

## THE NECESSITY OF ELECTORAL LAWS REFORM IN SLOVAKIA?

**Pavol JUHÁS**

University of Ss. Cyril and Methodius in Trnava,  
Faculty of Social Sciences,  
Bučianska 4/A,  
917 01 Trnava,  
Slovakia  
[pavol.juhas@ucm.sk](mailto:pavol.juhas@ucm.sk)

**Abstract:** There are many debates about reform of electoral laws in Slovakia. The last significant (according to results) changes were made before elections of 1998, when four election districts were replaced by one district with 150 mandates for legislature elections and one year later in 1999 the first direct elections of Slovak president were presented. There were some efforts to change this status but without any results. In past few years there are debates to unify the electoral laws (for every election there is a specific law in Slovakia) and to change the current electoral system for National Council election. The aim of the paper is to find the best solution for electoral law reform in Slovakia. Is the solution in complete rebuilding of electoral system or just to change the basic setting of proportional system?

**Key words:** electoral laws, Slovak political system, legislature election, political reform

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Elections are considered as a natural part of our lives in modern era. We handle with them in many institutions on different levels. Therefore we can define them as a „one of the

manner of choosing personalities who based on their mandate decide on following development of the territory where the voting took place (either municipality, region, state, etc.).“ (Chytílek, et al., 2009, p. 13) Elections provide a possibility of selection of representatives for individuals. However, important condition have to be preserved that every single vote has an equal relevance. So elections acquire „the form of collective decision making process based on individual choice“. (Krejčí, 2006, p. 17) „Elections are fundamental precondition for democracy. In modern Schumpeter’s approach already the fact of existence of regular and competitive elections determines whether we deal with democracy or not.“ (Kubát, 2002, p. 268) Naturally, this does not guarantee the existence of democracy on certain territory. Truly important is to perceive various facts which are happening inbetween elections and also whether their results are accepted. „Undubitable fact is that if we want to think about democratic political system we cannot avoid free, regular and competitive elections.“ (Kubát, 2002, p. 268) Generally, electoral system is in certain manner a set of rules „by which are mandates in elections redistributed among political parties or individual candidates on the basis on quantity of votes“ (Lebeda, 2004, p. 19) and elected body acquiring its shape this way. It is very difficult, we can even say unrealistic, to find one electoral system which could be ideal, suitable and reliably functioning in all of the countries. „Used systems transform voter’s will in different ways. Thanks to their adjusting they can give some parties advantages over the others or penalise them (movements, candidates, etc.) and by that take a part not in just forming of party system but figuratively on the functioning of whole political system.“ (Hloušek, et al., 2011, p. 161)

## 1.LEGISLATURE ELECTIONS

The National Council of Slovak Republic presents the highest and the only legislative and constitutional authority. It has 150 members and belongs to unicameral bodies from the structural point of view. The Member’s of Parliament are elected in universal, equal and direct elections for the period of four years. Active suffrage is fixed on the minimal age of 18 and citizenship. With the pasive suffrage increases the age

limit on 21 years and the condition of Slovak citizenship lasts well-preserved.<sup>1</sup> Basic decision making processes are traditional and does not distinguish so much from other parliaments.

Historically first parliamentary elections in conditions of an independent Slovak republic held in 1994 and were the last withal in which was Slovakia divided in more than one constituency. Act No.197/1994 Collection of Laws on elections to the National Council of SR divides territory of Slovakia into the four various-sized several-mandates constituencies<sup>2</sup>. For a candidate subjects was valid 5% treshold in case of individual parties, 7% for coalition of two and three parties and 10% for coalitions of four and more subjects. Besides of the parties which had representation in parliament all the others had to submit an announcement that the have at least 10 000 individual members or in form of petition this number of supporters. Preferential votes were able to be given to most of four candidates. For the counting votes to mandates were used the Hagenbach-Bischoff method of counting votes. The mandates which were not redistributed were moved to the second scrutinium<sup>3</sup> in which were Hagenbach-Bischoff method used for once again with the assistance of the largest

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<sup>1</sup> Next belongings are adjusted by always actual text of Act on elections to National Council of Slovak Republic.

