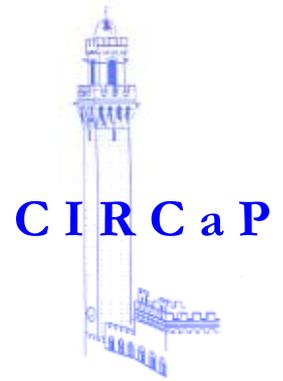


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THE ROLE OF INSTITUTIONS
IN THE CONSOLIDATION OF DEMOCRACY
IN POST-COMMUNIST EASTERN EUROPE

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1. Introduction

During the last couple of decades, the vast and growing literature on democratic systems has reached a normative consensus about several key institutional settings that help social scientists distinguish political democracies qualitatively. Among these arrangements the ones related to the type of executive, legislature, political parties, constitution and electoral system have gained an increasing amount of popularity. The particular choice of executive structure (presidential, semi-presidential or parliamentary), of legislature (single or double chamber), of political parties (adversarial or consociational, and their effective number in parliament) and of electoral system (majoritarian, mixed or proportional), as well as the combined effects and concomitants of these institutions, has influenced the overall performance and stability of political democracies world-wide.¹

To this basic list, one can also add the necessity to analyse the central role of the constitution, the media and the legal system in various political regimes. Institutional innovations related to the constitution, the media and the legal system came largely in vogue as a result of the recent democratisation efforts in Southern and Eastern Europe, where these factors seemed to have played a quite important role. The impact of these institutional settings should, however, be understood as operating in conjunction with a range of domestic and international factors, as well as in relation to the previously mentioned institutional arrangements such as the ones relating to the type of the executive, the legislature, political parties and elections.²

One of the principal motives of studying political institutions in a contemporary context is to determine to what extent they influence the process of consolidation of democracy (CoD). It

¹ **Sartori, G. (ed.) (1994);** *Comparative Constitutional Engineering: An Inquiry into Structures, Incentives and Outcomes*, (NY: New York University Press); **Mainwaring, S. and Scully, T. (1995);** *Building Democratic Institutions: Party Systems in Latin America*, (Stanford: Stanford university Press, 1995); and **Merkel, W. (1996);** “Institutions and Democratic Consolidation in East Central Europe”, the *Juan March Institute Papers*, Madrid, No. 86, (December 1996).

² **Linz, J. and Stepan, Al. (1996);** *Problems of Democratic Transition and Consolidation: Southern Europe, Latin America and Post-Communist Europe*, (Baltimore, MD: Johns Hopkins University Press), chapters 4 and 5; **Crawford, B. and Lijphart, A. (eds.) (1997);** “Old Legacies, New Institutions: Explaining Political and Economic Trajectories in Post-Communist Regimes”, in *Liberalization and Leninist Legacies: Comparative Perspectives on Democratic Transitions*, (Berkeley: University of California), pp. 1-39.

is quite interesting to see which of them are central to achieving a positive outcome of democratisation, namely, a more persistent and improved quality of democracy (QoD). Finally, it is challenging to test some of the theoretical hypotheses regarding political institutions in post-communist Eastern Europe, where the most recent “democratisation wave” has gained momentum in the late 1980s and crested during the 1990s. This analytical experiment can also examine the theoretical claim that one can measure the level of democracy through evaluating the choice of the format and performance of political institutions.

2. The Role of Institutions in the Eastern European Democratisation

2.1. *The general importance of institutions in the establishment of neo-democracies*

Numerous global and regional surveys, and particularly those conducted in post-autocratic settings, have clearly demonstrated that institutions make a difference for the political system and individuals like to express opinions about how institutions should be structured and function. Moreover, citizens often tend to see the low efficiency of the political regime as a function of the poor performance of its institutions (as well as the political leaders that operate within them).³ The empirical evidence gathered during the last “democratisation wave” demonstrates that, although citizens and rulers usually show a strong commitment to the already-established procedural norms of democracy, especially to free and fair elections and the unfettered access to information, they may actually disagree about the concrete choice of institutions and the power balance between them. This translates into competing conceptual views about how institutions should be structured and how they should operate.

