Executive Power and Media Freedom in Central and Eastern Europe

Richard L. Bairett Jr.¹

Abstract
Political executives often influence how effectively citizens can monitor them, yet the link between executives and government transparency is not well developed in the literature. I begin filling that void by illuminating the relationship between media freedom—one dimension of transparency—and executive power. I theorize that politicians prefer to avoid monitoring and negative publicity, and that both presidents and prime ministers often can do something about it via their constitutional powers and influence accrued through partisan support. Using new panel data on Central and Eastern European prime ministers and presidents, I find that proactive legislative powers for both executive types and increased partisan support for prime ministers negatively affect media freedom. My model explains most of the variation in Central and Eastern European media freedom, predicts high press freedom in Western Europe, and has important implications for the broader relationships between executive power, transparency, and accountability.

Keywords
media freedom, executive power, government transparency, accountability, democratization, constitutional design, institutions, Central and Eastern Europe

¹Southern Utah University, USA

Corresponding Author:
Richard L. Bairett Jr., Southern Utah University, 351 W. University Boulevard, GC 406, Cedar City, UT 84720, USA.
Email: rbairett@suu.edu
Introduction

In his March 2013 inauguration speech before a multi-partisan parliament, Czech President-elect Zeman targeted “islands of negativity” he would confront. Attendees listened reflectively as he described combating mafia parasites and neo-Nazi splinter groups; however, as he addressed the third negative influence—“a substantial part of the Czech media”—the audience erupted into applause. Although Zeman’s delivery was somewhat tongue-in-cheek, the proposition and enthusiastic response underscore a key facet of politics: Politicians often do not benefit from media publicity and prefer some control over it.

Although legitimate realms of state secrecy exist, rulers should not be “shut off from public scrutiny for no other reason than the self-contained arrogance of power” (Schedler, 1999, pp. 20-21). Citizens generally lack the opportunity and disposition to monitor public officials directly, and many rely on media to connect them with political activities and actors. So media ability to operate independently, with broad access to government, becomes an enabling link for holding executives accountable. Correspondingly, elites who are publicly linked with corruption, ineptitude, and scandal have much to lose politically. While politicians regularly dislike media monitoring and negative publicity, executives are uniquely suited to do something about it: Constitutions grant them specific powers that are often useful in hobbling the press. Thus, the executive-power/media-constraint nexus merits attention.

Principal-agent theory predicts an asymmetrical information advantage for political agents, which incentivizes them to put their own interests ahead of their principals (Adsera, Boix, & Payne, 2003; Ferejohn, 1986). I argue that government transparency is a necessary public good to mitigate this information asymmetry between citizens (principals) and political elites (agents), and focus on political executives. Adsera et al. (2003) find a robust relationship between newspaper readership and good governance, and accountability without information is unfathomable (e.g., Hunt & Khosla, 2011; Light, 1993). Although media freedom is only one transparency dimension, it is salient as a key information source about political activities and actors for many citizens (e.g., Adsera et al., 2003; Arnold, 2004).

Given that political executives prefer to maintain an information advantage, where they can cost-effectively limit negative coverage of themselves and their supporters, they will frequently do so. Yet the literature does not develop the relationship between executive power and media constraint, nor identify which instruments of power are likely be constraining.

I begin filling this gap by asking: Which legislative, nonlegislative, and accrued powers of presidents and prime ministers tend to affect media
freedom? I hypothesize an inverse relationship between media freedom and executives’ proactive legislative powers, and find considerable support in post-communist Central and Eastern Europe (CEE). Specifically, media freedom tends to be lower in countries granting greater decree powers to presidents and greater legislative dominance to prime ministers. I also find that increased partisan support, particularly for prime ministers, is associated with decreased media freedom.

After developing a theory on executive power as a determinant of press freedom, I describe data and measures, and test derived hypotheses using panel data from 16 CEE countries. I conclude with the implications of my findings for the study of executive-power institutions, media freedom, and government transparency more broadly.

