

*Executive Power and Media Freedom in
Central and Eastern Europe*

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Abstract

Using recent data on the powers of European presidents and prime ministers, I explore the relationship between media freedom and executive power in Central and Eastern Europe. I theorize that democratic political executives prefer to avoid being monitored and subjected to negative publicity, so restrict the media when they have the means to do so. I highlight the role of executive power institutions, and power accrued through partisan support in lower legislative houses, in constraining media freedom, and find that increased legislative powers and increased partisan support for both presidents and prime ministers are associated with decreased media freedom. Most nonlegislative powers do not appear to limit media freedom, and may increase it. I further argue that executive preference for constrained media is modified by expected alternation in power, since incumbents should prefer to monitor a new government, and find strong empirical support for that argument. My model explains most of the variation in Central and European media freedom, performs well in predicting the higher media freedom levels in Western Europe, and has implications for studying other aspects of government transparency.

INTRODUCTION

Power has been described as the essence of politics—the “key variable of political science”—and concomitant with power is the need to control it (Schedler 1999, 13). Meanwhile, principal-agent theory predicts an asymmetrical information advantage for agents that incentivizes them to put their own interests ahead of their principals (Ferejohn 1986). I argue that government transparency is a necessary public good to mitigate this information asymmetry between citizens (principals) and political elites (agents), especially political executives.

Executives, however, can often shape the transparency environment and thus limit the extent to which they can be monitored and held accountable for their activities. This project explores the relationship between executive powers and media freedom—one important manifestation of government transparency—in Central and Eastern Europe and finds that, for both prime ministers and presidents, increased legislative powers and increased partisan support in lower houses of parliament are predicted to decrease media freedom.

While legitimate realms of state secrecy arguably exist, it is important that rulers not be “shut off from public scrutiny for no other reason than the self-contained arrogance of power” (Schedler 1999, 20-21). Since most citizens lack the opportunity and disposition to monitor activities of their elected representatives directly, they normally rely on media outlets to relay the decisions, actions, and omissions of government officials. Thus the media’s ability to operate independently, with broad access to public officials and agencies, becomes an enabling link for citizens to hold executives accountable through elections and other forms of social mobilization. Political executives, however, often have both the incentives and means to restrict media activities via agency regulations, executive orders, or control of legislative output.

Government transparency can be viewed as a continuum from complete opacity, where rulers provide no information, nor tolerate inquiry, to complete transparency, where all citizens can request and receive timely information about any government decisions and actions. Such extremes are empirically unlikely: it is difficult to imagine governance with no communication of rulers' intentions and initiatives, and just as difficult to imagine governments ignoring what may be their primary duty—ensuring national survival—by not placing a veil of protection around information that could facilitate a country's downfall.

Between these unlikely extremes are a range of options in Figure 1 that describe availability of government information. Near the opaque end of the spectrum, political leaders might choose to self-disclose specific, limited information about the state or government. Examples include reporting economic indicators to international agencies (Hollyer, Rosendorff, and Vreeland 2011) such as the World Bank, or making selected information about the national budget publicly available (Alesina and Perotti 1999; Alt and Lassen 2006; Shi and Svensson 2006). Further along the spectrum, government may permit some gathering and reporting of information that it does not specifically choose to disclose itself. Manifestations of this form of transparency include the abilities of interest groups, opposition political parties, and journalists to carry out independent fact-finding.

[Figure 1 approximately here]

Full transparency reflects the ability of a principal or intermediary to *access* public information they desire, rather than simply accepting information *offered* by the agent (Grigorescu 2007). Offered information may be mere propaganda and is nearly always insufficient for citizens to monitor government officials and hold them accountable. The ability of citizens to extract desired information is often institutionalized via freedom of information

(FOI) legislation and effective FOI implementation. So while media freedom is not government transparency in the complete sense—it does not occupy the right side of the transparency spectrum—it remains a salient component.¹ First, opportunity and resource costs of gathering information to monitor government activities, and to verify that those activities are in the public interest, are prohibitively high for most citizens, so they necessarily rely on intermediaries. Second, information is inconsequential for elite accountability unless the selectorate is aware of it. Thus media ability to broadly *publicize* government-related information is normally essential in regulating representative political systems (Lindstedt and Naurin 2010). Accordingly, Lederman, Loayza, and Soares agree that much of transparency depends on freedom of the press, which they also claim tends to reduce principle-agent information problems (2005).

Several studies identify media freedom as a key to controlling official corruption (e.g. Brunetti and Weder 2003; Lederman, Loayza, and Soares 2005). Correspondingly, Reinikka and Svensson's project on newspaper publication of Ugandan public school grants highlights the media publicity element as causal in ensuring that funds get to the schools, rather than being skimmed by government officials (2005). Although findings are inconclusive regarding how effectively citizens utilize available information to hold elected officials accountable (Ackerman 2004; Davis, Camp, and Coleman 2004; Stokes 2005), accountability without monitoring and verification is unfathomable. Broad dissemination of information remains a necessary condition for electoral accountability and other forms of social mobilization to occur.

The transitioning countries of Central and Eastern Europe are ideal for this project. First, they share a communist legacy that included little government transparency and almost no executive accountability to the general populace. Second, they set a course toward Western-style democracy and civil rights norms in the aftermath of the communist collapse, and chose a variety

¹ Media personnel are among the main requestors of government information in countries having FOI laws.

of executive power institutions. All of my case countries have heads of government and separate heads of state with clearly defined constitutional powers, yet there is broad cross-national variation in the legislative and nonlegislative powers of both types of executives. Similar communist legacies, in which the media was an instrument of the state, combined with widely varying executive power institutions provide an excellent starting point for analyzing the impact of executive power on media freedom.

EXECUTIVE POWER AS A DETERMINANT OF MEDIA FREEDOM

Given that freedom is the *absence* of constraint or restriction on an actor by external actors or forces, I conceptualize complete media freedom as the ability of media outlets and individual journalists to gather and publicize information they deem newsworthy, including information about the government, without being constrained by other actors. If media freedom is less than complete there must be real or perceived constraints in place, so any measure of media freedom is simultaneously a measure of media restrictions.

While media coercion can involve non-government actors, among the most limiting restrictions are those codified via the formal law-making process. Examples include official censorship of media reports, restrictions on which topics can or cannot be covered or how they are reported, barriers to media entry (Besley and Prat 2006), laws that facilitate media capture by government (Besley and Prat 2006; Vaidya 2005), and sweeping libel laws that allow media reporters, editors, and/or owners to be sued for simply publishing allegations made by others.² Laws protecting certain types of information from public disclosure by designating it as sensitive

² Freedom House's Freedom of the Press country reports provide numerous examples of government media restrictions, and are available at <http://www.freedomhouse.org/report-types/freedom-press>.

or classified, such as national security information, can be so broad as to place reporting of most government activities and decisions, including executive activities, off-limits.

In considering executive incentives to constrain the media, I assume that most prefer to retain their executive office, and by extension to keep their political parties or other supporters in power. In democracies retaining power is synonymous with not being voted out by a broad selectorate, which is greatly facilitated by keeping positive information at the forefront of the public consciousness while limiting negative information. Given even a restricted media presence, publicizing positive government activities and claiming credit for positive outcomes is relatively easy, particularly when the government controls the message. Limiting publicity about official rent-seeking or other negative information is a more challenging task that becomes nearly impossible in an unrestricted media environment.³ Damaging reports negatively impact voter perceptions and the likelihood of retaining office, thus democratic executives have clear incentives to restrict the media's ability to uncover and publicize information that reflects negatively on the executive, the government, or an executive's party or coalition.

As for the means to levy media restrictions, countries' foundational institutions—usually constitutions or other underpinning legal documents—often grant both heads of state and heads of government considerable legislative and nonlegislative powers. One of the most important debates in comparative politics is how institutions intersect with underlying socio-historic factors to impact outcomes, and constitutional choices about how executive power is configured are among the most salient (Lijphart 1991). Svobik (2008) presents comprehensive support for Linz's (1990) contention that presidential democracies are more likely to fail than their

³ Examples of information that executives might want to prevent from disclosure include: nepotism, awarding contracts or changing policies as a result of inducements offered to political elites, official diversion of public resources as private or club goods (rent extraction), or other forms of grand corruption; soliciting bribes in exchange for public services and other forms of bureaucratic corruption; scandals involving government or party elites; and any perceived or actual inefficiency or ineffectiveness in government.

parliamentary counterparts, and other studies show that policy outcomes can systematically differ between presidential and parliamentary systems (Persson and Tabellini 2004; Persson 2005). I argue that dichotomization of executive power as presidential or parliamentary is a grave oversimplification of a broad spectrum of potential executive-legislative relationships that often includes multiple executives in one system. Others have argued similarly (Mainwaring and Shugart 1997; Shugart and Carey 1992), and Shugart and Carey's coding of presidents' legislative and nonlegislative powers is largely an attempt to show that specific *types* and *levels* of presidential power matter, perhaps more than whether there is a president.