<sup>2</sup> Capital city Bratislava, Western-Slovak area, Central-Slovak area and Eastern-Slovak area

<sup>3</sup> Cited issue is processed in the book The elections to the legislative bodies on the territory of 1920-2006 as follows: „Total number of relevant votes from all areas were first counted together and then divided by number of redistributed mandates – this is the way how the republic mandate number was gained. By that was next divided total number of relevant votes in individual constituencies. This is the way how the number of mandates for single area was created. If there were If some residual votes occurred they were assigned to the areas with the highest left-overs. To the first scrutinium proceeded political parties with 5% treshold from the total of relevant votes, coalition of parties needed to reach the limit of 7% (two or three subjects) or 10% (four and more subjects). Mandates were divided within constituencies. In the second scrutinium political parties and coalitions submitted completely new candidate lists and then the residual mandates were divided. The rest of the votes were suppose to be divided by the number of untill this time not redistributed mandates, increasing the number by number 1 – the result after a rounding presented the republic electoral number. Right by this number the sum of the votes for individual political parties and coalitions were divided. If there were still some not redistributed free mandates they were allocated to the parties with the highest left-over from dividing. If there was taken about one more mandate than it was needed one mandate was reduced from the party with the lowest left-over from dividing in second scrutinium.

remainders method for prospective not redistributed mandates. (Statistical Bureau of Slovak republic, 2008)

The electoral year of 1998 brought several new significant elements in form of the radical revision of the act on elections to the National Council of Slovak Republic. Regarding to the significant change shortly before the elections this amendment ended up on the Constitutional Court with a requirement for suspension of effectiveness of some parts of the amendment's establishments. Peter Spáč indicates this 4 fundamental changes:

- Replacement of four constituencies by the only one constituency with 150 mandates,
- 5 % threshold was kept however its validity was spread among individual candidate subjects of coalition,
- Suspension of private media from an election campaign which could be conducted exclusively by public media,
- Reorganisation of electoral bodies's structure; at the expense of self-government strengthened state administration. (Spáč, 2010)

These arguments are also mentioned in work of Jakub Šedo and he adds that „a change in the threshold for coalitions was not marginal because it significantly restricted abilities of manoeuvring for smaller political parties.“ (Šedo, 2007, p. 36) Therefore the new version of electoral act has brought three fundamental political moments. Firstly, opposition parties associated in SDK party were forced to create independent political subject under the same designation which had as many members as were the number of candidates (150). Made-up political party created like this was reflected in following cleaving after this elections. Secondly, until that time three independent political subjects MKDH, Spoluzitie (Coexistence) and Hungarian Civic Party<sup>4</sup> created thanks to all external pressures a common subject designated not just for upcoming elections but also for the next decade known as Party of Hungarian Coalition. Thirdly, that times opposition parties led by SDK stayed by the model of divided Slovakia into the one-mandate constituency despite of enormous critics and by this action strengthened an influence of political parties centrals in process of drawing up a candidate lists. So Slovak republic

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<sup>4</sup> Parties of hungarian minority living in south of Slovakia

was divided to the only one constituency in these elections where all 150 mandates should be reallocated. Threshold was fixed on 5% limit what was important for every party also within created coalitions. Counting votes to mandates was carried out by Hagenbach-Bischoff method with utilization of the method of largest remainders for unallocated mandates.