**Executive Power as a Determinant of Media Freedom**

Government transparency can be viewed as a continuum from complete opacity, where rulers neither provide information nor tolerate inquiry, to complete transparency, where citizens have complete information about all official decisions and actions. While such extremes are unlikely, a range of empirical options is shown in Figure 1.

Near the opaque end, political leaders might self-disclose limited information. Examples include reporting economic indicators to international agencies (Hollyer, Rosendorff, & Vreeland, 2011) or making selected budget data publicly available (e.g., Alesina & Perotti, 1999). Further along the spectrum, government may permit some gathering and reporting of information it does not disclose—for example, fact-finding by interest groups, opposition parties, or the media. Greater transparency reflects societies’ ability to access any official information desired versus accepting reports offered by agents, as offered information may be little more than propaganda and is usually insufficient to monitor officials and hold them accountable (Grigorescu, 2007).

So while media freedom is not complete transparency, it is salient. First, Downs (1957) recognizes that political information is costly and that citizens

---

**Figure 1.** Government information transparency spectrum.
rely on information specialists to subsidize the costs, whereas Zaller (2003) highlights the media as the “burglar alarm” activating Schudson’s (1998) “monitorial citizen.” Second, information is inconsequential for electoral accountability or other social mobilization unless society becomes aware of it. Thus, media’s ability to broadly publicize government-related information is essential in regulating representative systems and reducing principal-agent information problems (Adsera et al., 2003; Lederman, Loayza, & Soares, 2005; Lindstedt & Naurin, 2010).

As freedom is absence of external constraint, I conceptualize media freedom as the ability of outlets and individual journalists to gather and publicize information they deem newsworthy, including government and political information, without constraint. Whereas media coercion can involve non-government actors, official constraints are most commonly identified in Freedom House’s Freedom of the Press (FOTP) reports.3

In considering incentives to constrain the media, I assume that most executives prefer to retain office and, by extension, to keep their supporters in power. Beyond that assumption, my theoretical framework rests on three main premises. First, elected politicians have real incentives to limit media monitoring and negative publicity. Second, executives have superior media-control tools relative to politicians generally. Third, heads of state and heads of government are institutionally different, and thus use different powers to restrain the media.

**Political Incentives and Media Monitoring**

Müller, Bergman, and Strøm (2003) remind us that representative delegation is inherently risky and must be coupled with accountability mechanisms. In parliamentary systems, executive accountability is complicated by institutional structures that make governments responsible only to parliamentary majorities between elections, which are in turn constrained by party discipline to support those governments. Thus, elections are the primary citizen-executive accountability mechanism, and fear of being voted out incentivizes politicians to consider voter perceptions (Müller et al., 2003).

Many scholars agree that politicians should avoid negative perceptions and manage their reputations (e.g., Besley & Case, 1995; Druckman, Jacobs, & Ostermeier, 2004), whereas the literature on elite incentives to cultivate personal or party votes (e.g., Carey & Shugart, 1995) is centered on personal and party reputations. Obtaining votes is facilitated by a positive public image (e.g., Jacobs & Shapiro, 1994), and the campaign literature largely confirms that negative evaluations affect vote choice more than positive evaluations (Fiske, 1980; Lau, 1985) and that candidates try to reverse negative evaluations (Druckman et al., 2004).
To evaluate candidates and hold incumbents accountable, citizens regularly turn to the news media for information (Hibbing & Theiss-Morse, 1998; Sellers & Schaffner, 2007). While choosing policies and behaviors consistent with voter preferences is one available reputation-management mechanism, another is to leverage the principal-agent information asymmetry—agents have perfect knowledge about their motives and activities whereas principals have imperfect information (Ferejohn, 1986)—by exercising control over information reporting. Because “elected officials want to present themselves favorably to voters” (Sellers & Schaffner, 2007, p. 377) and as news is what someone says happened, politicians are privileged in a world where reporters rely extensively on official sources (e.g., Gans, 1979; Schudson, 2002), and credit-claiming should be fairly easy. Conversely, limiting negative publicity is challenging in an unrestricted media environment where journalists respond to political “alarms” and shift to “patrol mode” to provide in-depth, investigative coverage (Boydstun, 2013, pp. 17-18). Media incentives often encourage journalists to fixate on and sensationalize political scandals, corruption, and perceived ineptitude (Boydstun, 2013), with partisan-leaning outlets being particularly prone to coverage of opposition-party scandals (Puglisi & Snyder, 2011).