One of the principal dilemmas facing the fledgling democracies in Eastern Europe has been how to create incentives for political individuals and groups to channel their demands within the existing institutional framework of the state. As Adam Przeworski has argued, “regardless

³ **Inglehard, R., Basanez, M. and Moreno, A. (1998);** Human Values and Beliefs: a Cross-Cultural Sourcebook of Political, Religious, Sexual and Economic Norms in 43 Societies. Findings from the 1990-93 World Values Survey, (Ann Arbor: University of Michigan Press, 1998); **Rose, R. and Haerpfer, C. (1993);** “Adapting to Transformation in Eastern Europe: *New Democracies Barometer II*”, Studies in Public Policy, No. 212, (Glasgow: University of Strathclyde, 1993); and **Rose, R. and Haerpfer, C. (1998);** *New Democracies Barometer V: A 12-Nation Survey*, Studies in Public Policy, No. 306, (Glasgow: University of Strathclyde, 1998).

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of how pressing their needs may be, political forces must be willing to subject their interests to the verdict of representative institutions.”⁴ Namely, this has been considered one of the major criteria of successfully completed democratisation, when *behavioural* and *attitudinal support* for the democratic regime has been assured in addition to the rapid development of political institutions.⁵ Viewed from such a perspective, the type of institutional setting has certainly had a decisive effect on the consolidation of neo-democracies.

Another related question that should be addressed by the ruling elites in post-communist Eastern Europe is how to ensure compliance with a particular institutional setting, when the material conditions and standard of life continue to deteriorate in some of these countries. This seems to be a pretty serious dilemma in most of the post-communist countries, but especially in the Commonwealth of Independent States (CIS) and in parts of South-Eastern Europe. The difficulties associated with simultaneous political, economic and social transformations having taken place and are still continuing on a scale and pace ‘without precedent’⁶, as well as the problem of state-building, have sometimes been too many and serious to be resolved only by institutional means. It appears logical to hypothesise that political institutions may contribute significantly towards regime change and consolidation, but cannot successfully achieve these alone. Their role should consequently be perceived as more qualitative and should probably be analysed alongside that of political elites and other related factors of democratisation, such as the impact of the international environment and the level of economic development and societal modernisation.

2.2. The choice of political institutions in Eastern Europe

The selection of institutions has proved to be quite a complicated matter in post-communist Eastern Europe too. As already mentioned, the simultaneous liberalisation of many spheres – political, economic and social – initially created more problems than solutions. It should be stipulated, however, that institutional models borrowed directly from abroad have not worked

⁴ Przeworski, A. (ed.), et al. (1995); *Sustainable Democracy*, (NY: Cambridge University Press), Chapter 5: “Economic Reforms in New Democracies”.

⁵ Linz, J. and Stepan, Al. (1996); “Toward Consolidated Democracies”, *Journal of Democracy*, Vol. 7, No. 2., (April 1996), pp. 15-17.

automatically in the majority of post-communist countries. This has happened not so much because these models have been intrinsically bad, but, probably, because their application has not been satisfactory. Eastern Europeans have failed to implement those institutional solutions because the arrangements taken over from abroad have most of the time not been suitable for the post-authoritarian setting of a specific country and, hence, served only the narrow political interests of their selectors.

As early as the period of the Roundtable Talks and first free elections in East-Central Europe, political actors have realised the importance of the flexibility of institutions as well. The subsequent changes which have occurred in the executive, the political parties, the legislative and the media after each political negotiation or elections, have re-confirmed the fact that institutional choices, once made, have not been written in stone. This has been especially valid during the democratic transitions in Eastern Europe after 1989. The institutional framework has frequently been manipulated and power centres emerged as rapidly as they vanished. As a result of the unstable relations persisting both at the level of state and society, the confidence in the newly created institutions has been significantly undermined and people have often been prompted to question the capacity of institutions to assist democratisation.

