

A Comparative Analysis of Institutional Development in the Romanian and Moldovan Legislatures

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In this paper, we compare the process of legislative institutionalisation in Romania and Moldova. We examine three broad factors which influence this process: the political culture and the institutional framework inherited from the previous regime, the policy environment and the internal organisation of the legislature. This line of research is important for three reasons. First, the literature on post-Communist legislatures has not attempted to compare the process of legislative institutionalisation. Peabody notes that generally few studies have attempted comparative analysis of two or more legislatures. Second, by examining the process of legislative institutionalisation, we explore the internal and external environment in which the Romanian and Moldovan legislatures function.¹ This provides us with an opportunity in which to examine the nexus between the legislature and the broader political system. Third, this research provides a unique opportunity in comparative politics to examine two countries that have, to a considerable degree, a common history and political culture but distinct political institutions.

HISTORICAL ANTECEDENTS OF THE ROMANIAN AND MOLDOVAN LEGISLATURES

Romania

In order to understand the current nature of these two legislatures, it is instructive briefly to review the historical context in which they have developed. The Romanian nation dates back at least to the period of Roman colonisation. The first Romanian states, Wallachia and Moldavia, were established in the fourteenth century. By the fifteenth century, the Ottoman Turks established a suzerainty over this region. The pre-eminence of the Ottoman Empire was challenged in the eighteenth century by both Russia and Austria. From 1821 until the outbreak of the Crimean War, Russia exerted primary influence in Wallachia and Moldavia. National independence came late to the region. Only in 1859 were the United Principalities of Wallachia and Moldavia recognised by the European

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political heritage of the inter-war years. In June 1940 Bessarabia was re-occupied by Soviet forces as a consequence of the Ribbentrop-Molotov agreement. The Soviet Socialist Republic of Moldova was formed on 2 August 1940 by joining Bessarabia with eight of the *raions* that made up the Moldavian Autonomous Soviet Socialist Region.

Moldova's population, which has long been more heterogeneous than that of Romania, was at the beginning of its independence approximately 64 per cent Moldovan, 14 per cent Ukrainian, 13 per cent Russian, 3.5 per cent Gagauz (a Turkic language-speaking people of Orthodox Christian faith who originated in Bulgaria) and two per cent Bulgarian.⁵ Moldova's democratic transition was complicated from its inception by intense inter-ethnic conflict. By mid-1988 Moldovan dissidents had organised the Democratic Movement in Support of Restructuring (later re-christened the Moldovan Popular Front) to press for democratisation and redress for discriminatory practices imposed upon the titular population. The prospect of ethnic Moldovans gaining political power touched off an immediate response by Russian speaking minorities. Many supported Edinstvo (the Internationalist Movement for Unity), a pro-Russian movement whose strongest base of support existed in the cities on the left bank of the Dniester river, while non-Moldovans supported Gagauz-Halchi, which is the main organisation representing Moldova's Gagauz minority during the transition period.

LEGISLATIVE DEVELOPMENT IN ROMANIA

The Critical Choices of 1989 and 1990

The development of the Romanian legislature has been strongly influenced by a limited number of critical choices made during late 1989 and early 1990. The political environment in which these decisions took place was fundamentally conditioned by the nature of the Romanian revolution. Because of its role immediately following the revolution, the National Salvation Front (NSF) was able to establish the limits within which institutional decisions were made. The NSF was formed on 22 December 1989 in reaction to the demise of the Ceausescu regime. While the original members of its council included intellectuals, army officers and students, the most prominent among them were former Communist officials. Seizing the initiative during a period of extreme instability, the NSF proclaimed a provisional government. Ion Iliescu was named President of the NSF Council and interim president of the country. Petre Roman was named prime minister of the interim government.

On 27 December, the NSF Council issued a ten-point programme in

powers. Full independence followed the Berlin Congress in 1878. In March 1918, the Bessarabian legislature voted for union with Romania. In December of that same year, Transylvania adopted the Proclamation of Alba Iulia and became part of Romania. This period of 'Greater Romania' lasted from 1919 until 1940 when the areas of Bessarabia and Northern Bukovina were relinquished to the Soviet Union as part of the Ribbentrop-Molotov agreement. Later that year, Northern Transylvania was re-united with Hungary, and Southern Dobrogea was given to the Bulgarians. Romania's population reflects the dynamic history of this region. According to the 1992 Romanian census, there are over 25 ethnic minorities in Romania. Ethnic Romanians comprise 89 per cent of the population while Hungarians constitute the single largest ethnic minority at just over seven per cent of the population.

The current legislative culture in both Romania and Moldova reflects their earlier political traditions. While the post-Communist legislatures of these two countries have existed for only four years, the Romanian legislature as an institution can be traced back to the Convention of 1858. Indeed, the basic structure of the current Romanian legislature is modelled on the structure first adopted in the 1866 constitution. Throughout the inter-war period, Romania had only two free elections (1919 and 1928), and the legislature became increasingly under the control of external influences.⁶ The 1938 constitution granted the king the power to nominate half of the members of the Senate, and less than a month after the adoption of the constitution, all political parties were abolished.⁷ Unlike many other Communist legislatures, the Romanian Communist legislature (Grand National Assembly) never developed democratic features. Even after several legislative reforms were enacted in the mid-1970s, Mary Ellen Fischer reports that the Central Committee was still the superior body.⁸ Fischer notes that there was an extremely high turnover rate in the Grand National Assembly which thwarted attempts at reforms.

Moldova

Moldova, like Romania to its west across the Prut river, is inhabited primarily by a Latin language-speaking people whose presence in the region dates from the period of Roman colonisation. An independent Moldovan principality, including the territory of the contemporary republic, was first established during the fourteenth century. Bessarabia, the region between the Dniester and Prut rivers, constitutes the largest area in current Moldova. Bessarabia was annexed by Imperial Russia following the Russo-Turkish war of 1806-12. With the collapse of the Russian Empire, political leaders in Bessarabia formed a National Council (*Sfatul Tarii*) and voted on 27 March 1918 to unite with Romania. Moldova thus shares with Romania the

which single-party domination was abolished and free elections were guaranteed.⁶ Article 3 of the programme created an 11-member Executive Office within the NSF Council which was responsible for the exercise of power. Article 4 of the programme established 11 commissions within the NSF Council responsible for specific policy areas. The 14 commissions currently found in the Romanian legislature reflect the general policy areas of these 11 initial commissions.

Initially the NSF claimed that it was not a political party and that it would not nominate candidates for the April 1990 national election. However, by 23 January the NSF issued a statement reversing this decision. Leaders of the three historic parties of Romania protested against the decision, arguing that there could not be a fair election if the NSF both organised and participated in the election. The NSF Council agreed to hold discussions with leaders from various political parties in order to dispel any perception that it was attempting to monopolise Romanian politics.

As a consequence of this 'round table' discussion between NSF leaders and leaders of other political parties, the Provisional Council of National Unity (PCNU) was formed. The PCNU acted as a *de facto* legislative body until the elections were held. Approximately 50 per cent of the council's membership was drawn from the NSF, and the other 50 per cent of its membership represented the registered political parties.⁷ On 14 March 1990, the PCNU issued a decree which postponed the election from April until 20 May. This decree also created a bicameral legislature comprised of a lower house (Assembly of Deputies) and an upper house (Senate). The decree mandated that the legislature would have 18 months in which to ratify a constitution and that within 12 months after the constitution was ratified, a new election had to occur.