A limitation of coding only presidential powers, however, is that we may be assuming that only presidents have the potential to dominate assemblies and policy outcomes, and thus that prime ministers are analogous in powers and in expected outcomes. Accurate explanation based on executive authority demands that we consider variation in all relevant types of those powers.

Central and Eastern Europe (CEE) political systems are characterized, along with most nominally parliamentary systems, as having both a head of government (prime minister) and a separate head of state (president).⁴ Constitutional powers of CEE presidents *and* of prime ministers vary greatly, and configurations of executive authority, as Siaroff argues, may defy classification as simply presidential, semi-presidential, or parliamentary (2003). Thus I follow Andrews and Bairett in conceptualizing all CEE countries in my analysis as dual executive systems (2012). In measuring power, they consider the specified constitutional powers of both heads of state and heads of government to change, or fend off changes, to the formal status quo (legislative powers), and to implement or resist implementing changes to the formal status quo, which encompasses source of mandate, survival in office, and influence over cabinet

⁴ All CEE cases in this analysis have presidential heads of state. Other types of heads of state—e.g. monarchs—are found in some Western European states that I reference for comparison.

composition (nonlegislative powers). They further consider executives' party support within lower houses of parliament (partisanship) as a source of accrued power. While all might be instrumental in constraining media freedom, some types of power should be more consistently useful than others. My research question is: Which legislative powers, nonlegislative powers, and accrued powers of both heads of government and heads of state, decrease media freedom, particularly in Central and Eastern Europe? The following section explores each of these executive power categories in reference to its potential impact on media freedom.

Executive Power Categories and Media Freedom

Nonlegislative powers of presidents and prime ministers encompass strength of mandate, ability to survive in office, influence over cabinet composition, and ability to dissolve the representative assembly (Andrews and Bairrett 2012). Some of the biggest differences in the nonlegislative powers of presidents and prime ministers flow from different sources of mandate. At least some presidents are directly elected; meanwhile prime ministers are normally indirectly elected by the assembly, often with presidents having significant discretion in designating candidates. As for removal from office, while there is considerable cross-national variance in no-confidence procedures to remove prime ministers and cabinets, a parliamentary majority usually suffices. Conversely, presidential removal often requires an assembly super-majority, plus concurrence of an upper house or constitutional court. Other nonlegislative powers for both types of executives tend to involve division of a fixed amount of influence—between president, prime minister, and the assembly—over cabinet formation, dismissal, and early assembly dissolution.

Larger qualitative differences in presidential versus prime ministerial authority are found in the legislative category. While some presidents enjoy proactive legislative powers, they more

typically have strong negative, or reactive, influence. Under most constitutional arrangements, presidents react to the decisions of parliament using veto or judicial referral authority to delay or attempt to reshape policy output, and where an assembly can overturn a veto, presidential power is reduced. Conversely, prime ministers tend to have considerable proactive authority to shape, or even dominate, the legislative agenda. Prime ministers and cabinets may have exclusive rights to introduce legislation in key policy areas, such as the budget, to limit parliamentary debate by declaring urgency or special circumstances for specific bills, and to link legislation to a vote of confidence in government.

Although heads of government normally require the confidence of parliament, thinking of prime ministers only as an extension of the assembly is to underestimate their authority.

Constitutions tend to clearly delineate powers of prime ministers versus powers of assemblies, and to some extent versus the power of other government ministers. Constitutions also specify widely varying conditions under which governments can be removed, and governments in power enjoy considerable executive autonomy (Andrews and Bairett 2012). Still, cabinet government is normally collegial and prime ministers may need to pursue consensus within their cabinets.

Support in the assembly also matters for both types of executives, so another category of executive power is partisan strength (Andrews and Bairett 2012). For both presidents and prime ministers, their ability to get preferred initiatives through the assembly or impede initiatives they do not prefer is connected to the seat share their parties enjoy in the assembly.

In the following subsections I review how the partisan seat shares, legislative powers, and nonlegislative powers of presidents and prime ministers can impact media freedom.

Presidents legislative powers. Legislative powers of presidents may include package and partial vetoes, decree powers, the right to introduce legislation in the assembly, budgetary

powers, the ability to propose binding referenda directly to the voting populace, and the ability to refer legislation for judicial review (Andrews and Bairett 2012). Veto and judicial review authorities are negative powers that presidents may use in reaction to approved legislation by attempting to overturn or delay it. Given that presidents prefer to constrain the media, these negative powers might be effectively used to signal the assembly that legislation impacting media operations will not be passed unless it reflects the preferences of the president.

Strong proactive authority, however, should enable executives to restrict the media more effectively than negative powers. In particular, decree powers may allow presidents to bypass legislatures and enact their preferences directly. The ability to initiate legislation directly also gives presidents some agenda-setting power in the legislative process. For example, if a president has exclusive power to initiate legislation in a key policy area such as national defense, such initiatives might include media restrictions on reporting government activities.

Since a general populace is unlikely to support meaningful restrictions on their ability to monitor government, referenda power seems an unlikely media control instrument. As for budgetary power, ability to increase the likelihood of funding some government agencies and programs, and decrease the likelihood of funding others, might be used indirectly to constrain the media; however the chain of influence is less clear than for other legislative powers.

While decree powers and the ability to initiate assembly bills seem the most proximate, all presidential legislative powers other than referenda power might enhance presidential ability to levy media restrictions.⁵ Thus I expect a significant negative relationship between presidents' legislative powers and media freedom.

⁵ None of my country cases have presidents with any partial veto or budgetary power, and none have exclusive rights to initiate legislation in key policy areas. Such powers do exist elsewhere (Shugart and Carey 1992).

Presidents' nonlegislative powers. Presidents' mandates may flow from direct popular election or indirect (assembly) elections, and in the latter case the selection will likely be made by the same party or coalition selecting the prime minister.⁶ Presidents also tend to divide influence over cabinet formation and dismissal with prime ministers and/or assemblies. Finally, presidents may have varying levels of ability to dismiss assemblies and call for new elections, often in coordination with prime ministers. The abilities to survive controversial use of powers, help determine cabinet personalities, and to dismiss assemblies could conceivably enhance presidential options for restricting media activities. For instance, placing a like-minded minister over internal security might facilitate use of security services to coerce media personnel to self-censor what they report. Similarly, dominant ability to dismiss assemblies might augment a president's legislative powers by threatening or actually removing a parliament that repeatedly fails to support presidential preferences. In general, the causal linkages from specified power to media restriction are less clear for nonlegislative than for legislative powers, and a president would probably need relatively dominant nonlegislative powers to have a clear negative effect on media freedom. Presidents might use nonlegislative authority to hamper media freedom, but are more likely to rely on legislative powers.⁷ Overall I expect this category of powers to have a negative, but not necessarily significant, relationship with media freedom.

Prime ministers' legislative powers. Heads of government enjoy a broad range of proactive powers that allow them to shape, and frequently dominate, legislative output. They may have exclusive authority to introduce legislation in certain areas, to limit assembly debate

⁶ Andrews and Bairett (2012) include difficulty of removal, usually via impeachment or suspension, in presidents' mandate scores, while prime ministers' mandate scores are considered separately from removal (censure). For both types of executive, greater job security raises the likelihood of surviving controversial use of powers.