Eventually, it should be mentioned, that there has been little wholesale importation of Western models of institutional arrangements that could play a predominant role in shaping the political system of the entire region. This has mainly occurred because local political actors have believed that transition from communist rule is unique in itself, and that there are significant historical and cultural differences between Western and Eastern European nations, and indeed among Eastern Europeans themselves.

2.3. Institution-building after communism

The process of institution-building in post-authoritarian Eastern Europe has predominantly proceeded in an atmosphere of uncertainty. Apart from the problems of initiating political democratisation and the absence of certain important socio-economic prerequisites for achieving this, the unpredictability surrounding the selection of institutions has also been

⁶ **Dahrendorf, R. (1990); Reflections on the Revolution in Europe**, (Chatto and Windus, 1990); **Jenkins, R.M. (1992);** “Society and Regime Transformation in East-Central Europe”, in G. Szoboszlai (ed.) Flying Blind:

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reinforced by the fact that this has been far from a purely rational act. The lack of information, time and willingness to compromise has prompted political leaders to act sometimes in a rush and not to select those political institutions which would best suit a country's needs in a particular moment in time or in the future. As a result, the executive structures, constitutions and electoral laws have had occasionally to be revised a couple of times before being able to settle more permanently.

It is also necessary to keep in mind that the delayed establishment of certain political institutions and especially the adoption of constitutions have considerably reduced the chances of democracy being consolidated in some parts of the former Communist Bloc. The failure to reach agreement between members of the democratic opposition and communist elite in certain Eastern European countries has left a whole range of institutional issues unresolved. This is one of the main reasons for the high vulnerability of post-communist structural arrangements and for the uncertain future of reforms in other fields. The incomplete institutionalisation and half-hearted solutions proposed after each successive election have tended to keep the conflict surrounding institutional format open. Incomplete institutional arrangements have been very difficult to improve not only because of their low legitimacy and, hence, lack of interest in their operation by the majority of population, but also because of the reduced bargaining potential of institutional creators. In such circumstances, it has been problematic to induce political actors to observe the rules of the "democratic game". It has been even less possible to get them used to them, since the institutional background against which these democratic principles operate has not yet crystallised to a sufficient degree in a post-communist context.

3. Political Institutions and the Prospects for Consolidating Democracy

As we have seen, the emerging Eastern European elites have opted for diverse combinations of institutional formats. Huge differences in the institutional setting have been observed not only among sub-regions but also among neighbouring countries within the former Communist Bloc. This wide variety of institutional choices is presented in Table 1. The information

Emerging Democracies in East-Central Europe, (Budapest: Hungarian Political Science Association).

contained in this table clearly shows some of the major institutional combinations in twenty post-communist countries as of the end of 2000.

In this table, some of the most central structural characteristics of the contemporary political systems in Eastern Europe are listed. Those parameters include, for instance, the constitutional type of regime related to the executive format (presidential, semi-presidential, parliamentary), the variety of electoral system (proportional, hybrid, majoritarian), the specific distribution of seats in parliament (single/proportional/non-affiliated) as well as the effective number of political parties both according to the seats won in the legislature and the votes received in elections. Although the information in Table 1 provides only a snapshot picture of the most important institutional arrangements in Eastern Europe, it nevertheless exemplifies the great heterogeneity among countries and sub-regions.

When analysing the data regarding the variety of institutional choices in Eastern Europe as of the end of 2000, it is quite difficult to formulate firm theoretical hypotheses and to discern definite political trends concerning the consolidation of democracy in the region. It is probably so, because of the relatively short period since the collapse of the previous authoritarian system and the still undetermined stage of democratisation of most post-communist countries. Moreover, the relatively large number of countries and, probably, the limited range of factors in the sample above, does not allow us to differentiate among countries and permits us only to speak of certain tendencies in the development of democratic institutions in the region and of their still unproven effect on the consolidation and quality of democracy.