While these critical policy decisions were issued by the PCNU, clearly the NSF Executive Office and President Iliescu were the primary sources of authority at this time. For example, the secret police was officially resurrected under a new name in March 1990 without legislative authority. Indeed, legislative authority for the creation of this organisation took almost a year after the legislature first convened.⁸

The 1990 Election

The electoral law passed by the PCNU was intended to be provisional. It was valid only for the 1990 election and provided for the simultaneous election of the president and the legislature. The 1990 Romanian election employed a combination of multi-member districts and proportional representation. Voters chose among party lists in multi-member districts. Forty-one electoral districts were established. There was no threshold barrier for parties to enter the legislature, and independent candidates only

had to secure the endorsement of 251 eligible voters in order to be placed on the ballot. Each party list for the Assembly of Deputies and the Senate was determined by the local county electoral commission. The list of presidential candidates was established by the Central Electoral Bureau in Bucharest. The actual ballot contained the list of parties and the names of party candidates. The 1990 electoral system was based on a Belgian model in which so-called 'wasted votes' were aggregated at the national level. Unlike the 1990 presidential election in Moldova, the Romanian President was popularly elected. If no presidential candidate achieved an absolute majority in the first round of the election, a second round was to be held between the two candidates who received the most votes in the previous round. A candidate only needed to receive a majority of votes in the second round.

There were a total of 396 seats in the Assembly of Deputies and 119 seats in the Senate. Of the 396 seats in the Assembly of Deputies, 387 were contested. The remaining nine seats were distributed to minority political parties as established by Article 4 of the electoral law.⁹ Seventy-three parties offered candidates for the Assembly of Deputies, and 60 parties offered candidates for the Senate in the May 1990 election (see Tables 1 and 2). There were a total of 5,344 candidates for the 396 seats in the Assembly of Deputies (7.4 per cent were elected), and 1,562 candidates for the 119 seats in the Senate (7.6 per cent were elected). Presidential candidate Iliescu won an overwhelming 85 per cent of the vote. Some observers have argued that the victory of the NSF is reminiscent of elections during the Communist period. Rady argues, with substantial justification, that the election of 1990 more closely parallels the elections during the inter-war period and reflects Romanian inter-war political culture.¹⁰

Even though the NSF won just over 66 per cent of the seats in the legislature, the distribution of commission seats held by NSF members averaged just over 60 per cent. The distribution of commission seats, however, was indicative of the importance that the NSF leadership attached to particular policy areas. While the NSF held only 54 per cent of the seats on the Ecology Commission, the party held over 73 per cent of the seats on the more important Central and Local Administration Commission. The NSF also held most of the leadership positions in the two chambers. The first President of the Assembly of Deputies, Dan Martian, was a member of the NSF, as also was the first President of the Senate, Alexandru Birladeanu.

Although the NSF held an absolute majority in the legislature and key portfolios in the government, finding consensus on economic matters proved to be difficult. Prime Minister Petre Roman and President Iliescu held different views as to the pace of economic reform. Roman wanted more privatisation and less government controls on the economy while Iliescu maintained that economic restructuring should occur slowly. Because of

these emerging differences, Iliescu created a 'shadow government' inside the executive branch. He organised his own staff on the basis of the government ministries.¹¹ Most NSF legislators supported Iliescu's position, and therefore the real debate on economic reform occurred between the president and prime minister and not within the legislature.

TABLE 1
ROMANIAN PARLIAMENTARY ELECTION, 1990: ASSEMBLY OF DEPUTIES

Party	Vote %	Number of Seats	Seats %
National Salvation Front	66.31	263	67.9
Hungarian Dem Union Romania	7.23	29	7.5
National Liberal Party	6.41	29	7.5
Romanian Ecological Movement	2.62	12	3.1
National Peasants Party	2.56	12	3.1
Alliance for a United Romania	2.12	9	2.3
Dem Agrarian Party of Romania	1.83	9	2.3
Romanian Ecological Party	1.69	8	2.1
Romanian Socialist Democratic Party	1.05	5	1.3
Social Democratic Party	0.53	2	0.5
Democratic Group of the Centre	0.48	2	0.5
Democratic Party of Work	0.38	1	0.2
Party of Free Change	0.34	1	0.2
Party of Nat Reconstruction Romania	0.31	1	0.2
Party of Young Free Dem of Romania	0.31	1	0.2
German Dem Forum of Romania	0.28	1	0.2
Liberal Union 'Bratianu'	0.26	1	0.2
Romanian Dem Union of Romania	0.21	1	0.2
Total	94.92	387	100.0

Sources: Ariadna Combes and Mihnea Berindei, 'Analiza alegerilor', in Pavel Campeanu, Ariadna Combes and Mihnea Berindei (eds.), *Romania intrate si dupa 20 Mai* (Bucharest: Humanitas, 1991) and Alexandru I. Bejan, 'Prezentarea si analiza comparativa a rezultatelor alegerilor de la 20 Mai 1990', in Petre Dăculescu and Klaus Liepelt (eds.), *Renasterea din Romania de la 20 Mai 1990* (Bucharest: Coresi, 1991).

TABLE 2
ROMANIAN PARLIAMENTARY ELECTION, 1990: SENATE

Party	Vote %	Number of Seats	Seats %
National Salvation Front	67.02	91	76.5
Hungarian Dem Union of Romania	7.20	12	10.1
National Liberal Party	7.06	10	8.4
National Peasants Party	2.50	1	0.8
Romanian Ecological Movement	2.45	1	0.8
Alliance for a United Romania	2.15	2	1.7
Dem Agrarian Party of Romania	1.59	-	-
Romania Ecological Party	1.38	1	0.8
Romanian Social Democratic party	1.10	-	-
Independent	-	1	0.8
Total	92.45	129	100.0

Sources: Combes and Berindei (1991) and Bejan (1991).

The 1991 Constitution

Following the election in May 1990, the primary task of the legislature was to draft a new constitution. The membership of the legislative drafting committee reflected the parties' strength in the legislature. Eyal argues that the most crucial issue confronting this committee was the distribution of power between the legislative and executive branches.¹² President Iliescu made it clear to members of his party that he wanted a strong presidency.

The draft that was adopted established a semi-presidential system based on the French model. Article 102 stipulates that the president and not the legislature nominates the prime minister, and it is the president who dismisses the prime minister. While Petre Roman's nomination as prime minister was approved by the legislature shortly after the 1990 election, the legislature was not consulted when Roman was dismissed by Iliescu in September 1991.¹³ In addition, Articles 86 and 87 grants the president the right to consult with the government and participate in government meetings. The constitution also provides emergency powers to the president and the authority to propose referenda.

The Romanian constitution was overwhelmingly approved by the legislature. Over 81 per cent of the legislators voted for the constitution in November 1991. Significantly, however, almost all of the members of the Hungarian Democratic Union of Romania (HDUR) and the National Peasants Party-Christian Democrat (NPP-CD) voted against the constitution. The legislators of these parties felt that specific reference to 'separation of powers' needed to be included in the constitution. Moreover, these legislators felt that the constitution granted too much power to the executive.

