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Presidential Conditional Agenda Setting in the Former Communist Countries

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Nine out of 27 presidents in the former communist world have the power to amend vetoed legislation. These presidential powers in the former Soviet Bloc have not been given adequate attention in the comparative politics literature. The authors analyze veto procedures in the excommunist region (27 countries) and argue that amendatory veto power enhances presidential powers in legislative decision making. The findings are particularly important in light of the fact that one of the goals of constitutional design in the former communist world was to curtail rather than boost presidential authority.

Keywords: *conditional agenda setting; post-communist countries; veto players; presidential and semipresidential regimes*

Scholars have studied presidential veto powers both at the theoretical (Cameron, 2000; Hammond & Miller, 1987; Krehbiel, 1998) and the empirical (McCarty & Poole, 1995; Spitzer, 1988) level. Several authors have also studied veto powers to compare the influence of presidents across political systems (Frye, 1997; Hellman, 1997; Lucky, 1993; McGregor, 1994; Metcalf, 2000; Shugart & Carey, 1992). However, scholars have neglected to study one significant procedural advantage in favor of presidents: their ability to make positive suggestions to vetoed bills. It is not

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difficult to explain this omission—the most studied president (the U.S. President) has no such powers. We argue that the effects of this omission are serious. Even in the frequently studied Latin American democracies, this omission generates significant misclassifications of the institutions of different countries and mistaken expectations about the policy impact of different presidents (Tsebelis & Alemán, 2005). Similarly, the ability to make positive amendments to legislative initiatives has not been studied in former communist countries. Presidents in a third of these countries (9 out of 27 cases), even in Latvia, where the President's veto can be overridden by a simple parliamentary majority, have the power to make amendatory "observations." Presidential amendatory observations are positive changes introduced in a particular bill after final passage by the legislature. These new amendments are returned to the legislature for one final round of voting. In most countries, amendatory observations require a simple majority to be accepted, but in the case of Kazakhstan, they are enacted automatically unless a qualified majority of both legislative chambers votes to reject them. Our argument is that this understudied prerogative of presidents in former communist countries is a form of "conditional agenda setting power" (Tsebelis, 1994); that is, it enables the president to introduce a last proposal that can eliminate unwanted features of the parliamentary bill as long as it carries enough support to prevent modification or rejection. If, however, the president makes a proposal unacceptable to the legislature, the initiative reverts to the legislature and the power of amendatory observations is eliminated.

We would like to note that ours is not an argument about democratization in the former communist countries. Undeniably, some postcommunist governments have a better record of observing the rule of law than others, and in many cases, there is a wide gap between constitutions and practice. Our argument holds when agents play by the rules of the game laid out in constitutions and statutes of legislative organization. Therefore, unless constitutional rules change, we will observe the outcomes described here even in Central Asian countries, if they were to democratize. In the decade following communist collapse, most Soviet Union republics were only dabbling in democratic politics. In 2004, Ukraine experienced its Orange Revolution, in which a potent civic movement successfully contested the results of the first round of the presidential elections. This movement helped install Victor Yushchenko as President after the most controversial elections in Ukrainian postcommunist history (Karatnycky, 2005). Fewer than 6 months after the Orange Revolution, a smaller democratization wave rippled through Central Asia, stirring antiregime sentiment in Uzbekistan

and Kyrgyzstan. Following protests against electoral fraud in its 2005 parliamentary elections, Kyrgyzstan witnessed its cleanest presidential elections to date ("New President," 2005). Even though some institutional changes were proposed during Ukraine's Orange Revolution¹, to date there have been no changes in the institutions we describe in the article. Neither have there been any institutional changes in Uzbekistan and Kyrgyzstan. If political agents were to abide by the rules summarized in this article, then one should observe the results we describe.

Amendatory observations structure executive-legislative relations in ways notably different from the archetypical block veto in place in the United States. The new literature on East European political institutions has not paid any attention to this difference. Frye (1997), McGregor (1994), Lucky (1993-1994), and Hellman (1997) create indices of presidential powers including a series of presidential prerogatives such as the power to call elections and referendums, the power to appoint ambassadors or the prime minister, and executive decree powers, among others. None of them includes the powers we are discussing here. These three indices have been used by scholars to study changes in presidential powers and the political economy of constitutional change; yet all three of them disregard an important presidential prerogative in the region.

Our index of presidential powers does not simply add one more piece of information, no matter how important, to already existing indices. Our approach is analytically different from other approaches: Instead of adding heterogeneous pieces of information (such as whether the president can appoint the government, or ambassadors, or judges, call referendums or elections, participate in government meetings, etc.), we focus solely on legislative production and study the importance of presidential contribution to policies. We do that by studying the institutional details of the interaction between presidents and legislatures. As a result, one should not look at our ranking of presidential powers to infer the power of the corresponding president to issue executive decrees. (As a matter of fact, looking at a heterogeneous index of presidential prerogatives would not be of much help either.) One should look at our classification to form expectations about the importance of presidents in shaping ordinary legislation. Other indices along the lines we propose here should be made to study financial legislation (most of the time, it requires different procedures to be adopted) or executive decrees.

Is ordinary legislation important enough to merit the generation of a special index? Our response is an emphatic yes because the reason why people (from politicians, to interest groups, to voters) are involved in politics is

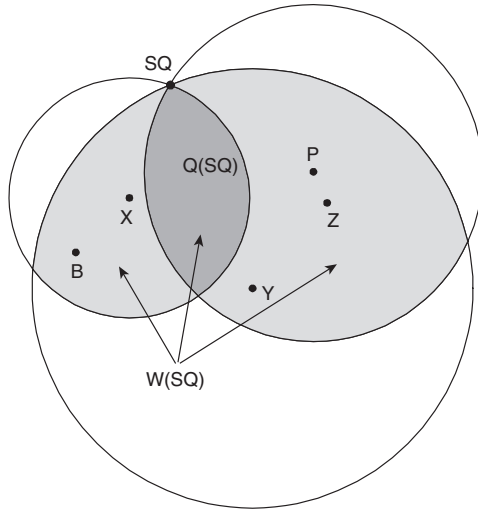
because of their policy positions on different issues (ranging from the environment to welfare to health care): This is how voters select their politicians, and this is why politicians have opinions and programs on issues. These issues are decided mainly by the legislation we discuss, and identifying the political actors responsible for the outcomes is necessary to understand how politics in these countries works. As we will show, our results have low correlation with other indices of presidential powers in the literature.²

The article is organized in three sections. First, we follow Tsebelis and Alemán (2005) and compare the typical block veto with the power to make amendatory observations in a stylized way. Second, we analyze veto rules in 27 former communist countries. This results in an index of presidential powers on ordinary legislation that is significantly different from previous studies for two reasons. First, we focus on the specific procedures used for the adoption of ordinary legislation as opposed to all policymaking and other decisions. Second, we include the rules of presidential conditional agenda setting (whether a simple or qualified majority is needed to sustain or overturn it and whether the default alternative is the entire bill, the status quo, or the bill without the parts objected to by the president). The final section presents three empirical cases to show how the theoretical analysis of the first two sections is corroborated by the legislative experience of former communist countries.

Veto Versus Amendatory Observations

Tsebelis and Alemán (2005) compare the effects of block veto with amendatory observation and come to the conclusion that the latter empowers presidents much more than the former. We follow their analysis providing more specific Euclidean models of the procedures and examples from ex-communist countries. Let us study the effects of two typical cases: The first will be a presidential block veto (also called “package” or “absolute” veto), and the second the power to make amendatory observations that require simple or qualified majorities to be overturned. Archetypical countries for these procedures would be the Czech Republic and Hungary (or the United States) on one hand and Belarus (1996) and Ukraine on the other hand. This section will provide the theoretical reasons for the classification of former communist countries in groups with different institutional characteristics, which will be the basis of our index of presidential powers presented in the next section.

