 2001); who are the actors responsible for implementing TJ (Elster 1998, 2004); and whether TJ has led to reconciliation (Gibson 2004). Related literature deals with negotiated transitions and predicts that autocrats concede to democratization only after they are guaranteed that the new democratic institutions will not prosecute members of the ancien régime (Schmitter and O'Donnell 1986, Przeworski 1991, Colomer 1991, Omar 1996). Examples of such institutional guarantees include constitutions that render retroactive legislation illegal or electoral laws that give the outgoing regime an upper hand.

Finally, there is a considerable body of literature in comparative politics devoted to explaining the surprising come-back of post-communist parties in East-Central Europe (Ishiyama 1999, Grzymała-Busse 2002, Bozoki 2002, Druckman and Roberts forthcoming). It is indeed surprising that successors of parties responsible for decades of authoritarian rule, who were so unpopular in 1989, would be winning elections only a couple of years later. But even more puzzling than their revivals, is that Post-communists adopt policies that scholars always considered harmful to them.

Neither the TJ literature, nor the literatures in post-communist politics have examined post-communist "self-lustrations." Our goal is to explain why Post-communists "punish themselves." It is useful to shed some light on the intuitions behind the explanation we offer. First of all, in four out of eight countries where lustration laws were adopted for the first time in the 1990s, Post-communists were in power at the time of adoption, but expected to lose the upcoming elections. The laws were passed either in the close proximity of elections or during cabinet crises that increased the probability of early elections. In Lithuania, "de-sovietization" laws with some

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<sup>2</sup>Bills revealing collaboration with the ancien régime's secret police resemble legislation increasing the transparency of the political processes (Alt et al. 2006). The effects of lustration are similar to those of uncovering corruption by political actors (Kunicova 2005).

characteristics of lustration were adopted early by a Soviet-elected parliament. In the remaining three countries that adopted lustration, Post-communists never held a parliamentary majority. In other words, lustration is often introduced either when post-communist parties are relatively weak, or when they are very strong but are about to lose power. Our explanation of the Post-communists' apparently puzzling behavior builds on these observations.

We argue that Post-communists act under constraints of legislative institutions. They adopt seemingly self-hurting bills when they expect to lose the upcoming elections to anti-communist opponents who want to punish them more harshly. To prevent this harsh legislation, they preemptively pass milder bills that appease the median legislator and make him reluctant to accept anti-communist proposals. We formalize our argument with a game-theoretic model of agenda setting. In their seminal contribution, Romer and Rosenthal (1978, 1979) introduced an agenda-setter model that explains how the final outcome of the legislative process results from an interaction between a proposer and the median in the legislature. We use a more complex version of their model that formalizes the following core intuition: Suppose the Post-communists anticipate losing proposal power to anti-communist forces. If they do not adopt any bill, then they risk suffering from very harsh lustration, because the legislative median may prefer harsh lustration to no bill at all. Post-communists may prevent this scenario by implementing a mild bill themselves. If their bill appeases the new parliamentary median, it prevails when they lose power. In the original Romer-Rosenthal model, a proposer acts strategically by predicting the median's response. In our model, a proposer acts strategically by predicting the actions of both the new proposer and the new median, who will be chosen in the next period. The uncertainty about the post-electoral median's position adds flavor to Romer and Rosenthal's original insight.

The scenario described above implicitly assumes adopting bills under *closed rule* procedures (Denzau and Mackay 1983, Gilligan and Krehbiel 1987, Weingast 1989, Baron and Ferejohn 1989, Baron 2000). Under such design, the proposer's bill is drafted in the appropriate committee or ministerial department and once on the floor of the legislature, it cannot be modified. The median has to "take it or leave it." Under procedures resembling *open rule*, the role of the proposer of bills is insignificant since all his proposals can be more or less freely amended once they reach the floor. The bill favored by the median voter in parliament is ultimately the proposal that gets passed.<sup>3</sup> In all our cases except for one, the rules of procedure were in fact closed. As we argue in the section on Bulgaria, the specifics of Bulgarian political system, that is, the presence of two dominant parties and the presence of a strong president, made the rules essentially equivalent to closed ones.

The logic of our argument fits well into the broader literature on legislative institutions. Our analysis of legislators passing legislation distant from their ideal outcome in expectation of a turnover in power can be applied to various types of bills. We expect "self-hurting actions" to be made whenever preferences of incumbents and challengers differ over some issue, when it is clear that the proposal power would shift from incumbents to challengers, and when there is a veto player with an ideal policy between that of the incumbent and the challenger. For instance, agrarian parties may sponsor a bill that limits state subsidies for agriculture or social democratic parties may sponsor tax cuts. In such cases, political actors may behave in counterintuitive ways.

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<sup>3</sup>Formal models, initially applied only to the American postwar House of Representatives (Gamm and Huber 2002), have been recently extended to other legislatures (Huber 1996, Jones 1995, Londregan 2000, Remington 1994, Smith and Remington 2001, Huber 2002, Morgenstern 2004, Jones 2004).

Our model of strategic preemption accounts for such puzzling phenomena within the framework of formal theory.

The paper is organized as follows: The next section formalizes the argument and defines conditions under which it is rational for Post-communists to “hurt themselves.” Section 3 derives our predictive hypotheses from the main model, describes our data points and states measurement issues. Then we analyze the cases of legislative action or inaction in Bulgaria, Hungary, Poland, and in two Romanian legislatures. Those five cases exhaust all instances in which Post-communists were in power and no prior lustration law had been introduced. The final section concludes. Complex mathematical details and proofs are relegated to the Appendix.

## 2 The Model

We begin with an intuitive game illustrating the main mechanism at work. Then we consider a more complex model that relaxes the assumptions of perfect information and three parties.

Both models have a TJ issue space  $[0,1]$ , common for all players. A point from  $[0,1]$  represents the relative harshness of TJ legislation. 0 is interpreted as a situation of no TJ while 1 is relatively the harshest TJ. Harsher laws screen more positions and/or apply tougher sanctions to positively screened lustrants. For instance, the Hungarian 1996 bill covered only 600 candidates running for highest public office and would be located close to 0. The Czech 1991 lustration act required that over 420,000 persons obtain lustration certificates from the Ministry of Interior. It would be located near 1.

Players in all games have Euclidean preferences: if a player has an ideal point  $w \in [0,1]$ , then his payoff from an outcome  $v \in [0,1]$  is the negative distance from  $v$  to  $w$ , i.e.,  $-|v - w|$ .

### 2.1 Example: Three parties and known median

Our illustrative example is a simple sequential game. There are three players: *PC* (post-communist party), *M* (legislative median), and *A* (Anti-communists), with their bliss points 0,  $m$ , and 1, respectively. We assume for simplicity that the median is left-leaning, i.e., that  $0 < m < 1/2$ .

The sequence of play represents the key aspects of the political process:

**Period 1:** *PC* unilaterally introduces a status quo  $y$ ;

**Period 2:** *A* proposes alternative legislation  $x$ ;

**Period 3:** If  $x = y$ ,  $x$  becomes law; if  $x \neq y$ , *M* decides between  $x$  and  $y$ .

Since our first game involves perfect information, we can find subgame perfect equilibria (SPE) with the help of backwards induction. We are interested both in equilibria and in the properties of *PC*'s SPE strategies that would shed light on the rationale behind *PC*'s behavior. The intuition behind the solution unfolds as follows (we skip minor mathematical details that receive their due treatment in the Appendix):

In the last period, *M* chooses the proposal that is closer to  $m$ , its bliss point. Party *A* assumes that *M* plays its SPE strategy. If  $y \leq m$ , it proposes the greatest  $x$  on the opposite side of  $m$  that is still not worse for *M* than  $y$ , that is,  $x = 2m - y$ . If  $y > m$ , this is the best *A* can get since *M* will not accept anything more radical. Thus, the best outcome that *A* can get against *PC*'s  $y$  is

$2m - y$  for  $y \leq m$  and  $y$  for  $y > m$ . Finally, consider  $PC$ 's best option assuming  $A$  and  $M$ 's SPE strategies. Any strategy  $y > m$  or  $y < m$  fares worse than  $y = m$  since it leads to an outcome  $y$  or  $2m - y$ , respectively, which is greater than  $m$ .  $PC$ 's best choice in SPE is to propose  $m$ .

The game explains how under plausible circumstances the incumbent Post-communists have incentives to abandon their ideal policy, 0, and enact mild TJ legislation. While  $PC$  has a unique SPE strategy  $m$ , the Anti-communists have many. For instance, if  $PC$  chooses  $m$ ,  $A$  can offer any  $x$  since  $M$  will choose  $m$  regardless of  $x$ . The existence of multiple equilibria is of little interest since, as our first result makes clear, only one outcome can happen in equilibrium.

**Proposition 1** *The unique SPE outcome and SPE strategy for  $PC$  is  $m$ .*

## 2.2 The model of preemptive legislation

In our example, the Post-communists know with certainty the future position of legislative median and there are only three parties. We relax these assumptions in the main model, which is defined as a parametrized family of sequential games. For specific values of the parameters, which include the number of parties, their ideal points, and the probability distribution for the position of the future median, the model becomes a specific game.

There are  $n > 2$  parties, including two principal players  $PC$  and  $A$ , that compete in the elections. We denote the parties as  $PC = M_1, M_2, \dots, M_n = A$ , and their ideal points as  $0 = m_1 \leq m_2 \leq \dots \leq m_n \leq 1$ , respectively, where  $m_n > 0$ . We assume that  $PC$  is risk-neutral. The chances of winning the median position by various parties are described by a probability distribution  $\{p_i\}_{i=1}^n$  and the uncertainty about the future median is critical for the model. The case of two medians is excluded. Unless stated otherwise, our results are formulated for all admissible parameters. In line with our empirical cases, we assume that if neither  $PC$  nor  $A$  win a majority in the elections, the proposal power always goes to  $A$ . Every specific game is played according to the following scenario:

**Period 1 (preemptive move):**  $PC$  proposes legislation  $y \in [0, 1]$ .

**Period 2 (elections):** Nature chooses the future legislative median  $M_i$  with probability  $p_i \in [0, 1]$ , for  $i = 1, \dots, n$ , and reveals its choice.

**Period 3 (post-election legislation):**

If  $i = 1$  or  $i = n$ , then the game is over: If  $PC$  or  $A$  win absolute majority, then the  $PC$ 's choice or  $A$ 's ideal point prevail, respectively.