While the president has been extremely influential in legislative areas, the government has also actively sought legislative authority. There are currently 21 government ministries in Romania. While Article 72 provides that the legislature may pass constitutional, organic and ordinary laws, the legislature has occasionally granted the government the right to rule by decree.¹⁴ In addition, there are numerous examples of state bodies being created by the government without legislative authorisation. This practice of delegated legislative authority exists in most legislatures, including the United States. The difference is that the Romanian legislature has not developed the level of institutionalisation that is found in Western legislatures. Therefore, decrees which delegate legislative authority to state bodies acted to erode the Romanian legislature's power. While the PCNU initially maintained the French practice whereby members of the legislature could not hold government portfolios, the constitution currently allows members of the legislature to hold government positions. Some have argued

that dual membership in the government has also weakened the legislature.

Unlike other European legislatures, there is little differentiation made between the Romanian lower and upper chamber. Title 3, Chapter 2 of the constitution establishes the general structure of the legislature. Each chamber contains a Standing Bureau of 13 members (one chairman, four vice-chairmen, four secretaries and four quaestors). The president of each chamber presides over their respective Standing Bureau. The president of each chamber is elected for the chamber's term of office (currently four years). The other members of the Standing Bureau are elected at the opening of each session in February.

There are 14 Standing Commissions in each chamber. Legislators are selected for the standing commissions by the chairperson of their legislative group based on proportional representation. While sessions of both chambers are generally public, commission meetings are closed.

The 1992 Election

With the constitution ratified, the next critical task for the legislature was to draft a new law for the September 1992 national election. The political landscape in Romania by early 1992 had changed substantially. Petre Roman had been replaced in September 1991 by former Minister of Finance Theodor Stolojan. Opposition parties had formed a coalition called the Democratic Convention in November 1991. In the local election in March 1992, the Democratic Convention won mayoral contests in Romania's largest cities, including Bucharest, Timisoara, Iasi and Brasov. Because of the success in the local election, the Democratic Convention decided to contest the national election. Also in March 1992, those NSF members who supported President Iliescu in his dispute with Prime Minister Roman left the party to form the Democratic National Salvation Front (DNSF).¹⁵

The electoral law enacted by the legislature in July 1992 substantially changed the 1990 procedures. Not only was the name of the Romanian lower house changed to the House of Deputies but the number of seats in the legislature was significantly changed. Using a 'representational standard', the number of seats in the House of Deputies was reduced from 387 to 328, and the number of seats in the Senate was increased from 119 to 143. These alterations reflected a growing concern among DNSF legislators that the legislature would be more fragmented following the 1992 election.

Moreover, many of the new electoral rules appear to have been designed to protect the DNSF's control over the legislature. A three per cent electoral threshold was adopted for parties to enter the legislature, with the additional stipulation (likely because of the success of the Democratic Convention in the 1992 local election) that the threshold would be increased for coalitions.¹⁷ In addition to the three per cent minimum, one per cent was added for each

member of the coalition up to eight per cent.¹⁸ Therefore, the Democratic Convention needed eight per cent of the national vote to enter the legislature. The number of electoral districts was increased from 41 to 42. Other changes were enacted which made it more difficult for independent candidates and representatives of the ethnic minorities to win election.

While the DNSF still garnered a plurality in the 1992 national election, the party failed to receive the absolute majority it enjoyed in 1990 (see Tables 3 and 4). Ultimately, the DNSF had to form a coalition government with several extremist parties including the Party of Romanian National Unity (PRNU), the Greater Romanian Party (GRP) and the Socialist Party of Work (SPW). Despite this coalition, members of the DNSF held almost all the government portfolios. Both the President of the House of Deputies, Adrian Nastase, and the President of the Senate, Oliviu Gherman, were DNSF members.

TABLE 3
ROMANIAN PARLIAMENTARY ELECTION, 1992. HOUSE OF DEPUTIES

Party	Vote %	Number of Seats	Seats %
Dem National Salvation Front	27.71	117	35.7
Democratic Convention	20.01	82	25.0
National Salvation Front	10.18	43	13.1
Party of Romanian Nat Unity	7.71	30	9.1
Hungarian Dem Union of Romania	7.45	27	8.2
Greater Romania Party	3.89	16	4.9
Socialist Party of Work	3.03	13	3.4
Dem Agrarian Party of Romania	2.99	-	-
Total	82.97	328	100.0

Source: *Monitorul oficial al Romaniei*, 257 (15 Oct. 1992), pp.2-13.

TABLE 4
ROMANIAN PARLIAMENTARY ELECTION, 1992. SENATE

Party	Vote %	Number of Seats	Seats %
Dem National Salvation Front	28.29	49	34.3
Democratic Convention	20.16	34	23.8
National Salvation Front	10.38	18	17.5
Party of Romanian Nat Unity	8.12	14	13.6
Hungarian Dem Union of Romania	7.58	12	8.4
Greater Romania Party	3.85	6	4.2
Socialist Party of Work	3.18	5	3.5
Dem Agrarian Party of Romania	3.30	5	3.5
Total	84.86	143	100.0

Source: *Monitorul oficial al Romaniei*.

While the actual number of parties represented in the legislature decreased after the 1992 election, the number of legislative groups increased from eight to ten. The legislature passed a decree stating that only parties with ten seats would be allowed to form their own legislative group. Therefore while the GRP and SPW were able to form separate legislative groups in the House of Deputies, these parties had to join other lists in the Senate because they failed to achieve the ten-seat minimum. After the 1992 election, the legislature decreed that it would not recognise individuals who switch party affiliation after taking office. In May 1994, the Constitutional Court declared that these two provisions in the Standing Rules were unconstitutional.

The percentage of incumbents who were returned to the legislature in 1992 was quite low. Based on calculations for the House of Deputies, the percentage of legislators for all parties who were returned was 22 per cent.¹⁹ HDUR returned the single largest percentage of members at just over 41 per cent. This result is not surprising considering the low levels of public trust in the legislature. Following the 1992 election, the composition of the legislative commissions changed reflecting the DNSF's concern over the loss of its absolute majority. During the first legislature, even though commission assignments were based on proportional representation, the NSF was actually under-represented in commissions. In the current legislature, the DNSF is fully proportionally represented in the commissions. It thus appears likely that the DNSF decided to increase its representation on the commissions in comparison to that which it maintained in the previous legislature because it no longer possessed an absolute legislative majority. The number of DNSF legislative and commission seats is approximately equal, at 34 per cent. However, the DNSF holds 44 per cent of the seats on the important Industry and Work Commission but only 27 per cent of the seats on the Human Rights and Minority National Problems Commission.

The margin of victory for President Iliescu declined significantly in the 1992 election. Iliescu received just over 85 per cent of the first-round vote in 1990. In 1992, he received less than 48 per cent of the first-round vote and just over 61 per cent of the second-round vote. While DNSF opponents argued that this sharp decline indicated a lack of confidence in the DNSF and Iliescu, supporters argued that these returns reflected a more moderate and realistic view of Romanian politics.

Following the 1992 election, Iliescu named Nicolae Vacariou as prime minister. Vacariou was given the difficult task of heading a minority party cabinet. The DNSF was dependent on nationalist and leftist parties to secure its majority in the legislature. This coalition, however, became fragmented and three separate votes of no confidence were taken between 1993 and

1994. While these votes failed, they sent a clear signal that the legislature was not satisfied with the government. In March 1994, the Vacariou Government was reorganised. The opposition, however, argued that these changes were not substantial. Moreover, it appears likely that impetus for the reorganisation emanated from President Iliescu rather than Prime Minister Vacariou.

The Romanian legislature has so far failed significantly to institutionalise its legislative authority. While the opposition has attempted to increase the influence of the legislature both with respect to the president and the government, institutional features and the external political environment have limited its role. While the process of legislative institutional development has just begun, several critical choices have already been taken. These choices will affect the development of the Romanian legislature at least for the near future.