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Table 1

**Institutional Choices and Types of Political Regime in Eastern Europe
as of the End of 2000**

Country	Constitutional type of regime	Electoral System				Effective number of parties (according to seats won in parliament)**	Effective number of parties (according to votes received in elections)**
		Type	Last parliamentary elections	Distribution of seats in parliament (ss/PR/indep.)*	Electoral threshold		
Albania	Semi-presidential	Hybrid/Major.	1997	115/40/-	4%	2.23	2.87
Armenia	Presidential	Hybrid	1999	75/56/32	5%	4.98	4.76
Azerbaijan	Presidential	Hybrid/Major.	1995	100/25/-	8%	3.45	2.42
Bulgaria	Parliamentary	PR	1997	-/240/-	4%	2.55	3.01
Belarus	Presidential	Major.	2000	110/-/-	***	***	***
Croatia	Presidential	Hybrid	1997	151/140/5	5%	2.92	4.08
Czech Rep.	Parliamentary	PR	1998	-/200/-	5%	3.71	4.73
Estonia	Parliamentary	PR	1999	-/101/-	****	5.50	6.89
Georgia	Presidential	Hybrid/PR	1999	85/150/-	7%	2.68	3.98
Hungary	Parliamentary	Hybrid	1998	176/152 + 58/-	5%	3.43	4.64
Lithuania	Semi-presidential	Hybrid	2000	71/70/-	5%	4.22	5.58
Latvia	Parliamentary	PR	1998	-/100/-	5%	5.49	7.03
Macedonia	Semi-presidential	Hybrid/Major.	1998	85/35/-	5%	2.9	5.18
Moldova	Semi-presidential	PR	1998	-/104/-	4%	3.64	5.79
Poland	Semi-presidential	PR	1997	-/391+69/-	5%	2.95	4.6
Romania	Semi-presidential	PR	2000	-/327/19	3%	3.55	5.24
Slovakia	Parliamentary	PR	1998	-/150/-	5%	4.75	5.33
Slovenia	Parliamentary	PR	2000	-/88/2	4%	4.65	5.14
Ukraine	Presidential	Hybrid	1998	224/225/ - (114)	5%	5.96	3.04
Uzbekistan	Presidential	Major.	1999	-/-/250	***	***	***

* Single seat/ proportional representation/ non-affiliated or reserved seats for minorities

** Calculated according to the formula for effective number of parties provided by Markku Laakso and Rein Taagepera in Laakso, M. and Taagepera, R. (1979); "‘Effective’ Number of Parties: Measure with Application to West Europe", *Comparative Political Studies* 12, No. 1 (April), pp. 3-27.

*** Elections in Belarus and Uzbekistan have not been free and fair.

In Belarus, President Alexander Lukashenka selected the 110 members of the House of Representative (*Sojm*) out of the pre-1995 Supreme Soviet of Belarus.

In Uzbekistan, the parliament, *Oli Majlis*, comprises 250 deputies of whom 83 are elected directly and 167 by local councils for a period of five years, but most parties are excluded from the electoral competition.

**** Complex system, featuring national and, possibly, district candidate lists

The constitutional type of regime, being presidential, semi-presidential or parliamentary, is perhaps one of the most influential and, certainly, one of the most often-cited factors contributing to the process of democratisation. Nevertheless, the advantages of one type of democratic government over another cannot be established fully if one does not take the concrete political context into account; this being, primarily, the combination of domestic and international influences over the regime's policies, as well as the blend of the official type of regime with the structural pattern and performance of some important sub-regimes and institutions, such as the electoral, party and legislative systems or the courts and the media.

The brief overview of the decade-long efforts of post-communist countries to democratise speaks in favour of parliamentarism versus presidentialism or semi-presidentialism. This fact does not however support the accompanying theoretical hypotheses that the parliamentary form of government contributes directly to the consolidation of democracy. Nevertheless, parliamentary rule has been the favoured choice of some of the most successful democracies in Eastern Europe: the Czech Republic, Bulgaria, Estonia, Hungary, Latvia, Slovakia and Estonia. The majority of the former Soviet and Yugoslav republics together with Albania opted for a semi- or full-presidential system. A possible explanation for this might be that they are recently-created polities: namely, having non-established completely modern national identity, they tended to choose quite strong but also sometimes autocratic leaders that could guarantee the survival both of the state and the political system. Finally, the citizens of Poland, Romania and Lithuania also elected strong presidents in power, thus giving birth to variations of French-type semi-presidential regimes.