⁷ Two of my 15 case countries have presidents' nonlegislative power scores > 7. Russia scores 13 and Ukraine, except for the five years when the post-Orange Revolution amendments were in place, scores 10. Although both countries have nontrivial media freedom problems, two cases may be insufficient to establish a causal link.

by declare special circumstances or urgency regarding a bill, or to connect legislation to a vote of confidence in the government. Given that prime ministers prefer to constrain the media, this power should be strongly and negatively correlated with media freedom. Prime ministers and their cabinets also tend to enjoy considerable influence over budget legislation and implementation; however, causal linkages from budget authority to media restriction are difficult to establish. As with presidents, prime ministers may have power to initiate referenda, but voters remain unlikely to endorse measures that limit their ability to monitor their elected agents. In parallel to some extent with presidential decree powers, prime ministers and cabinets have levels of regulatory power that can vary up to legislating, at least temporarily, by decree. While dominant regulatory/decreed powers could certainly be a powerful media restriction tool, CEE prime ministers tend to be limited to issuing regulations and approving those of cabinet ministers or presidents.⁸

Finally, prime ministers might have dominance relative to potential veto players other than the lower house—presidents and upper legislative houses. Since both presidents and prime ministers should tend to prefer limited media intrusion, it is not clear that limiting the veto power of presidents, resulting in greater executive dominance for prime ministers, should have a significant relationship with media freedom. By contrast, upper houses are often constituted quite differently than lower assembly houses, may prefer increased monitoring of executives and government, and might exercise what veto power they have to prevent additional media restrictions. Thus lack of an upper house, or presence of an upper house with no real veto power, should enhance prime minister/cabinet domination of the legislative process and be associated with decreased media freedom.

⁸ CEE prime ministers in this 1993-2011 analysis never have regulatory powers > 2 of 4 possible points using Andrews and Bairett (2012) scoring. It is worth noting that Hungary's new constitution, effective in 2012, grants relatively broad government decree powers, which Andrews and Bairett score 3 points.

Taken individually, I expect these powers of prime ministers to have either no impact or negative impact on media freedom, thus I expect the overall impact of the legislative powers of prime ministers on media freedom to be strongly negative and significant.

Prime ministers' nonlegislative powers. In contrast to presidents, the mandates of CEE heads of government never result from direct popular election, but from varying degrees of presidential and/or assembly input. Where majority parties/coalitions dominate the nomination process, mandate scores are high because prime minister selection reflects the will of an assembly majority that will later support the government. Conversely, where presidents dominate prime minister selection, mandate scores are low. Andrews and Bairett consider prime ministers' ability to retain office in the midst of controversy—censure—as a separate power from mandate (2012).⁹ Cabinet selection and dismissal powers may involve varying degrees of tradeoff with presidents and the assembly, and power to dissolve an assembly early may also require some level of coordination with a president or the assembly itself. As with presidents, the ability to survive controversial use of powers, to influence the choice of cabinet members, and to threaten or implement early assembly dissolution might provide leverage to restrict media freedom; however, prime ministers' considerable, and proactive, legislative powers should be more likely instruments of choice. Also, prime ministers are heads of collegial executive bodies that they typically coordinate policy initiatives with. Thus prime ministers that dominate the cabinet selection and dismissal processes might be even less likely to use nonlegislative powers to constrain the media, since the ability to govern with like-ministers should help them to more effectively use their legislative powers. For these reasons I expect the nonlegislative powers of prime ministers to have little relationship with media freedom.

⁹ Highest scores are given where assemblies have no power to remove cabinet ministers, and lowest scores where removal/censure by the assembly or head of state is unrestricted by time or events.

Presidents' partisan support. Having a higher percentage of assembly seats occupied by partisan supporters should amplify executive power and opportunities to restrict the media. Where supermajorities are required to remove a president, control of a minority may give presidents greater confidence of surviving controversial exercise of powers, including executive orders that constrain the press. Similarly, where veto overrides require a supermajority, enough minority support allows presidents to exercise the veto confidently. Whether or not presidents' have the constitutional right to initiate legislation, increased partisan seat share in the assembly provides additional means to shape the legislative agenda and/or shape debate regarding preferred policies. Of course where presidents' parties control a majority, the likelihood of a president's preferred legislation becoming the reality is greatly increased. Thus I expect presidents' partisan seat share in the lower house to be negatively related to media freedom.

Prime ministers' partisan support. Although prime ministers normally have majority support, or at least sufferance, to retain the confidence of parliament, having a higher percentage of seats occupied by partisan supporters should facilitate achieving preferred policies. As with presidents, greater party support in the assembly provides prime ministers with insurance against removal following controversial exercise of powers, enhances opportunities to influence the legislative agenda, and increases the likelihood of preferred policies becoming law. Such support, particularly under single-party rule, also increases the likelihood of filling cabinet seats with like-minded (co-partisan) supporters. Since they typically have built-in majority support, I do not expect the relationship between prime ministers' partisan support and media freedom to be as strong as with presidents; however, I still expect it to be negative and significant.

Executive Support for Media Freedom

Obviously my simplifying assumption, that prime ministers and presidents prefer to limit the media's ability to monitor government, may not hold at all times and places, and Table 1 lists executive benefits, as well as costs, from media freedom. It is reasonable to question the circumstances under which executives might support media freedom and how such conditions might alter our expectations. Executives benefit from positive publicity; however, media restrictions are unlikely to inhibit executive credit-claiming. Executives may also benefit from having outside observers, including the media, monitor their appointees and bureaucrats rather than expending resources for internal monitoring (McCubbins and Schwartz 1984). On the other hand, the perceived risk of negative publicity should offset any perceived gain in this regard.

[Table 1 approximately here]

It is also possible that an executive is simply of the type who believes in a free press or believes that principals have the right to verify the actions of their agents. Unfortunately “types” are hard to identify in practice, and preferences may evolve as candidates become office-holders—it is not unusual to campaign on the basis of increased transparency, but to take a different view upon being monitored. Unraveling executive types with respect to transparency and analyzing the evolution of attitudes as politicians become incumbents are beyond the scope of this project and I do not operationalize the concept; however, ongoing media freedom problems suggest that political elites tend not to reliably prioritize the right of a free press.¹⁰

There are other legitimate reasons why executives might support media freedom, and that we can operationalize, which relate to expected alternation in power. Bueno de Mesquita et al. (2002) describe government transparency as a public good and argue that the larger the size of the winning coalition selecting political leaders, the more cost effective it becomes to provide public goods, versus private goods, in order to defeat political rivals. When the selectorate is

¹⁰ See Freedom House's *Freedom of the Press 2012* for examples.

large and winning coalitions are large, as in democracies, there is also greater risk of exclusion from private goods. Such a condition should lead to greater demand for public goods, including transparency, and incumbents who supply more public goods (Bueno de Mesquita et al. 2002). Geddes uses game theoretic models to show that needed political reforms are more likely where “the electoral weight of the two top parties remains relatively even and stable” (1991, 387-388); another condition associated with greater alternation in power.

While executives may not appreciate publicity that might reflect negatively and harm their electability, if there is a reasonable chance they will find themselves and their parties in opposition, they will prefer to monitor future executives and governments in order to exploit information for political gain. Also related to alternation in power, incumbents might choose to improve transparency, including media freedom, as a costly signal to voters that they respect their principal-agent role as agents that exist to serve their constituents.¹¹ Whether or not executives respect the principal-agent relationship, such a signal could boost their re-election prospects. For these reasons, I expect regular alternation in power to be positively and significantly related to media freedom.

Hypotheses

Based on these arguments, I advance the following hypotheses.

H1: Higher levels of presidents’ legislative powers decrease media freedom.

H2: Higher levels of presidents’ nonlegislative powers decrease media freedom.

¹¹ Costly signaling encompasses acts that are beneficial to and observable by others, costly to the signaler in that no payback is required or expected, and associated with some strength or fitness of the signaler (Smith and Bird 2000). Such signals demonstrate an actor’s good intentions, often in the hope that others will gain confidence in the signaler and reciprocate good intentions (such as voting for an incumbent), and are a means to overcome the coordination problem leading to suboptimal outcomes in many game-theoretical and empirical scenarios. Gintis, Smith, and Bowles (2001) apply a game-theoretic model to confirm that cooperation will evolve in many social contexts when an actor provides benefits to all members of a group unconditionally.

- H3: Higher levels of prime ministers' legislative powers decrease media freedom.
- H4: Higher levels of prime ministers' nonlegislative powers decrease media freedom.
- H5: Greater partisan support for presidents in lower houses decreases media freedom.
- H6: Greater partisan support for prime ministers in lower houses decreases media freedom.
- H7: Greater alternation in power modifies executive incentive structures and increases media freedom.

Taken together these hypothesis posit that media freedom is lowest (media restrictions are highest) when both presidents and prime ministers have high levels of legislative and nonlegislative powers, but that the negative impact of executive power is mitigated somewhat by regular alternation in power. In testing these hypotheses, I expect strong and significant coefficients for all variables operationalizing these hypotheses, except H2 and H4: the causal linkages between nonlegislative powers and media freedom are less clear and more contextual than they are for legislative powers, partisan seat shares, or altered incentives due to regular alternation in power. In estimating these relationships with appropriate control variables, all hypotheses find support except for H2 and H4.