If  $1 < i < n$ , then  $A$  makes a proposal  $x$  against  $y$ . This is the case when a moderate party becomes the median and the proposal power in the new legislature goes to  $A$ . If  $x = y$ , then  $x$  becomes the outcome and the game is over. Otherwise, the game continues.

**Period 4 (median party's choice):**  $M_i$  selects between  $x$  and  $y$ .

We may interpret  $\{p_i\}_{i=1}^n$  as "objective" probability distribution or as  $PC$ 's *ex ante* beliefs of where the post-election median power will be located. The game has four periods except in special cases; for instance, when  $PC$  and  $A$  propose the same legislation, it automatically becomes law. The protocol is also shorter when  $PC$  or  $A$  are chosen as medians and have full control over legislature. Note that our example from the previous section is a special case of the model, with one left-leaning party  $M_2$  and  $p_2 = 1$ .

In certain empirical cases, a strong president requiring a super-majority to override his veto, or a president supported by the Constitutional Court, can play the role of an institutional median. More

generally, the model is applicable to various cases when proposal-making power is changing hands, and a veto-player's ideal point is located somewhere between the ideal positions of successive proposal makers. While including a veto player is a useful option due to the importance of veto players in politics (Tsebelis 2002), we believe the present formulation to be more intuitive.

Proposition 2 examines the existence of SPE and its most fundamental properties. Let's define  $Y^* \subset [0, 1]$  as the set of all SPE strategies for  $PC$ , that is, strategies that are best replies to other players' strategies in all subgames.

**Proposition 2** (i) *Every game has at least one SPE;*

(ii) *For every game,  $Y^* \cap \{m_1, \dots, m_{n-1}\} \neq \emptyset$ . If  $p_n < 1$ , then for  $y$  such that  $m_i < y < m_{i+1}$  for some  $i$ ,  $y \in Y^*$  iff  $m_i, m_{i+1} \in Y^*$  and for no  $j$ ,  $2m_j - 1 \in (m_i, m_{i+1})$ . In such a case,  $[m_i, m_{i+1}] \subset Y^*$ ;*

(iii) *Within all  $n$ -player games, games with multiple SPEs generically do not exist.*

Comment to Proposition 2: In (i), the existence of SPE is established.

In (ii), we characterize the equilibria and the SPE, that is, optimal, strategies for  $PC$ . In every game,  $PC$  must have at least one SPE strategy among the bliss points of parties  $M_1 - M_{n-1}$ . In other words,  $PC$ , when considering its optimal policy  $y$ , may take into account only the ideal points of all parties less radical than  $A$ . In addition to single points, an entire interval may consist exclusively of SPE strategies for  $PC$ . However, this happens if and only if the bliss points of neighboring parties are SPE strategies and if there is no point of the form  $2m_j - 1$  between them.

Next, (iii) says that games "almost always" have a unique SPE. The cases of multiple equilibria, like the one described above, are extremely unlikely. Thus, we may safely assume that in the real-world cases parties in the situation of  $PC$  are rarely concerned with the problem of multiple equilibria and potentially many optimal strategies. They choose between the ideal points of potential medians and look for a single optimal strategy.

## 2.3 Empirical hypotheses

We apply our model to the last months before the elections, when the decision whether to introduce TJ or not has to be made. In some cases, such as when the ruling coalition is shaky and the threat of early elections is looming,  $PC$  may consider such a decision earlier. We will not formalize the timing aspect of the decision process although one can imagine how such a formalization could be implemented.

The multiplicity of parameters in the model implies that by fixing them we can prove a variety of specific theorems in the form "under CASE  $X$ , EVENT  $Y$  takes place," where both  $X$  and  $Y$  may vary. When we apply these theorems, or "empirical hypotheses," to empirical cases, they generate very specific testable predictions about player decisions. We consider four empirical hypotheses of such sort. We state the empirical hypotheses H1-H4 and their proofs formally as Proposition 4 (h1)-(h4) in the Appendix.

The values of our independent variable CASE that are specified in our empirical hypotheses fix certain parameters of the pre-electoral and post-election empirical situation. Our dependent variable EVENT describes our predictions. When CASE refers to a pre-electoral situation, EVENT denotes the action taken by the Post-communists and may assume values "PC introduce TJ" versus "PC does nothing." When CASE refers to a post-electoral situation, EVENT accounts for the final

outcome of the game. Such an outcome may be the victory of the post-communist proposal that results in “no post-electoral TJ.” The alternative outcome for EVENT is the victory of an amended proposal and new “harsher post-electoral TJ.”

Our first two empirical hypotheses, H1 and H2, examine the *PC*'s incentives for introducing TJ. Clearly, staying idle may be their best strategy under certain circumstances. We specify a sufficient condition for such an outcome in H1. If *PC* expects with probability greater than  $1/2$  to be the future median, that is to maintain legislative majority after the elections, it is too strong to worry about undertaking preemption.

*H1 (Post-communists are likely median): If the Post-communists expect with probability greater than  $\frac{1}{2}$  that they will win a majority of seats, they do nothing.*

Our second hypothesis examines what happens when the Post-communists are not a likely median.

*H2 (Post-communists are unlikely median): If the Post-communists estimate the probability that the post-election median will be among the other left of center parties to be greater than they will win a majority themselves, they introduce TJ.*

When the probability of *PC* winning a legislative majority is smaller than the probability that some of the other center-leftist parties becomes the median, then *PC* has an incentive to propose a TJ bill. The more specific Proposition 4 (ii) in the Appendix asserts that the bill will be located at the ideal point of the left of center party nearest to *PC* or even farther to the right.

Under proportional representation, even when a party enjoys a 30-35% support in public opinion polls (which is high by East-Central European standards), its chances of winning a legislative majority are virtually null. But this is precisely what is required of a corner party, such as *PC*, to become the median. The chances of winning the median by a moderate party are considerably higher. All that is required is that this particular party, when combined with all parties to its left (as well as all with all parties to its right), commands a legislative majority.

The conditions in H1 and H2 are not exhaustive. However, we need not worry about other possibilities, such as when *PC* expects to lose the median and *PC* is the only left of center party. In our entire universe of empirical cases either the condition from H1 or from H2 was met.

The next two hypotheses examine what happens after the elections under two different electoral scenarios. Recall that unless *PC* wins the elections, the proposal power goes to the Anti-communists. After *PC* makes its choice, the actual median is chosen in the elections. In the first case, the choice of *PC* may be too optimistic and the actual median may be farther to the right than their proposal  $y$ . Second, their choice may be correct or too pessimistic, and the actual median may be  $y$  or less than  $y$ .

*H3 (Overly optimistic estimates): When the median's position is  $m_i > y$ , there is a new post-electoral TJ that is harsher than  $y$ .*

In H3, the overly optimistic Post-communists underestimate the median. In such a case, the Anti-communists have an incentive to exploit the resulting opportunity in a standard agenda-setter fashion: they go as far to the right as possible. Proposition 4 (iii) in the Appendix again offers a more specific prediction for the final bill to be equal to  $\min \{2m_i - y, 1\}$ .

*H4 (Overly pessimistic estimates): When the median's position is  $m_i \leq y$ , there is no post-electoral TJ.*

The *PC* may be too pessimistic and may overestimate the median, or they may be correct in their estimates. In such a case, there is no TJ activity in the aftermath of elections. The Anti-communists cannot change the law since either the median party got its favorite outcome or the



only acceptable change is to the left of the *PC*'s proposal.

### 3 Methodology

There is little doubt that post-communist politicians thought strategically about avoiding or neutralizing any TJ legislation. We sought to investigate the secrets of TJ politics by conducting 101 open interviews with some of the most important politicians in Poland, Hungary, and the Czech Republic. Our respondents came from all political camps and included the current President of Hungary Laszlo Solyom, the former Czech prime minister Petr Pithart, the former Polish premier Jan Olszewski as well as numerous ministers and MP's. A post-communist MP, Jerzy Dziewulski, reports in a telling confession how the Polish president Kwasniewski justified the need for a preemptive strike: "Jurek, listen: we just don't know when [the hard-line Anti-communists] will start revealing the past [about our collaboration with the communist secret police.] What we do know is that they'll do it in a nasty way." (Interviews 2004: D) Another MP, an anti-communist Mariusz Kaminski, speculated that SLD "knew well that it was better to come forth with a soft bill than wait for the swing of the [electoral] pendulum and suffer from a harsh bill" (Interviews 2004: MK). Statements from other politicians are equally illuminating. They support the claim that the Post-communists acted strategically and that they believed that all other players act strategically.

Although we use data from elite interviews to illustrate various points, our empirical tests go beyond anecdotal evidence.

#### 3.1 Data

We collected data on electoral results and party positions on TJ. We also reconstructed *PC*'s beliefs about the future median. The data are presented as case studies analyzing the passage of lustration laws. It is important to emphasize that we analyzed all cases relevant to our main question.

Out of all post-communist countries, we selected the subset of countries and inter-election periods in these countries that satisfied the following criteria:

- C1. The country was democratizing or democratic in 1990s;
- C2. *PC* was at least the senior party of a ruling coalition;
- C3. The status quo was null, i.e., no TJ introduced earlier was in force.

In many cases, a country did not meet more than one of the criteria. The reasons for excluding autocratic regimes are obvious: If actual decision-making is located outside of the parliament and other democratic bodies, whatever happens in the legislature may not be relevant to the outcomes. In such a case, our model is not applicable. No non-European post-communist country satisfies our criterion C1. For instance, Georgia is excluded because it democratized too late (in 2003), while Russia cannot be regarded as an undisputable democracy. For Europe, our criterion coincides with being invited by the European Union to accession negotiations, as such invitations followed long and careful scrutiny of a country's political system. Thus, Albania, Ukraine, Moldova, Belarus, and post-Yugoslav countries (except for Slovenia) are excluded as well.

Criteria C2 and C3 further narrowed down our universe of ten cases. We considered only those countries where at some point the proposal power was in the hands of *PC* and that no TJ was implemented earlier. These assumptions are built into our model and simply represent the conditions that motivated our puzzled question: Why would Post-communists voluntarily hurt themselves?

In Slovenia, the Post-communists were never sufficiently powerful after the breakdown of Yugoslavia. In Czechoslovakia, a harsh lustration law was quickly introduced by the first post-1989 government even before the Velvet Divorce. The Czech Republic and Slovakia inherited it and, therefore, their status quo was never zero.