Previous studies confirm that politicians should worry about media monitoring. Anderson (2006) demonstrates that media freedom, in combination with elections and other social mobilization, can effectively limit executive excesses. The corruption literature shows that media publicity can work against rent-seeking officials to reduce capture of public funds (e.g., Brunetti & Weder, 2003; Reinikka & Svensson, 2005). Other scholarship shows that media pluralism protects against government capture, and that when pluralism is reduced, incumbents are more likely to engage in rent-seeking and less likely to be replaced (Besley & Prat, 2006; Vaidya, 2005). Pereira, Melo, and Figueiredo (2009) show that when the utility of rent extraction is high and costs are low, politicians are more likely to extract rents. “Central to these costs are the degree to which voters are likely to observe corrupt practices” (p. 12), and voters are more likely to observe official malfeasance in an open media environment. Finally, media attention can pressure politicians to address issues that they prefer to ignore (Boydstun, 2013). In summary, elected officials understand that unconstrained media limits rent-seeking options, makes retaining office more challenging, and limits policy flexibility.

Executive Power

Although most political elites can do little to limit media monitoring and negative publicity, executives systematically differ in that foundational
institutions—usually constitutions—grant both heads of state and heads of
government a variety of legislative and nonlegislative powers that other
elected and appointed officials lack.

Heads of state—usually presidents—typically have reactive powers such
as veto or judicial referral authority that can affect legislative output.
Constitutions may also grant proactive legislative power in the form of decree
authority. Presidents also have varying levels of influence over cabinet for-
mation and reshuffling, and can be difficult to remove. For instance, pre-
Euromaidan revolution Ukrainian presidents had a veto with two-thirds
override and had some decree authority, including power to revoke govern-
ment acts unilaterally. They could also dismiss governments unilaterally, and
were difficult to remove from office.⁵

Although heads of government normally require assembly confidence,
thinking of prime ministers as parliamentary extensions is to underestimate
their differences from assembly members generally. Constitutions clearly
delineate their powers versus assembly powers, and to some extent versus
other government ministers. Prime ministers and their cabinets often have
considerable proactive authority to shape—even dominate—legislative agen-
das. Constitutions also tend to grant prime ministers high levels of cabinet
formation/reshuffling influence, specify widely-varying conditions under
which governments can be removed, and give governments considerable
executive autonomy. Moldovan governments, for instance, establish the
order in which bills are considered, can call for urgency procedures and con-
nect any bill to a vote of confidence, and have no upper house to satisfy. They
also prepare budgets, which the assembly has only limited ability to amend,
and prime ministers have considerable discretion in appointing and dismiss-
ing cabinet ministers. While cabinet government is normally collegial and
prime ministers may need to pursue cabinet consensus, heads of government
are notably more powerful than politicians generally.

Connecting Power and Media Constraint

As media outlets are unlikely to escape government influence, I explore how
executive powers translate into the legal, political, and economic pressures
scored in Freedom House’s Freedom of the Press (FOTP) reports. Those
reports and the comparative media literature provide abundant examples of
media-constraining mechanisms that indicate executive linkages.