Several regulations of the act, by which the elections in 1998 were regulated, were designated by Constitutional Court in March 1999 by its finding No. 66/1999 as they are not consistent with the Constitution of SR. It was mainly about a prohibition of electoral campaign in private media, designation of an alternative member not according to an order but according to a decision of a party centre and weakening of a position of the Central Electoral Commission. After that a new act was accepted. It amended some parts devoted to coalitions in to an original condition. (Statistical Bureau of Slovak republic, 2008) Despite of a massive pressure of a non-governmental organisations the coalition majority did not change regulations on a number of constituencies even though it was a part of a government programme. (Spáč, 2010)

The most fundamental change of the electoral system in this new act, which directly influenced electoral results, was an edit of a threshold for coalitions of several parties. Slovakia was still as one constituency with 150 mandates. For counting of votes was used the Hagenbach-Bischoff method and unallocated votes were redistributed on the largest remainders method. Threshold was limited by 5% for an individual parties, 7% for coalitions of two or three parties and 10% for coalitions of four and more parties, the same as the parliamentary elections in 1994 though. This modification of above mentioned features has stayed in validation until now.<sup>5</sup>

The amendment of the act from May 2004 carried out numerous interesting new innovations. Mainly it was an establishment of an institute of special voter's list who were enabled to vote from an abroad (however this chance was only used by less than 3 500 voters). Next significant change was an implementation of paying an electoral deposit 500 000 Sk

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<sup>5</sup> This regulations were held in parliamentary elections in 2006, 2010 and in early elections in 2012. This happens despite the fact that a professional discussion on a necessity of modification of electoral act and unification of regulations of all kinds of elections go on for a longer time already

which was given back only to the subject which gained at least 3% of votes from the total of relevant ones. Otherwise, this amount of money was transferred in favour of the state budget. After a massive criticism the parliament decreased a limit of paying back the deposit on 2% by an amendment of an electoral act. Neither an implementation of the electoral deposit helped discourage many marginal political subjects from a decision to candidate.

### **1.1. POSSIBLE MODIFICATIONS**

Last years, voices calling for a change of current electoral system have appeared in Slovakia more frequently. One of the radical options is a transition from current proportional alternative to majority voting system. In this case, one of the possible choices is the relative majority system, known from english as the system of First Past The Post. Basic parametres of this system could be summed up in simply characteristic. It is actually „one round vote for one candidate in one mandate constituency whereby the candidate with the highest total of votes wins“. (Chytílek, et al., 2009, p. 112) This system is widely spread mostly thanks to the functioning of British empire. By evaluating this system, as the most problematic fact might be seem strong ability to create and support bipartisan system with a under representation of third parties. „For a part of authors bipartisan system is the ideal to which is slightly appropriate to sacrifice anything. On the other hand, to the others the value for the system is too high or more precisely they do not consider it ideal.“ (Hloušek, et al., 2011, p. 165) This tendency of system remarked also Maurice Duverger who claimed in his rules that this kind of system leads to the system of two independent parties. According to him, it may be caused not only by a reduction of a number of parties during the counting of votes to mandates but also by the fact that this system discourages voters from the choice of smaller parties because they are afraid of the failure of their votes. (Hloušek, et al., 2011)

Another possibility of change in majority voting system category is implementation of two-round voting. This kind of voting is known in our enviroment from presidential elections. For the elections to the legislative body we could mention the example of 577-membered French National Assembly. During

the observation of several-round voting effects we could use Duverger's hypothesis. He claims that this voting „support the system of more than two dependent, flexible and relatively stable parties.“ (Hloušek, et al., 2011, p. 168)

Shugart and Carey support this attitude and add that several-rounded presidential elections of south-american presidents, which they had examined, are more fragmented in first round than one-rounded elections. The reason is that in this elections candidate also candidates who in one-rounded system do not have any chance to achieve while the reality of second round does give this chance for them. But the condition is to mobilize an electorate of unsuccessful candidate from the first round. (Chytílek, et al., 2009)

More-rounded vote has a reductive effect which is most visible against candidates of antisystem parties. Unlikely the first past the post system this one provides stronger support to the winner of the elections. Naturally, the disadvantage is the second round and raising the costs of holding the elections. Questionable is the behavior of voters in the second round of voters. They might not behave according to the wishes of party headquarters, even a boycott of the second round is possible by the voters. „The benefit to the voter that he vote for the most popular candidate in the first round (voting by „heart“) and in the second for the most acceptable (voting by „brain“) may not come true.“ (Hloušek, et al., 2011, p. 170) In the presidential elections in Slovakia in 2004 duel between Vladimír Mečiar and Eduard Kukan were expected in the second round. However Kukan ended up third in the first round behind Ivan Gašparovič. In the second round for him voted also right-wing voters since he was more acceptable than Vladimír Mečiar. (Chytílek, et al., 2009, Hloušek, et al., 2011) The option in the case of majority systems is still a block vote, supplementary vote or alternative vote. Their application in the world is not so spread at the national level though.