The case of three Baltic republics proved especially challenging. The Baltics inherited an issue virtually nonexistent in other post-communist countries that satisfy our criterion C1. Some of the former communists claimed to be “radishes,” that is, red only on the outside. According to Taagepera, many radishes “joined the nomenklatura for career purposes, some did so for patriotic reasons—filling a position as to deny it to a Russian colonist” (Taagepera 2005, personal communication). The desovietization laws intended to separate such radishes, who would not go as far as to provide intelligence to the Russian KGB, from the “red beets,” that is, the former KGB agents. The issue of “de-sovietization” dominated TJ in the Baltic states and the resulting legislation partially overlapped with lustration. This peculiarity made our criterion C3 a bit fuzzy with respect to the Baltics.

Since Estonia and Latvia never had Post-communists in power, we excluded these two cases on the basis of C2. The case of Lithuania was less clear. Supported by the radishes, two quasi-lustrative “desovietization” laws, Decree No 418 and Law No I-2115, were passed before the 1992 elections, which were won by two parties with a post-communist background (Kritz 1995b). However, the bills were more narrow than universal lustration laws and it was unclear whether effective lustration law was in force in 1992. We decided to exclude Lithuania once we examined the spatial position of its “post-communist” parties LDLP and LSDP as reconstructed by Benoit and Laver (forthcoming; see next section). On the scale from 1 to 20, LDLP and LSDP scored a puzzling 8.55, the result that made them look centrist rather than post-communist. For comparison, in the four countries that satisfied all our criteria, the post-communist parties scored between 1.375 and 3.57. We concluded that the conflating of the strong de-sovietization issue and lustration introduced so much noise to the measurement of party positions that the reading of positions on lustration proved impossible.

The remaining four countries satisfied our criteria. For Bulgaria, Hungary, and Poland, we found two situations that satisfy the assumptions of our various empirical hypotheses with respect to the decision-making before and after the elections. Romania provided us with four cases: it was the only country in which the Post-communists twice had legislative majorities in the absence of any earlier TJ. In order to meet the model’s specifications, we reconstructed for every specific case (i) parties; (ii) their approximate positions in the TJ issue space; (iii) parliamentary procedures; (iv) the likely *PC*-s estimates of the future median; (v) the actions taken by the *PC*s; (vi) pre- and post-electoral distributions of seats; and (vii) the post-election changes in the TJ legislation. For all four countries, we offer brief narratives. The values of our independent and dependent variables are then summarized in Table 1.

## 3.2 Measurement

In a model like ours, operationalization is hampered by the difficulties with the measurement of spatial locations of bills and party ideal points. Luckily, we were able to use Benoit and Laver’s (forthcoming) comprehensive database on Party Policy in Modern Democracies (PPMD). The PPMD questionnaire asked the members of parliamentary parties in post-communist Europe about their opinions on former communists. The answers were measured on a scale ranging from 1,

representing “Former communist party officials should have the same rights and opportunities as other citizens to participate in public life,” to 20, representing “Former communist party officials should be kept out of public life as far as possible.” While the scale measures the attitudes to de-communization, we used it as a good proxy of the respondents’ positions on lustration. To obtain a party’s position, we averaged the scores of its members. The scale was then normalized for every country, i.e., for two or, in Romania’s case, four data points. Thus, beginning at the left-hand side of the scale, subsequent parties correspond to  $PC = M_1, M_2, \dots, M_n = A$ , and their ideal points are  $m_1 \leq m_2 \leq \dots \leq m_n$ . In Romania, the main post-communist party occupies the position slightly to the right of zero due to the presence of two tiny parties with post-communist or nationalist provenience. Figure 2 summarizes the key aspects of our data.

FIGURE 2 ABOUT HERE (PERCENTAGES OF HOUSE SEATS)

Each panel of the figure represents one country. The upper side displays the distribution of house seats and party ideal positions on lustration before the critical election. The lower part describes the post-electoral house. For Romania, where the Post-communists were given the chance of introducing TJ twice, the panel is appropriately enlarged.

A slight difficulty arises due to possible changes in party system between the time lustration was passed and 2002, when the PPM survey was conducted. Parties in East-Central Europe frequently merge and split. Sometimes they just change labels. Assigning positions to parties that were extinct in 2002 required tracking down their identities using secondary sources and projecting 2002 scores of new parties onto their predecessors. We used the following rules: (a) if a 2002 party resulted from a merger, all merging partners received the same 2002 score, (b) If two or more 2002 parties came about because of an earlier split, their pre-2002 party was assigned their average score, (c) if a pre-2002 party disappeared, we assigned the score by tracking its leaders’ new parties. Party leaders, including those in new democracies, are typically professional politicians, and when their parties dissolve, they continue their careers in ideologically close entities (Thames 2005, Desposato 2006).

Measuring the spatial locations of bills or amendments was done with the help of party positions obtained earlier. We assigned approximate positions to bills on the basis of our 2004 survey of 101 politicians from new democracies and various statements available in the media. For instance, we described how in Poland the designated member of the special committee on lustration from the PSL (pre-electoral party  $M_3$ ) highly praised the 1997 lustration law as fair while various MPs from UW (party  $M_4$ ) publicly registered their dissatisfaction. In such a case, we assumed that the bill was located near  $m_3$ , the ideal point of  $M_3$ . Also, when comparing some of our empirical hypotheses with the corresponding propositions derived from the model, a watchful reader may notice that our empirical hypotheses require weaker measurement assumptions. For instance, Proposition 4 (eh3) offers an exact prediction for the final outcome of the game, i.e.,  $\min \{2m_i - y, 1\}$ , when  $PC$  chooses a bill that is too lenient relative to the median. The corresponding hypothesis H3 says only that we expect to record a new “harsher post-electoral TJ” law. Obviously, making a weaker, but still meaningful, empirical claim strengthens our case against unavoidable measurement hassles.

Finally, we note various complications that we found in the data compared with the model’s specifications. Some of them can be in all honesty disregarded while others must be discussed. For instance, in Romania, the main post-communist party is located at a slightly positive position, instead of at zero, due to the existence of other tiny and slightly more radical post-communist

parties. In Hungary, FiDeSz (later Fidesz-MPP), significantly changed its position between the introduction of the 1996 post-communist TJ bill and its 1998 electoral victory. We disregarded the first problem as minor and included a longer comment on the second one.

## 4 Case studies

Below, we present brief analyses of all five countries that satisfied our assumptions C1-C3. The values of our variables extracted from the case studies are then summarized in Table 1. All cases bring some idiosyncrasies or small deviations from model's assumptions. We argue below that the deviations we detected are of little significance.

### 4.1 Bulgaria: the median president

Our first case comes from Bulgaria and involves the 1991 elections. The post-communist party BSP won an absolute majority in the first democratic elections in post-communist Bulgaria in 1990. It beat the anti-communist opposition bloc SDS, which was too slow to organize itself as an umbrella party for various political groups. However, BSP's inability to muster support of the SDS for vital legislation quickly led to a legislative stalemate. While SDS's support was not formally required to pass legislation, every bill that it opposed provoked mass protests and strikes around the country. Street politics and the threat of a bloody revolution forced the BSP to call early elections.

The anti-communist SDS was a frontrunner and it was fairly clear that the median would be moderate. Uncertain was only the radicalism of the future attempts to change the lustration law. One faction of the SDS known as Dark Blue "strongly favored a rigorous decommunization program" whereas "the Light Blue faction within the SDS favored a less radical approach" (Helsinki Watch 1993).

Before we describe the last-minute moves of Bulgarian Post-communists, we must pause for a moment to explain other relevant details of the Bulgarian political system. Although formally the parliamentary rules of procedure were open, the president had the prerogative to send legislation to the Constitutional Court. Since the Court was staffed by justices closely related to the BSP, it was common knowledge that it would strike down any reviewed lustration law. For all practical purposes the president had a veto over any TJ legislation, which made him institutionally equivalent to the median party. Since the president had no effective proposal power, and the seat shares were expected to be mostly split between the two large parties, the resulting setup resembled the case of a closed rule. It was also certain that Zhelio Zhelev would be elected president. Zhelev was a moderate who "despite running on an SDS ticket in the presidential elections, split away from the party because of his opposition to harsh lustration laws" (Helsinki Watch 1993). Thus, we may assume that the institutional specifics of the 1991 Bulgarian political system made it equivalent to a closed-rule system with a moderate median located close to the actual median DPS.

The post-communist actions were somewhat ambivalent. In August 1990, the BSP government was in the midst of a severe crisis, and its electoral prospects looked dim. In line with our H2, the parliament dominated by Post-communists set up a verification commission to reveal the names of secret police collaborators. However, when Georgy Tambuyev, the commission's chair, recommended publishing the names of deputies-collaborators a few months later, the same parliament opposed the idea. In fact, in December 1990 the pre-electoral polls showed that the race between

BSP and SDS was getting closer. The BSP's attempts to block the Tambuyev's commission were consistent with the intuitive expectation that when poll results improved, the Post-communists would begin gravitating towards the status quo of "no lustration." Another important factor was that the list of collaborators was surprisingly long and included 80 names, or 20% of all deputies. The lustration law was emerging as harsher than expected (Darski 1992). The attempts of Post-communists turned out to be futile once Tambuyev's list was circulated in the media.

The small dose of decommunization offered by the post-communist BSP was sufficient to please Zhelev, who indeed was elected President. SDS won the parliamentary elections by a small margin, and its Dark Blue faction—in a coalition with a smaller party, the Turkish Movement for Rights and Freedoms—controlled the parliament. "They were significantly more anti-communist [than Zhelev] and were advocates for a thorough decommunization plan" (Helsinki Watch 1993). Sure enough, the Dark Blue repeatedly proposed and passed various drafts of the lustration law just after the elections in December 1991, and March, June and December 1992. However, with only one exception, President Zhelev sent these laws to the Constitutional Court, which struck them down. The post-communist legislation prevailed, thereby preventing a harsher TJ bill, in line with our H4.

## 4.2 Romania: déjà vu median

In Romania, two cases satisfy our criteria C2 and C3 of "Post-communists in power" and "no previous lustration law." A government dominated by Post-communists was in power before the 1992 elections. Then a post-communist party was a senior member in the coalition that ruled Romania between 1992 and 1996. The rules of procedure were closed, with most bills originating in cabinet ministries (Ceterchi 1992). A lustration bill would be sponsored by the minister of justice.