The electoral systems initially chosen and later modified by the political elites in Eastern Europe have not corresponded to the typically dichotomous majoritarian/proportional form of representation; some other hybrid modes of representation have also been selected in a number of countries. Nevertheless, similarly to the pattern of regional distribution of the constitutional type of regime analysed in the previous section, the more advanced socially and politically countries of East-Central Europe have opted for a proportional or hybrid system while most of the ex-Soviet republics, except for the Baltic state and Moldova, have chosen a variety of majoritarian rule. At this point, it is interesting to note that, so far, the post-communist countries have confirmed the much-debated, mostly empirical, hypothesis

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formulated during the Latin American and South-European transitions, namely, that parliamentarism plus proportional representation in the elections improves considerably the chances that a regime will democratise. It is important, however, to mention the deep socio-economic and cultural divisions within the former Communist Bloc, where certain countries of Central Europe have been more prosperous and have had national statehood longer than the majority of their ex-Soviet counterparts.

As regards the other two key elements of the electoral system in my table, the distribution of seats in parliament and the level of electoral threshold, there are no big variations among the polities in the region. Concerning the distribution of seats in the first chamber of parliament between single seat, PR and independents, the only intriguing aspect from a theoretical point of view is the current situation in the legislatures of some of the former Soviet republics, like Ukraine, Armenia and Uzbekistan, where a relatively large number of independent candidates have been elected. In other countries, such as Hungary, Slovenia, Poland, Romania and Croatia, there are either reserved seats for ethnic minorities, or the electoral threshold is artificially lowered in order to facilitate the election of independent and minority candidates.

At the beginning of the democratic transition in Eastern Europe, there were huge variations in the levels of electoral threshold for entering parliament. By the end of the decade and after having had several elections, however, most post-communist countries have preferred thresholds between 3 and 5%. Only in Azerbaijan and Georgia (after the 1999 elections) has the electoral barrier been 8% and 7% respectively, while in a number of polities, such as Poland, Croatia and Romania, the coalitions of political parties have to satisfy more rigorous electoral criteria for acceding to parliament, one of which being able to pass a threshold of more than the average required for single parties or individual candidates.

Although the effective number of parties in parliament cannot tell us much about how this kind of institutions contribute to the democratisation process, their number can divulge much about the nature of the political system (e.g. its being centred around a few political parties or being more pluralistic) and about the representative character of the parties themselves. In Table 1, one tries to measure the effective number of parties by applying two methodologies:

(1) by counting the seats won by political party candidates in parliament and (2) by taking into account the votes received in elections. As expected, there have been no major differences in the results obtained through both methods, and, nevertheless, this has permitted to double-check and be more specific about the figures for a relatively large sample of countries. As regards the latest parliamentary elections (until the end of 2000), interestingly enough, the Baltic States have a relatively high number of parties in parliament according to both counts. This might be indicative either of a very high representativeness of their electoral system or, most likely, the non-consolidated nature of their political parties. In Croatia, Macedonia, Moldova and Romania, there is a larger percentage of effective parties according to the votes received in elections than according to the seats won in parliament. This might reflect the specificity of the electoral system in a particular country, where voters support a larger number of parties but only a few of them obtain effective representation in the legislature. Ukraine provides evidence of the opposite trend, where the much different political background of the persons occupying seats in parliament is mainly due to the large quantity of independently elected candidates – virtually a quarter of all deputies.