LEGISLATIVE DEVELOPMENT IN MOLDOVA

Critical Choices and the 1990 Election

As in Romania, the conditions in which preparations got under way for Moldova's first democratic election, to the republican Supreme Soviet, were far from optimal. By the autumn of 1989, governmental authority was already breaking down in Soviet Moldova, and ethnic mobilisation was in full swing.²⁰ The formerly dominant Communist Party became sharply divided between a reformist wing, headed by First Secretary Petru Lucinschi, and hard-liners who consolidated control over most of the Transnistrian district and city administrations. The Communist Party reformers managed to control the formulation of the election law, which incorporated most of the demands made by the extra-party opposition.

The final version of the election law mandated that candidates had to be nominated from electoral districts in work collectives of 100 persons or from residents' meetings of 50 or more persons. The law stated that a nominee would 'normally' reside in the electoral district. This requirement, however, was interpreted loosely.²¹ In keeping with normal Soviet practice, the republic was divided into single member districts (380 in all). A minimum of 50 per cent of the vote was required in order for a candidate to be elected. If no candidate achieved this figure, a run-off election was held between the two candidates with the largest percentage of the vote.

Open and generally fair political competition did occur during Moldova's first legislative election campaign in early 1990. Opposition candidates were given access to space provided in the republican Central Committee's newspapers to publicise their individual campaign platforms.

Furthermore, the weekly journal of the Moldavian Writers' Union, *Literatura si arta*, was used extensively as the unofficial campaign organ of the Popular Front of Moldova, the primary organisation of the anti-Communist opposition. In early February, this journal published the Popular Front's electoral platform which called for full sovereignty, a return to the use of traditional national symbols, private property, a free market and political pluralism.²² By the February election date, the Popular Front's candidates were on the ballot in 219 of Moldova's 380 electoral districts.

Increased co-operation between the Popular Front and reform Communists was evident during this period. Collaboration extended into the electoral arena where one could find the names of ranking Communist Party members, such as Mircea Snegur, among the nominees of the Popular Front.²³ Competitive races were held in 373 districts.²⁴ In the 140 contests decided without a run-off (winning candidates having received more than 50 per cent of the vote), reformers claimed victory in 59 (42 per cent) contests. While 115 (82 per cent) of those elected were Communist Party members, many of these ran with the support of the Popular Front (*Literatura si arta* 1990a, 1).²⁵ With respect to ethnicity, first-round elections returned 91 (65 per cent) Moldovans, 21 (15 per cent) Russians, 18 (13 per cent) Ukrainians, seven (five per cent) Gagauz and three (two per cent) Bulgarians.²⁶

The second round of elections, held on 10 March 1990, filled the bulk of the positions in the republican Supreme Soviet and proved decisive in the political life of Moldova. With the conclusion of the run-off election, a total of 101 (27 per cent) Supreme Soviet legislators were selected from the list supported by the Popular Front.²⁷ Reformers, however, calculated (correctly, as soon became evident) that with the added votes of deputies sympathetic to the Popular Front, 'democratic forces' would command more than half of the votes in the new legislature.²⁸

The Moldovan Legislature

The 1990 election marked a significant step in Moldova's democratisation. Unfortunately, it failed to produce an effective legislature, and it reinforced inter-ethnic conflict in the republic. Soviet Moldova's first and only democratically elected legislature opened its inaugural session on 17 April 1990. Borrowing from the Soviet model, it maintained a presidium which carried out legislative functions when the larger body was not in session. Legislative leadership consisted of a president of the legislature and two vice-presidents elected by the legislators. The work of the legislature was carried out by 15 permanent commissions, each having legislative authority in specified functional areas. The commissions wrote legislation in their areas and then submitted it to the entire body for approval or amendment.

Members were elected to the commissions by the legislature. Four departments of state were also directly subordinated to the legislature. These included the Department of Privatisation, the Department of State for Statistics, the Department of State for the Protection of Natural Resources and the State Control Department.²⁹

As occurred in other former Communist countries, difficulties almost immediately arose in Moldova concerning the relations between the newly established legislature and the executive branch. The head of state of Moldova is the President of the Republic. Under constitutional arrangements prevailing after the 1990 national election, the president (Mircea Snegur) was elected by the members of the legislature. New provisions were introduced in 1991 which called for the president's direct election by all members of the population over 18 years of age. At the same time, the position of the president with respect to the legislative branch was strengthened. The Government of Moldova was, and is, in an ambiguous position with respect to legislative-executive relations. It is made up of approximately 20 ministers, each in charge of a specific policy area (many paralleled by legislative commissions). The activity of the government is directed by a prime minister and two deputy prime ministers. Members of the government are proposed by the president but must be confirmed by the legislature before taking office.

The Moldovan legislature's early performance highlights the difficulty of democratisation after years of authoritarian rule. While the breakdown of political consensus, and of basic order, inside the legislature may have been inevitable, the speed with which it actually occurred appears to have been forced by ideologically motivated activists who immediately introduced emotionally charged issues into debate. This extreme approach to legislative activity, particularly by the new and inexperienced Moldovan legislators, led to rapid polarisation primarily along ethnic lines. Popular Front representatives, for example, entered a motion to rename the national legislature the *Svatul Tsarii* which they argued was in accordance with the national tradition. This motion failed after an extremely acerbic televised exchange between legislators, but a second and almost equally controversial motion restoring the pre-revolutionary Moldavian flag as the symbol of the republic passed. Furthermore, legislators selected a government composed almost entirely of ethnic Moldovans. In addition while ethnic Moldovans accounted for 69.6 per cent of the legislature, they received over 83.3 per cent of the legislative leadership positions.³⁰

These early actions in the legislature had immediate negative consequences, providing representatives of the ethnic minorities with little hope that their interests would gain a fair hearing in Moldovan-dominated institutions. Inside the legislature, anti-reformers organised themselves into

a legislative faction, *Sovietskaya Moldaviya*, and became increasingly obstructionist. Simultaneously, adherents of the Popular Front engaged in increasingly violent street demonstrations. Citing this behaviour as a threat to their physical safety, 100 opposition legislators walked out of parliament on 24 May 1990. Hence little more than one month after opening its first session, Moldova's legislature had collapsed into disarray.

Outside the Supreme Soviet, preparations were undertaken to resist actively what many Russian speakers considered to be discriminatory legislation. In early May, the minority-controlled city governments of Tiraspol, Bender and Ribnitsa refused to accept the legitimacy of measures passed by the new legislature, and these city governments passed measures suspending application of the law on the flag on their territories.³¹ This initiated the devolution of power from republican to local institutions. In the southern region of Moldova, the Gagauz announced the formation of their own republic on 21 August 1990. Transnistrian authorities followed suit on 2 September 1990, proclaiming the formation of the Transnistrian Moldovan Soviet Socialist Republic.

Established in August 1991 in response to the anti-reform coup attempt in Moscow, the Republic of Moldova immediately faced a challenge to its sovereignty. As separatists consolidated their position in Transnistria and the Gagauz region, nationalists inside the Moldovan legislature became increasingly militant, bringing intense pressure on President Mircea Snegur to restore order through force. In late March 1992, a state of emergency was declared and an effort was made to disarm units of the separatist militia. This attempt met with armed resistance, and by May 1992, Moldova had descended into full-scale civil war.