**Case 1 (1990-92):** In the founding parliamentary elections on May 20, 1990, an eclectic confederation called the National Salvation Front (FSN) came to dominate Romanian politics. FSN, united by its ousting of Nicolae Ceausescu from power in 1989, won two-thirds of the seats. Its leader and a former communist, Ion Iliescu, was elected president with 85% support. The FSN was full of "prominent former high-ranking communist officials, including army and Securitate officers" and "was largely controlled by a group of former communists, who wanted to reform but not change the system" (Pop-Eleches 1999). In March 1992, the FSN split into a bigger post-communist FDSN led by Iliescu and a smaller anti-communist party that soon assumed the name of CDR. The resulting crisis led to early elections in September 1992.

Over the inter-election period, the Post-communists dominated the government. While the assets of the former communist party were quickly confiscated and transferred to the government, no lustration law was introduced by the Post-communist-controlled FSN. Since the post-communist FDSN was expected to win the elections by a large margin, the no-lustration action was consistent with our hypothesis H1.

In fact, the FDSN won a solid plurality of seats in 1992. A coalition was created with other post-communist and minor nationalist parties. While the FDSN came in short of a majority, its position on lustration was virtually identical with the positions of its coalitional allies (see Fig. 1). Thus, for our purposes, FDSN may be treated as a winning majority. No lustration law was introduced after the elections, in line with our H4.

**Case 2 (1992-96):** The political situation changed seriously in 1993. The anti-communist PD's

rating rose significantly while the FDSN's popularity slipped (Marsh 1994). The ruling coalition started looking fragile and the threat of its breakdown, followed by early elections, became real. The FDSN changed its name to PDSR and, in December 1993, passed a lustration law. The list of Securitate (the Romanian secret police) collaborators was released to the public and proven informers were banned from running for office. We interpret this PDSR's decision in line with our hypothesis H2, that is, as a preventive move. While the coalition survived until the end of the term, in the 1996 elections a coalition run by the CDR indeed defeated the PDSR. In October 1997, the new government, displeased with the existing law, unsuccessfully tried to pass a harsher lustration bill through the parliament. This outcome was in agreement with our H4: the preventive move of the post-communist PDSR blocked the introduction of a harsher law.

### **4.3 Hungary: runaway median**

In Hungary, the post-communist party MSzP won the 1994 parliamentary elections with an absolute majority of 54% of seats. To strengthen its legitimacy, the MSzP invited the Alliance of Free Democrats (SzDSz) to join an oversized governmental coalition. The lustration law adopted earlier in 1994 was struck down by the Constitutional Court. Thus, before the 1998 elections, there was a post-communist party in power in Hungary but no lustration law was in effect. The rule of procedure evolved from relatively open before 1994 to closed (Olson and Norton 1996, Olson and Crowther 2002, Bartlett 1997). Among the resolutions passed by the second parliament, 68% were initiated by the government and 24% by committees (Agh 1997).

By 1996, the ratings of the MSzP had slipped to around 20-25% while the support of its anti-communist rivals, FKgP and FiDeSz, had increased to the mid-twenties (Robinson and Marsh 1995). According to the polls, the median position was likely to go to FiDeSz, which at that time was a party close to the center and the SzDSz. In monthly polls conducted between January 1995 and May 1997, FiDeSz was the predicted median in each month (Szonda 2006). While the next elections were scheduled for 1998, the post-communist MSzP could be sure to move to the opposition benches. Let's elaborate briefly on how they could form such expectations in advance and how the 'movement of FiDeSz across the political scene' in Hungary interfered with their political plans.

In the 1994 elections, the 54% of the seats won by MSzP resulted from a generous translation of only a plurality of 33% of the vote by a mixed electoral law. To some extent this huge overrepresentation was due to the pre-electoral breakup of the alliance between SzDSz and FiDeSz, which further fragmented the center-right part of the political scene. Under normal conditions and under existing electoral law, one could speculate that MSzP would have needed at least 45% of the votes to win 54% of seats. Thus, to maintain the status quo and win the 1998 elections, MSzP would have needed to increase its vote share significantly. However, MSzP's low ratings were steadily declining. The big news of 1996 was the "Toksik Affair," a heavily publicized privatization scandal that involved the Post-communists and lowered their support. While SzDSz was getting friendlier with MSzP after the latter invited it to its oversized cabinet, the Post-communists were still relatively isolated on the political scene. They had little hope to join the next governmental coalition even as a junior partner and they could reasonably expect to lose power in 1998 to anti-communist parties. In line with our hypothesis H2, they passed a new lustration law in July 1996.

The 1996 law was much softer than its 1994 predecessor. The number of officials to be screened was reduced from about 10,000-12,000 to only about 600. To prove collaboration, a signed decla-

ration of collaboration was not sufficient and had to be supplemented by the evidence of collecting compensation by the agent from the secret police. The public access to secret files was severely restricted and the names of collaborators were redacted from the documents. Moreover, the screening process was scheduled to conclude by July 1997, well before the next elections. The opposition parties loudly complained about the law's lack of teeth. Among the complainers was the median-to-be FiDeSz even though it's former sister party, SzDSz, seemed pleased with lustration (Halmai 1997).

While the electoral polls were returning stable predictions, the deepening rift between the two parties that had emerged from the same dissident group was a surprising turn of events. FiDeSz had originated as the youth organization of the SzDSz. FiDeSz, the acronym for "Young Democrats," had been adopted to match the SzDSz's "Free Democrats." Both parties jointly attended the Round-table negotiations, jointly refused to sign the final version of the accords, and in November 1989 organized the referendum over the presidency, a brilliant strategic move that effectively saved Hungary from a communist president. In 1994, the split between SzDSz and FiDeSz seemed to be the result of a rather inconsequential coordination failure. However, after the elections, FiDeSz moved ideologically to the right, changed its language and its image. By 1998 it had changed the spelling of its party name from the capitalized FiDeSz to Fidesz-MPP, derived from Latin "fidelity", with MPP denoting "civic movement" instead of a party. It also re-wrote its mission statement, removed the age cap of 35 for its members, and moved towards more nationalistic and traditionalistic values. An observer of Hungarian politics noted: "FiDeSz was a fringe youth organization kept in the shadow of SzDSz. The reason it was marginalized was because it had a radically liberal program. In the mid-nineties, almost by accident, they realized how popular they became after some of the most liberal members left. That is when they saw the potential vote gain in the right hand side of the political scene. But to claim it, they had to make an ideological leap" (Interview: W 2004). Our other interview subjects, some of whom were FiDeSz politicians themselves, would fully agree with this assessment (Interviews: AG, GF, IH, and GK, 2004). Barrett (2004), in a survey of lustration in Hungary, writes simply "Fidesz had moved progressively to the right in the years before [the 1998] election and continued to do so during its term in office."

The parliamentary elections were held in May 1998. As expected, the post-communist MSzP lost and the Fidesz-MPP won both a plurality and the median position. However, it was no longer the mild centrist party it had been in 1996, close to the Post-communist ally SzDSz. Led by Viktor Orban, who had become a staunch anti-communist, Fidesz-MPP formed a cabinet jointly with the MDF and the radical FKgP. The preventive move by the Hungarian Post-communists was not enough to appease the runaway median. In agreement with our hypothesis H3, in November 1998, László Csúcs (FKgP) handed in a draft of a new harsher lustration law that extended the scope of lustration to persons employed in the media. A subsequent lustration proposal prepared in the cabinet incorporated Csúcs's draft and extended lustration to "members of county and national presidency or adequate corporate representatives of parties entitled to state budgetary subsidy" and to professional judges and state attorneys. The law also created the possibility of voluntary lustration for lawyers, notaries, clergy and the representatives of media who are not obliged to be lustrated (Barrett et al. 2004).

#### 4.4 Poland: flooded median

The Polish case of 1997 and 1998 lustration laws also developed in an interesting scenario. In the 1993 elections, the victorious post-communist SLD invited another party with a post-communist background, PSL, to assume a junior position in the cabinet. The rules of procedure in the Polish Sejm were closed, with proposals originating in standing committees and the most influential figures being committee chairs (Olson and Norton 1996, Olson and Crowther 2002). Members of the senior party in the ruling coalition were chairing the committees. There were many earlier attempts to introduce a lustration law and one of them, in 1992, even caused the fall of cabinet. While the resulting law was passed by the parliament, it was not implemented. Thus, between 1993 and 1997, Poland had a post-communist government with no working lustration law.

The power of the post-communist coalition was largely owed to the fragmentation of the post-Solidarity parties. The PR electoral law with high thresholds, d'Hondt formula, and small districts translated a mere 20.4% of votes for SLD and 15.4% of votes for the PSL into 37.2% and 28.7% of seats, respectively (Kaminski et al. 1998). However, the miracle of getting two percents of seats for every one percent of vote could not be repeated in the next elections. By early 1997, the post-Solidarity parties were united under the umbrella of the AWS coalition. AWS' poll ratings were similar to the SLD's and hovered in the mid-twenties (OBOP 1997). While the positions on lustration of the remaining parties were somewhat scattered between those of AWS and SLD, they were overall closer politically to the AWS. Even PSL, the fractionalized coalition partner, distanced itself from the post-communist SLD and purged itself of former communist politicians. SLD was unlikely to join any post-electoral coalition. In line with our H2, on April 11, 1997, the PSL-SLD-dominated parliament introduced a mild lustration law.

The Lustration Bill required that candidates for political office declare in advance whether they had collaborated with the secret political police. Those admitting collaboration were not prevented from running for office but their confession would be made available to the voters or nominating agency, possibly reducing their chances of winning the elections or nomination. Candidates denying collaboration were permitted to run unless a special Lustration Court found evidence of collaboration. The Lustration Court, with 21 justices elected by regional judiciary councils, was set to start its work by lustrating itself and other judiciary. Not surprisingly, the councils struggled with finding volunteers to serve on the lustration court. In the end, only a few high-profile collaborators were revealed (Interviews: LK 2004). The severity of lustration was further reduced by excluding from the list of lustrable offenses collaboration with military intelligence and spying on the immigrant opposition, and by the introduction of a second level of appeals in the Appellate Court.

The law intended to appease PSL, which, according to the polls, was in March and April, 1997, the median party with respect to lustration (OBOP 1997). Bogdan Pek, the PSL's designated member of the special committee on lustration, advocated the 1997 bill as a fair and safe way of dealing with the past (Pek 1998). On the other hand, the politicians of the UW, the PSL's rightist neighbor in the TJ space and another possible median, publicly expressed their dissatisfaction with the 1997 legislation (Litynski 1998). Antoni Macierewicz of ROP (close to AWS), who was the man behind the unimplemented 1992 lustration law, called the SLD's legislation "more an anti-lustration law [whose] aim was to mislead the public by calling it a lustration bill" (Interviews 2004: M).