Libel laws that simplify suing media personnel, even for publishing sub-
stantiated allegations, are leveraged frequently by government ministers
(Freedom House, 2014). Czech “muzzle” laws that banned publication of
information about perpetrators of criminal acts (including evidence of official
corruption), Slovenian “right of correction” statutes that allow anyone insulted by a news article—factual or not—to publish a refuting “correction,” and lack of legal protection for journalists’ sources similarly hinder editorial independence (Freedom House, 2014) and help elites hide some activities. Laws that isolate information categories from the media—for example, Croatia’s 2010 expansion of “classified” information (Freedom House, 2013)—can further preclude reporting of many executive activities.

political pressures that disrupt media functioning include barriers to creation of new outlets, and rules that facilitate government media capture (Besley & Prat, 2006; Vaidya, 2005). Political connections are often needed to procure new broadcast licenses (Sparks, 2008), and renewals can be politically contentious. Hungary’s Klubrádió has been awaiting renewal of its broadcast license since 2011 (Freedom House, 2013) and the Romanian parliament actually lifted accreditation of the weekly publication “22” (Jakubowicz, 2008): Both had been critical of governments. Legal environments that accommodate opaque media ownership often obscure connections between politicians and the press in ways that facilitate dismissal of editors and reporters who criticize governments, and limit media pluralism by providing ways to bypass media concentration rules (e.g., Freedom House, 2014). In addition, outlets have been infiltrated by internal security and military intelligence—for example, in Albania and Slovakia—and secret service and police investigations of media personnel occur repeatedly—for example, in Albania, Bulgaria, Lithuania, and Slovakia (Freedom House, 2014; Kronholm, 2013; Mungiu-Pippidi, 2008).

Media systems that incorporate public broadcast services (PBS) can be especially vulnerable to political interference as states become media owners, including partisan meddling in governing board appointments, frequent management changes and leadership crises, and self-censorship by programmers who get little top-cover from managers unwilling to cross political executives (Jakubowicz, 2008). For instance, Slovenia’s Prime Minister Janša “signal[ed] growing government influence over the media” by replacing several PBS board members with co-partisans upon taking office (Freedom House, 2014). More broadly, in Hanretty’s (2010) ranking of 36 mostly-European public broadcasters by perceived independence, 10 of the bottom 16 are in CEE states, and only Estonia’s Eesti Televisioon is in the top half.

Economic media-control tools include bribery (McMillan & Zoido, 2004), preferential distribution of state subsidies and tax breaks to favored media outlets (Mungiu-Pippidi, 2008), selective tax-code enforcement against outlets that censure rulers, and channeling state advertising to outlets that provide favorable coverage (e.g., Di Tella & Franceschelli, 2011). Others often follow governments’ lead in selecting advertising fora (Freedom House,
2013), sometimes under official pressure, as in Albania, where private companies are threatened with tax actions if they advertise with outlets that are unpopular with government (Kronholm, 2013).

Violence, threats of violence, and attempted censorship also shape the media landscape. Journalists are repeatedly killed in Russia, and part of the impetus for Ukraine’s Orange Revolution was evidence that then-President Kuchma was connected to the murder of an investigative reporter (Mungiu-Pippidi, 2008). Police intimidation against journalists and their families, or failure to properly investigate media-directed violence are documented in Albania, Bulgaria, Croatia, Moldova, Romania, and Slovakia, often after media personnel have opposed influential politicians (Freedom House, 2013, 2014). As for censorship, authoritarian control of Russia’s media is well documented (e.g., Sparks, 2008), Ukrainian presidents have overtly and covertly attempted to control which topics are covered and how (e.g., Mungiu-Pippidi, 2008), Croatia’s public broadcaster has made numerous attempts to censor journalists who criticize government (Freedom House, 2013), and Czech public television editors loyal to President Zeman are being investigated for censorship (Freedom House, 2014).

Although precisely linking executive powers to media constraints is challenging, especially when executives are avoiding illumination of their activities, several mechanisms suggest themselves. Legal pressures are proximate to executives’ legislative powers, and political, economic, and other coercive pressures are also facilitated by lawmaking influence.