While conflict with the separatists failed to reunite the country, it did instigate a crucial legislative realignment. A growing economic crisis and the government's failure to carry through reforms had already undermined initially broad support for the Popular Front. Opposition leaders in the legislature seized the political advantage and turned reaction against the war into the focus of general dissatisfaction with Popular Front leaders. In August 1992 members of 'Village Life' (the legislative faction of the Democratic Agrarian Party) banded together with defectors from the Popular Front and delegates associated with the 'Accord' faction (later the Socialist Party) and elected Andrei Sangheli, a ranking member of the previous regime, as prime minister. Sangheli's government curtailed the influence of the Popular Front and improved minority representation in leadership positions. It promised more efficient economic management and a more moderate approach to the nationality question.

Inside the legislature, confrontation continued unabated between the anti-Communist and pro-Romanian forces. This confrontation centred

around the Popular Front and the reform Communists, and less nationalist forces that comprised the core support for the Sangheli Government. This led to continued legislative deadlock and further fragmentation. By early 1993, the Popular Front was in complete disarray. Alexandru Moshanu, the pro-Popular Front president of the legislature, was replaced by Petru Lucinschi, a leader of the reform Communist forces.³²

Key intellectual supporters defected from the Front and organised the 'Congress of the Intellectuals' in order to promote a more moderate nationalist agenda. The once dominant Popular Front's voting strength in the legislature was reduced to a mere 25 deputies. Even so, legislative leaders were unable to overcome the factional divisions that plagued the legislative branch. Badly needed legislative action on administrative reform and a new constitution failed due to the impossibility of constructing legislative majorities. Consequently, Moldovan leaders concluded that the existing legislative arrangement was no longer viable, and over the objection of pro-Romanian delegates, voted to dissolve the Soviet-era institution and hold early elections for a new legislature on 27 February 1994.

The 1994 Election

According to legislation enacted on 19 October 1993, Moldova's first entirely post-Communist legislature would be comprised of 104 legislators. It was hoped that this smaller body would be more manageable than the 380-member Soviet institution. Delegates were elected on the basis of proportional representation from closed party lists. A four per cent threshold for participation in the legislature was established, avoiding controversy concerning the separatist regions that otherwise could have blocked or negatively affected the elections.³³

Campaigning focused on economic reform, competing strategies for the resolution of the separatist crisis and relations with both the CIS and Romania. An array of small parties (such as the Reform Party), mostly supported by urban professionals, campaigned for rapid marketisation and privatisation. Reform Communists such as the Socialist Party and the Agrarian Democrats called for a slower transition to capitalism. The Agrarian Democrats, the Socialist Party and Edinstvo argued for full participation in the CIS and taking as conciliatory an approach as possible to the separatist crisis. The Popular Front and National Christian Party campaigned for unification with Romania, while the more moderate Congress of the Intellectuals campaigned for Moldovan independence in the near term but for eventual unification.

The results of this election marked a sharp reversal from the politics of the early transition period. Nationalist and pro-Romanian forces were overwhelmingly rejected in favour of those wanting Moldovan

independence and accommodation with ethnic minorities. Legislative power passed to the hands of the Agrarian Democrats, who won 43.2 per cent of the vote and 56 of the 104 seats in the legislature. Another 28 seats were won by the Socialist bloc which captured 22 per cent of the vote. The pro-Romanian parties suffered a severe setback. The bloc of Peasants and Intellectuals won 9.2 per cent of the vote and 11 seats, while the Popular Front Alliance won 7.5 per cent of the vote and nine seats. None of the other nine parties and blocs that fielded candidates topped the four per cent threshold required to enter the national legislature (see Table 5).

TABLE 5
MOLDOVAN PARLIAMENTARY ELECTION, 1994

Party	Vote %	Number of Seats	Seats %
Christian-Democrat Popular Front Bloc	7.53	9	8.6
Victims of the Communist Totalitarian Regime of Moldova	0.94	-	-
National Christian Party	0.33	-	-
Social Democratic Bloc	3.66	-	-
Bloc of Peasants and Intellectuals	9.21	11	10.6
Democratic Party	1.32	-	-
Socialist Party	22.00	28	27.0
Edinstvo Movement Bloc	2.83	-	-
Women's Association of Moldova	-	-	-
Ecologist Party	0.40	-	-
'Green Alliance'	43.18	56	53.8
Democratic Agrarian Party	0.93	-	-
Republican Party	2.77	-	-
Democratic Labor Party	2.36	-	-
Reform Party	-	-	-
Total	97.46	104	100.0

Source: *Electorală '94: Documente și Cifre* (Chisinau, 1994).

The Agrarian victory had clear policy implications. Agrarian spokesmen made clear their commitment to national independence but were more favourably inclined toward the CIS than their predecessors. They enjoyed more support from the ethnic minorities and better relations with Moscow. Progress in the realm of economic reform can be expected to be slow due to the Agrarians' cautious attitude concerning marketisation and privatisation. The reaction of the World Bank and International Monetary Fund to the new government was positive. These organisations praised Moldova's reform progress and approved of the Agrarians' proposed reform course. These decisive results also had an immediate impact on the Moldovan

legislature. The 1994 elections placed the Agrarians in control of an absolute majority in the parliament. They appear also to command the support of a strong majority in the population at large. Their success both reflects a commitment by Moldovans to the institution of the legislature (despite the early failures of that institution) and holds out considerable hope that the legislative branch will emerge as a more effective element in the political system in the near future.

COMPARING INSTITUTIONAL DEVELOPMENT IN ROMANIA AND MOLDOVA

The two new legislatures examined here have evolved in quite different directions even in the short period since their inception. It is our contention that this early period of development is critical to the entire process of institutionalisation. Decisions concerning patterns of institutional interaction and links between constituents and legislators established in the initial period of a legislature's existence have a disproportionate weight in determining what follows.

What factors are significant in shaping differential outcomes in Romania and Moldova? We suggest that these factors can be grouped into three broad categories. *First*, inheritance, by which we refer to the initial institutional framework carried over from the previous regime, political culture and initial personnel. *Second*, the internal organisation of the legislature. *Third*, the policy environment, such as the character and gravity of issues facing the new legislators, and the nature of other key actors with which it interacts.

In each of these broad categories strong differences separate Romania and Moldova. The consequences of this divergence are important. *First*, the legislative institutions and traditions in these countries are quite distinct, as were the circumstances surrounding the formation of their post-Communist legislatures. Romania's legislature represents a unique fusion of inter-war and Communist legislative practices. To a certain degree, this mixture is true throughout eastern Europe. In Romania, however, the ineffectiveness of the Communist Grand National Assembly and the formal patterns of interaction both inside the legislature and between it and the executive were congruent with and in large part based on the previous legislative political culture. Whether it was the king or the Central Committee, political power during the inter-war and Communist periods was vested in institutions outside the legislature.

With no pre-Communist legislative tradition of their own, the Moldovans' only legislative history (except for the very brief *Svatul Tsarii* experience) was its shared inter-war history with Romania. This, however,

was of limited utility. The legislature was in Bucharest, and Bucharest was indisputably the political capital of the Romanians, with its own distinct political culture and traditions. Moldova held its first democratic election under the auspices of the Soviet system. While indigenous democratic currents were evident in post-1989 Moldova, there was also a very strong strain of continuity with the culture and procedures of the Soviet period. Moldova's current legislature is deeply affected by the Soviet legislative tradition. Under Soviet practice authority was vested in the presidium, and the executive was expected to co-ordinate and guide legislative activities, while legislators served as a conduit for raising constituent concerns about executive activities. Elements of this tradition migrated into the post-Communist period both through the retention of institutional practices from the pre-independence period and through the socialisation of legislators. In Moldova, there was nearly complete continuity of personnel from the Soviet to the post-Soviet period. Legislators elected under communism continued to serve after the abolition of the Communist Party and the dissolution of the Soviet Union. The republican Supreme Soviet became the national parliament.