Figure 1
Block Veto



Note: $W(SQ)$ = winset of the status quo; $Q(SQ)$ = qualified majority of the status quo; presidents with block veto can restrict outcomes from $W(SQ)$ to $Q(SQ)$.

Block Veto

Under the familiar block veto, the legislature makes a legislative proposal to the president, who then has the right to reject it. If the proposal is vetoed, the legislature can override the president if a qualified majority— Q —(e.g., three fifth in the case of Poland) votes to insist on the original bill. What does this power enable the president to do?

Figure 1 provides a visual answer to this question. The figure shows a three-member legislature that decides by agreement of two third members (majority rule) and overrules by three to three (in this case, unanimity). We present the status quo (SQ), and the set of alternatives that defeat the status quo by a majority (the winset of the status quo $W[SQ]$). In addition we present the set of alternatives that can defeat the status quo by a qualified majority Q (the qualified majority of the status quo $Q[SQ]$). Although the winset of the status quo almost always exists, there is no guarantee that the qualified majority winset of the status quo will not be empty. Indeed, if the

status quo were inside the triangle XYZ, there would have been no alternatives that command a unanimous vote in their favor against the status quo.

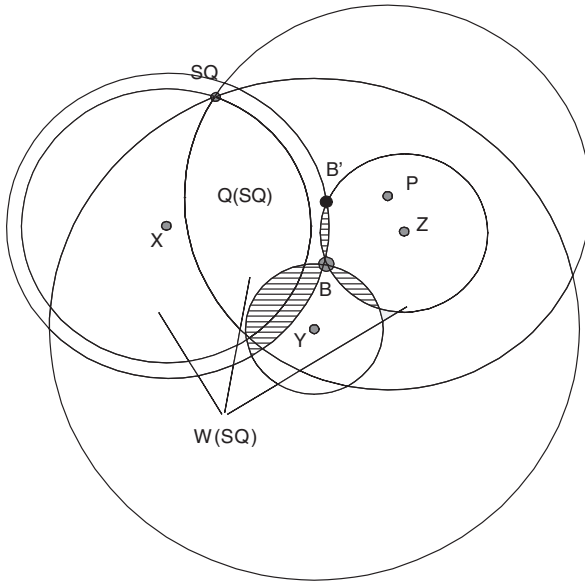
If the legislature proposes a bill in the set $(W[SQ]-Q[SQ])$; the lightly shaded area), the president can veto it, and the veto will be sustained, because there are not enough votes to override it. If, on the other hand, the legislature proposes an outcome inside $Q(SQ)$, the presidential veto (if exercised) cannot be sustained. If the set $Q(SQ)$ is empty, then the president can successfully veto any legislative initiative. This would be the case in a country where the president has the solid support of enough legislators to prevent any override attempt (e.g., at least two fifth in Poland). In conclusion, presidential block veto can restrict legislative outcomes inside the $Q(SQ)$ area. However, the president cannot select the point that he would prefer among the $Q(SQ)$ points—the set of alternatives that a qualified majority prefers over the status quo. For example, in Figure 1, the president cannot avoid outcome B, but not a point near B if it is inside $Q(SQ)$ regardless of whether he vetoes the bill or not. The legislature preserves the role of sole proponent of legislation, and the president's action is purely negative.

The Power of Amendatory Observations

Let us now assume that the president can introduce amendatory observations (i.e., add or delete anything from the bill proposed by the legislature) and this revised version of the bill stands unless overridden by a qualified majority. This situation is significantly different from the veto power analyzed before, at least in two respects. First, the set from which the president can select his modified proposal may be wider than $W(SQ)$, and second, the President can select the point he prefers the most among all available points.

Figure 2 helps us visualize the situation. The legislature proposes Bill B that is located within the winset of the status quo $W(SQ)$. This bill can be defeated by a set of points that belong to the winset of B ($W[B]$; the hatched area in the figure). However, the president does not need to select among these points. He merely needs to select from among the wider set of points $NQ(B)$, the alternatives that cannot be overridden by the parliamentary bill B. Indeed, if the required majority for an override is three to five, the president needs the support of only two fifth of the members of the legislature to have his proposal prevail. In our figure, this area is the whole set of points that belong to one of the three circles going through B. So the president can select his own ideal point in this particular configuration. This procedure is not an imaginary institutional setting used for expositional

Figure 2
Amendatory Observation



Note: $W(SQ)$ = winset of the status quo; $Q(SQ)$ = qualified majority of the status quo; presidents with amendatory observation can select their preferred point from the set allowed by the rules.

purposes; it is the set of decision-making rules in Georgia (with three fifth override) and Ukraine and Kazakhstan (with a two third override). In these three countries, after the override deadline ends, the amendatory observations introduced by the president are automatically enacted into law.

But even when institutions do not require a qualified but a simple majority for amendatory observation to be overridden, and even if the implicit comparison is not only with B but also with the status quo SQ (as is the case in Latvia), the president can still make significant improvements. In this case, the president would be able to propose a point B in the intersection of the winsets of B and SQ ($W[B] \cap W[SQ]$). If the override were a qualified majority and the new version had to beat the status quo, the president could still make an improvement by returning proposal Y in the intersection of $W(SQ)$ and $NQ(B)$. Amendatory observations continue to be a useful presidential tool even when they have to beat the parliamentary proposal

and the default alternative by a simple majority, an advantage generally unnoticed in the literature on Latin American and East European political institutions.

Presidents are empowered by their ability to introduce amendatory observations even when there is complete information about the actors' preferences. Under complete information, the legislature will anticipate these outcomes, and as long as the legislature incorporates the necessary changes in the original bill, it can prevent a presidential veto. Under incomplete information (i.e., if the legislature makes any other proposal), the president will introduce his or her observations, and they will be accepted, unless because of incomplete information on his part he chooses outcomes that are outside $NQ(B)$ or the intersections $W(B) \cap W(SQ)$ or $NQ(B) \cap W(SQ)$ —the different feasible sets according to the rules. In comparison to Figure 1, we can see the difference that amendatory observations make. In the first case a president with the classic bloc veto restricts outcomes within $Q(SQ)$; in the second, the president selects a most preferred outcome out of a variety of options. Which outcome is selected depends on the override thresholds; who makes the winning proposal depends on whether there is complete or incomplete information. However, no matter what the rules are and no matter whether there is complete or incomplete information, the power to make amendatory observations gives the president more discretion than the block veto (and qualified majority override).

Consequently, there are two major differences between the better studied block veto that can be overridden by qualified majority and the amendatory veto that can be overridden by the same majority. First, the president simply reduces the initiatives of the legislature from $W(SQ)$ to $Q(SQ)$, and second, the president can take the initiative and propose a modified bill that is better for the legislature to accept than to modify. Note that the second power is more significant than the first. Because $Q(SQ) \subseteq W(SQ) \subseteq NQ(SQ)$, a president with the right to introduce amendatory observations can not only select alternative formulations of the legislative text but also has a larger area to select from than under block veto. This holds not only in the extreme case of the qualified majority requirement but also in the actual case of a simple majority requirement. The fact that under complete information the legislature will make a proposal to the president does not affect our argument: The power to introduce amendatory observations to vetoed bills gives presidents greater discretion to shape legislative outcomes than the typical block veto. This institutional authority to propose and have the proposal accepted under easier conditions than modified has been called conditional agenda setting, because if the president goes too far

in his proposal, he will have his observation overruled (Tsebelis, 1994). This would be the case if the president in Figure 2 proposed his own ideal point.