DATA AND MEASURES

I test these hypotheses using 1993-2011 panel data from 15 democratizing, post-communist Central and Eastern European (CEE) countries.¹²

Media Freedom

¹² Post-2003 Russian observations are not included since the 2004 Duma elections were not free and fair by international standards and Russia, by most measures, ceased democratizing by that point. The other 14 cases are Albania, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia, and Ukraine.

The dependent variable, *media freedom*, is operationalized using Freedom House's Freedom of the Press (FOTP), based on expert analysis of the legal, political, and economic environments impacting media operations in each country. It is scaled 0 - 100 with high scores reflecting low press freedom. Since I discuss executive power in terms of its relationship with media freedom, rather than media constraint, I reverse the scale (100 – FOTP score) so that high scores equate to high levels of *media freedom* and the signs of model coefficients match the relationship.

In evaluating press freedom indices, Becker, Vlad, and Nusser (2007) find that the FOTP index is very highly correlated (.81 - .91) with other broad-based indices—Reporters Without Borders and the International Research and Exchanges Board. They also find that FOTP is consistent and captures meaningful variation across time, suggesting that Freedom House is completing fresh evaluations each year. FOTP is also the only broad-based media freedom index that provides coverage for the entire period of my analysis.

Executive Power and Expected Alternation in Power

Measurements of presidents' and prime ministers' legislative powers, nonlegislative powers, and their respective partisan seat shares, which I use to test H1 – H6, come from a comprehensive CEE executive power dataset developed by Andrews and Bairett (2012). Their coding scheme is anchored in Shugart and Carey's (1992) coding of presidential power, as modified by Metcalf (2000). Rather than assuming that parliamentary systems are essentially identical or that executive powers not granted to the president automatically fall to the prime minister, Andrews and Bairett facilitate cross-national comparison by specifying types and levels of the major powers constitutionally reserved for *both* presidents prime ministers. They characterize legislative powers as those that enable change in, or maintenance of, the formal

status quo, and nonlegislative powers as those that enable change in the composition of veto players. They find considerable variation in the powers of both executive types in the European nations they have coded to date.

Presidents' and prime ministers' legislative and nonlegislative powers are taken directly from their coding of CEE countries, as well as some Western European countries that I use for comparison. Each of the specified powers is awarded 0 – 4 points, with four points representing the highest level of executive dominance for that power (Andrews and Bairett 2012). Specific powers and ranges of possible scores for each power category are as shown in Table 2.¹³

[Table 2 approximately here]

Presidents' legislative powers range from 0 (Slovenia) to 13 (Russia) in my dataset, and *presidents' nonlegislative powers* from 2 (Latvia) to 13 (Russia). *Prime ministers' legislative powers* range from 6 (Russia) to 17 (Albania after 1998), and *prime ministers' nonlegislative powers* from 3 (Ukraine) to 13 (Estonia; Albania after 2007).¹⁴ Figure 2 displays Andrews and Bairett's executive powers listed by country and the year powers became effective (2012).¹⁵

[Figure 2 approximately here]

Presidents' percent seat share and *prime ministers' percent seat share* in the lower house are derived from seats held by the president's party or seats held by the prime minister's party, respectively, divided by total seats in the lower house. The underlying seat totals are those

¹³ Since specific powers are not weighted in relation to each other, and since presidents tend to have different kinds of legislative powers than prime ministers, presidents' scores are not directly comparable with their respective prime ministers' scores. My purpose is not to compare the powers of presidents and prime ministers *within* countries, but to compare how differences in these powers *across* countries relate to cross-national comparison of media freedom.

¹⁴ *Prime ministers' nonlegislative powers* for Ukraine increased from 3 to 8 for the period 2006-2010. Several nonlegislative powers shifted from president to prime minister in 2006 as a result of the post-Orange Revolution amendments to the constitution; however, those powers shifted back to the president after the Constitutional Court overturned those amendments in October 2010. Legislative powers were largely unaffected by the amendments.

¹⁵ Changes in powers and partisanship that occur mid-year receive the score for whichever powers or seat shares were in effect for the greatest portion of the year.

reported by Andrews and Bairett, based on extensive review of parliamentary election results and executives' dates in office (2012).

Hypothesis H7 proposes that increased alternation in power is associated with increased media freedom. To operationalize *alternation* I use Political Risk Service's Democratic Accountability variable from the International Country Risk Guide (ICRG), scaled 0 - 6 points. The ICRG assigns the highest number of points for a given year to "alternating" democracies, in which "a government/executive...has not served more than two successive terms," and the lowest score to autarchies in which the head of government is not "subject to an election in which political opponents are allowed to stand," so is unlikely to lose office (ICRG 2011, 33-34). Thus this variable is a direct reflection of alternation in power that, all else being equal, should approximate executive perception of the likelihood of future alternation.¹⁶

Control Variables

In addition to seven key explanatory variables, I include two institutional controls and four other control variables in my models.

My first institutional control is *directly elected president*: a binary variable coded 1 for country-years in which there was a directly elected president for at least half the year. Andrews and Bairett (2012) account for popularly elected presidents in Mandate of Head of State scores, in which a president must be directly elected to score a 3 or 4, and in prime ministers' Dominance of Executive scores, in which prime ministers are dominant only if there is an indirectly elected president with weak veto powers. As explained by Tavits (2008, 8), several

¹⁶ Of my 233 country-year observations, 228 have *alternation* scores ≥ 3 , of which 10 score from 3 to 3.99, 30 score from 4 to 4.99, 127 score 5 to 5.99, and 54 score the full 6 points. Observations in which *alternation* = 6 are: the Czech Republic in 1997, Hungary from 1998 until 2010, Poland after 1997, Romania after 1998, and Slovakia after 1998. The five observations scoring < 3 points are Ukraine from 2001 through the Orange Revolution in 2004, and Russia in 1999. Russia also scores < 3 points since 2008, but I include it in my data only through 2003.

scholars have asserted that directly elected presidents have increased legitimacy that increases their activism and may result in power imbalances (Bunce 1997; Linz 1994), while indirectly elected presidents, lacking direct mandates, are less likely to exercise specified powers (Duverger 1980; Protsyk 2005). Given the possibility that a *directly elected president* might impact media freedom to a greater degree than is accounted for in the Andrews and Bairett coding scheme, I include it as a control variable. In line with my theory that increased executive power enables press restrictions, if *directly elected president* impacts *media freedom* beyond what is captured by the executive power variables the relationship should be negative.

The second institutional control is European Union membership (*EU*): a binary variable coded 1 when a state was an EU member for at least half the year. EU membership requires passage of thousands of pieces of legislation that, to a large extent, commit applicants to adhere to Western European legal norms and civil rights expectations.¹⁷ Since the EU supports media freedom,¹⁸ and since Western European countries have systematically higher Freedom of the Press scores than CEE countries, the *EU-media freedom* relationship should be positive.

While my theory is institutional, some scholars make convincing socio-historic arguments that the communist legacy continues to impact outcomes beyond what might be predicted by institutions (Howard 2003; Linz and Stepan 1996). The communist legacy includes authoritarian rule, government control of nearly all forms public communication, and a pattern of individual rights and freedoms being subjugated to the needs of the state—i.e. the political elite. It is possible that post-communist political elites and media operators are habituated to a less independent relationship than Western European operators. From a societal standpoint, after

¹⁷ Five of my 15 country cases—Albania, Croatia, Moldova, Russia, and Ukraine—are not EU members by 2011.

¹⁸ In EU memo 11/790, dated 15/11/2011, EU Parliament President Jerzy Buzek is quoted as saying that “there is no democracy without free press,” and that “freedom of expression and media pluralism are at the heart of EU values.” Reference http://europa.eu/rapid/press-release_MEMO-11-790_en.htm?locale=en.

decades of equating the media with state propaganda the communist legacy may include a residual distrust of media reports, a sense that political executives are not fair game for negative media coverage, or a lack of willingness to protest media restrictions. Former Soviet Republics, former Yugoslav Republics, and states adopting, or being forced to adopt, communism following World War II exhibit broad variance in press freedom in the post-communist era. An exception is the three cases in my dataset that were part of the USSR for at least 70 years prior to its collapse—Russia, Ukraine, and Moldova—which exhibit enduringly low *media freedom* scores. Thus I control for *USSR 70*—a binary variable coded 1 for those three countries—and expect its relationship with *media freedom* to be strong, negative, and significant.