To understand better the functioning of these two legislative bodies and their differences, delegates to both parliaments were surveyed during the summer of 1992. In each case parliamentarians were asked to respond to written questionnaires consisting of approximately 50 questions concerning the organisation and working of the legislature, selected policy issues, and relations between different parliamentary groups. The results of this comparative parliamentary survey are presented in Tables 7 to 14 below.¹⁴

One of the obvious consequences of the differences in their respective transitions is found in the character of the Romanian and Moldovan legislators (see Tables 6 to 8). Romania's initial legislators were more likely to be professionals and more likely to have had university or post-university education. Romanian legislators were also more diverse in terms of age. In contrast, the Moldovan legislators were drawn more from active economic careers and were more likely to have had a polytechnic education than their Romanian counterparts. Moreover, Moldovan legislators tended to be in their forties. It should also be noted that once active as legislators, Moldovans are much more likely to maintain their previous professions than are their Romanian counterparts.

TABLE 6
AGE DISTRIBUTION OF ROMANIAN AND MOLDOVAN LEGISLATORS

Age	Moldova %	Romania %
20s	0.5	3.1
30s	23.9	21.4
40s	51.1	40.0
50s	21.7	25.9
60s	2.7	9.0
70s	-	0.6

Source: Comparative Parliamentary Survey

TABLE 7
LAST TYPE OF SCHOOL ATTENDED BY COUNTRY

School	Moldova %	Romania %
Other	10.1	1.7
Professional School	-	1.1
Technical School	0.5	2.0
Polytechnical Institution	19.1	8.7
University	54.8	64.1
Post-University	14.4	23.5

Source: Comparative Parliamentary Survey

TABLE 8
PROFESSION BEFORE ELECTION TO LEGISLATURE BY COUNTRY

Profession	Moldova %	Romania %
Not Applicable	25.8	18.1
No Response -	-	-
Professional	19.8	59.4
Researcher	15.4	8.5
Agricultural Leader	12.6	-
Administrative Leader	11.5	2.3
Political Leader	6.0	0.9
Manager	4.9	6.4
Worker	3.8	-
Private Owner	-	2.6
Other	-	0.9
Retired	-	0.9

Source: Comparative Parliamentary Survey

This contrast between the Romanian and Moldovan legislators can be extended to a broader discussion of the political culture in the two countries. It can be shown on the basis of attitudinal survey data that significant differences exist in legislative opinion concerning fundamental issues of political and social organisation. In Romania, politics has long been the domain of the educated elite. Since independence, Romania has adopted a unitary state structure in which all political decisions emanated from Bucharest. Political elites throughout the nineteenth and into the twentieth century made economic and social decisions which often alienated the masses. The peasant uprising in 1907 and its subsequent suppression served to demonstrate the extent of the gulf that separated elites and masses. The population's already deep distrust of central authority was further intensified by a particularly repressive Communist regime.

By contrast, Moldova is markedly parochial with a population of only approximately four million and a geography that can be traversed lengthwise by car in less than a day. No one is, geographically or socially speaking, far from the village. Social divisions between elites and masses are far less marked, and political alienation is significantly less ingrained, than in Romania. The impact of these very different centre-periphery relations are reflected in the attitudes of Romanian and Moldovan legislators concerning the distribution of resources between the national government and the localities (see Table 9). Moldovan legislators were much more likely to advocate the distribution of resources to localities than Romanian legislators.

TABLE 9
MEMBER ATTITUDES CONCERNING DISTRIBUTION OF TAXES BY COUNTRY

Distribution	Moldova %	Romania %
All to the Centre	-	1.4
Majority to the Centre	6.9	17.9
Equal Division	39.9	54.6
Majority to the Localities	49.5	24.1
All to the Localities	2.1	0.8

Source: Comparative Parliamentary Survey

TABLE 10
FREQUENCY OF CONSTITUENCY COMMUNICATION BY COUNTRY

Frequency	Moldova %	Romania %
Most Frequent	38.8	15.7
Moderate Communication	35.8	33.2
Most Infrequent	25.5	51.1

Source: Comparative Parliamentary Survey. These findings are based on a scale of constituency contact which was constructed from results of three separate questions on frequency of contact by mail, in legislative offices and at other locations.

This difference in perspective is also evident in legislators' attitudes toward their constituents. Romanian legislators contact their constituents far less frequently than their Moldovan counterparts (see Table 10). Furthermore, in Romania many of the legislative groups have objected to reforms designed to increase communication with the electorate. For example, legislators have protested at attempts at recording individual member votes. There is no specific source that provides constituents with information on how their legislator votes. This difference in constituency contact may be in part a product of geography. A second likely source of difference is the effect of the electoral system. Romanian elections are conducted in multi-member districts which are based on proportional representation. The Romanian party lists are decided in Bucharest and not in the local electoral districts. Legislators often do not live in the district that they 'represent'. The Moldovan electoral system in 1990 utilised single-member districts in which legislators were expected to reside in the district.¹⁵

Romanian and Moldovan legislators also differ in their perceptions of executive authority. Romanian legislators were much more likely to express the view that too much power was concentrated in the executive branch (Table 11). This result is hardly surprising considering differences in the political culture and recent political history of these two countries. The large number of Moldovan legislators who consider the legislature too powerful probably derives from their socialisation and expectations concerning political and administrative behaviour formed under Soviet rule.

This difference in perception regarding the proper balance in the legislative-executive relationship probably also results from the different definitions of legislative effectiveness in the two countries. A clear contrast between Romanian and Moldovan legislators emerged when they were asked to evaluate the activity of the legislature as a democratic institution and the efficiency of the legislature. Twice as many Romanian legislators consider the legislature's performance 'good' or 'very good' as compared to Moldovan legislators (see Tables 12 and 13). Nearly six times more Moldovan legislators consider their legislature 'very inefficient'.