The requirement of a qualified majority vote to overrule presidential observations simply widens the set of alternatives that beat the original parliamentary bill. What needs to be underlined is that even when the override threshold is a simple majority, the president can still select from among a wide set of options (the winset of the bill proposed to him by the legislature and the winset of the status quo). In addition, the presidential proposal may be the default alternative (it is the new status quo unless overruled by the legislature). We will see that there are variations on these themes in our country sample, and we will study the policy implications of each one. The main points that we want to make are the following:

The advantage of all these variations of presidential agenda setting subject to legislative overrule, which we emphasize, stands in contrast to the conventional wisdom on veto powers.

The agenda-setting power that we study is conditional on the president's ability to make a winning counterproposal.

Veto and Amendatory Observation Procedures

This section surveys procedures regulating the interaction between presidents and legislatures in Central and Eastern Europe and the successor countries of the USSR. Rules regulating the executive veto are written in all postcommunist countries' constitutions and in many cases, organic laws, legislative codes, common practice, and constitutional rulings have clarified some of the details of the steps involved. The process of data collection is challenging for the following reasons. First, the constitutional documents of most countries are quite vague on the issue of presidential veto powers. It is not surprising that conditional agenda setting in the region has gone unnoticed and has not been studied to date. Second, even legal experts in these countries are occasionally at a loss in interpreting the legal texts. Third, there is a fundamental linguistic challenge in collecting the necessary data for this project, for the democratic transitions erected a Tower of Babel of sorts. Given that Russian is no longer the lingua franca in the region, we have had to deal with documents in numerous languages, such as Belarusian, Russian, and Ukrainian in studying conditional agenda setting in the former Soviet Union. Our study sheds new light on the powers

of presidents in the former Soviet Bloc because we demonstrate that the powers of many presidents have been underestimated or overestimated and misclassified. Sometimes, these veto powers are purely formal: The President asks the Parliament to reconsider, and his request can be rejected by a simple majority as in the cases of Estonia, Moldova, and Hungary.³ This is similar to the right of the president of the French Fifth Republic (no textbook reports him as having the power to veto). Sometimes, however, there is a slight constitutional tilt in favor of the president's objection. A higher majority is required to overrule him: Either an absolute majority (of members) is required as in the cases of Macedonia, Albania, and the Czech Republic, or a quorum requirement is added as in the case of Poland. In all these cases, these requirements are equivalent to some qualified majority of votes against the president's action. We have classified the different countries on the basis of how stringent these requirements are.

Veto rules in the former communist countries can be grouped in six different types.⁴ How much can the president achieve under each institutional structure? The results for each country are summarized in Table 1. They reflect the interaction presented in six different game trees that appear in the appendix. The third column specifies the regime type (presidential, semipresidential, or parliamentary) in each country. The fourth column indicates whether the president has veto power or not, whether the veto power is block or partial (line item), and whether the president has conditional agenda setting power (i.e., the right to introduce amendatory observations to vetoed bills). The fifth column specifies the majorities required to overrule the president (sometimes simple, sometimes absolute, and at other times qualified majorities). The next column specifies the default alternative (or alternatives): In some countries, the default alternative is the status quo, so a president with amendatory powers has to make the proposal in the set of alternatives that defeat the status quo. In others (Bulgaria and Belarus), the default alternative is the bill without the lines vetoed by the president (denoted as X in the table). In a third set of countries, the default alternative is the presidential bill (denoted by Y), with both deletions and modifications. In these countries, the president has a *de facto* executive decree power in ordinary legislation. This is an overwhelming power, but it still has some controls (in our terminology is conditional) because it can be overruled by some qualified majority in the legislature. The last column specifies the outcome given our theoretical discussion and procedural survey. Countries are ordered according to the discretion granted to the president. Veto powers in the former communist countries range from block veto to line item veto with amendatory observation. We have also ranked presidential

Table 1
Conditional Agenda Setting in the Former Communist Countries

Diagram Number	Country	Executive Type ^a	Amendatory Observation	Override Requirement	Default	Feasible Set and Outcome
	Bosnia and Herzegovina (1995)	2	No-no veto			B ∈ W(SQ)
	Croatia (1990, 2004)	2	No-no veto			B ∈ W(SQ)
	Serbia and Montenegro (2002)	1	No-no veto			B ∈ W(SQ)
	Slovenia (1991, 1997, 2004)	2	No-no veto			B ∈ W(SQ)
A1	Estonia (1992)	1	No-block veto	> 1/2 votes (> 1/2 members for some laws per Article 104)	SQ	B ∈ W(SQ) = B
A1	Hungary (1989, 1997, 2003)	1	No-block veto	> 1/2 votes	SQ	B ∈ W(SQ) = B
A1	Moldova, see note (1994, 2000)	1 or 2	No-block veto	> 1/2 votes	SQ	B ∈ W(SQ) = B
A1	Macedonia (1991, 1992)	2	No-block veto	> 1/2 members	SQ	B ∈ Q(SQ) = B
	Albania (1991, 1998)	1	No-block veto	> 1/2 members	SQ	B ∈ Q(SQ) = B
A1	Czech Republic (1993)	1	No-block veto	> 1/2 members	SQ	B ∈ Q(SQ) = B
A1	Romania (1991, 2003)	2	No-block veto	> 1/2 votes of both chambers (> 1/2 members of both chambers for organic laws)	SQ	B ∈ Q(SQ) = B
1	Slovakia (1992)	1	No-block veto	> 1/2 members	SQ	B ∈ Q(SQ) = B
A1	Poland (1992, 1997)	2	No-block veto	≥ 3/5 votes lower chamber (Quorum = 1/2 members)	SQ	B ∈ Q(SQ) = B

(continued)

Table 1 (Continued)

Diagram Number	Country	Executive Type ^a	Amendatory Observation	Override Requirement	Default	Feasible Set and Outcome
A1	Belarus (1994)	3 ^b	No-block veto	≥ 2/3 members	SQ	$B \in Q(SQ) = B$
A1	Azerbaijan (1995, 1999)	2	No-block veto	≥ 3/4 votes	SQ	$B \in Q(SQ) = B$
A1	Russia (1991, 1993)	2	No-block veto	2/3 members of both chambers	SQ	$B \in Q(SQ) = B$
A1	Tajikistan (1994)	2	No-block veto	≥ 2/3 members of both chambers	SQ	$B \in Q(SQ) = B$
A1	Turkmenistan (1992, 2003)	2	No-block veto	≥ 2/3 members of both chambers	SQ	$B \in Q(SQ) = B$
A2	Bulgaria (1991, 2003, 2005), see note	1 or 2	No-partial veto	> 1/2 members	X	$X \in W(B) = X$
A3	Armenia (1995, 1999)	2	Yes	> 1/2 votes	SQ	$Y \in W(B) \cap W(SQ) = Y$
A3	Georgia (1991, 1995)	2	Yes	≥ 3/5 members; 2/3 members (constitution)	SQ	$Y \in NQ(B) \cap W(SQ) = Y$
A4	Ukraine (1996)	2	Yes	≥ 2/3 members (1/2 members to accept president's amendments)	SQ	$Y \in NQ(B) \cap W(SQ)$
A5	Belarus (1996)	3 ^b	Yes	≥ 2/3 members of both chambers	X	$Y \in NQ(B) \cap W(X) = Y$
A6	Latvia (1992, 1998, 2002)	1	Yes	> 1/2 votes	Y	$Y \in W(B) = Y$
A6	Lithuania (1992, 2004)	2	Yes	> 1/2 members	Y	$Y \in NQ(B) = Y$
A6	Kazakhstan (1993)	2	Yes	≥ 2/3 members	Y	$Y \in NQ(B) = Y$
A6	Kyrgyzstan (1993)	2	Yes	≥ 2/3 members of both chambers	Y	$Y \in NQ(B) = Y$
A6	Uzbekistan (1992)	2	Yes	≥ 2/3 members of both chambers	Y	$Y \in NQ(B) = Y$
A6	Kazakhstan (1995)	2	Yes	≥ 2/3 members of both chambers	Y	$Y \in NQ(B) = Y$