As a less radical change might seem a keeping of current proportional system and modification of factors that significantly influence the final results of elections and thus, of course, influence also functioning of democratic system and the level of democracy by itself. These factors are size of the constituencies, existence and level of threshold and electoral formula that is used to convert votes to mandates. Different

settings and changes in these variables may ultimately result not in just pure proportional results or in to the help to smaller parties. They may also head to the results similar to majority system when bigger parties are more favored while smaller ones are having a trouble with breaking into parliament.

Changes of the individual variables in proportional list system may therefore result in significant changes in the outcomes of elections and so democratic process in country may be affected. Duverger claims about these systems that they support the system of more than two parties. „Theoretists slightly differs in opinion whether this directly contributes or the implementing just allow the existing political flows become fully relevant.“ (Hloušek, et al., 2011, p. 175) Unlike the majority systems in proportional ones do not forfeit such a large percentage of votes. To the disadvantages of system we could assign a require of creation a coalition governments and thus parties are forced to remission of its programmes. The voter does not know whether some promises that was given by party during the elections actually happen.

So the question is, how the results of elections in Slovakia in case of change the electoral system would look like? Surely it is hard to predict and recalculate the results from one type of electoral system to another because tactic of parties and also of voters would be certainly different in these elections. Practically it is unrealistic do such a calculations for majority system where instead of candidate lists of individual parties competing personalities. At least we can try partially to do so with the changes of variables in proportional electoral systems. As the following tables show the results of Slovak parliamentary elections in 2006, 2010 and 2012, with regard to the change in number of constituencies, changes in the resulting profits of individual parliamentary parties in Slovakia would not be so significant. Similarly, slight changes occur if another type of electoral formula will be used to counting of votes and preserve one constituency. Significant shift in profit mandates would occur if we change the method of recounting of votes and number of constituencies. The most powerful party Smer-SD together with the increasing amount of constituencies and therefore de facto downsizing of individual

constituencies and also with the change of electoral formula gradually gaining more votes. Using the method Imperiali in 12 constituencies the profit closes to the constitutional majority. Medium-sized parties preserve its profits approximately on the same level. Profits of smaller parties, however, gradually decrease to gaining single mandate for SNS, as opposed to current nine. The exception is the Most-Híd party which confirms theoretical assumptions. Although as a small party, but with strong support in particular region, it has kept its obtained mandates. (Spáč, 2010)

Table 1 Change of number of constituencies, elections 2006<sup>6</sup>:

	<b>1</b>	<b>4</b>	<b>8</b>	<b>12</b>
Smer	<b>50</b>	50	51	51
SDKÚ	<b>31</b>	32	32	32
SNS	<b>20</b>	20	20	20
SMK	<b>20</b>	19	20	20
HZDS	<b>15</b>	15	14	14
KDH	<b>14</b>	14	13	13

Source: SPÁČ, Peter: *Priama a zastupiteľská demokracia na Slovensku*. Brno: CDK, 2010, s. 116.

Table 2 Change of number of constituencies, elections 2010:

	<b>1</b>	<b>4</b>	<b>8</b>	<b>12</b>
Smer	<b>62</b>	63	64	66
SDKÚ	<b>28</b>	28	27	27
SaS	<b>22</b>	22	22	21
KDH	<b>15</b>	15	15	15

<sup>6</sup> Red colour emphasize current number of constituencies in the tables.

Most	14	14	14	14
SNS	9	8	8	7

Source: SPÁČ, Peter: *Priama a zastupiteľská demokracia na Slovensku*. Brno: CDK, 2010, s. 116.