TABLE 11
DISTRIBUTION OF FUNCTIONS BETWEEN THE LEGISLATURE AND THE
GOVERNMENT BY COUNTRY

Branch	Moldova %	Romania %
Excessive for Government	25.0	31.6
About Right	54.0	67.2
Excessive for Legislature	19.3	0.9

Source: Comparative Parliamentary Survey

TABLE 12
EVALUATION OF THE LEGISLATURE AS A DEMOCRATIC INSTITUTION BY COUNTRY

Evaluation	Moldova %	Romania %
Very weak	6.9	5.1
Weak	61.7	32.9
Good	30.3	57.6
Very good	1.1	4.5

Source: Comparative Parliamentary Research

TABLE 13
EVALUATION OF LEGISLATIVE EFFICIENCY BY COUNTRY

Evaluation	Moldova %	Romania %
Very Inefficient	30.5	5.6
Somewhat Inefficient	28.9	15.1
Somewhat Efficient	39.0	61.9
Very Efficient	1.1	16.5

Source: Comparative Parliamentary Survey

TABLE 14
ANALYSIS OF VARIANCE OF MEMBERS' EVALUATION OF DISTRIBUTION OF FUNCTIONS BY
EVALUATION OF LEGISLATIVE EFFICIENCY

Source of Variation	Sum of Squares	DF	Mean Square	F	Sig of F
Main Effects	23.41	3	7.80	2.75	0.04
Evaluation of Efficiency	23.41	3	7.80	2.75	0.04
Explained	23.41	3	7.80	2.75	0.04
Residual	507.59	179	2.84		
Total	531.00	182	2.92		

Source: Comparative Parliamentary Survey

TABLE 15
ANALYSIS OF VARIANCE OF MEMBERS' EVALUATION OF DISTRIBUTION OF FUNCTIONS BY
EVALUATION OF THE LEGISLATURE AS A DEMOCRATIC INSTITUTION

Source of Variation	Sum of Squares	DF	Mean Square	F	Sig of F
Main Effects	42.98	3	14.33	4.99	0.00
Evaluation of Legislature	42.98	3	14.33	4.99	0.00
Explained	42.98	3	14.33	4.99	0.00
Residual	520.02	181	2.87		
Total	563.01	184	3.06		

Source: Comparative Parliamentary Survey

This distinction, with Moldovan legislators taking a considerably more jaundiced view of their legislature, extends to other areas, including attitudes toward legislative groups' efficiency and inter-group co-operation. Statistical analysis of the Moldovan sample presented in Tables 14 and 15 indicates that legislators who are more critical of the legislature are significantly more likely to consider it too powerful as well.

A second set of considerations which affect the fate of the new post-Communist legislatures concerns their internal organisation. More research needs to be conducted in order to understand fully the impact of the commissions and leadership systems on these two institutions. While the current Romanian legislature is not highly developed as an institution, it has made greater strides in the direction of institutionalisation than the Moldovan legislature. This conclusion is suggested from the responses of legislators reported in Tables 11 and 12 above. Other data support this inference. Levels of participation in legislative activities, for example, are significantly higher among Romanian than Moldovan legislators. More Romanian legislators participate in the activities of legislative commissions and hold more leadership positions. This result is not surprising given that more Moldovan legislators continued to be actively engaged in their professions after election to the legislature than Romanian legislators, who were more likely to resign their positions once elected. Furthermore, 59 per cent of Moldovan legislators reported that they would not seek re-election, while only 15 per cent of Romanian legislators intended not to run again. These findings lead us to the conclusion that while the Romanian legislature is far from institutionalised, the legislature is a more professionalised institution than its Moldovan counterpart.

The third broad category that we suggest has affected the evolution of these two legislatures is the general policy environment in which they

pursuing an aggressive extra-legislative political agenda. Moldova's less professionalised (and by the legislators' evaluation much less efficient) legislature thus has had a significantly greater affect in the years since independence due to the less aggrandising character of its executive partner.

A second factor determining this outcome was the existence of a much more complex issue structure in Moldova than in Romania. In both Moldova and Romania one finds a reform/anti-reform political cleavage. In Moldova, however, the Communist/anti-Communist cleavage is weaker and more defuse since many legislators, even strong reformers, were elected as Communists and because anti-Communist sentiments in the general population are markedly less intense than in Romania. Overlying this common interest structure, one finds in Moldova a third strong set of divisions based on nationality. First, majority (Romanian speaking) versus minority (Russophone) differences led to a breakdown in efforts to establish a broadly representative legislature. Complicating the situation, there were both pro- and anti-reformers and pro- and anti-Communists on each side of the linguistic divide. Second, as the political transition progressed, a new set of divisions emerged within the majority community between those identifying themselves as 'Romanian' nationalists and those identifying themselves as 'Moldovan' nationalists.

The impact of this welter of cross-cutting cleavages is obvious when comparing the stability of party affiliation in the two legislatures. By mid-1992, 88.8 per cent of Romanian legislators interviewed reported that they had not altered their political affiliations. Less than half (45.7 per cent) of Moldovan respondents retained their initial affiliation. Under these conditions of intense fragmentation in the Moldovan legislature, an initially strong executive/ruling party power structure collapsed. The executive was forced to seek alternative partners in the legislature. This necessity ultimately acted to increase the political salience of that body and invigorated legislative activity. Unlike his Romanian counterpart, President Snegur was ultimately forced to consult with the legislature. Thus, ironically, Moldova's own lack of internal cohesion created an external environment which proved favourable to the legislative branch.

CONCLUSIONS

In this paper, we have compared the institutional development of the Romanian and Moldovan legislatures by examining the impact of political culture and the pre-reform institutional framework, the internal organisation of the legislature and the policy environment. Current political realities combined with the previous political culture have produced markedly different legislative institutions in Romania and Moldova.

function. This includes both the character of the other principal institutional actors and the nature of salient issues in the political arena. Focusing solely on the internal environment of the legislative bodies themselves would lead to the erroneous conclusion that the Romanian legislature has been the more effective of these two institutions. This, however, is by no means the case. The dominant policy-making arena in Romania has been located in the executive branch. Since the emergence of the NSF as a movement, the Romanian executive has insulated itself from legislative influence and has maintained the initiative in policy making. But while the Romanian legislature has become increasingly complex internally, its internal development has not been translated into significant gains in external influence. Why has the internal development of the Romanian legislature not had a more decisive impact on its relationship with the executive branch?

As previously mentioned, the political culture in Romania strongly conditioned the critical choices of 1989 and 1990. The nature of the rapidly constructed post-Ceausescu provisional government was congruent with Romania's inter-war political culture. Moreover, crucial policy decisions made in 1989 and 1990 created a legislative environment conducive to executive domination. Unlike other legislatures in eastern Europe, there was one-party domination of the Romanian legislature for almost two and half years. In addition, the president of the country belonged to the ruling party. It is therefore not surprising that NSF legislators supported presidential initiatives and were content to allow the executive to dominate policy making.

By the time of the 1992 election, President Iliescu had established his superiority over the legislature and was able to manipulate the constitution in order to restrict legislative authority. While the opposition in the legislature became much stronger following the 1992 election, it was unable to alter significantly legislative-executive relations. As noted earlier, the changes in the government in March 1994 were executive rather than legislative initiatives. Perhaps the real test for the Romanian legislature will come when the opposition controls either the legislature or the executive. Until that time, the executive will continue to exert primary influence in policy-making.

Moldova's legislature, on the other hand, has been the site of much decisive political activity. The legislature has made crucial decisions on such issues as territorial independence, the separatist crisis, and economic reform. Faced with legislative deadlock, the executive branch, under President Snegur, took the legislators' inability to develop policy as an indication of a genuine lack of political consensus. Faced with these conditions, the executive generally assumed a passive stance rather than

Tradition and custom, as we have attempted to show, exerted a strong influence over the critical early decisions of institution building and warrant close examination if we are adequately to understand the political patterns which follow. This is not to argue that politics is pre-ordained. Rather, we are arguing that tradition and custom affect the environment in which decision makers must operate. Ultimately, it is easier for decision makers to decide policy within certain social limitations than to change those limitations. We find that the Romanian legislature has achieved a greater degree of institutionalisation than its counterpart in Moldova. Delegates see it as more efficient, participate in legislative activities in greater numbers and are more likely to view their legislative activities as a primary career.