Note: Bulgaria's first two presidents were elected by the Assembly. Since then, all presidents have been directly elected by the people. Moldova was semi-presidential until 2000 and parliamentary since then. B = bill; X = vetoed bill (bill minus the parts vetoed by the president); Y = bill with sub-situations made in president's veto; W(SQ) = winset of the status quo; Q(SQ) = qualified majority of the status quo; NQ(B) = nonqualified majority of B; ∈ = belongs; ∩ = intersection.

a. Executive types are the following: 1 = *parliamentary*; 2 = *semipresidential*; 3 = *presidential*.

b. Designates executive type coding different from the one in Robert Elgie (Ed.), (1999). *Semi-presidentialism in Europe*. Oxford, UK: Oxford University Press. Elgie codes Belarus as semipresidential, even though the executive is not responsible to the legislature. We code it as presidential.

powers in ascending order according to the override rule (simple or qualified majority and quorum rules).

The ranking we produce in this table has very little to do with existing indexes of presidential powers in ex-communist countries. In his study of institutional choice in the ex-communist countries, Frye (1997) develops an index of presidential powers, which includes 27 presidential powers. In a study of constitutions and economic reform, Joel Hellman develops an index based on work by McGregor (1994) and Lucky (1993-1994). Hellman's index does not include conditional agenda-setting powers of the presidents either, whereas McGregor's index excludes the former Soviet countries. The correlation between our index and Frye's is 0.35 (based on 24 cases). The correlation between our index and Hellman's is 0.48 (based on 24 cases). The correlation between our index and McGregor's is -0.19 (based on 11 cases).

The argument we are making is not that an important piece of information is missing from other classifications. Our argument is that it makes no sense to add presidential powers ranging from the power to name the prime minister to the power to recognize ambassadors and expect that the sum of these indicators will help explain a third or fourth variable (such as economic outcomes). The relevant variables and only those have to be assessed on the basis of close scrutiny of the procedures in place in different countries.

So veto powers of the presidents in ex-communist countries vary (depending on how difficult it is to overrule these vetoes). But more significant, several of these presidents are endowed with conditional agenda setting powers, and the reach of these powers depends on the majority required for the override and on the default alternative specified by the rules. These conditional agenda-setting rules provide presidents with significant powers at a crucial stage in the lawmaking process. In the next section, we present the histories of three vetoes to illustrate the advantages and constraints fostered by the different rules.

Veto Powers and Lawmaking

Our analysis has emphasized the powers of the president in the passage of ordinary legislation. We specified the possible outcomes for each country given such powerful yet unnoticed procedural weaponry in the case of former communist countries. This section presents the histories of three legislative vetoes to illustrate the actual interaction of executives and legislatures under different rules. The first story comes from Russia. It illustrates the

limitations the Russian president faced under the institutional procedures in the 1993 constitution (Figure A1). The second story comes from Ukraine. The default alternative in this case is also the president's proposal, but this time the vote is sequential. The Parliament has to override the veto first and then vote on the president's proposals (Figure A4). The third story comes from Latvia.⁵ It illustrates how the ability of the Latvian president to propose alternatives to the parliamentary bill enhances her veto power (Figure A6).

The Russian Mass Media Law and Counterterrorism Law (2002)

On November 25, 2002, Russian president Vladimir Putin vetoed a proposal for amendment of the draft media law and a proposal for the amendment of the counterterrorism law.⁶ President Putin listed the following objections to the amendments:

The amendments do not guarantee people's security when counter-terrorist operations are under way. It does not spell out the responsibilities of the mass media and its representatives when reporting terrorist activities or counter-terrorist operations, or the limits (on reporting) such operations entail. The law does not specify the legal actions taken against a media representative who goes beyond these limits.⁷

In his letter, President Putin declared that the behavior of the mass media should be circumscribed by law to avoid casualties, whereas counterterrorist operations were under way. Both amendments were of concern to the media because they regulated the content of reporting and limited its scope in a state of emergency. The first amendment concerned Article 4 of the Law on Mass Media of 1991. The amendment prohibited the dissemination of information that could be used for terrorist activities and information that disclosed technologies for the production of weapons, ammunitions, and explosives.⁸ The amendment also prohibited broadcasts that would promote pornography and violence. The second amendment concerned Article 15 of the Counterterrorism Law.⁹ The amendment prohibited the dissemination of the following information in the mass media. First, the prohibition concerned information about special counterterrorist operations. Second, it prohibited the diffusion of information that would jeopardize counterterrorist operations and citizens' lives and well-being, particularly during operations to free hostages. Third, the article banned propaganda that condoned

terrorism, including statements of people who might oppose or jeopardize counterterrorist activities. Fourth, it banned the dissemination of any personal identifying information of participants in counterterrorist operations while the operations are under way without their explicit permission. The state duma approved the amendments by a vote of 231 deputies to 106 deputies (of 415 deputies present at the parliamentary session).¹⁰ There was one abstention in the vote. The opposition to these amendments came from five different factions—the Communist Party of the Russian Federation (60 votes), the Agro-Industrial faction (19 votes), Yabloko faction (4 votes), the Union of Right Forces¹¹ (10 votes), Regions of Russia (2 votes), and a few Independents.

The amendments were passed just a week after 41 armed Chechen separatists stormed into a crowded Moscow theater and took more than 800 people hostage for 57 hours.¹² During the hostage crisis, Russian media interviewed hostages and the captors by mobile phone. “When the Moscow-based Ekho Moskvy radio station broadcast a brief interview on October 24 with one of the gunmen in the theater, Media Ministry spokesman Yuri Akinshin warned media outlets not to air statements from the hostage-takers” (International Freedom of Expression eXchange, 2002). The Media Ministry issued several warnings and took action against several media sources during and after the hostage crisis. The state duma had approved the amendments to the media law on second reading by a vote of 259 to 34 (2 abstentions) on October 23, 2002, literally a few hours after the hostage crisis began.¹³ Support for the amendments had been even stronger on first reading—they were accepted by a vote of 371 to 4 (no abstentions).¹⁴

Parliamentary debates at the first reading of the amendments were extensive and confrontational. Support for these amendments came primarily from pro-presidential factions¹⁵ in the Russian duma such as Unity bloc and People’s Deputies. They were also supported by the Liberal Democratic Party of Russia. Most of the opposition to the amendments came from the Union of Right Forces, the Agro-Industrial deputy group, and the Yabloko faction. The Communist Party of the Russian Federation supported the amendments at first reading but switched its position at third reading and voted against them.

The smooth passage of the amendments attracted harsh criticism in the Russian media community. Media magnates were incensed that they had not been consulted in the formulation of the amendments. Many representatives of the Russian media argued that the amendments lacked clarity. In their mind, keeping the law vague would only enhance censorship and would thus serve as an instrument of control over the media. Konstantin Ernst, the director of the First Channel, urged President Putin to veto the bill. He

expressed the hope that if the president were to veto the bill, journalists and politicians would work to hammer out new amendments regulating media coverage during terror attacks.