Since part of Freedom House's FOTP index is based on the economic environment for the media, I control for economic growth and expect it to be positively related to press freedom. Freedom House's *Freedom of the Press 2012* and related sources give several sound reasons for this connection. Poor economic conditions increase the costs of establishing new media outlets, increase production and distribution costs for media products, and may depress subscription and advertising revenue. Such conditions can predispose media outlets and personnel to be more accepting of government subsidies, more susceptible to bribes, and more vulnerable to selective withholding of advertising by party, government, and state actors, all of which could restrict media content in ways that benefit political executives.¹⁹ I operationalize economic growth using change in gross domestic product per capita ($\Delta GDPpc$), in thousands of international dollars, from the previous year ($GDPpc_t - GDPpc_{t-1}$).²⁰

¹⁹ See Freedom House, *Freedom of the Press 2012*, available at <http://www.freedomhouse.org/sites/default/files/Booklet%20for%20Website.pdf>.

²⁰ GDP per capita, purchasing power parity in international dollars, data is from the World Bank's World Development Indicators, available online at <http://data.worldbank.org/indicator/NY.GDP.PCAP.PP.CD>. $\Delta GDPpc/1000$ ranges from -2.644 (Lithuania, 2009) to 2.615 (Estonia, 2006). Negative growth occurred in 25 of 233 country-years.

Since it could be argued that media freedom, particularly for the Central and Eastern neighbors of Western Europe, where FOTP is the easily the highest of any region in the world,²¹ should improve with time and experience as a representative democracy, I specifically control for *time*, where a one unit increase equates to one additional year. If CEE *media freedom* does improve over *time*, we should expect a positive relationship.

Finally, I control for *bureaucratic quality*, scored 0 - 4. Political Risk Service's ICRG describes such quality as a shock absorber that helps dampen policy revisions as new governments come into power. The highest scoring countries have bureaucracies with the strength and experience to function during government changeovers without service interruptions or drastic policy changes, tend to have some autonomy from political pressure, and have established recruitment and training programs (ICRG 2011). If bureaucratic professionalization does dampen the effect of executive preferences for media restrictions, we should expect a positive relationship between *bureaucratic quality* and *media freedom*.

ESTIMATION AND RESULTS

Results from model estimates shown in Table 3 are in line with my expectations and provide considerable support for my theory that executive power decreases media freedom, and that the depressive effect is somewhat mitigated by expected alternation in power.

Models 1 – 3 are pooled ordinary least squares (OLS) models, with robust standard errors clustered by country, the first of which includes only executives' constitutional powers and influence derived from parliamentary support (percent seat shares). These six variables alone explain almost two-thirds of the variation in *media freedom* ($R^2 = .65$), and the signs of all except *prime ministers' nonlegislative powers* are in the expected negative direction. When I add

²¹ See Freedom House's *Freedom of the Press 2012*, page 35.

alternation in power in Model 2, model fit improves drastically (note higher R^2 and lower AIC)²² and *alternation* appears to increase *media freedom* as hypothesized in H7. Model 3 includes all executive power variables, *alternation* in power, and all control variables. Model fit again improves markedly, and nearly 88% of the variation in *media freedom* is explained.

[Table 3 approximately here]

While the signs of Model 3 coefficients are mostly in line with my expectations—*time* and *prime ministers' nonlegislative powers* excepted—pooled OLS, even with unit-clustered standard errors, does not fully account for the structure of panel data and may produce biased estimates. Variation in *media freedom* for a given country at time t is normally a departure from the previous year (time $t - 1$), thus observations within countries cannot be assumed to be independent of one another over time. Similarly, *media freedom* in one country will vary differently than in other countries, and perhaps have dissimilar underlying causes.²³ Another modeling challenge is that several key explanatory variables—presidents' and prime ministers' legislative and nonlegislative powers—do not vary over time in some countries. Estimation of variables having little within-unit variance using fixed effects is inefficient (Plümper and Troeger 2007, 135), and an important assumption that underlies use of random effects models—that unit effects are uncorrelated with the covariates—is not justifiable in this context. A remaining strategy is OLS with panel corrected standard errors (PCSE) (Beck and Katz 1995), with specification of panel-level heteroskedastic errors to account for cross-country differences and panel-specific first order autocorrelation (AR1) to account for any error

²² See Akaike (1974). An AIC score decrease of at least three points is considered evidence of improved model fit.

²³ Longitudinal data can violate OLS assumptions in four ways: errors might be serially correlated rather than independent across time; errors might have panel heteroskedasticity—different variances across countries—rather than constant variance; errors might be correlated at points in time due to exogenous shocks; and, errors might be simultaneously autocorrelated and heteroscedastic (Plümper, Troeger, and Manow 2005, 329). Checking by-country summary statistics for media freedom and by-country mean residuals from the predicted values of media freedom does indicate non-constant variance by country and over time.

dependency over time.²⁴ The remaining empirical discussion is based on this PCSE specification, Model 4, which explains 93% of the variation in *media freedom*.

Executive Power and Media Freedom

My theory of executive preference for restricted media monitoring, combined with the ability to limit such monitoring, predicts that increasing constitutional powers of executives—especially legislative powers—decreases media freedom, which is what I find. The negative and significant *presidents' legislative powers* coefficient predicts that increasing such powers approximately one standard deviation from 5 to 8—e.g. Estonia versus pre-2012 Hungary—predicts a decrease in *media freedom* of over 3 points out of 100 ($-1.09 * 3 = -3.27$). Given the same three point change in *prime ministers' legislative power*—e.g. from 12 to 15 points, the difference between the Czech Republic and Estonia—the negative and significant coefficient predicts an even larger 8 point decrease in *media freedom*.²⁵ These results are not sensitive to case selection (are robust to dropping each country individually from the analysis), so I consider H1 and H3 strongly supported.

While I similarly hypothesize that the nonlegislative powers of presidents and prime ministers should be negatively related to media freedom, my expectations are neutral regarding empirical results because the causal linkages between these explanatory variables and resulting restrictions on media activities are more vague and contextual than for legislative powers.

²⁴ Feasible generalized least squares (FGLS) is another available modeling strategy; however, Beck and Katz (1995) show that FGLS is inefficient where the number of time periods (T) is not notably larger than the number of panels (N). I analyze 15 countries with years per (unbalanced) panel ranging from 10 to 19 (mean = 15.5), and thus probably fall short of the $T \gg N$ criteria. Although Chen, Lin, and Reed (2010) show that the PCSE estimator can be even less efficient than FGLS, they find that PCSE performs well when the number of time periods is close to the number of panels, which is the case with my analysis. Model results using FGLS with heteroskedastic panels and panel-specific AR1 are substantively similar to PCSE results, so my inferences are robust to either estimator.

²⁵ *Presidents' legislative powers* among my cases range from 0 to 13 with mean = 5.0 and standard deviation = 2.7. *Prime ministers' legislative powers* range from 6 to 17 with mean = 11.6 and standard deviation = 2.7.

Contrary to hypotheses H2 and H4, the estimated relationships in Model 4 between *prime ministers' nonlegislative powers* and *media freedom* are *positive* and significant, so increasing the nonlegislative powers of both types of executives might improve media freedom. Both coefficient estimates, however, appear to be driven by case selection: *prime ministers' nonlegislative powers* are no longer significant (although still positive) when Lithuania is dropped from the analysis, and *presidents' nonlegislative powers* range from positive and significant to negative and significant as country cases are dropped individually. In any event H2 and H4 do not find support in these data.

As for executive power stemming from parliamentary support, specified as *percent seat shares* in lower houses for presidents (H5) and prime ministers (H6), both coefficients have signs in the expected negative direction and are significant at conventional levels. If an executive's partisans hold 50% of the seats in the lower house, *presidents' percent seat shares* is predicted to decrease *media freedom* by 4.6 points ($-9.23 * .50 = -4.62$), and *prime ministers' percent seat shares* by 3.4 points. While the finding for *presidents' percent seat shares* is robust to dropping any country individually from the analysis, *prime ministers' percent seat shares* loses significance when Albania is dropped from the analysis. As previously discussed, prime ministers typically have built-in majority support that enables them to retain the confidence of the assembly, so the seat shares effect might be more significant when a prime minister enjoys a single-party majority. When I change the specification of prime ministers' seat shares in Model 4 to *prime ministers' party majority*—a binary variable coded 1 when a prime minister's party controls over 50% of lower house seats—that is exactly what I find. *Prime ministers' party majority* is negative (-3.41) and significant, and remains negative and significant when Albania is dropped from the analysis. However, *prime ministers' party majority* is also somewhat

sensitive to case selection, and just misses being significant when Hungary is dropped from the model. Thus I consider H5 to be strongly supported, and H6 to be partially supported.