It becomes obvious from the observations made above that, although some minimal trends could be discerned especially regarding the constitutional form of government (presidential, semi-presidential and parliamentary) and the type of electoral system (majoritarian, hybrid and proportional), as well as the relationship between them, it is quite difficult to prove that the transitional pattern of most institutions contributes significantly (and even less directly) to the consolidation of democracy in the region. **It could be concluded though, that all things being equal** – mainly concerning the domestic and international context of institution-building – **the parliamentary form of rule combined with a proportional system of electoral representation leads to a higher quality democracy.** This being the case of most East-Central European countries, it is logical to ask whether their quick transition and previous experience with democracy have not induced them to chose this particular combination of institutions, rather than the fact that a specific mix of institutions has contributed to the democratisation of these polities. As regards the other institutional factors listed in Table 1, no definite conclusions can be made. The major implication of this, as well as of the previous discussion, is that some major sets of institutions or rules about institutions could be important for the consolidation of democracy. As consolidation is a multivaried

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process, it requires more than one kind of procedural arrangement, structure, actors, practices and tempos in order for it to get firmly on track. The major theoretical lesson for students of democratisation however is, that one should not attempt to prioritise certain institutional arrangements (even those regarding such obvious ‘candidates’ as political parties and elections) over some others (e.g. the constitution and the media), because modern social transformations are dynamic processes. Hence, political structures might shape the priorities of political actors but their purpose may also change according to the needs of the protagonists in this “game of democracy”.

4. Conclusion

Eleven years after the beginning of political transformation in the region, it might be said that all of the countries of East-Central Europe and the Baltic States have achieved considerable progress in restructuring their main state institutions. The same conclusions apply (however, in the opposite direction) to the few stable authoritarian regimes in Central Asia, whose leaders have already decided upon the predominant institutional format of their respective countries. However, the consolidation of democratic institutions and their legitimisation have been finalised almost nowhere yet, or, if recently established, have still to prove their efficiency and usefulness to society. Political structures even in some of the most advanced democracies in Eastern Europe have not completely ‘crystallised’ and they do not operate without problems. The high rate of interventionism on the part of constitutional courts to resolve conflicts between the different branches of power is additional proof of the uncertain quality of both these institutions and the political system in most post-communist countries. Needless to say, in those countries where the constitution and other important structural elements of the political system were adopted in a hurry, and without the consent of the majority of the population, there have been constant disagreements about the composition and allocation of tasks among institutions.

Despite the considerable work done so far, the process of institutional selection in the former Communist Bloc is far from concluded. One should make a clear distinction between countries in transition, countries in a consolidation phase and countries with an autocratic

form of government (e.g. in the Former Soviet Union and in parts of South-Eastern Europe). The general purpose of institutions may easily change according to the rapidly evolving political and other general systemic circumstances. However, the complicated initial conditions of certain fragile political entities have substantially delayed the building of democratic institutions. Among the most difficult to handle legacies of communism has been the problem of state-building, when resolved in parallel to the ongoing political, social and economic reforms. The time-horizon of crafting institutions has in the case of some Eastern European countries been shortened by the unstable international and domestic security environment. Conversely, the peaceful resolution of ethnic conflicts and the speedy adoption of a new constitution and its implementation in practice have considerably promoted institution-building. For instance, the creation of a working judiciary and the establishment of free and independent media – some of the most necessary and hard to put in place political institutions and agencies during transition – have been adopted in countries where some of the above conditions have been present.

The period since 1989 has of course been too short to make definite pronouncements about the structural format and political future of post-communist regimes in Eastern Europe. Moreover, not all of them, especially some of the CIS countries, have followed a steady path of democratisation. As noted in the previous sections, institutions cannot bring about political change and consolidate democracy alone. It is generally acknowledged by social scientists that apart from political institutions some other factors, notably political actors, the modes of bargaining and governing, political tradition and culture, as well as certain favourable socio-economic conditions and chance are necessary to give an impetus to the transformation process to achieve any degree of success. Hence, it might be presumed that political institutions affect the quality of the regime to a greater extent than its eventual type, i.e. its being democracy, an autocracy or some kind of hybrid regime.

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