

Anna Sroka

# Accountability and democracy in Poland and Spain



PETER LANG  
EDITION

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# Introduction

For years, discussions concerning the issue of young democracies centred on the conditions necessary for successful democratic transitions to be conducted. Next, they revolved around the issue of consolidation. In the past decade, a new expression has arisen in studies on democratic systems: the concept of “quality of democracy”. One of the primary elements in most conceptions of quality of democracy, whether in the quantitative or the qualitative dimension, is accountability.

This term is eagerly employed not only by researchers focused on quality of democracy, but also by journalists and politicians. In spite of the increasing presence of the concept of “accountability” in both political science analyses and political discourse, there is no generally accepted definition of the concept. It is most frequently used as a sort of “umbrella” term, with a range of definitions underneath. Accountability is constantly intermingled with other concepts: transparency, effectiveness, responsibility and efficiency. Accountability is also applied as a synonym for good governance, both in the public sector and the private one. The multiplicity of meanings assigned to the concept of accountability, which dilutes its analytical value, is a consequence *inter alia* of the absence of a deeper conceptualisation and operationalisation of that idea grounded in global scholarship. The majority of studies concerning quality of democracy (in which accountability plays a role) are of a quantitative character. In their essence, they consist in developing quality of democracy barometers without a detailed conceptualisation of its particular elements. On the other hand, qualitative studies most frequently concern only selected aspects of accountability.<sup>1</sup>

When considering the foregoing, an attempt at conceptualisation and operationalisation of accountability as one of the elements in quality of democracy would seem to be most justified. The results presented in this book are innovative, and contribute to filling a discernible research gap concerning one of the most important elements in quality of democracy: accountability. Accountability is understood according to the definition given by O’Donnel. Horizontal accountability is based on a system of checks and balance. The essence of this system is ensuring a separation of interdependent powers based on the functions they perform within the system, and providing them with autonomy so that they can exercise oversight and control functions in respect of one another’s activities. Horizontal

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1 A detailed description of the state of research on accountability in studies on quality of democracy will be presented in the first chapter.

accountability also includes public mandate agencies, e.g. those with both legal authority and the operational capacity to engage in activity, running from standard oversight to criminal law sanctions. Vertical accountability consists in ensuring that citizens have not only the potential to select their representatives, but also to observe and to sanction them in situations when selected representatives take decisions inconsistent with the expectations of the voters.

The primary objective of the research is to determine at what moment and in what field the creation occurs of elements of changes which in one country stimulate positive effects, while in another result in the emergence of numerous delays and growth in negative post-transformation phenomena concerning accountability in Poland and Spain. In order to explain the causes of existing differences and similarities, there will be an examination of the link between institutional solutions, policies implemented, and the time that passed from the moment of consolidation of both systems and the impact of these variables on accountability mechanisms.

The book is composed of three parts: I. Theoretical foundations; II. Horizontal accountability; III. Vertical accountability. In Part I, the discussion will centre around the concept of quality of democracy and the primary strands in research on quality of democracy. Next, there will be a presentation of the links between quality of democracy and accountability, including a discussion of selected conceptualisations and operationalisations of quality of democracy and accountability. This will facilitate portrayal of the issue of operationalisation of democracy, as quality of democracy is associated with accountability; it will also draw attention to the types of accountability and manners of operationalisation. At the end of the first chapter a research plan and the main assumptions for empirical analysis to be conducted in further parts of the work are presented.

Part II (Chapter 2) will address the executive authority in the system of horizontal accountability. There will be an examination of the capacity of the government and head of state to shape the legislative and decision agenda of parliament, including a discussion of informal mechanisms influencing the work of parliament. The analysis will take into consideration procedural conditions and the support enjoyed by governments in the lower house of parliament. Additionally, regarding the head of state in Poland and Spain, alongside procedural conditions attention will also be paid to situations of cohabitation. This structure for the chapter will facilitate finding an answer to a range of more detailed research questions. The first regards the strength of the executive in both systems and its capacity to influence the legislative and decision agenda of parliament. The second concerns to what extent the impact of the government on the legislative and



decision agenda of parliament is conditioned by institutional architecture and by the “political balance of power” in the parliament. The third is about whether the time that has passed from the moment of consolidation of the political system leads to strengthening of the executive within the system of horizontal accountability or not.

The third chapter is dedicated to the legislative branch within the accountability system. Here as well, procedural conditions will be one of the determinants captured in research on the functioning of the legislature within the system of horizontal accountability. The second determinant will be the support enjoyed by particular governments in successive parliamentary terms, as alongside procedural conditions it is precisely this support which has the largest significance for the dynamics of the accountability tools employed. This will also facilitate the search for answers to the following questions: which of the determinants has the greatest influence on the use of instruments of accountability in Poland and in Spain? To what extent does the time elapsed from the moment of consolidation of the political system affect institutionalisation of the control exercised by the lower chamber of parliament?

The fourth chapter will be dedicated to the judiciary and mandate agencies. Similarly to the case of the executive and legislative powers, in this case as well attention will be paid to procedural conditions and the type of government and support it enjoys in the lower house of parliament. The objective of this chapter is to answer the following questions: are we dealing with a fully independent judiciary and mandate agencies which should work to protect the rule of law and counteract abuses? Is the level of independence enjoyed by the judiciary and mandate agencies more dependent on procedural conditions, or rather political constellations? How does parliamentary support for the government influence the independence of the judiciary and mandate agencies? Does the time that has elapsed from the consolidation of the political system lead to greater independence of the judiciary and mandate agencies?

In Part III (Chapter Five) there is a discussion of the impact of various determinants on the functioning of vertical accountability mechanisms at the level of the electoral decision, both in respect of the procedural dimension and in reference to final effects. These determinants have been divided into two groups. The first includes the type of electoral system and the territorial structures of the state. The second includes the type of party system and government. This structure makes it possible to answer a primary research question: do institutional factors disrupt the functioning of vertical accountability mechanisms in Poland and in Spain?