Table 3 Change of number of constituencies, elections 2012:

	1	4	8	12
Smer	83	84	85	87
KDH	16	16	15	16
OLaNO	16	16	15	15
Most	13	13	13	13
SDKÚ	11	11	11	10
SaS	11	10	11	9

Source: SPÁČ, Peter: *Tichý hlas voličov*. Brno: CDK, 2013, s. 181.

Table 4 Change of counting of votes to mandates, elections 2010:

	Hare	Hag.-Bis.	D'Hondt	Imperiali
Smer	62	62	63	64
SDKÚ	28	28	27	28
SaS	22	22	22	21

KDH	15	15	15	15
Most	14	14	14	14
SNS	9	9	9	8

Source: SPÁČ, Peter: *Priama a zastupiteľská demokracia na Slovensku*. Brno: CDK, 2010, s. 119.

Table 5 Change of counting of votes and constituencies, elections 2010, 4 constituencies:

	<b>Hare</b>	<b>Hag.-Bis.</b>	<b>D'Hondt</b>	<b>Imperiali</b>
Smer	62	63	65	70
SDKÚ	27	28	28	29
SaS	22	22	22	20
KDH	15	15	14	12
Most	15	14	14	13
SNS	9	8	7	6

Source: SPÁČ, Peter: *Priama a zastupiteľská demokracia na Slovensku*. Brno: CDK, 2010, s. 119.

Table 6 Change of counting of votes and constituencies, elections 2010, 8 constituencies:

	<b>Hare</b>	<b>Hag.-Bis.</b>	<b>D'Hondt</b>	<b>Imperiali</b>
Smer	62	64	69	78
SDKÚ	27	27	28	27

SaS	22	22	21	20
KDH	15	15	13	10
Most	15	14	14	13
SNS	9	8	5	2

Source: SPÁČ, Peter: *Priama a zastupiteľská demokracia na Slovensku*. Brno: CDK, 2010, s. 119.

Table 7 Change of counting of votes and constituencies, elections 2010, 12 constituencies:<sup>7</sup>

	<b>Hare</b>	<b>Hag.-Bis.</b>	<b>D'Hondt</b>	<b>Imperiali</b>
Smer	62	66	72	86
SDKÚ	27	27	26	26
SaS	22	21	21	17
KDH	15	15	13	8
Most	15	14	13	12
SNS	9	7	5	1

Source: SPÁČ, Peter: *Priama a zastupiteľská demokracia na Slovensku*. Brno: CDK, 2010, s. 119.

To answer the question of the ideal electoral system for Slovakia is not easy. Truly, it is hard to identify one electoral system, which could be described as the best, existing everywhere and providing a stable democracy. Moreover, according to the mentioned facts, every system has and will have its supporters or opponents, both in professional spheres and also among political parties. During every discussion particular political parties will prefer that system which will ensure the highest electoral profit for this party, for obvious reasons. Ultimately, every change could have a negative impact on the whole political system.

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<sup>7</sup> Red colour emphasize current method of counting votes to mandates in the tables.

## 2.PRESIDENTIAL ELECTIONS

Direct election of president is typical for presidential and semi-presidential systems.<sup>8</sup> But more and more this type of election is build up to constitutions of parliamentary systems with the effort for raising the legitimacy which for sure the directly elected president has). The direct election of president is after the adoption of Constitutions of so-called postcommunist states in the early 90's most spread form for presidential elections on the European continent. In presidential and semi-presidential systems the powerful president has to be elected directly because of adequate legitimacy of his position. But in parliamentary systems, where the presidents have mostly the representative and integrating powers, there is no need for such kind of legitimacy from citizens. On the other hand, it is not bad, when also in this type of system president has conditions for independent position in his office as the regulator in constitutional system. Currently in the world, the proportion of countries with direct and indirect election is significantly in favor of direct election. From the list of 162 countries, where we have the election for the independent office of the president is president directly elected in 114, which is 70% of countries. In 48 countries, which means 30 % is the president elected indirectly either by legislature or by electoral college.<sup>9</sup> Direct election of president became also popular for post-communist countries, where 28 from 35, which means 80% has direct election of president in their constitutions. (Lebeda, 2008)