The internal organisation of a legislature is of central importance in its development, but the character of salient political issues and the constellation of other institutional actors also clearly play a role in determining the fate of the legislature. While the Romanian legislature is more professionalised, it possesses less influence in the formation of public policy than the Moldovan legislature. We suggest that this anomalous result derives both from the distinctly dissimilar executives and differences in the cleavage structure that underlies legislative politics in the two countries. This finding underlines the need to examine the external as well as the internal environments in which legislatures develop.

DOCUMENTS

Romania:

- Monitorul oficial al Romaniei* (Bucharest: Parlamentul Romaniei)
- Digest of Central Laws of Romania* (Bucharest: Coresi)
- The Legislative and Institutional Framework for the National Minorities of Romania* (Bucharest: Romanian Institute for Human Rights)
- Partide politice* (Bucharest: Rompres)
- Romanian Legislation on the Constitutional Court* (Bucharest: Monitorul oficial)
- Romanian Legislation on Radio and Television Broadcasting* (Bucharest: Monitorul oficial)

Moldova:

- Monitor* (Chisinau: Ministerul Justitiei)
- Republic of Moldova* (Chisinau: Foreign Relations Committee of the Republic of Moldova, 1992).

NOTES

1. Robert L. Peabody, 'Leadership in Legislatures: Evolution, Selection, and Functions', in Gerhard Loewenberg, Samuel C. Patterson and Malcolm E. Jewell (eds.), *Handbook of Legislative Research* (Cambridge: Harvard University Press, 1985).
2. Tismaneanu and Tudoran argue that the Romanian Government was largely democratic during the inter-war period. See Vladimir Tismaneanu and Dorin Tudoran, 'The Bucharest Syndrome', *Journal of Democracy* 4 (1993), pp. 41-52. Others, such as Rady and King have argued that the usurpation of power by King Carol essentially thwarted any attempts at sustained democracy during this period. See Martyn Rady, *Romania in Turmoil* (London: IB Tauris, 1992); Robert King, *History of the Romanian Communist Party* (Stanford: Hoover Institution Press, 1980).
3. Walter H. Malloy (ed.), 'Rumania', *Political Handbook of the World* (New York: Harper, 1939).
4. Mary Ellen Fischer, 'Participatory Reforms in Romania', in Jan F. Triska and Paul M. Cocks (eds.), *Political Development in Eastern Europe* (New York: Praeger, 1977).
5. *Republic of Moldova* (Chisinau: Foreign Relations Committee of the Republic of Moldova, 1992), p.16.
6. *Monitorul oficial al Romaniei*, 4 (27 Dec. 1989), pp.2-3.
7. Bogdan Szajkowski, 'Romania', in Bogdan Szajkowski (ed.), *New Political Parties of Eastern Europe and the Soviet Union* (London: Longman, 1991), p.222.
8. Jonathan Eyal, 'Romania', in Stephen Whitefield (ed.), *The New Institutional Architecture of Eastern Europe* (New York: St. Martin's Press, 1993), p.31.
9. *Monitorul oficial al Romaniei*, 35 (18 March 1990), pp.1-11. Unlike other constitutions in this region, the Romanian constitution guarantees each ethnic-based political party one seat in the lower house. The number of ethnic-based parties represented in the lower house increased between the 1990 and 1992 elections from 12 to 14. For a more complete discussion see Robin Remington, Steven D. Roper and Luann Troxel, 'The Balkans', in Ian Bremner and Ray Tarus (eds.), *Liberalism and Nationalism in Changing Post-Communist Societies* (Cambridge: Cambridge University Press, 1995).
10. Martyn Rady, *Romania in Turmoil* (London: IB Tauris, 1992).
11. Jonathan Eyal, 'Romania', in Whitefield (ed.), *The New Institutional Architecture of Eastern Europe*, p.132.
12. Eyal, 'Romania'.
13. Eyal, 'Romania', p.132.
14. Eyal, 'Romania', p.134.
15. At the second national conference of the DNSF held in July 1993, the DNSF changed its name to the Party of Social Democracy of Romania.
16. Michael Shafrir, 'Romania's New Electoral Laws', *RFE/RL Research Report* (11 Sept. 1992), p.25.
17. Carey notes that the DNSF had wanted a four per cent threshold. If this standard had been adopted, the DNSF-led coalition would not have been able to form. See Henry F. Carey, 'The Art of Rigging Romania's 1992 Parliamentary Elections', *Sfera politiciii* 10 (1993), pp.8-9.
18. *Monitorul oficial al Romaniei*, 68 (15 July 1992), pp.2-3.
19. This calculation does not take into account those members that did not run for re-election or who sought election in the Senate.
20. William Crowther, 'The Politics of Ethno-national Mobilisation: Nationalism and Reform in Soviet Moldova', *The Russian Review*, Vol. 50, No. 2 (April, 1991), pp.183-203.
21. *Sovietkaya Moldaviya* (29 Nov. 1989), p.1.
22. *Literatura si arta*, 6 (8 Feb. 1990), p.2.
23. Snegur, a Central Committee Secretary since 1985, was appointed President of the Moldavian Supreme Soviet by hard-line party boss S.K. Grossu in July 1989. By early 1990, however, he had clearly associated himself with the Popular Front and its political programme.
24. *Moldova socialistica* (1 March 1990), p.1.
25. *Literatura si arta*, 9 (1 March 1990) p.1.

26. *Moldova socialistă* (1 March 1990), p. 1.
27. This estimate is based on returns after the second run-off election held on 10 March 1990. *Moldova socialistă* (27 Jan. 1990), p. 1; *Literatura și artă* (15 March 1990), p. 1 and *Moldova socialistă* (17 March 1990), p. 1. Nine more repeat contests were held on 22 April 1990. This round decided only two more contests. Elections were invalidated in four districts because less than 50 per cent of the electorate participated, and in three others because neither candidate obtained the necessary number of votes to be elected. A fourth round of elections was accordingly scheduled for 17 June *Moldova socialistă* (28 April 1990), p. 2.
28. Virgil Zafăievschi, 'Down with the Helmet, Up with the Cap', *Literatura și artă* 11 (15 March 1990), p. 1.
29. T. Eșinencu (ed.), *Republic of Moldova* (Chisinau: Editura Universitatii, 1992), p. 25.
30. *Moldova socialistă* (13 May 1990), p. 1; *Moldova socialistă* (26 June 1990), pp. 2-3.
31. For the central government's response to these actions see *Moldova socialistă* (26 June 1990, p. 1). On conditions in Bender see P. Ionel, 'Meetings During Work Time', *Moldova socialistă* (4 May 1990), p. 3.
32. *Moldova Săvărana* (6 Feb. 1993), p. 1.
33. In essence it was felt that if Transnistria was composed of a single or several contiguous electoral districts, and if those districts did not participate in the elections, the region could claim to be unrepresented in the national legislature, and thus not bound by its decisions. On the other hand, drawing districts that broke up Transnistria and combined parts of it with right-bank districts would have fuelled the Transnistrian leaders' arguments that they were going to be forcibly assimilated, and hence fed the separatist movement.
34. The surveys were conducted by William Crowther in co-operation with the Institute of Sociology of Moldova and Informații Lat. in Romania. In both cases questionnaires were distributed through the co-operation of parliamentary leadership. 188 responses were obtained in Moldova, and 357 in Romania. Funding for the Moldovan portion of the project was provided through a grant from the National Science Foundation.
35. For the 1994 election, Moldova adopted a system of proportional representation in which the entire country was one electoral district. It would be interesting to see if this change in the electoral system has had an effect on constituency relations.