Hungary, following the April 2010 parliamentary elections, provides an example of the potential impact of partisan seat shares on media freedom. After Prime Minister Viktor Orbán's Fidesz-Hungarian Civic Union party won 262 of 386 assembly seats (68%), *media freedom* immediately dropped from 77 to 70. Hungary's previous three parliaments selected nonpartisan presidents, but that changed when the new supermajority chose a Fidesz president, giving both executives large co-partisan support. It is perhaps not surprising that *media freedom* dropped an additional 6 points in 2011, a combined two year decrease of 13 points. Freedom House reports that the Orbán administration amended away a constitutional obligation of the government to prevent media monopolies, consolidated regulation of media outlets under a single body headed by Fidesz supporters, and pushed two media-restricting acts through parliament that appear to contain provisions in violation of EU law.²⁶

While there is considerable evidence that executives use power to constrain the media, I theorize that a modal preference for media constraints is modified in favor of increasing media freedom when executives perceive a reasonable probability that they will be removed from office, and therefore hope to be able to monitor a new government. Accordingly, the coefficient for *alternation* in power is positive, strong, and statistically significant, as well as robust to dropping any country individually from the dataset, so H7 is strongly supported. Mean *alternation* for my CEE cases is 5.1, with standard deviation of .87, and Model 4 predicts a 3.2 point improvement in *media freedom* ($3.66 * .87 = 3.2$) for a one standard deviation increase.

²⁶ See Freedom House's "Freedom of the Press 2012" report for Hungary, available as of March 2013 at <http://www.freedomhouse.org/report/freedom-press/2012/hungary>.

Some of the control variables included in the full models also appear to have significant relationships with *media freedom*. Again using the PCSE estimates (Model 4), the coefficient of *directly elected president* is negative, significant, and robust to dropping individual countries from the analysis. Presence of a directly elected president appears to decrease media freedom beyond what is already accounted for in Andrews and Bairett's (2012) executive power scores.

The other institutional control, *EU membership*, is positively signed, suggesting that adoption of EU standards may put some upward pressure on press freedom; however, the coefficient is not statistically discernible from zero. Grigorescu specifically argues that the EU has largely failed to transmit Western transparency norms to CEE member states (2002), and this finding seems to support his argument. Further supporting the idea that states with an entrenched communist legacy may be resistant to Western norms for press freedom, the coefficient of *USSR 70* is large, negative, and significant, and estimates that long-time members of the Soviet Union such as Moldova, Russia, and Ukraine will have *media freedom* scores 19 points lower than their executive institutions and additional factors otherwise predict.²⁷

As for the effect of $\Delta GDPpc$ and *time* on *media freedom*, while both are positively signed, suggesting that media freedom improves with time and economic growth, neither is significant at conventional levels. Conversely, *bureaucracy quality* is large, positive, and significant, suggesting that higher levels of bureaucratic professionalization should help dampen the media restricting propensities of executives. Of my 233 country-year observations, only 16 score greater than 3 points on the *bureaucracy quality* 0 - 4 scale (Hungary, 1995-2004; Poland, 1995-1997; and Slovakia, 1995-1997). The mean score is 2.3, with standard deviation = .86, so

²⁷ Although *USSR 70* is notably large and significant, its inclusion in Model 4 is not driving the results for my key explanatory variables. When *USSR 70* is dropped from the model, most of the variation in *media freedom* is still explained ($R^2 = .91$) and signs and significance levels of my hypothesized variables are unchanged except that *presidents' nonlegislative powers*, becomes negative and insignificant.

a one standard deviation improvement in *bureaucracy quality* is predicted to increase *media freedom* by almost 4 points ($4.50 * .86 = 3.87$). This finding does not appear to be driven by case selection since it is robust to dropping any country individually from the analysis.

Specified Legislative and Nonlegislative Powers

Although it is beyond the scope of this project to determine exactly how each constitutionally specified legislative and nonlegislative power for presidents and prime ministers impacts media freedom, I do present some preliminary analysis. Table 4 presents coefficients and standard errors using the same PCSE specification described for Table 3, Model 4, except with presidents' legislative, prime ministers' legislative, presidents' nonlegislative, and prime ministers' nonlegislative powers expanded individually while other model components remain the same.²⁸

[Table 4 approximately here]

I have shown that *presidents' legislative powers* are negatively related to *media freedom*, so it is not surprising that all powers for which I have measured variation among my cases, with the exception of referenda proposal powers, are negatively signed. Since citizens are unlikely to pass referenda that limit their ability to monitor elected officials, such proposal powers should not depress press freedom. President's reactionary legislative powers—veto and judicial review—are negatively signed but not significant at conventional levels, and the proactive power to introduce legislation is similarly insignificant. Most constitutions allow members of parliament to introduce legislation, so even directly elected presidents with minimal assembly support should have alternate ways of tabling proposals. The remaining proactive power, decree authority, is large, negative and significant, which suggests that increasing the ability of

²⁸ While the resulting models require estimation of between 17 and 20 parameters using only 15 country cases, they should be accurate enough to illustrate which specified powers are most related to media freedom.

presidents to legislate via decree negatively impacts media freedom, and supports my theory that executives usually prefer media constraints.

Prime ministers' legislative powers are also negatively related to *media freedom*, and the most salient of those powers involve the ability of prime ministers to push through preferred legislation. Accordingly, prime minister control of the legislative agenda and dominance of other veto players—heads of state and upper houses—predict a substantively and statistically interesting decrease in *media freedom*, again supporting my theory that executives will use available means to constrain the press. While I have no theoretical explanation for the negative and significant coefficient for referenda proposal authority, it does reflect another aspect of prime ministers' possible legislative dominance.

Almost all elements of *prime ministers' nonlegislative powers* are positive, along with their *legislative Regulations and Related Acts of Government* power. The latter power only rises to the level of a legislative power where it is dominant, which is never the case in my dataset.²⁹ Regulatory authority, along with prime ministers' ability to determine the composition of their cabinets, might improve the overall legal and law-enforcement environment which could have a positive impact on media freedom. However, these powers, along with assembly dissolution authority, fall short of conventional significance.

Prime ministers' abilities to survive censure votes³⁰ and to dismiss cabinet ministers are positively and significantly associated with media freedom. Where prime ministers cannot be prematurely removed they should be less sensitive to negative publicity and more tolerant of press freedom, so increased government stability resulting from censure resilience could boost

²⁹ The range of CEE prime ministers' regulatory authority is from 1 to 2 on Andrews and Bairett's (2012) 0 – 4 point scale, with mean = 1.4 and standard deviation = .5.

³⁰ Andrews and Bairett (2012) describe Censure powers in terms of prime ministers' ability to withstand being removed by votes of no confidence. Dominant prime ministers cannot be removed via censure (score = 4) or may respond to successful censure votes by dissolving assemblies (score = 3).

media freedom.³¹ Similarly, the ability to dismiss and/or reshuffle cabinet ministers gives prime ministers means of responding to negative activities and unpopular outcomes that might make them less likely to interfere with media monitoring and reporting.

As for *president's nonlegislative powers*, only cabinet dismissal and assembly dissolution authorities are statistically significant.³² Cabinet dismissal is also positive, which, again, may be related to an ability to get ahead of potentially negative press by reshuffling the cabinet, making executives less sensitive to publicity. Assembly dissolution has a large and negative coefficient, suggesting that presidents may credibly use threat of dissolution to facilitate legislation that aligns with presidential preferences, including media restricting preferences.³³

Model Predictions: Central and Eastern Europe versus Western Europe

Figure 3 plots the differences between the (reversed) Freedom of the Press scores reported by Freedom House and the scores predicted by the full PCSE, AR1 model in Table 3. Differences are presented for both CEE and Western Europe, using parameter estimates from the CEE analysis.³⁴ The perfect fit line indicates where observations fall if predicted value = reported value. As we should expect with a large R^2 , predicted *media freedom* scores correspond well to actual scores for all CEE country cases, which strongly supports my theoretical framework. There is variation around the perfect fit line; however 10 of 15 CEE countries are converging to model expectations, as evidenced by predicted-versus-reported differences of less than 5 points averaged over the last three years observed.