The lustration bill was passed and an interesting twist happened. The Post-communists esti-



mated the median too optimistically. In July, just two months before the elections, Poland, along with most of Central Europe was hit with a “flood of the century.” The ruling coalition was blamed for their arrogant and incompetent handling of the emergency situation and post-flood reconstruction. Subsequently, their ratings dipped (OBOP 1997). The dramatic impact of the flood was noted in the context of lustration by Jan Litynski, an MP from the moderate Freedom Union (Interviews 2004: L). It was expected that the lustration law following the elections would not only reveal information, but openly sanction collaborators and possibly be extended to local MPs and newspaper editors.

The elections saw the AWS emerge as a clear winner and the UW as the median. In agreement with H3, the winning AWS immediately started working on a tougher lustration proposal. President Kwasniewski, a moderate politician, who was nevertheless close to the SLD, desperately and unsuccessfully attempted to soften or block the predicted legislation. In early 1998 the coalition of AWS and UW passed its own version of lustration law. It was probably not located at the AWS’ ideal point but it was clearly harsher than the 1997 one.

According to the 1998 law, the candidates’ declarations would be verified by the Spokesman for Public Interest, who would be appointed by the Supreme Court instead of the volunteer-based Lustration Court. A candidate whose statement was found inconsistent with materials from the secret police archives would be accused of a lustration lie and tried before the Appellate Court. Only one instance of appeal was allowed. Additionally, the files of agents working for the post-transitional secret service and those of military intelligence officers were admitted to the lustration procedures. One SLD MP said that the hard-line amendment had changed 70% of the statute (Dziewulski 1998). Another MP complained: “This is a record! Out of 43 articles in the lustration bill, the senate (hard-line) proposal recommends to change 31!” (Zemke 1998). MPs on both sides of the political scene agreed that for all practical purposes the amendment was like a new bill (Interviews 2004: M).

While the post-communist preventive lustration move failed to appease the post-electoral median, it cannot be labeled “irrational.” Given SLD’s beliefs, which were fully compatible with electoral polls, the mild lustration was a good choice. Only the unexpected shift of voter preferences caused by the flood moved the median to the right. It is quite possible that in the absence of any lustration law, the AWS would have been able to convince the UW to approve of an even harsher law.

## 5 Conclusion

Parties in emerging democracies strategically choose how to punish former authoritarian wrongdoers. TJ has become a political issue quite similar to taxation or budget composition and post-communist parties are active players in this game. In our paper, we presented and tested the model using data from Bulgaria, Hungary, Poland and two inter-election cases in Romania. This is an exhaustive set of all situations when the Post-communists had both an opportunity and the means to implement TJ. Table 1 summarizes our results and how the case studies fit our predictions.

TABLE 1 ABOUT HERE

The  $p$ -value for the binomial test run under conservative assumptions is a comforting 0.01. For nine cases, the empirical data are consistent with the model’s predictions. In one case, we labeled

the fit as “good”: in Bulgaria, the Post-communists initially introduced the lustration law but then they tried to weaken or even block it. We explained their reversal by the increase in their electoral chances shown in the polls and by a surprisingly high number of revealed collaborators that made the law harsher than intended. There is no legislature in our universe of cases that produced actions clearly contradicting our predictions. This is a striking result because it shows how a general formal model can generate hypotheses capable of explaining behavior over very different political settings.

We can also congratulate the post-communist strategists for their shrewdness in avoiding harsh punishment for their sins. In three cases out of five, their preventive action worked out precisely according to what, as we believe, their intentions were. Even in the remaining two cases one cannot claim that their made mistakes. The overly optimistic estimations of Polish Post-communists can be fully attributed to an unexpected factor of the just-before-elections “flood of the century” that subtracted votes and seats from the leftist camp. Moreover, without the preventive move, the Polish Post-communists would likely have suffered an even harsher TJ. What upset the preventive action of the Hungarian Post-communists was less exogenous to politics than a natural cataclysm. Nevertheless, a dramatic ideological metamorphosis of FiDeSz into Fidesz-MPP surprised both the students of Hungarian politics and politicians. Similarly to their Polish comrades, the MSZP benefited from passing soft lustration, which helped them avoid an even harsher punishment.

There could be factors not accounted for in our model that possibly affected adopting TJ by Post-communists. For instance, the opening of files in Bulgaria stopped the circulation of false lists of collaborators in the mass media. In Romania, the PDSR may have wanted to purge their ranks of former Securitate employees to prevent secret police agents from staging a potential coup d’etat, just as they did earlier against Ceausescu, against a legitimate democratic government. In Hungary, the MSZP may have adopted TJ as a bargaining chip with their coalition partner, the SzDSz, which felt more strongly about lustration and which attempted to pass the first lustration law back in 1991. Finally, in Poland, the Post-communist bill could have helped President Kwasniewski to eliminate internal party competition for his office before his bid for re-election. We note that these alternative explanations are ad-hoc and fit at most one case at a time. They rely on the specifics of Bulgarian Romanian, Hungarian, or Polish politics, but tell us nothing about the role of institutions in shaping the policy-making process. Various additional factors, such as the power of the Senate and other institutions, could also affect the players’ preferences. However, our data back our explanation that institutions, such as the rules of procedure and expectations about the election results, were critical.

A less idiosyncratic competing explanation of post-communist actions relies on TJ’s saliency with the electorate: Post-communists may adopt lustration bills to show to the voters that they are clear of ties to the former enforcement apparatus. However, our analysis shows the limitations of this explanation: If it were true, Post-communists would be adopting TJ bills irrespective of their expectations of losing power. However, as we saw in the case of Bulgaria, the post-communist lustration effort almost came to an end when the BSP started doing better in pre-electoral polls. We also saw in Romania that the post-communist actions depended on the expected outcome of the elections. Finally, and perhaps most importantly, we believe that voters do not care a lot about lustration. This stands in contrast to the politicians themselves, for whom lustration may either help them gain their office or lose it.

Low saliency of TJ with voters is supported by evidence from a survey on TJ conducted in 2005 in Poland, Hungary and the Czech Republic (n=3076). On average, only 22% respondents

believed that former membership in the Communist Party was important in determining one's eligibility for legislative office. Other factors, such as "talents and abilities," "representing voter interests," and "being backed by powerful organizations" received 84%, 84%, and 59% support, respectively (XX). Other surveys confirmed these findings (PGSW, ISP 2000). In our TJ survey respondent preferences were measured for various potentially lustrable past activities (e.g., collaboration with the ancien régime) and for various positions that could be covered by a lustration law. We found that the preferences of Poles, Hungarians, and Czechs are remarkably similar. However, the lustration laws in these three countries dramatically differ. The Czech law covered more than 420,000 persons (5% of the population) and banned from office all proven collaborators; the Hungarian law initially covered only 600 persons (about 0.005% of the population), although this number was later increased, and only revealed information about who was a proven collaborator; the Polish law covered 21,000 person (about .5% of the population) and involved a combination of both revealing information about collaborators and banning them from office (Kaminski and Nalepa 2006).

By no means is our general thesis of strategic character of TJ legislation limited to four countries only. The argument of strategic preemption can be modified to those countries of East-Central Europe, where Post-communists have never been able to win office, such as Czechoslovakia, Czech Republic, Estonia, or Slovakia. In these countries turnovers in power were among parties created after 1989. For instance, in Czechoslovakia (and later in the Czech Republic), lustration was adopted and renewed in periods preceding turnovers between the neo-liberal ODS and the social democratic CSSD. In Estonia, laws revealing collaboration with the KGB were passed within two months of elections that led to a turnover in power between the Pro Patria Union and the Coalition Party. Another law was passed within three months of elections that led to the turnover between the Coalition Party and the Estonian Center Party. Finally, in Slovakia, a law opening the Institute for National Memory was passed during the last parliamentary session preceding the 2002 elections, in which Slovaks voted out of power a coalition made up of SDL, SOP, SDK, and SMK. Although SDL was a post-communist party, we omitted Slovakia from consideration since SDL was only a junior member of the coalition and did not hold proposal power. Moreover, Slovakia inherited a TJ bill from Czechoslovakia and its TJ status quo was much further to the right than zero.

In other post-communist countries such as East Germany, post-Soviet and post-Yugoslav republics, no TJ was introduced by domestic actors. Both in East Germany and in former Yugoslavia external actors had control over TJ. In former Yugoslavia, the UN Security Council set up the International Tribunal for Former Yugoslavia (ICTY). The ICTY had authority over war abuses of human rights committed during the civil conflict in the Balkans. There was no room for domestic TJ. In Germany, the legislators from the West controlled the STASI archives and the use of materials for lustration purposes. Finally, TJ in successor states of the former Soviet Union is rare, arguably because of the considerable influence of post-communist parties and politicians over politics. Where TJ occurs, it is further complicated by the issue of "beets" and "radishes," mentioned earlier. TJ legislation often intends to sort out the "radishes" (red on the outside, white on the inside) from the "beets" (red on the inside *and* on the outside).

## 6 Appendix

The key observation is that all main questions can effectively be reduced to  $PC$ 's decision problem. Recall that a strategy of a player is SPE against strategies of other players if it plays best replies in all subgames. For some games and some strategy profiles, there may exist players with no SPE strategies. We say that a strategy  $x$  of player  $i$  admits at least one SPE strategy of player  $j$  if  $j$  has at least one SPE strategy in all strategy profiles in which  $i$  plays  $x$ . We will start with a few lemmas.

**Lemma 1** For any  $M_i$ ,  $i = 2, \dots, n - 1$ , the following strategy  $z_i^*$  is the unique SPE strategy that admits at least one SPE strategy for  $A$ :

- (i) When  $|x - m_i| \neq |y - m_i|$ , minimize the distance to  $m_i$ ;
- (ii) When  $|x - m_i| = |y - m_i|$  and  $y < x$ , choose  $x$ ;
- (iii) When  $|x - m_i| = |y - m_i|$  and  $y > x$ , choose  $y$ .

**Proof.** Recall that for  $x = y$  the game ends without any move of the median, so conditions (i)-(iii) are exhaustive.