Significantly, prime ministers tend to have considerable legislative agenda control. Governments frequently draft legislation, and prime ministers can often demand special handling of bills or tie them to votes of confidence in government. Lack of upper houses to satisfy and strong partisan support in lower houses also facilitate preferred outcomes. Correspondingly, “legislation has often been revised to provide fresh opportunities to dismiss [PBS] executives who were not obedient enough” (Mungiu-Pippidi, 2008, pp. 92-93). Hungary typifies legislative dominance by executives and its impact on media freedom. In April 2010, Prime Minister Orbán’s Fidesz party won 68% of assembly seats, while the constitution granted him considerable legislative power—ability to link preferred legislation to votes of confidence in government and no upper house to satisfy legislatively. Presidents also had meaningful legislative tools, and, while previous parliaments elected nonpartisan presidents, the new supermajority chose a Fidesz president. Orbán quickly pushed the assembly to amend away an obligation of government to prevent media monopolies, to consolidate media regulation under a single body headed by co-partisan appointees, and to pass additional media-restricting acts that apparently violate European
Union laws (Freedom House, 2012). Given this perfect storm of specified and accrued power, it is unsurprising that press freedom dropped immediately from 77 to 70 points (of 100), and to 64 in 2011—a 17% decrease in two years (Freedom House, 2012). Other prime ministers with similar advantages have also promoted media-restricting legislation.

Perhaps most telling is executives’ consistent shortage of political will to support improved media statutes when they have the legislative muscle to do so. Although laws that strengthen media are occasionally passed, many executives take advantage of weak media protections. Slovakia’s Prime Minister Fico has a known dislike for journalists (Macak, 2008), so rather than use his considerable legislative influence to amend loose defamation statutes he repeatedly sues reporters who are critical of him (Freedom House, 2014). While enhanced protections for journalists’ sources, elimination of media entry barriers, and laws mandating transparent media ownership could easily be sponsored by committed prime ministers, improvements are infrequent. I argue that these deficiencies persist in many countries precisely because they facilitate media control by political executives.

Although presidents’ legislative influence tends to be reactive—for example, veto powers—many presidents have at least some proactive decree powers. President Putin augments legislation using his extensive decree authority to tighten control of Russia’s “neo-authoritarian media system” (Jakubowicz, 2008)—for example, a December 2013 order, following protests against Putin’s rule, that replaced the state news agency with something like the Soviet-era Novosti Press Agency (APN) (Heritage, 2013). While event chains are difficult to reconstruct when elites are avoiding transparency, the more-limited decree powers of Ukrainian presidents have also been linked to media constraint. Kuchma’s weekly “media theme guide” actually directed coverage of specific topics and how they were to be reported. The Yanukovych administration was more subtle, but media control after Ukraine’s Constitutional Court overturned the Orange Revolution amendments was partly reasserted, and outlets were warned away from certain topics like the Yanukovych family’s sources of wealth. There may also be a relationship between murdered journalists and presidents’ decree powers. Again, such deaths are common in Russia, and Ukraine’s Kuchma has made multiple court appearances regarding his possible role in one death. Presidents often have influence over PBS board appointments, and lack of board independence—for example in Armenia and Poland—is likely connected to lack of objective coverage (Jakubowicz, 2008; Sparks, 2008).

Of course societal and external pressures for civil rights and government information cannot be completely ignored, and executive incentives to yield to such pressures or monitor future governments can compete with
media-control incentives. Nevertheless, media constraint remains an executive penchant, greater power increases the probability of such control, and this subsection highlights several ways power is linked to constraint mechanisms. Although media system types are certainly relevant to mechanisms used—executives are likely to take advantage of more-direct control over PBS and other state-owned media—executives tend to use available power to exert what control they can over media systems of all varieties.