### 2.1 PRESIDENTIAL ELECTIONS IN SLOVAK REPUBLIC

The original text of constitution from 1992 introduced indirect elected president by the members of National Council in Slovakia. As it later turned out the basic and fundamental lack of these modification of constitution in Slovakia compared to other countries with indirect election was the hard condition

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<sup>8</sup> But also in these regimes the indirect elections of president have been typical for a long time. The direct elections became typical for these systems in the 20th century. (Lebeda, 2008)

<sup>9</sup> Other countries are inherited monarchies, Inherited monarchy with a Governor appointed by the Monarch, or countries where Head of State is the Head of Government. (The Electoral Knowledge Network, aceproject.org)

of constitutional majority for electing the president at any time of the elections. The Constitution of Slovak republic thus compared, for example, the Constitution of the Czech Republic, or Hungary did not set the decreasing quorum for next rounds of election. But it has become a problem during elections in 1998 when the president was not elected and Slovakia was 14 months without a president. It was because of need to gain constitutional majority of members in the parliament in any of the rounds of election to win the office. So the only successful election of president by legislature in Slovakia was the repeated election in 1993, in which the president Michal Kováč was elected. The question of direct presidential election was the main topic of parliamentary elections in 1998 on which was the opposition united against prime minister Vladimír Mečiar.<sup>10</sup> After the parliamentary elections in 1998 the new coalition has changed the constitution and new president was elected in direct elections in 1999.

The president in Slovakia is elected directly since 1999 for 5 year term with possibility of maximum of two consecutive terms. Candidate proposals should be passed by either 15 members of parliament or by 15 000 of citizens. The suffrage is allowed to citizens who have the right to vote for the National Council of the Slovak Republic, ie at least 18 years of age, are eligible for legal acts, and present on election day in the Slovak Republic. There is no possibility for voting abroad in presidential elections in Slovakia. Passive suffrage for presidential elections is allowed to every citizen of the Slovak Republic older than 40 years and who is eligible for MPs (See Articles 101, 103 and 104 of the Constitution).

Candidate has to gain more than 50% of all registered voters to be elected in the first round. Otherwise the second round has to be held within 14 days with two candidates with most votes from the first round. The winner of the second round is the candidate with the most votes. Specification of Slovak presidential election is some kind of assurance against the victory of radical candidate in first round. Generally in the

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<sup>10</sup> The opposition parties were united to electoral coalition named SDK (Slovenská demokratická koalícia – Slovak democratic coalition) against party of Vladimír Mečiar called HZDS (Hnutie za demokratické Slovensko – The Movement for democratic Slovakia)

world the second round is that type of assurance in the case of gaining less than 50 % of participating voters in the first round. In Slovak case it was strengthened by new government coalition after 1998 parliamentary elections. This was introduced to constitution against Vladimír Mečiar and his possible victory in the first round in 1999 presidential elections, while he had very disciplined electorate. So the candidate in Slovak presidential election needs to gain more than 50% votes of all registered voters to be the first round winner.)

## **2.2. POSSIBLE MODIFICATIONS**

Basically there are three possibilities regarding the presidential elections. First past the post, alternative (preferential) voting, or two round system. First Past the Post system is used in about 20% of countries in the world where is the president elected directly. (Lebeda, 2008) The only european country using the First Past the Post for presidential election is Iceland. A huge disadvantage of the system is the possibility that candidate win the election with no majority support. Even though this system has influence to decrease the number of candidates, thereby reducing the risk of victory achieved by a very small proportion of the votes. However, this system operates the best in countries with two strong parties that propose their candidates. It is very difficult to imagine this kind of system for presidential election in central European countries. In Slovakia there is First past the Post used for the elections of mayors in cities. And there are few voices about changing this system for two round system. But few of experts are claiming that it goes also other way. By alternative or preferential voting.