Since all subgames are last-move ones and  $z_i^*$  always takes the highest payoff, it is the best reply in all subgames. It is also straightforward to check that the strategy for  $A$  defined in Lemma 2 is SPE against  $z_i^*$ . To prove its uniqueness, note that every SPE strategy must satisfy (i) by definition. For (ii), let's assume that  $M_i$  can choose  $y$ . Then consider the subgame  $H$  in which  $PC$  chooses  $y$  and Nature chooses  $M_i$ . In  $H$ , for all  $1 - x \geq \varepsilon > 0$ ,  $A$  can make its payoff equal to  $x - \varepsilon - 1$  by choosing  $x - \varepsilon$ , but it cannot get exactly  $x - 1$ . Thus,  $A$  has no best reply in  $H$ . Hence  $M_i$ -s SPE strategy that allows an SPE strategy for  $A$  must satisfy (ii). Part (iii) is proved by a similar argument. ■

**Lemma 2** Let's assume that  $PC$  proposes  $y$  and every  $M_i$ , for  $i = 2, \dots, n - 1$ , plays  $z_i^*$ . Then  $x^* = \min\{m_i + |m_i - y|, 1\}$  is an SPE strategy for  $A$ .  $x^*$  is the game's outcome for all  $A$ 's SPE strategies and all medians  $M_i$ , for  $i = 1, \dots, n$ .

**Proof (outline).** In  $z_i^*$ ,  $M_i$  chooses the bill closer to  $m_i$  and maximizes  $A$ 's payoff in case of tie. It is easy to check that, given such response, for all  $y$ ,  $x^* = \min\{m_i + |m_i - y|, 1\}$  maximizes  $A$ 's payoff at its maximal value of  $x^* - 1$ . Examples of other SPE strategies include, for  $m_i \leq y < 1$ , any action from  $(y, 1]$  or  $[0, 2m_i - y]$  if  $2m_i - y \geq 0$ . In the first case,  $A$  asks for more than is feasible while in the second case,  $A$  asks for too little. In both cases,  $M_i$ -s maximizing choice is  $z_i^*$ . In general, since  $M_i$ -s SPE strategy is unique, the choice of strategy for  $A$  determines the outcome. Since different outcomes yield different payoffs, and every SPE strategy must be payoff-maximizing in all subgames, different SPE strategies must always result in the same outcome.

In two special cases, when the median is  $PC$  or  $A$ ,  $x^* = y$  or  $1$ , respectively, i.e.,  $x^*$  is equal to the automatic outcome. ■

By Lemmas 1 and 2, there exists a profile of SPE strategies for  $M_i$  and  $A$ . Every such a profile must result in the same outcome  $x^*(y)$  for any given SPE strategy  $y$  of  $PC$  and move of Nature. Thus, when  $x^*$  and  $z_i^*$  are played, strategy  $y$  of  $PC$  determines the outcomes given the move of Nature  $M_i$ , and we can define the SPE payoff resulting from  $y$  as  $P^*(y)$ . The problem of  $PC$  becomes the one of maximizing its payoff in face of uncertainty associated with the choice of the median. Since  $PC$  is risk-neutral, its total expected payoff from  $y$  is the sum of partial payoffs  $P_i^*(y)$  for different medians chosen by Nature:

**Lemma 3**  $P^*(y) = \sum_{i=1}^n p_i P_i^*(y)$ , where:

$$P_i^*(y) = \begin{cases} -1 & \text{for } y < 2m_i - 1 \\ -2m_i + y & \text{for } 2m_i - 1 \leq y < m_i \\ -y & \text{for } y \geq m_i \end{cases}$$

**Proof.** The partial-payoff term  $P_i^*(y)$  represents the payoff from playing  $y$  when the median is  $M_i$ . The three simple cases are as follows:  $m_i$  is closer to 1 than to  $y$ ;  $m_i$  is no farther from  $y$  than from 1 and  $y$  is smaller than  $m_i$ ;  $y$  is no smaller than  $m_i$ . Note that the first condition in the definition of  $P_i^*$ ,  $y < 2m_i - 1$ , may be satisfied only for rightist medians, i.e., when  $m_i > 1/2$ ; the second condition may be satisfied for all medians except 0. ■

We may re-write Lemma 3 in a more convenient form, using appropriately defined indexes. For any  $y$ , let  $l(y)$  denote the largest index of a party with the position to the left, or exactly on  $y$ , i.e., such that  $m_{l(y)} \leq y < m_{l(y)+1}$ . Let  $r(y)$  be the largest index of a party that is close enough to the right to  $y$  such that when  $M_{l(y)}$  is the median, then the outcome  $x^*(y)$  is still less than 1, i.e., such that  $m_{r(y)} \in (y, \frac{1}{2} + \frac{1}{2}y)$  but  $m_{r(y)+1} \notin (y, \frac{1}{2} + \frac{1}{2}y)$ .

**Proposition 3**  $P^*(y) = -\{\sum_{i=1}^{l(y)} p_i(y) + \sum_{l(y) < i \leq r(y)} p_i(2m_i - y) + \sum_{r(y) < i \leq n} p_i\}$

The formula in Proposition 3 follows directly from Lemma 3. It divides  $PC$ 's payoff into three components. When for some  $y$  the summation in the last two components runs over an empty set of indexes, e.g., for  $y = 1$ , we assume a convention that the entire sum is zero.

**Proof of Proposition 2.** Ad (i): Strategies  $x^*$  and  $z_i^*$  from Lemmas 1 and 2 satisfy the conditions of SPE strategies for  $A$  and all  $M_i$ -s, respectively, i.e., they are best replies in all subgames. We need to prove that  $PC$  has at least one SPE strategy as well. Such existence follows from the fact that the total payoff of  $PC$ ,  $P^*$ , is a convex combination of partial payoffs  $P_i^*$ , as shown in Lemma 3. Since all  $P_i^*$ -s are continuous over  $[0,1]$ , their convex combination is continuous as well and, since  $[0,1]$  is compact in the usual topology, it has a non-empty and closed set of global maxima. Any such maximum is an SPE for  $PC$ .

Ad (ii): For  $i = 1, \dots, n$ , every  $P_i^*$  is piece-wise linear over intervals with the endpoints consisting of  $m_i$  and, possibly,  $2m_i - 1$ , and has its maximum at  $m_i$ . Thus, as a convex combination of  $P_i^*$ -s,  $P^*$  is piece-wise linear as well with its set of endpoints being the subset of all endpoints of all  $P_i^*$ -s. Consequently,  $P^*$  must have maxima within the set of its endpoints. No point of the form  $2m_i - 1$  can be a (local or global) maximum unless it coincides to some endpoint  $m_j$  since the left-hand-side derivative of  $P_i^*$  is greater than the right-hand-side derivative at  $2m_i - 1$  while the derivatives of the other components of the sum are constant in the neighborhood of  $2m_i - 1$ . Informally, function  $P^*$  cannot simultaneously be increasing on the left-hand side of  $2m_i - 1$  and decreasing on its right-hand side. This means that there must be a maximum among the  $m_i$ -s and, since  $P^*(1) = -1$  is the minimal possible payoff, it must be within  $\{m_i\}_{i=1, \dots, n-1}$ .

Moreover, any point between two adjacent endpoints of a piece-wise linear function maximizes it iff the endpoints maximize it as well. Since no point  $2m_i - 1$  can be a maximum, the adjacent endpoints must come from  $\{m_i\}_{i=1, \dots, n-1}$ .

Ad (iii) (outlined): The model with  $n$  players is a set  $S$  parametrized by  $n - 2$  bliss points and  $n$  probabilities. It is a Cartesian product of a  $(n - 2)$  dimensional set defined by inequalities  $0 < m_2 < \dots < m_{n-1} < 1$  and an  $(n - 1)$ -dimensional simplex defined by inequalities  $0 \leq p_i \leq 1$  and a constraint  $\sum_{i=1}^n p_i = 1$ . Thus,  $S$  is a  $(2n - 3)$ -dimensional convex subset of a  $(2n - 3)$ -dimensional Euclidean space.

For each game with multiple equilibria, (ii) implies that for at least two bliss points  $m_i \neq m_j$   $P^*(m_i) = P^*(m_j)$ . By Lemma 3, this equality imposes an additional constraint on the subspace

$S^{i,j}$  of games that have  $m_i$  and  $m_j$  among their SPE. Since  $m_i \neq m_j$ , the equality defining  $S^{i,j}$  is different than  $\sum_{i=1}^n p_i = 1$ . Thus,  $S^{i,j}$  must be of a dimension no higher than  $2n - 4$  and it is generically nonexistent in  $S$ . The total number of spaces indexed by different pairs  $i$  and  $j$  is finite, namely,  $\frac{1}{2}n(n - 1)$ . Their topological union,  $\cup_{i \neq j} S^{i,j}$ , is also generically nonexistent in  $S$ . ■

Our formula from Proposition 3 combined with Proposition 2 (ii) makes it easy to calculate the exact equilibrium strategy, or strategies, for every specific set of parameters. We need to calculate  $PC$ 's payoffs only for all bliss points and select the ones that maximize it along with, possibly, intervals connecting adjacent maximizing endpoints.

The next Proposition includes the formal versions of empirical hypotheses H1-H4. Let's denote by  $k$  the index of the most rightist left-center party, i.e., such that  $m_k \leq 1/2$  but  $m_{k+1} > 1/2$ . Let's assume for simplicity that  $m_2 > 0$ , i.e., that no other party shares its ideal point with  $PC$ . The results can be easily generalized when more parties' ideal points are located at 0.

**Proposition 4** (h1) If  $p_1 > 1/2$ , then  $Y^* = \{0\}$ ;

(h2) If  $p_1 \leq \sum_{i=2}^k p_i$ , then  $Y^* \cap [0, m_2) = \emptyset$ ;

(h3) If Nature chooses  $m_i > y$ , then the SPE outcome is  $\min\{1, 2m_i - y\}$ .

(h4) If Nature chooses  $m_i \leq y$ , then the SPE outcome is  $y$ .

**Proof of Proposition 4.** Ad (h1): Note first that Proposition 3 implies that for all  $y > 0$ ,  $P_i^*(y) \leq P_i^*(0) + y$ .

Now, let's use Proposition 3 again and compare the payoffs for 0 and any  $y > 0$ :

$$P^*(0) - P^*(y) = \sum_{i=2}^n \{p_i P_i^*(0)\} + p_1 y - \sum_{i=2}^n \{p_i P_i^*(y)\}$$

By substituting  $P_i^*(y)$  with at least as great components  $P_i^*(0) + y$  we obtain:

$P^*(0) - P^*(y) \geq \sum_{i=2}^n \{p_i P_i^*(0)\} + p_1 y - \sum_{i=2}^n \{p_i (P_i^*(0) + y)\} = p_1 y - \sum_{i=2}^n p_i y = y(p_1 - \sum_{i=2}^n p_i)$ . When  $p_1 > \frac{1}{2}$ , the last expression is greater than zero. This means that zero uniquely maximizes the payoff in question.