**Presidents and Prime Ministers**

Not only do executives differ from other elites, but heads of state and heads of government differ markedly from each other in their mandates and key authorities. Although considerable effort has gone into measuring presidential powers (Frye, 1997; Metcalf, 2000; Shugart & Carey, 1992; Siaroff, 2003) and showing that such powers influence outcomes (e.g., Andrews & Bairett, 2014b; Samuels & Shugart, 2010), a potential danger of coding only presidential strength is assuming that prime ministers are functionally equivalent across political systems and that their powers are unrelated to outcomes. Bergman, Müller, Strøm, and Blomgren (2003) show that parliamentary systems do vary considerably, and that political accountability varies as a result. Thus, using executive strength to explain an accountability-enabling mechanism like media freedom demands that we consider variation in all relevant types of executive power.

In exploring executive power, I rely on comprehensive measures of key powers for European heads of state and heads of government developed by Andrews and Bairett (2014a). They code the constitutionally specified authorities of both executives to change the formal status quo (legislative powers) and influence changes in veto-player composition (nonlegislative powers), and also consider executives’ party support within lower assembly houses as sources of accrued power. Although most of the powers might be instrumental in limiting media freedom, some should be consistently useful as described in the previous subsection. Table 1 lists key executive powers and highlights those I expect to be most used to constrain the media.

**Presidents’ legislative powers.** Although many important presidential powers are reactions to legislative output, particularly vetoes and referral for judicial review, decree power stands apart as a proactive, unilateral means to bypass legislatures and alter the formal status quo in ways that might affect media functioning. Even limited ability to influence regulatory or enforcement bodies can result in de facto media restrictions. Most legislative powers have some potential to result in media restrictions, so I expect a negative
relationship between presidents’ total legislative powers and media freedom; however, I expect decree power to be responsible for most of that relationship.

Presidents’ nonlegislative powers. Influence over cabinet composition—usually shared with prime ministers, formateurs, and/or assemblies—may or may not affect media freedom. While increasing the likelihood of government ministers who reflect presidential preferences, cabinet formation/reshuffling also provides an alternate means of dealing with scandal or ineptitude, which could diminish executive preference for a constrained media. Assembly

Table 1. Executives’ Specified Powers and Media Freedom.

<table>
<thead>
<tr>
<th>Presidents’ legislative powers</th>
<th>Predicted relationship</th>
<th>Prime Ministers’ legislative powers</th>
<th>Predicted relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Package veto/override</td>
<td>Indeterminate</td>
<td>Legislative agenda control</td>
<td>Negative</td>
</tr>
<tr>
<td>Partial veto/override</td>
<td>Indeterminate</td>
<td>Budgetary powers</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>Decree</td>
<td>Negative</td>
<td>Lower chamber dominance</td>
<td>Negative</td>
</tr>
<tr>
<td>Introduce legislation</td>
<td>Indeterminate</td>
<td>Executive dominance</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>Budgetary powers</td>
<td>Indeterminate</td>
<td>Regulations and related acts of government</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>Referenda proposal</td>
<td>Indeterminate</td>
<td>Referenda proposal</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>Judicial review</td>
<td>Indeterminate</td>
<td>Total legislative (24 points possible)</td>
<td>Negative</td>
</tr>
<tr>
<td>Total legislative (28 points possible)</td>
<td>Negative</td>
<td>Total legislative (24 points possible)</td>
<td>Negative</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Presidents’ nonlegislative powers</th>
<th>Predicted relationship</th>
<th>Prime Ministers’ nonlegislative powers</th>
<th>Predicted relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mandate (origin)</td>
<td>Negative</td>
<td>Mandate (origin)</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>Mandate (survival)</td>
<td></td>
<td>Censure (survival)</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>Cabinet formation</td>
<td>Indeterminate</td>
<td>Cabinet formation</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>Cabinet dismissal</td>
<td>Indeterminate</td>
<td>Cabinet dismissal</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>Assembly dissolution</td>
<td>Indeterminate</td>
<td>Assembly dissolution</td>
<td>Indeterminate</td>
</tr>
<tr>
<td>Total nonlegislative (16 points possible)</td>
<td>Indeterminate</td>
<td>Total legislative (20 points possible)</td>
<td>Indeterminate</td>
</tr>
</tbody>
</table>