The call for veto was supported by Yabloko and the Communist Party of the Russian Federation. The Russian president sent a letter to the speakers of both chambers, explaining his motivation for the veto. In his letter, Putin firmly called on legislators to form a conciliatory commission, to expand the scope of existing prohibitions, and to institute "additional regulation of the activities of the media under states of emergency and martial law, and also when covering emergencies of a natural or man-made nature."¹⁶ Deputies accepted the president's proposal to create a conciliatory commission. It produced an amendment, which lay out journalists' responsibilities in detail, in accord with President Putin's objections. For example, the amendment required that journalists not solicit interviews with terrorists without obtaining permission from the Counter-Terrorist Operations Headquarters (COH). Media representatives were also prohibited to serve as intermediaries between terrorists and the COH unless requested to do so by the operations specialists. Journalists were prohibited to offend or humiliate terrorists or engage in actions that would pose danger to hostages. They were required to provide any information that would help the COH launch a successful counterterrorist operation. The amendment listed approximately 20 responsibilities and prohibitions, laying out a code of media conduct during counterterrorist operations and in a state of emergency. This amendment, however, did not specify the legal actions that would be taken against media representatives in the event they broke the code of conduct.¹⁷ Putin's veto meant that the legislative process would have to start all over again. He vetoed the amendments on November 25, 2002, while the legislative process was resumed in late December 2002. If Putin had conditional agenda setting power, the legislative process would have resumed following his veto of the law. President Putin signed the new law shortly after its new version was presented to him in May 2003.

Ukraine's Customs Code

According to the 1996 constitution of Ukraine, the President has the power to propose or veto legislation. A presidential veto can be overridden by a two third majority of the full complement of the Verkhovna Rada (Supreme Assembly). Unlike some of the other former Soviet republics, Ukraine has a unicameral legislature. Following vetoing legislation, the

Ukrainian president can pursue three different avenues to influence the subsequent legislative process. He can propose amendments to articles in the law he disagrees with, charge his administration with this task, or delegate to a legislative committee. To our knowledge, the Ukrainian president has exercised at least two of these three options to guide the course of legislation after vetoing it.¹⁸ The president can exercise his right to veto the bill as many times as he wants to. If the veto is not overridden, then the president's amendments return to the Rada and are put to a last vote on the floor. The Rada can vote each one of the proposals up or down. If the proposals are approved by one half of the members of the Rada, they are adopted. If the amendments do not attract the necessary parliamentary support, no bill is passed.

On vetoing the Customs Code¹⁹ on March 4, 2002, the Ukrainian President made 47 remarks and proposals for changes to the code. His proposals concerned the authority of the customs service and the application of the code and included suggestions both for the exclusion of articles from the code and changing of the text of certain articles. The Ukrainian president proposed the exclusion of Chapters 46 and 48 from the code regulating the customs duties, customs tariff of Ukraine, duty rates, their types and establishing procedure. He argued for the exclusion of Articles 235, 236, 245, Chapter 56, and Section XV of the code regulating the taxation of imported and exported goods and the exclusion of Chapter 36, which guides the creation, functioning, and liquidation of special customs zones. The president proposed changing the wording of Article 1 of the code. Article 1 makes references to the civil code, which had not come into force at the time. This observation concerns the procedure of trafficking goods, which contain objects of intellectual property through the customs territory of Ukraine. President Kuchma proposed the exclusion of Articles 355, 356, 394, 395, 411, 416 through 419, and 420 through 426 because they relate to execution of operational investigation activity, inquests, and pretrial investigations. Furthermore, the made proposals to change Article 366 (terms for confiscating certain goods), Articles 367, 269, 370, 374, 377, 378, 384, 386 through 393 (types of penalties), and Article 388, which stipulates liabilities for transgressions not specified by the code. Last but not least, the president proposed changing Articles 432, 434, 438, 439, 440, 441, 443, 444, 447, 450, 482 through 486. These articles specify consideration of cases of infringement of customs rules and the procedure, execution, and appeal of decisions. All the president's proposals were accepted by the Rada by a majority of 285 votes.²⁰ Had the Ukrainian president not had conditional agenda-setting power, he would not have been able to influence the customs code and other important pieces of legislation so profoundly.

President Kuchma was initially elected as a parliamentary representative running under the label of the *Inter-Regional Bloc*.²¹ The *Verkhovna Rada* is home to many political parties. Ukraine's political parties are grouped quite nicely in ideological clusters on the left–right dimension. In 1998, four left parties were able to win seats to the Rada and took control of 38% of the seats. The biggest left party is that of the Communists who occupied 27% of the parliamentary seats. The center of the left–right spectrum was occupied by 10 smaller parties. Four of these parties number include anywhere between 17 and 29 deputies, and six of them are much smaller, numbering between 1 and 8 deputies. The centrist parties hold approximately 23% of the legislative seats. The right parties collectively control approximately 13% of the seats. In 2002, the Rada had 116 independents. With the presence of a plethora of political parties in the Ukrainian Parliament, the president has many opportunities to forge alliances, which can help him get his legislative proposals passed (Birch, 2002). In the case of the customs code, all presidential legislative proposals were accepted and were incorporated into the new law.

The Latvian State Language Law

Our legislative story from Latvia is an example of Case 6. According to Article 71 of the Latvian Constitution²² and “The Rules of Procedure” of the Saeima²³, the Latvian president can return legislation to the Saeima for further deliberation. Unless the president herself proposes amendments to the bill, other agents with the constitutional right to initiate legislation submit legislative proposals for the amendment of the vetoed bill. These other agents are legislators, the prime minister, cabinet members, and the parliamentary secretaries of the ministries (S. Kukule [legal advisor to the president of Latvia], personal communication, January 14, 2005). As of January 14, 2005, the two democratically elected Latvian presidents had exercised their right to veto legislation 41 times since transition to democracy. President Guntis Ulmanis has vetoed legislation 17 times, whereas Mrs. Vaira Vike-Freiberga has used the veto 24 times. The Saeima did not take into account objections in two of Mr. Ulmanis's vetoes and one of Mrs. Vike-Freiberga's vetoes.

On July 14, 1999, less than a month after becoming the second post-communist Latvian president-elect²⁴, Vaira Vike-Freiberga vetoed the State Language Law.²⁵ The law regulates the use of the Latvian language both in

private life and state affairs and was originally approved by the Latvian Saeima in 1992 by a huge margin of 73 to 16. The purpose of the State Language Law was to provide a legal basis for “elevating Latvian to the status of an official state language” (Jubulis, 2001, p. 127). It is important to view this important piece of legislation in the larger context of interethnic relations in Latvia. As a member-state of the Soviet Union, Latvia’s people were subjected to Soviet “Russification” policies between 1939 and 1989, which reduced the proportion of ethnic Latvians from 73% to 52% (U.S. English Foundation, 2005). After Latvia seceded from the Soviet Union, the Latvian government initiated a Latvianization campaign. Latvians finally had the opportunity to get high-paying and prestigious positions and speak their own language in their home country. The most important manifestation of the Latvianization campaign is the strict “State Language Law” and the draft “Citizenship Law,” which were debated in the Saeima. Crowds of ethnic Russians took to the streets of Riga, Latvia’s capital city, protesting against a language law that sought to assimilate the country’s large Russian population.²⁶

The president vetoed the bill, noting problems and inconsistencies in it and proposing the following five amendments (Mel, 1999).²⁷ First, per Article 2(2), the law regulates the use of the language in disseminating information in the private sector, “only to the extent that this information is related to legitimate public interest.” Second, per Article 11(2), public events organized by private persons and organizations can be held in languages other than the state language. However, the Cabinet of Ministers can adopt regulations to establish exceptions to this article. Third, per Article 17, films intended for preschool age children no longer have to be dubbed. They can be shown with the original sound track, subtitled in Latvian. Fourth, per Article 20, the Cabinet of Ministers can permit the use of foreign languages in stamps, letterhead, and seals. Fifth, per Article 21, the Cabinet of Ministers can allow the use of foreign languages such as Russian, German, English, and so forth, in providing information to the public by the state, the municipalities, and other public institutions.²⁸ The Saeima passed these amendments with 52 votes in favor and 26 votes against. The main opposition to the president’s objections came from two parties—the radical right Fatherland and Freedom Party (Constitutional Watch, 2000; FFP or *Tevzemei un Brīvībai*) and the radical left party For Human Rights in a United Latvia (PCTVL). The FFP opposed any changes to the July 1999 version of the law, particularly because of the influence of the Organization for Security and Cooperation in Europe on the law. The