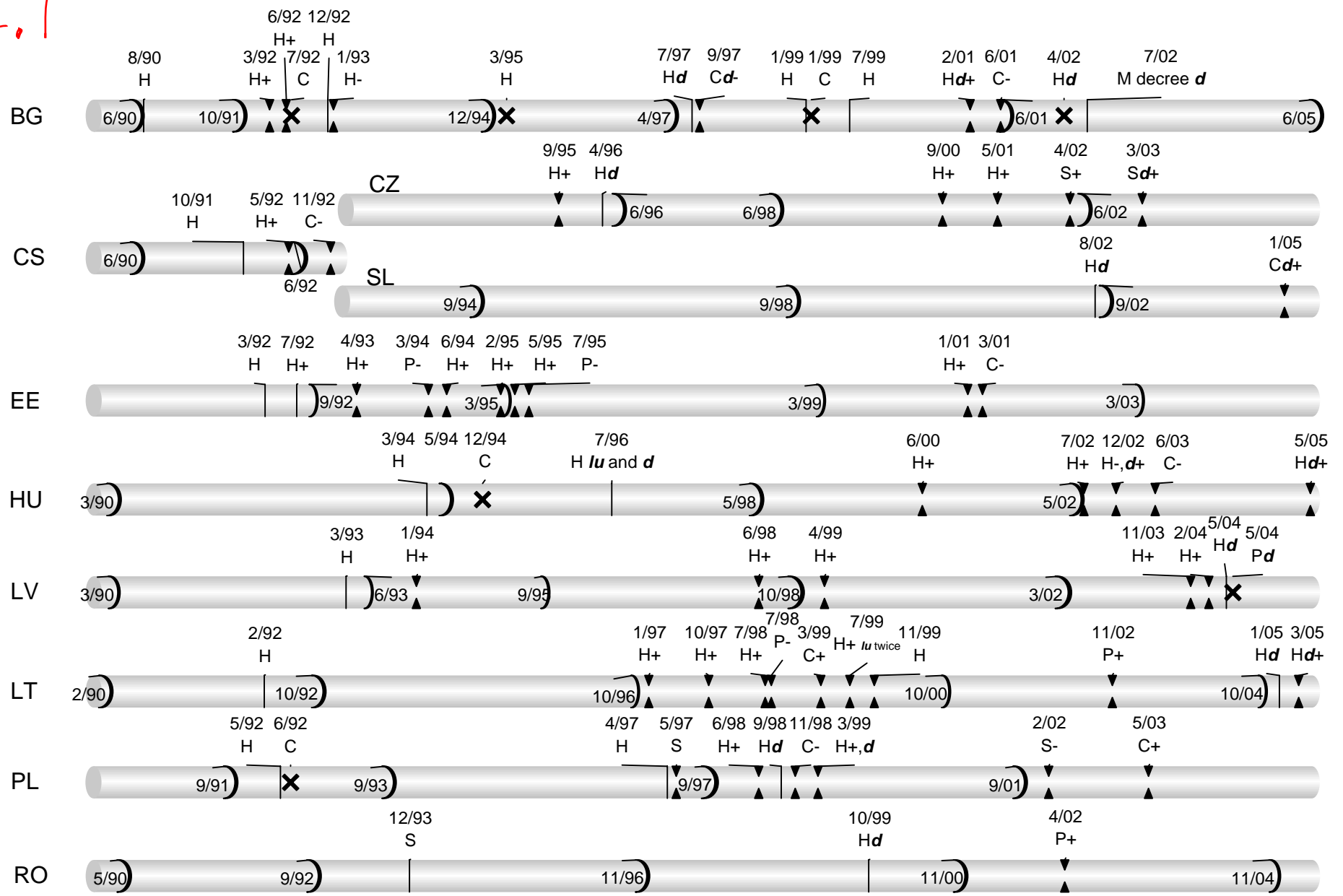
Ad (h2): By Proposition 2 (ii), either 0 or  $m_i$ , for some  $i = 2, \dots, n$ , must be a SPE strategy for  $PC$ . We need to show that 0 is not SPE and that  $P^*(y)$  is increasing in the interval  $[0, m_2)$ . For the first part, it suffices to show that  $P^*(m_2) > P^*(0)$ . The inferences are similar to those in (h1) and we leave them for the reader.

Ad (h3) and (h4): Both statements are straightforward and we leave their proofs to the reader.

■

**Proof of Proposition 1.** Since the game from our example assumes  $n = 3$ ,  $m_2 < 1/2$ , and  $p_2 = 1$ , our thesis follows directly from Proposition 4 (h2) and the fact that in this case the  $PC$ 's SPE strategy determines the outcome. ■

FIG. 1



1990

2005

LEGEND: H – House; S – Senate; P – President;  
 C – Constitutional Court; M – Minister of Interior;  
**d** – declassification law; **lu** or no letter – lustration;  
 + strengthened; - weakened

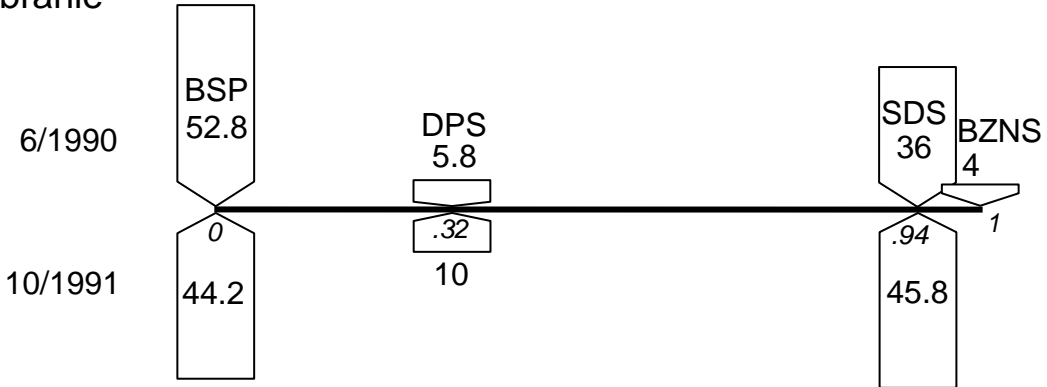
9/02 Introduced or re-introduced by X  
 1/04 Amended by Y  
 6/05 Ended or vetoed by Z  
 10/06 Parliamentary elections

**Figure 1: Transitional Justice Timelines for “New Europe”: lustration, decommunization, and declassification 1990-2005**

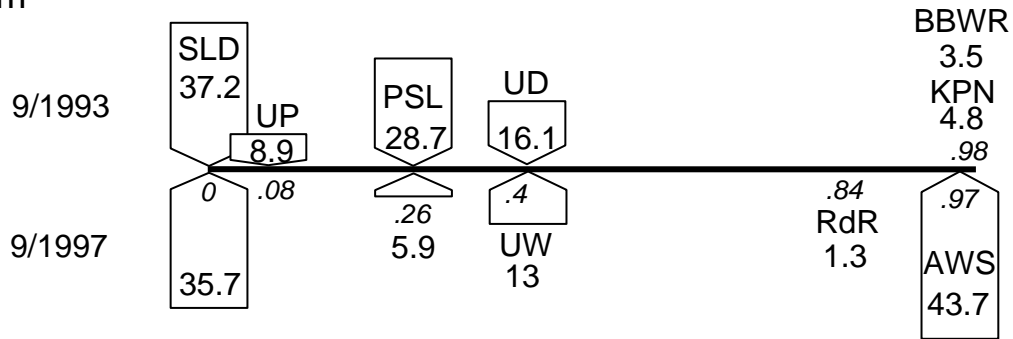
Note: “New Europe” denotes the ten Eastern European members and candidates for membership in the EU. In Slovenia, there was no lustration/declassification law; the only lustration proposal of 1997 was vigorously opposed by President Milan Kučan, a former reformed communist. The timelines include all major legislative actions of the Lower Houses (H), including important unsuccessful proposals, and all successful actions of the Senates (S), Presidents (P), Constitutional Courts (C), or, in one case, Minister of Interior (M); types of actions include new proposals, amendments (strengthening denoted by +, and weakening denoted by -), and vetoes/ending the existing legislation. Letter *d* denotes declassification law; *lu* or no letter denotes lustration. In non-standard cases, brief explanatory comments were added. Country acronyms: BG = Bulgaria, CS = Czechoslovakia, CZ = Czech Republic, SL = Slovakia, EE = Estonia, HU = Hungary, LV = Latvia, LT = Lithuania, PL = Poland, RO = Romania. Sources: Lexis-Nexis and Keesings.