³¹ On the other hand, greater alternation in power is shown to help media freedom (in fact *censure* is no longer significant when *alternation* is dropped from this model), and becomes less likely when prime ministers are resistant to censure.

³² Mandate of Head of State also becomes more strongly negative and significant if *directly elected president* is removed from this model (a dominant mandate score requires direct popular election).

³³ Only six of my 233 observations have presidential Dissolution of Assembly powers > 1 (Albania, 1993 – 1998), so any inferences drawn from this finding are necessarily tentative.

³⁴ Andrews and Bairett (2012) code executive powers for the 10 Western European states shown in Figure 2.

[Figure 3 approximately here]

Although, in stark contrast to CEE, Western Europe has the best regional Freedom of the Press scores in the world, the model parameters also fit eight of ten Western European countries rather well, with most country-year observations for Western Europe falling within the same difference range as CEE observations.³⁵ First, the model predicts Sweden will score 105 – 109 points from 1993 to 2011 (versus reported *media freedom* of 89 – 92). Since Sweden, along with other Nordic countries and the Benelux states, is consistently ranked as having the highest press freedom in the world, I do not view this optimistic prediction as a failure of the model. Conversely, Portugal, through 2006, and France both have reported *media freedom* scores well above what the model predicts. Both also have directly elected presidents with the highest levels of presidential legislative power observed in my Western European country cases.³⁶ Thus it is possible that these institutions are not associated with decreased media freedom in some established Western democracies to the same degree as in transitional CEE democracies.

DISCUSSION

This paper presents compelling empirical evidence that the executive powers specified in the post-communist constitutions of Central and Eastern Europe, and subsequently amended in some countries, persistently impact media freedom. I theorize that executives have strong incentives to constrain media ability to monitor and publicize government activities, and I show that countries granting broad legislative powers, especially positive (proactive) legislative powers, to

³⁵ Three Western European countries fall outside the CEE difference range of 19.1 to -18.6. For these Western European cases, all but 34 observations also fall well within the CEE range, with their *media freedom* scores predicted as well by the model as the CEE countries. Sweden since 2006 has actual Freedom of the Press scores 19 to 20 points lower than predicted. Portugal has Freedom of the Press scores 19 to 24 points higher than predicted until 2006, after which it falls within the range of CEE differences. France's reported scores are up to 36 points higher than the model predicts, with all but three scores higher than the CEE range.

³⁶ France, Ireland, and Portugal all have directly elected presidents with *presidents' legislative power* = 5.

presidents or prime ministers tend to have reduced media freedom. I further argue that media freedom tends to suffer as presidents and prime ministers accrue power through increased party support in lower houses of parliament and find strong support for that argument. Finally, I posit that the normal executive preference for media constraint is moderated by desire to monitor opposition government when there is a reasonable expectation of alternation in power, and find convincing evidence that such alternation is associated with improved media freedom.

I also find evidence that presence of a directly elected president is negatively associated with media freedom to a greater extent than is predicted by executives' specified powers, and that countries with the longest-running communist legacies have systematically lower Freedom of the Press scores than are predicted by executive institutions and expected alternation in power alone. Increased professionalization of bureaucracies is predicted to improve media freedom.

Preliminary evidence regarding which constitutionally specified powers most impact media freedom indicates that presidential decree power and prime minister domination of the legislative process are most inimical to media freedom. Meanwhile, prime ministers who are confident of surviving parliamentary attempts to censure (remove) the government may be less sensitive to negative information about their governments and more tolerant of press freedom. Correspondingly, prime ministers' and presidents' ability to reshuffle cabinets may give executives a means of dealing with negative publicity that tends to make them more tolerant of independent media. Closer examination of these potential mechanisms is a promising area for future research.

Finally, my executive power model fits the data for Central and Eastern Europe quite well, and also predicts Freedom of the Press scores adequately for (at least) eight of ten Western European countries. While the contrast between some high-scoring Western European countries

and lower-scoring CEE countries with similar presidential powers is worthy of future research, model performance is excellent considering that Western Europe consistently has the highest regional media freedom scores in the world.

This paper also has implications for comparative scholarship on government transparency more broadly. I find compelling support for my theory that executives eschew being monitored and tend to use their power to constrain media freedom—just one means of monitoring and publicizing executive and government activities. This evidence suggests that executives might also use their constitutional and accrued powers to constrain other options on the transparency spectrum. Future research on the relationships of specified and accrued executive powers, using measures and methods similar to those used in this project, should prove fruitful in identifying institutional conditions that are more likely to improve other forms of government transparency, and thus in enabling principals to better hold elected agents accountable.

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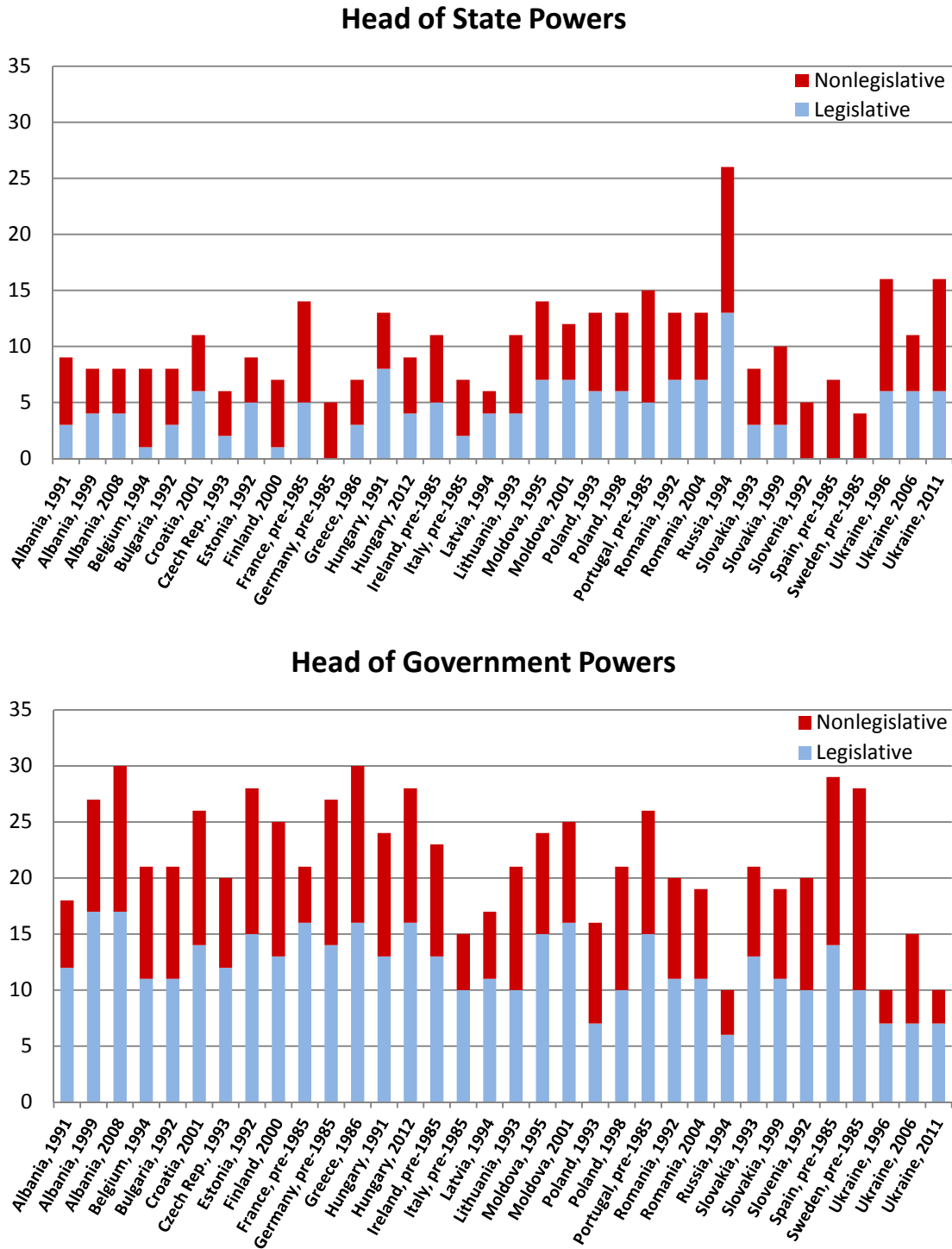
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Figure 1 Government Information Transparency Spectrum