PCTVL opposed the new draft law because “they believed it discriminated against Russian-speakers” (Jubulis, 2001, p. 129). Members of the PCTVL organized demonstrations against the law’s implementation in the summer of 2000. They argued that the law was an attempt to ““assimilate” its minorities and claimed that the law still failed to live up to European standards” (Jubulis, 2001, p. 129). The 52 votes in support of the amendments came from centrist parties that wanted to ensure Latvia’s timely acceptance to the European Union. These parties were Latvia’s Way, the People’s Party (*Tautasp Partija*) and the New Party (*Jauna partija*). The first two parties were part of a three-party coalition government. Even though linguistic experts had warned that the amendments “will result in the eventual displacement of the Latvian language” (Constitutional Watch, 2000), most parliamentarians went along with the amendments because they brought the law into compliance with the standards of the Organization for Security and Cooperation in Europe, the Council of Europe, and the European Commission. In accordance with Article 8(3) of the law, state employees should be able to speak Latvian only to the “extent necessary for the performance of their professional duties” (Jubulis, 2001). The old version of the law required that they be proficient in the language.

Conclusion

This article has examined the diverse veto procedures employed in the former communist countries. The analysis shows that differences in institutional detail matter and emphasizes the advantages of presidential amendatory observations. This procedure is the institutional basis of presidential agenda-setting powers and has so far escaped scholarly scrutiny in the institutional literature on the former communist countries.

Contrary to the conventional view, veto power in many former communist countries is escorted with amendment ability, so presidents may have both negative and positive power. Instead of adding up presidential prerogatives in diverse areas (like the existing literature in post communist countries), we focused on the institutional details of how ordinary legislation is adopted. We produced game forms to analyze these procedures and saw that the ability of presidents to influence legislation depends not only on whether they have the negative power of veto the whole bill (group veto) or parts of it (line item veto) but also on whether they can make amendatory observations and how these observations can be overruled or included in

bills. In addition, what is extremely important in these conditional agenda-setting rules is the default solution. In some countries, it is the status quo; in others, the bill with presidential deletions of articles (X); and in others, the bill as amended by the president. In this last case, the president has the power to transform ordinary legislation to an area of executive decree jurisdiction.

Our approach not only has significant conceptual differences from existing arguments and indexes in the literature. For example, this legislative power is not necessarily correlated with regime type: The president of a parliamentary country (Latvia) has conditional agenda-setting powers and therefore is significantly more powerful than the president of a presidential country (Belarus in the 1994 constitution). Similarly, the Russian and Tajik presidents receive high scores on alternative scales of presidential powers, whereas in fact they can only apply a block veto to a piece of legislation. The Latvian president receives low scores on alternative scales and a high on our scale because she can apply amendatory observations to legislation. These differences are of analytical importance.

We selected cases from Russia, the Ukraine, and Latvia to drive these points home to the more empirically oriented readers: Despite the assessment in the literature that the Russian president is strong, we demonstrate with our example that he cannot introduce amendments into a bill, and he communicates the reasons for the veto to the legislature, but he has to rely on what the legislature will concede to him. By contrast, the Ukrainian president can write his own amendments (which have to be approved by one half of the legislature). Finally, the president of a parliamentary country (Latvia) can introduce his own amendments and have them transformed automatically into law (that requires a negative parliamentary vote to be overruled).

However, this evidence is anecdotal. Our examples corroborate our analysis, but what is needed as the next step is to use Table 1, which ranks the different countries as a function of their president's legislative powers with multiple legislative outcomes per country, to see whether presidents not only have the potential of producing outcomes close to their preferences but also actually make use of these prerogatives.

Notes

1. Christensen, Rakhimkulov, and Wise (2005) discuss the changes proposed during the Orange Revolution in their article. The proposed institutional changes deal with the parliamentary electoral law, the subnational government electoral law, and the constitutional rules for government formation.

2. Tsebelis (2002) has argued that besides the institutional components, there are positional components in agenda setting, and agenda setters become more powerful the less veto players there are and the more centrally located they are among them. We are not dealing with these issues here.

3. The method of electing the Hungarian president as well as his formal constitutional powers were the most hotly contested issues during the Hungarian Round Table negotiations. The ex-communists' proposal to introduce direct presidential elections was rejected in 1990 (Körösenyi, 1999, 275).

4. The presidents of 4 of the 27 countries under consideration do not have veto power. These are the presidents of Bosnia and Hercegovina (1995), Croatia (1990, 2004), Serbia and Montenegro (2002), and Slovenia (1991, 1997). Note that all of these countries are former Yugoslav states. Two factors, which could explain the lack of presidential veto powers in these cases, are their experience with ethnic conflict and the involvement of international institutions in the constitution drafting process.

5. The President of Latvia is indirectly elected by the Saeima.

6. "Zakonoproektnaya rabota Gosudarstvennoi Dumyi: Zakonoproekty, otклонennye Prezidentom RF" [Draft laws of the state дума vetoed by the president of the Russian Federation]. Available from <http://www.akdi.ru/GD/proekt/GD05.htm>

7. Letter addressed to the speaker of the state Дума Seleznev and the speaker of the federation council Mironov, November 25, 2002. (Russian version available from <http://www.kremlin.ru/text/psmes/2002/11/33618.shtml>)

8. "Zakonodatel'stvo: Federal'noi Zakon RF o Vnesenii Iznemenii v Statju 4 Zakona Rossiiskoi Federatsii "O Sredstva Massovoi Informatsii" i v Statju 15 Federal'nogo Zakona "O Bor'be s Terrorizmom" [Legislation: Federal law of the Russian Federation on the amendment of Article 4 of the law on mass media and Article 15 of the federal law on counterterrorism]. Available from <http://www.akdi.ru/GD/proekt/088031GD.shtml>

9. The Russian дума voted on these two amendments simultaneously.

10. "Hronika zasedania 01 noiabria 2002 g." [Chronicle of the parliamentary session of November 1, 2002]. Available from [http://wbase.duma.gov.ru/steno/nph-sdb.exe?B0CW\[F11&01.11.2002&F11&01.11.2002&F11&&F258&^&\]H1552](http://wbase.duma.gov.ru/steno/nph-sdb.exe?B0CW[F11&01.11.2002&F11&01.11.2002&F11&&F258&^&]H1552) and "Sostav Gosudarstvennih Dumyi v 2000-2003 godah" [Composition of the state дума in the period 2000-2003]. Retrieved from <http://www.duma.gov.ru/>

11. The Russian acronym of the Union of Right Forces is SPS (Sojuz Pravih Sil).

12. The seizure of the Moscow theater occurred on October 23, 2002, and ended after special operation teams broke into the theater more than 2 days later.