And these could be the possible change also for presidential elections for the future. The most important is that this system decreases the costs of two round systems. For example in Europe the Ireland uses this system for presidential elections. What I see as disadvantage is that this system is very unknown in region of central Europe. Maybe after trying and using this system in other elections (for example in regional level), and when the voters get used to it, we can talk about possibilities for using this system in presidential elections. Other disadvantage could be that voters

don't know the standing of candidates after the first counting of votes. They have to guess. Unlike the two round system, where the voters have again two (or in some cases more) candidates. That is the example of Ivan Gašparovič – he would probably never be the president of Slovakia if the elections in 2004 were held by alternative voting. The elections were about Vladimír Mečiar and against him was the main opponent Eduard Kukan, the candidate of coalition. But his voters underestimate the situation in the first round, when they did not participate and Eduard Kukan was eliminated as he finished third. The main opponent in the second round against Vladimír Mečiar was Ivan Gašparovič. He was elected in second round also with votes of Kukan's voters, just not to elect Vladimír Mečiar for the president.

### **3.CONCLUSION**

Definitely, I am not opponent of receiving changes and improving an electoral system. However, the important thing is to what measure these changes are realized because certainly it is needed to be considered whether is appropriate to change the system that, I dare to claim, works (its results were not contested and it ensures the highest rate of proportionality of results in V4 countries in long-term point of view) and replace it by something new what is not tested in our conditions. Certainly it would not be appropriate to change for the majority electoral system. The implementation of this kind of system could significantly disturb the stability of political system in Slovakia. Moreover „it would fundamentally change the appearance of political parties and political scene's profile.“ (Kubín, Velšic, 1998, p. 103) To SMER-SD party, which has united left-wing parties, could this type of change significantly help in electoral results. It is the biggest political party and gains 35 – 40 % in opinion poll in the long-term. Other parties gain maximum 10 – 15 %. Moreover, SMER party has very well elaborated organizational structure across the country which could also help to the larger gains after such a adjustment. It is necessary to say that SMER party gained already by current proportional system 83 out of 150 mandates and gained the majority in parliament this way. Least but not last, it is necessary to mention the negative effect of manipulation in the creation of constituencies. Mainly

southern parts of Slovakia - constituencies with a predominance of hungarian population could be touched by this, although parties representing this minority were able to prove its attendance in parliament. With current preferences of political parties several groups might lose their representation in parliament after the implementation of majority electoral system. „For social stability is optimal if partial, not unimportant, groups of population have their representation which is actually adequate to their share in society.“ (Spáč, 2010, p. 108)

Regarding the presidential elections, at present time I see the only possibility to modify only the rules of existing two round systems, just like to solve some problems connected with candidate proposals, voting from abroad or mostly the campaigning before the elections. In the end, two round system is used in about 80 % countries with direct election and neither the political parties, nor the candidates want the change of this electoral system.

It is more appropriate by possible changes of electoral system for the elections to National Council of Slovak republic to consider the intentions of mixed electoral system<sup>11</sup>, or possibly modify current proportional electoral system either by changing the method of counting votes to mandates, changing the number of constituencies or by adjusting of legal treshold. These adjustments would be acceptable in terms of political parties and their electoral results or in term of voters and their habituation to the system connected with that type of electoral system when they vote mainly for leaders of partial political parties.

Currently, preservation of current status quo seems to be the most real. New electoral codex were approved by parliament this year. They should deal with the issue of diversity in electoral law in Slovakia because for every elections paid different rules. However, approved adjustment does not resolve changes in the electoral system to the National Council. These codexes are supposed to be opened and change of counting votes to mandates is taken into

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<sup>11</sup> When implementing this system its setting needs to be considered properly, actually its partial components and connection between them. An appropriate choice could be a system Mixed-Member Proportional, German system which is mixed only on the basis of its inputs. In terms of outputs, this system is purely proportional and could seem like the most suitable alternative for Slovakia.

a consideration. Although several parties call for bigger changes, especially increasing the number of constituencies, it is unlikely that more changes would happen.

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