Figure 2 Executives' Legislative and Nonlegislative Powers, Selected European Constitutions



Source: Andrews and Bairett (2012); entries are by country, with first year of new or amended constitution

Figure 3 Predicted Values versus Reported Media Freedom

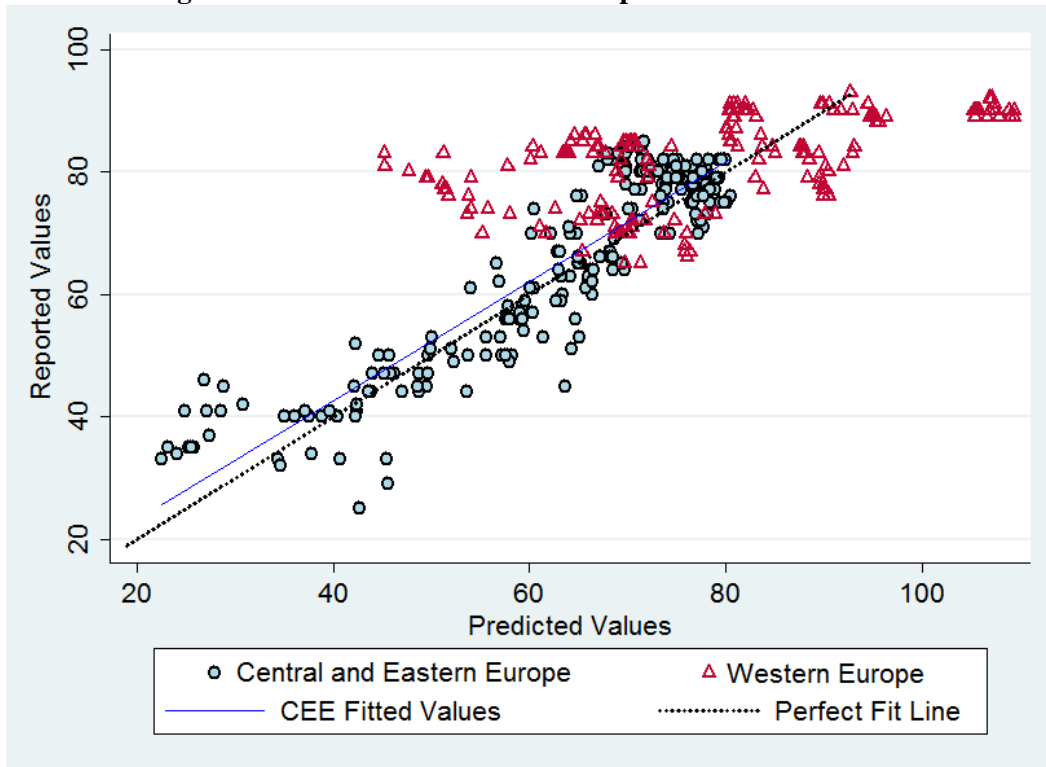


Table 1 Potential Benefits and Costs of Media Freedom to Democratic Executives

Costs	Benefits
<ul style="list-style-type: none"> • Rent extraction more risky/difficult • Potential discovery and reporting of politically damaging information • Added administrative and public relations burden of maintaining and managing press relations 	<ul style="list-style-type: none"> • Existence of credible, independent outlets for credit-claiming • External monitoring lessens need for internal monitoring of officials (McCubbins and Schwartz 1984) • Show credible commitment to civil rights such as free speech • Ability to monitor opposition parties when they take power

Table 2 Major Constitutionally Specified Executive Powers

	Legislative Powers	Nonlegislative Powers
Presidents	<ul style="list-style-type: none"> • Package Veto/Override • Partial Veto/Override • Decree • Right to Introduce Legislation • Budgetary Powers • Proposal of Referenda • Judicial Review <p><i>(28 points possible)</i></p>	<ul style="list-style-type: none"> • Mandate of Head of State • Cabinet Formation • Cabinet Dismissal • Dissolution of Assembly <p><i>(16 points possible)</i></p>
Prime Ministers	<ul style="list-style-type: none"> • Control of Legislative Agenda • Budgetary Powers • Dominance of Lower Chamber • Dominance of Executive • Regulations and Related Acts of Government • Proposal of Referenda <p><i>(24 points possible)</i></p>	<ul style="list-style-type: none"> • Mandate of Head of Government • Cabinet Formation • Cabinet Dismissal • Censure • Dissolution of Assembly <p><i>(20 points possible)</i></p>

Source: Andrews and Bairrett (2012); each power is scored 0 – 4 points

Table 3 Executive Power and Media Freedom, Central and Eastern Europe

	(1) Power Variables, OLS	(2) Power and Alternation, OLS	(3) Full Model, OLS	(4) Full Model, PCSE, AR1
Presidents' Legislative Powers	-1.342 (0.842)	-1.509** (0.674)	-1.224*** (0.409)	-1.094*** (0.320)
Presidents' Nonlegislative Powers	-2.715* (1.356)	-1.700 (1.215)	-0.050 (0.972)	0.958* (0.570)
Prime Ministers' Legislative Powers	-2.852** (1.318)	-1.882 (1.204)	-2.424*** (0.735)	-2.754*** (0.590)
Prime Ministers' Nonlegislative Powers	3.815*** (0.791)	2.499*** (0.761)	2.217** (0.754)	1.657*** (0.503)
Presidents' Percent Seat Share	-21.850*** (7.146)	-19.240*** (5.390)	-12.840** (4.754)	-9.230*** (2.203)
Prime Ministers' Percent Seat Share	-13.210 (7.641)	-18.670** (8.463)	-15.910** (6.678)	-6.706* (3.487)
Alternation in Power		6.657*** (1.204)	5.567*** (1.015)	3.655*** (0.637)
Directly Elected President			-9.249** (3.341)	-7.695*** (2.599)
European Union Member			4.665* (2.391)	0.939 (1.138)
USSR Legacy 70+ Years			-8.182 (5.171)	-19.45*** (3.730)
Δ GDP per capita			0.900** (0.386)	0.0976 (0.273)
Time			-0.240 (0.217)	0.189 (0.138)
Bureaucracy Quality			3.508* (1.650)	4.498*** (1.094)
(Intercept)	95.260*** (20.700)	58.800*** (19.510)	60.920*** (9.595)	59.140*** (8.416)
R ²	0.647	0.730	0.877	0.933
AIC	2091.8	1658.0	1487.2	—
N = Country-Years	233	233	233	233

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$; 2-tailed tests

Robust standard errors in parenthesis, clustered by country (Models 1 – 3)

Table 4 Expanded Executive Powers and Media Freedom, Central and Eastern Europe

Presidents' Legislative Powers	Coefficients	Prime Ministers' Legislative Power	Coefficients
Package Veto/ Override	-0.86 (0.93)	Control of Legislative Agenda	-3.31*** (0.77)
Partial Veto/ Override	NA	Budgetary Powers	0.29 (1.00)
Decree	-6.75*** (1.54)	Dominance of Lower Chamber	-1.88** (0.84)
Right to Introduce Legislation	-0.90 (2.18)	Dominance of Executive	-2.63** (1.33)
Budgetary Powers	NA	Regulations and Related Acts of Government	2.75 (1.85)
Proposal of Referenda	0.83 (0.60)	Proposal of Referenda	-5.57** 2.70
Judicial Review	-0.84 (0.58)		
Presidents' Nonlegislative Powers	Coefficients	Prime Ministers' Nonlegislative Powers	Coefficients
Mandate of Head of State	-2.86 (2.08)	Mandate of Head of Government	-1.61 (1.10)
Cabinet Formation	1.25 (1.14)	Cabinet Formation	3.44 (2.17)
Cabinet Dismissal	1.86** (0.94)	Cabinet Dismissal	3.40*** (0.65)
Dissolution of Assembly	-5.95*** (1.83)	Dissolution of Assembly	2.42 (2.87)
		Censure	2.27** (1.08)

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$; 2-tailed tests

NA= not available (score = 0 for all country cases)

Coefficients (and standard errors) are from Table 3, Model 4 except with each executive power individually expanded into its components; other model variables not shown.