13. "Hronika zasedania 23 oktiabria 2002 goda" [Chronicle of the parliamentary session of October 23, 2002]. Available from [http://wbase.duma.gov.ru/steno/nph-sdb.exe?B0CW\[F11&23.10.2002&F11&23.10.2002&F11&&F258&^&\]H1534](http://wbase.duma.gov.ru/steno/nph-sdb.exe?B0CW[F11&23.10.2002&F11&23.10.2002&F11&&F258&^&]H1534)

14. "Stenogramma zasedania 20 dekabria 2001 g." [Minutes of the parliamentary session of December 20, 2001]. Available from [http://wbase.duma.gov.ru/steno/nph-sdb.exe?B0CW\[F11&20.12.2001&F11&20.12.2001&F11&&F258&^&\]H1352](http://wbase.duma.gov.ru/steno/nph-sdb.exe?B0CW[F11&20.12.2001&F11&20.12.2001&F11&&F258&^&]H1352).

15. The Russian state дума is organized in factions and parliamentary groups (see Remington, 2003). See also "Reglament Gosudarstvennoi Dumyi" [Statutes of the State Дума, Articles 16 and 17]. Available from <http://www.duma.gov.ru/>.

16. The full text of the letter was published in *Rossiiskaya gazeta* on November 27, 2002, p. 9.

17. The full text of the amendment is available at <http://www.medialaw.ru/publications/zip/105/6.htm>.

18. In our example, the Ukrainian president exercised his power to amend legislation directly. In the case of the Election Law, he delegated his power to amend legislation to a legislative committee (Birch, Millard, Popescu, & Williams, 2002).

19. "Mitnii Kodeks Ukraini" [Ukraine Customs Code]. The full document in Ukrainian is available from <http://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=92%2D15>.

20. *Parliament Weekly* #9, publication of the Ukrainian legislative database, available from http://www.welcometo.kiev.ua/pls/ili/docs/PARLIAMENTS_WEEKLY/BULLETIN%209.HTML. *Parliament Weekly* is a legislative summary prepared by the independent Institute of Legal Information. Also see minutes of the parliamentary session of the Verkhovna Rada of July 11, 2002. Available from http://www.rada.gov.ua/zakon/sk14/1session/STENOGR/11070201_41.htm.

21. The Inter-regional Bloc was an electoral coalition of centrist parties. Kuchma and several other parliamentary candidates used the party as a personal electoral machine in the 1994 parliamentary elections. The bloc had disappeared by the legislative elections of 1998.

22. The official English translation of the Latvian Constitution is available from the Web site of the Latvian Saeima, http://www.saeima.lv/Likumdosana_eng/likumdosana_satversme.html. The English translation of "Rules of procedure" of the Saeima is also available on the Saeima Web site, http://www.saeima.lv/Likumdosana_eng/likumdosana_kart_rullis.html.

23. The Latvian Saeima (Parliament) is a unicameral legislature with a membership of 100 legislators. All legislators are elected for a 4-year term by proportional representation.

24. In accordance with the Latvian Constitution, the Latvian president is elected by a majority vote of the Parliament. President Vike-Freiberga was re-elected to serve a second term in 2003.

25. When she assumed the post of president, Mrs. Vike-Freiberga faced pressure from numerous international organizations to refuse the promulgation of the State Language Law and propose amendments to it.

26. Currently, about 40% of the Latvian people speak Russian as their native language. In Johnson, Steven C. (2001). *Ex-Soviet republics rediscover nearly lost languages*. Retrieved April 1, 2005, from <http://edition.cnn.com/SPECIALS/2001/russia/stories/language.revival/>.

27. One of the reasons the Latvian President vetoed the law was a report issued by Organization for Security and Co-operation in Europe High Commissioner for National Minorities Max van der Stoel, who suggested that the law should be revised to ensure Latvia's timely integration in the European Union (Huang, 1999; also see Jubulis, 2001, p. 128).

28. The English translation of the "State language law" is available from <http://www.us-english.org/foundation/research/olp/viewLegislation.asp?CID=47&LID=65>.

Appendix

Veto Diagrams (27 former communist countries)

Let

P = President

L = Legislature

B = Bill as originally passed by the Legislature

SQ = Status quo (no bill)

X = Vetoed bill (bill minus the parts deleted by the president)

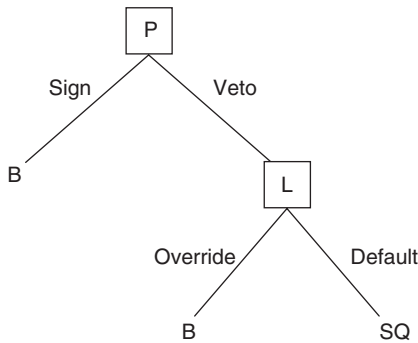
Y = Observed bill = Bill with substitutions made in the president's veto

Figure A1

Countries: Albania, Azerbaijan, Belarus (1994), Czech Republic, Estonia, Hungary, Macedonia, Moldova, Romania, Poland, Russia, Slovakia

Override rules: 1/2 votes (Estonia, Hungary, Moldova); 1/2 members (Macedonia, Albania, Czech Republic, Romania, Slovakia); 3/5 votes (Poland); 2/3 members (Belarus, Russia, Tajikistan, Turkmenistan); 3/4 votes (Azerbaijan)

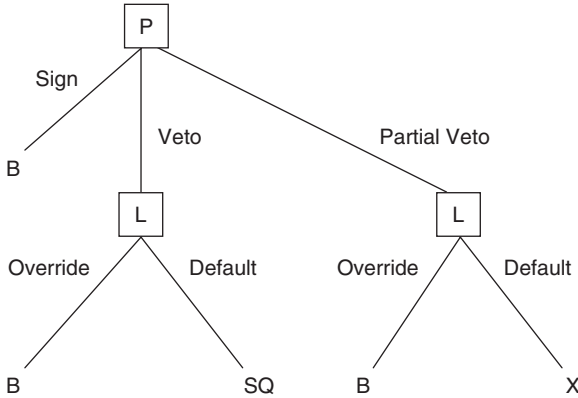
Block Veto



Sources: Albania (Albanian Constitution, Article 85); Azerbaijan (Azerbaijan Constitution, Article 110; and personal communication with Ms. Gulara Guliyeva, legal expert at the Central and East European Law Initiative, Azerbaijan, July 22, 2005); Belarus (1994; Belarus Constitution, Article 100 [20]); Czech Republic (Czech Constitution, Article 50; and personal communication with anonymous Czech legal expert, January 12, 2005); Estonia (Estonian Constitution, Article 107; and personal communication with Ms. Mall Gramberg, legal advisor to the Estonian president, January 10, 2005), Hungary (Hungarian Constitution, Article 26); Macedonia (Macedonian Constitution, Article 75; and personal communication with Mrs. Renata Trenevaska-Deskoska, legal advisor to the Macedonian president, January 28, 2005); Moldova (Moldovan Constitution, Article 93); Romania (Romanian Constitution, Article 77); Poland (Polish Constitution, Article 118.5; and personal communication with Mr. Waldemar Wolpiuk, constitutional scholar at the Polish Academy of Sciences); Russia (Constitution of the Russian Federation, Article 107 [3]; personal communication with Professor Thomas Remington, March 2005) Tajikistan (Tajik Constitution, Article 62); Turkmenistan (Turkmen Constitution, Article 57 [6])

Figure A2

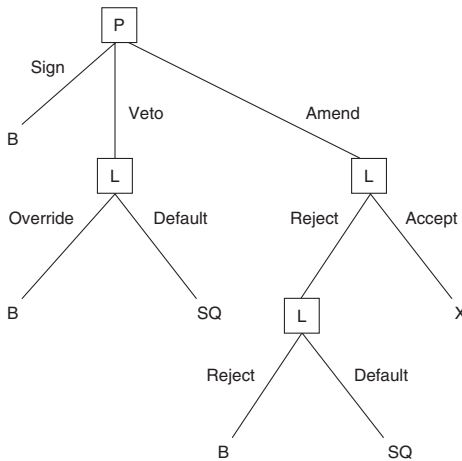
Countries: Bulgaria; block and partial veto (with partial enactment as default)
 Override rule: 1/2 members



Sources: Bulgarian Constitution, Article 101; Procedural Act of the Bulgarian National Assembly, Article 73(5) and (6); personal communication with Ms. Zdravka Mladenova, legal advisor at the Bulgarian Ministry of Education, January 2005.

