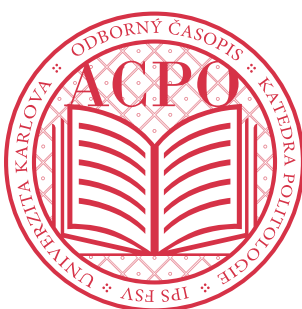


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Editorial

Miloš Brunclík, Jakub Charvát¹

In the Czech Republic, the turn of 2022 and 2023 was marked by the culmination of a political campaign ahead of the presidential election, the third in which citizens directly elected their head of state by popular vote. Miloš Zeman, the first directly elected president, had served two terms (2013 to 2023) and was ineligible under the Czech Constitution to run. The January 2023 election was thus marked by high expectations for a new president amid a tense international political and geopolitical situation in Europe.

At the same time, President Zeman's performance in office was the subject of controversy; in September 2019, he had even faced the threat of a constitutional lawsuit for grossly violating the Czech Constitution (although the proposal passed the Senate at the time, it did not get the necessary super-majority of votes in the Chamber of Deputies). The end of his second term in office thus offers an opportunity to an analytical look back at this period.

Hence, this special issue of *Acta Politologica* is dedicated to the ten years following the first popular election of a Czech president, with a special focus on evaluating Miloš Zeman's two terms in office. This special (presidential) issue thus includes research studies authored or co-authored by both political scientists and constitutional law experts. We think it worth mentioning that, with a few exceptions, Czech scholars opposed to the idea of switching from the parliamentary method to the popular election of the president. Numerous reasons for this negative attitude appeared in scholarly debate. For example, Czech presidents traditionally enjoy a great deal of legitimacy and thus, the argument goes, there was no need to strengthen the office further by instituting the popular vote. Also, the greater legitimacy given Czech presidents was expected to increase the risk of intra-executive conflicts. All in all, the popular election of the president was seen as contradicting the parliamentary character of the Czech political regime. As elucidated in several articles of this special issue, some risks theorized by Czech scholars did in fact materialize after 2013. While the popular election of the president does appear to be conducive to bringing about several negative consequences, it is generally difficult to draw a causal link between the manner of his election and President Zeman pushing (and sometimes even exceeding) the limits of presidential competences. So far, he is the only head of state so elected in Czechia to serve a full term. Although undoubtedly emboldened by the popular electoral mandate, many of Zeman's controversial steps could well also be explained by his personality, appetite for power, and the general political context. Moreover, his successor, Petr Pavel, who took office in March 2023, appears to be a far more moderate president, even though he won a record-high number of votes in the election. From this perspective, it seems premature to evaluate the impacts of the popular election of the president on Czech politics.

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If the scholarly discussion on the introduction of popular elections has been mostly critical, the study by Jan Géryk and Tomáš Halamka, which opens this special issue, provides an alternative perspective. Drawing upon the function of tribunes, which can be traced back to the early Roman Republic, their study suggests that the introduction of popular elections may not be as detrimental to the Czech political system as previously assumed. More specifically, the authors argue that direct presidential elections have increased the tribune potential of the Czech president to channel the discontent of Czech democracy, because the president-tribune can represent a popularly constituted control of legislators, the government and other political elites, and thus an integrative feature strengthening the system of checks and balances.

The descriptive study conducted by Jaroslava Pospíšilová is grounded on the fact that Czech presidents traditionally enjoy high support from citizens and lead in political trust rankings, which corresponds to the high interest of voters in participating in elections. The study therefore focuses on what specific voter groups are mobilized by the Czech presidential elections. Using regression analysis, the author finds that participation in presidential elections is mainly determined by previous participation in (parliamentary) elections, as the most significant predictor of voter turnout in presidential elections is the level of voter turnout in previous general elections. However, the study also finds that highly personalised presidential elections with significant media coverage have the potential to mobilise different voters than those who participate in parliamentary elections, but with an awareness of the importance of socio-economic factors in willingness to participate. More specifically, voters from areas with higher rates of distraints and unemployment remain the least likely to participate even in the presidential elections.

The question of the exercise of presidential powers is mainly addressed in two studies, one conducted by Gor Vartazaryan and Kateřina Ochodková, and the other by Aleš Michal, Michal Malý, and Petr Hrebenár. To take into account the impact of the introduction of the popular election of the president on the Czech political system, both studies focus not only on the two terms in office of Miloš Zeman, but on the entire period of the independent Czech Republic (since 1993), i.e., including the terms of office of both previous indirectly elected presidents, Václav Havel (1993 to 2003) and Václav Klaus (2003 to 2013).

While Vartazaryan and Ochodková discuss the issue from a more general perspective and conduct semi-structured interviews with constitutional law experts on the (possible) use of procedures that political actors can employ to deal with a president who does not properly exercise his constitutional powers, Michal, Malý, and Hrebenár focus in more detail on the specific rule stipulating the procedure for cabinet appointments. In their research, Vartazaryan and Ochodková identified three relevant procedures that constitutional actors can bring against the president, namely a constitutional lawsuit, competence lawsuit, or activation of Article 66 of the Czech Constitution. As the authors conclude, “Of the 16 cases of considerations and initiatives, 12 were from Miloš Zeman’s presidency. The overall results showed that of those 12 cases, 10 would be upheld by the Constitutional Court. However, there was not enough political will to file the lawsuits...”. This fact results in the Czech President actually drawing broader powers than the Constitution grants him.

Michal, Malý, and Hrebenár then further illustrate a significant difference between indirectly elected presidents (Havel and Klaus) and their directly elected counterpart (Zeman) in their behaviour regarding the appointing of cabinet members. Although Zeman employed “creative” interpretations of his powers to appoint cabinet members less

frequently than his indirectly elected predecessors, according to the authors of the study, his increased activism is evidenced by a significant incidence of delaying or even attempts at blocking ministerial appointments.

As the issue of European integration has become a significant issue in the electoral arena in recent years, the next study by Pavlína Kutnarová and Vít Hloušek focuses on Miloš Zeman's changing discourse on European integration and the European Union during his two presidential terms. Although Zeman declared himself a Euro-federalist, he was a vocal critic of the EU and its institutions. Furthermore, his position gradually changed over the course of his presidency, from that of an (albeit unorthodox) Euro-federalist to that of a soft Eurosceptic populist. According to the authors of the study, the direct election seems to be an important, though far from the only, factor in this regard, as Zeman was well aware that in order to attract enough voters and thus win re-election in 2018, he would have to adapt his rhetoric to the attitudes of his electorate.

Although this special issue focused on the popular election of the president in the Czech Republic does not address several other relevant as well as highly interesting and complex issues (e.g., the president-parliament relationship, President Zeman's approach to political parties) that could well be theorized and analysed in future research, we believe it is an important contribution not only to the research on Czech presidents and Central European presidential politics, but also more generally to the research area of constitutional engineering and its impacts.