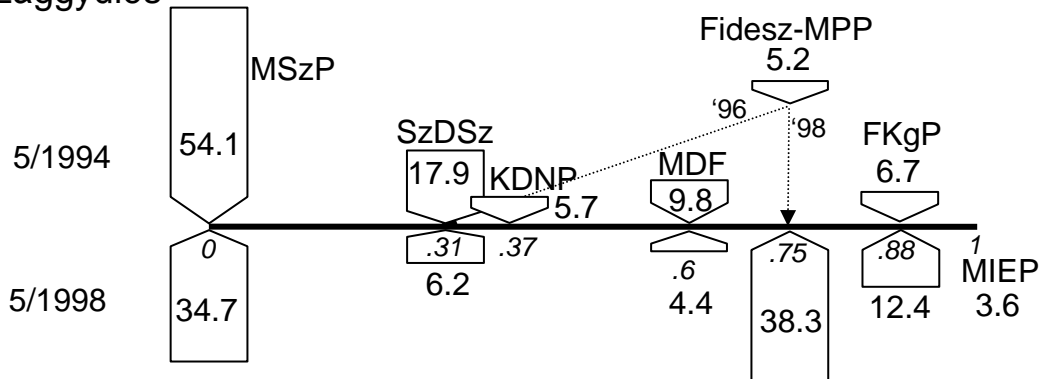
Bulgaria  
Narodno  
Sabranie

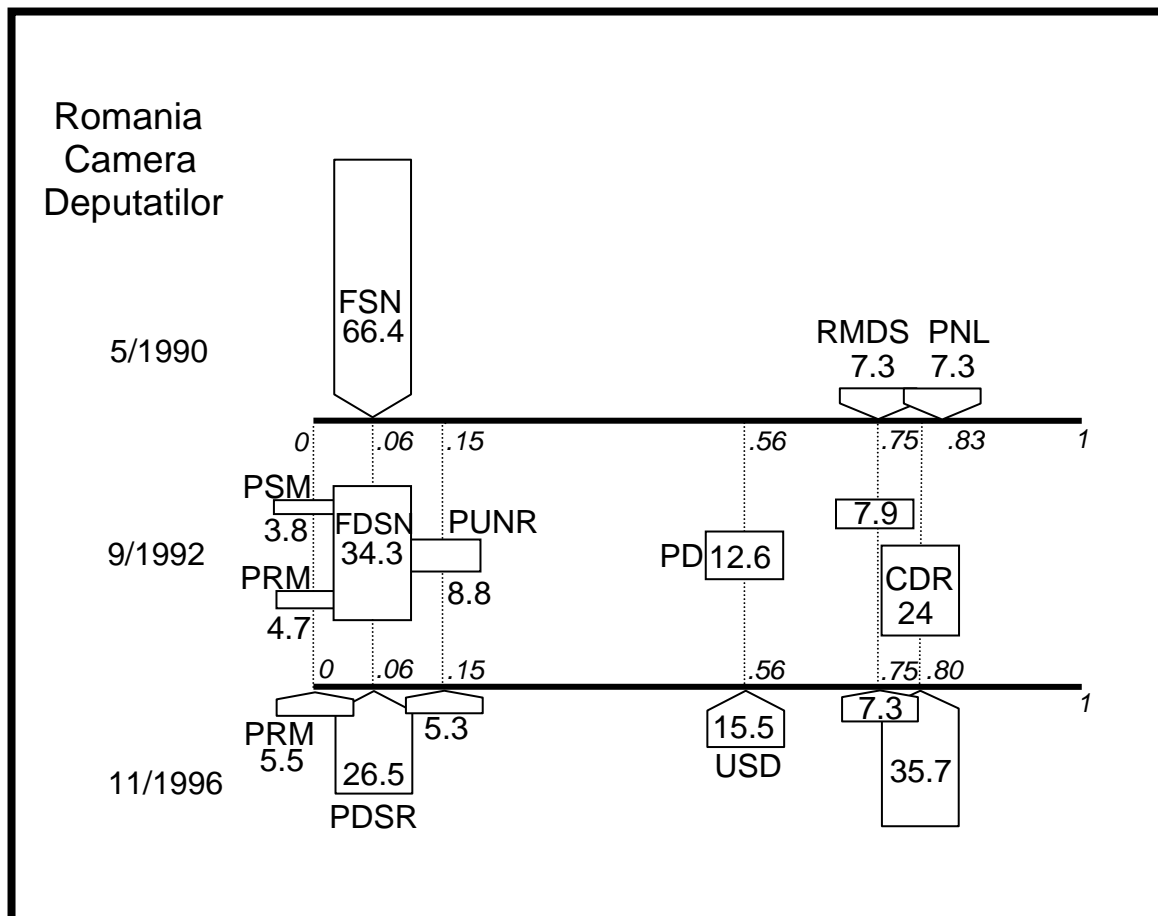


Poland  
Sejm



Hungary  
Országgyűlés





**Figure 2: Percentages of house seats and party ideal positions in TJ space.**

Note: Month/year is the date of parliamentary elections corresponding to the distribution of seats that is presented. Due to mobility among parliamentary clubs, seat shares slightly changed during the term. Acronyms are shown only in the upper panel unless the party changed its name during the term or two or more parties occupy the same spot. A party's position is shown in italics and in smaller case than the seat percentage. The heights of polygons are proportional to seat percentages. The smallest parties, small minority organizations, and independents were omitted.

Country-specific comments: in Hungary, FiDeSz changed its name and position, and evolved from being a youth organization of SzDSz in 1996 to an independent party Fidesz-MPP in 1998 (see the case study of Hungary); in Poland and Romania, the smallest parties that are not shown occupy the extreme position of 1; in Romania, two cases are represented: 1990/92 and 1992/96. In the 1990 elections, about 20% of house seats were heavily fragmented among small parties that are not shown.

Sources: Benoit and Laver (forthcoming), Rose and Munro (2004), Millard et. al. (2002)

**Table 1: Summary of empirical findings**

Hypothesis about ...	CASE	EVENT	Fit
... <i>PC</i> 's actions			
H1	Romania before 1992	<i>PC</i> do nothing	full
H2	Bulgaria before 1991	<i>PC</i> introduce TJ	good
H2	Romania before 1996	<i>PC</i> introduce TJ	full
H2	Hungary before 1998	<i>PC</i> introduce TJ	full
H2	Poland before 1997	<i>PC</i> introduce TJ	full
... final outcome			
H3	Poland after 1997	harsher post-electoral TJ	full
H3	Hungary after 1998	harsher post-electoral TJ	full
H4	Bulgaria after 1991	no post-electoral TJ	full
H4	Romania after 1992	no post-electoral TJ	full
H4	Romania after 1996	no post-electoral TJ	full

**Note:** “before 199x” in column CASE refers to the post-communist actions before the 199x elections; “after 199x” refers to the post-199x election outcome.

Column “Fit” records the fit of empirical case with the predictions of the corresponding empirical hypothesis. For explanation of the label “good,” see the text.

*p*-value for a one-sided binomial test:  $p = 0.01$ . Assumptions: “Full” fit is interpreted as success; “good” fit is interpreted conservatively as failure; the probability of a success is assumed (again, conservatively) to be 0.5 and independent within our universe of cases.

## Appendix 2: Main political parties active in TJ cases described in the article

Only parties that appear in the narratives or figures are listed. From most dovish to most hawkish on TJ: ORIGINAL ACRONYM – *Original name* (English name or names), normalized position in TJ space (Benoit and Laver score) [optional brief comment on party history]

<b>Bulgaria</b>	
BSP	<i>Bălgarska Socialističeska Partija</i> (Bulgarian Socialist Party), 0 (2.27)
DPS	<i>Dviženie za Pravata i Svobodie</i> (Movement for Rights and Freedoms), .32 (6.45)
SDS	<i>Soyuz na Demokraticni Sili</i> (Union of Democratic Forces or United Democratic Forces), .94 (14.7) [later acronym ODS]
BZNS	<i>Balgarski Zemedelski Naroden Sayuz</i> (Bulgarian Agricultural National Union), 1 (15.5)
<b>Hungary</b>	
MSzP	<i>Magyar Szocialista Párt</i> (Hungarian Socialist Party), 0 (3.57)
SzDSz	<i>Szabad Demokraták Szövetsége</i> (Alliance of Free Democrats), .31 (8.36)
FiDeSz	<i>Fiatal Demokraták Szövetsége</i> (Federation of Young Democrats), .31 (8.36) [after 1997 Fidesz-MPP]
KDNP	<i>Kereszténydemokrata Néppárt</i> (Christian Democratic Peoples Party), .37 (9.28)
MDF	<i>Magyar Demokrata Fórum</i> (Hungarian Democratic Forum), 0.6 (12.83)
Fidesz-MPP	<i>Fidesz-Magyar Polgári Párt</i> (Fidesz-Hungarian Civic Party), .75 (15.05) [before 1997 FiDeSz]
FKgP	<i>Független Kisgazdapárt</i> (Party of Independent Smallholders or Independent Smallholders) 0.31, (8.36)
MIÉP	<i>Magyar Igazság és Élet Pártja</i> (Hungarian Justice and Life Party), 1 (18.95)
<b>Poland</b>	
SLD	<i>Sojusz Lewicy Demokratycznej</i> (Alliance of Democratic Left or Democratic Left Alliance), 0 (1.375)
UP	<i>Unia Pracy</i> (Labor Union), 0.08 (2.65)
PSL	<i>Polskie Stronnictwo Ludowe</i> (Polish Peasant Party), .26 (5.625)
UW	<i>Unia Wolności</i> (Freedom Union), 0.4 (7.75) [formed in 1994 from UD and a smaller KLD]
UD	<i>Unia Demokratyczna</i> (Democratic Union), 0.4 (7.75) [in 1994 merged with a smaller KLD to form UW]
RdR	<i>Ruch dla Rzeczypospolitej</i> (Movement for the Republic), 0.84 (15)
AWS	<i>Akcja Wyborcza Solidarność</i> (Electoral Action “Solidarity” or Solidarity Electoral Action), .97 (17.15) [broad coalition incl. KPN and BBWR]
KPN	<i>Konfederacja Polski Niepodległej</i> (Confederacy of Independent Poland or Confederation of IP) 0.98 (17.3) [in 1997 elections member of AWS]
BBWR	<i>Bezpartyjny Blok Wspierania Reform</i> (Non-Partisan Reform Bloc or Non-Party Bloc for Supporting the Reforms), 0.98 (17.3) [in 1997 elections member of AWS]
<b>Romania</b>	
PRM	<i>Partidul România Mare</i> (Greater Romania Party), 0 (2.75)
PSM	<i>Partidul Socialist al Muncii</i> (Socialist Party of Labor), 0 (2.75)
PDSR	<i>Partidul Democrației Sociale din România</i> (Social Democratic Party of Romania), .065 (3.7) [before 1993 FDSN]
FSN	<i>Frontul Salvării Naționale</i> (National Salvation Front), .065 (3.7) [since 1992 split into bigger FDSN and smaller CDR]
FDSN	<i>Frontul Democrat al Salvării Naționale</i> (Democratic National Salvation Front), .065 (3.7) [emerged in 1992 split as a bigger heir of FSN; after 1993 PDSR]
PUNR	<i>Partidul Unității Naționale a Românilor</i> (Party of Romanian National Unity or RNU Party), .15 (4.92)

USD	<i>Uniunea Social Democrata</i> (Social Democratic Union), .56 (10.81)
PD	<i>Partidul Democrat</i> (Democratic Party), .56 (10.81)
RMDS	<i>Romániai Magyar Demokrata Szövetség</i> (Democratic Alliance of Hungarians in Romania or D Union of H in R), .75 (13.53)
CDR	<i>Conventia Democrata Romana</i> (Democratic Convention of Romania or Romanian DC), 0.8 (14.23) [emerged in 1992 split as a smaller heir of FSN]
PNL	<i>Partidul National Liberal</i> (National Liberal Party), 0.83 (14.71)

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