Figure A3

Countries: Armenia, Georgia; block veto and amendatory observation (with SQ as default)
 Override rule: 1/2 votes (Armenia); 3/5 members (Georgia)



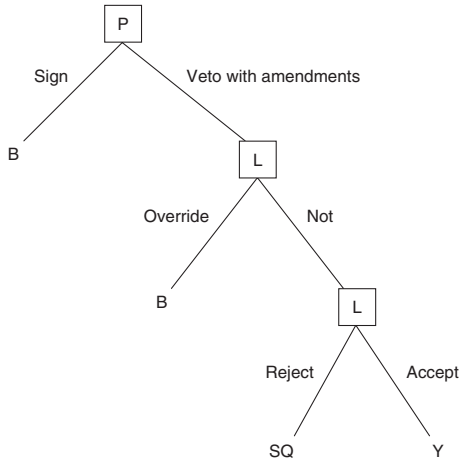
Sources: Armenia (Armenian Constitution, Article 55(2); and personal communication with Ms. Karen Andreasyan, legal expert at the Central and East European Law Initiative, Armenia, July 22, 2005); Georgia (Georgian Constitution, Article 68(1-4))

Figure A4

Country: Ukraine

Override rule: 2/3 members

Rule for acceptance of presidential amendments: 1/2 members

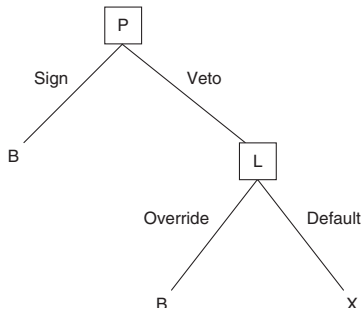


Sources: Ukrainian Constitution (Article 94) and personal communication with Mr. Sergey Gromov, legal expert at Newlegal, March 4, 2004 (Ukrainian Law Firm).

Figure A5

Countries: Belarus (1996)

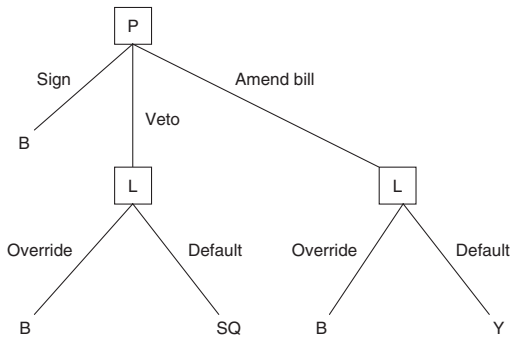
Override rule: 2/3 members of both chambers



Source: Belarus Constitution, Article 100; and personal communication with anonymous Belarusian legal expert, January 11, 2005.

Figure A6

Countries: Latvia, Lithuania, Kazakhstan (1993, 1995), Kyrgyzstan, Uzbekistan
 Override rules: 1/2 votes (Latvia), Lithuania (1/2 members), Kyrgyzstan, Kazakhstan, Uzbekistan (2/3 members)
 Block veto and amendatory observation (with amended bill as default)



Sources: Latvia (Latvian Constitution, Article 71; and personal communication with Ms. Sandra Kukule, legal advisor to the Latvian President, January 14, 2005); Lithuania (Lithuanian Constitution, Article 71), Kyrgyzstan (Kyrgyz Constitution, Article 46 (5B), Kazakhstan (1993 Kazakh Constitution, Article 78), Uzbekistan (Uzbek Constitution, Article 93 [14])

References

- Birch, Sarah, Millard, Frances, Popescu, Marina, & Williams, Kieran. (2002). *Embodying democracy: Electoral system design in post-communist Europe*. London: Palgrave Macmillan.
- Cameron, Charles M. (2000). *Veto bargaining*. New York: Cambridge University Press.
- Christensen, Robert, Rakhimkulov, Edward, & Wise, Charles. (2005). The Ukrainian Orange Revolution brought more than a new president: What kind of democracy will the institutional changes bring? *Communist and Post-Communist Studies*, 38(2), 207-230.
- Frye, Timothy. (1997). A politics of institutional choice: Post-communist presidencies. *Comparative Political Studies*, 30(5), 523-552.
- Hammond, Thomas H., & Miller, Gary. (1987). The core of the constitution. *American Political Science Review*, 81, 1155-1174.
- Hellman, J. (1997). Constitutions and economic reform in the post-communist transitions. In J. D. Sachs & K. Pistor (Eds.), *The rule of law and economic reform in Russia* (pp. 55-79). Boulder, CO: Westview.
- Huang, Mel. (1999, July 26). A hot summer in Riga [Electronic version]. *Central Europe Review*, 1(5).
- International Freedom of Expression eXchange. (2002). *Media faced government restrictions and pressure during coverage of hostage standoff* [press release]. Retrieved October 25, 2002, from <http://www.cpj.org/news/2002/Russia25oct02na.html>

- Jubulis, Mark A. (2001). *Nationalism and democratic transition: The politics of citizenship and language in post-Soviet Latvia*. Lanham, MD: University Press of America.
- Karatnycky, Adrian. (2005, March/April). Ukraine's Orange Revolution. *Foreign Affairs*, 35-53.
- Körösiényi, András. (1999). *Government and politics in Hungary*. Budapest: Central European University Press.
- Krehbiel, Kieth. (1998). *Pivotal politics*. Chicago: Chicago University Press.
- Latvian Parliament backs amendments to election law. (2002, May 3). *Transitions Online*.
- Lucky, Christian. (1993-1994). Tables of presidential power. *East European Constitutional Review*, 2(4) and 3(1), 81-94.
- McCarty, Nolan, & Poole, Keith (1995). Veto power and legislation: An empirical analysis of executive and legislative bargaining from 1961 to 1986. *Journal of Law, Economics and Organization*, 11, 282-312.
- McGregor, James. (1994). The presidency in East Central Europe. *Radio Free Europe/Radio Liberty Research Report*, 3(2), 23-31.
- Metcalf, Lee Kendall. (2000). Measuring presidential power. *Comparative Political Studies*, 33, 661-685.
- New president is inaugurated in Kyrgyzstan. (2005, August 15). *The New York Times*. Retrieved August 15, 2005, from <http://www.nytimes.com>
- Remington, Thomas. (2003). Coalition politics in the new Duma. In Vicki Hesli & William M. Reisinger (Eds.), *The 1999-2000 elections in Russia: Their impact and legacy* (pp. 232-261). Cambridge, UK: Cambridge University Press.
- Shugart, Matthew S., & Carey, John. (1992). *Presidents and assemblies: Constitutional design and electoral dynamics*. Cambridge, UK: Cambridge University Press.
- Spitzer, Robert J. (1988). *The presidential veto: Touchstone of the American presidency*. Albany: State University of New York Press.
- Tsebelis, George. (1994). The power of the European Parliament as a conditional agenda-setter. *American Political Science Review*, 88, 128-142.
- Tsebelis, George. (2002). *Veto players: How political institutions work*. Princeton, NJ: Princeton University Press.
- Tsebelis, George, & Alemán, Eduardo. (2005). Presidential conditional agenda setting in Latin America. *World Politics*, 57(3), 396-420.
- U.S. English Foundation. (2005). *Official language research—Latvia*. Retrieved April 1, 2005, from <http://www.us-english.org/foundation/research/olp/viewCountry.asp?CID=47>

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