Specified powers are from constitutional analysis by Andrews and Bairett (2014a). Each power is scored 0 to 4 points, except presidents’ Origin and Survival are coded 0 to 2 points each, for a total presidents’ Mandate score of 0 to 4 points.
dismissal power threatens parliaments that ignore presidential preferences, but nothing clearly links such power with media functioning. Conversely, mandate power is high when presidential elections are direct and removal from office is difficult. As explained by Tavits (2008), some scholars argue that directly-elected presidents’ increased legitimacy may increase their activism and result in power imbalances (Bunce, 1997; Linz, 1994), whereas indirectly-elected presidents are less likely to exercise specified powers (Duverger, 1980; Protsyk, 2005). Correspondingly, low removal probability raises confidence of surviving controversial use of powers, including media-constraining decrees. So although it is not clear that presidents’ aggregated nonlegislative powers affect media freedom, I expect strong mandates to be negatively related.

Prime ministers’ legislative powers. As previously noted, prime ministers’ ability to change the status quo in ways limiting media freedom is most clearly linked to their ability to shape legislative output, and legislative agenda control includes a subset of proactive powers that allow governments to do just that. Prime ministers and their cabinets may have exclusive authority to introduce legislation in certain areas, to limit assembly deliberation by declaring special circumstances or urgency regarding bills, or to tie legislation to votes of confidence. Lower house dominance, stemming from lack of upper houses with veto authority, enhances prime ministers’ legislative dominance. Upper chambers, where they exist, rarely take part in electing governments and are often constituted quite differently than lower houses, yet can complicate other actors’ legislative aspirations when their concurrence is required. While I expect prime ministers’ total legislative powers to have a negative impact on media freedom, I expect most of that relationship to be accounted for by legislative agenda control and lower chamber dominance.

Prime ministers’ nonlegislative powers. Although these powers are analogous to those of presidents, CEE prime ministers are never popularly elected. Selection is influenced by presidents and/or assemblies to varying degrees, and mandate scores are higher where assemblies that support cabinets also dominate selection processes. As for survival, censure—ability to retain office during controversy—is coded separately from origin. Parliamentary majorities can often pass censure votes, but constitutional provisions may enhance prime ministers’ survival probability: Croatia, Estonia, and Lithuania allow outgoing prime ministers to dissolve assemblies; Albania, Hungary, Poland, and Slovenia require a “constructive” vote of no-confidence—simultaneous proposal of an alternative head of government; and many countries restrict the timing or frequency of censure motions.
Although power to (re)shape cabinets, threaten assembly dissolution, and survive censure might provide media-control leverage, such rules also facilitate government longevity (Lupia & Strøm, 1995) and thus may reduce incentives to constrain the media. If political fallout from alleged ineptitude, scandal, and corruption can be largely mitigated by cabinet reshuffling, and if surviving controversy is enhanced by strong mandates and censure restrictions, prime ministers should be less reactive to negative press. These competing mechanisms drive my expectation that prime ministers’ nonlegislative powers have no clear relationship with media freedom, and might even have some positive impact.

*Presidents’ partisan support.* Having more assembly seats occupied by co-partisans should amplify presidents’ media-control influence. Where supermajorities are required to remove a president, even minority support can assure survival following controversial use of powers, including overt or covert executive orders that constrain the press. Increased seat share also provides more opportunities to involve co-partisans in shaping the legislative agenda and debate. Of course where presidents’ parties enjoy a majority the likelihood of preferred legislation passing is greatly increased. Thus, I expect presidents’ partisan seat share in the lower house to be negatively related to media freedom.

*Prime ministers’ partisan support.* Increased party seat share in assemblies generally decreases the likelihood of prime ministers’ removal following controversial exercise of powers and improves their ability to fill cabinet seats with like-minded supporters. However, the most obvious way partisan strength can impair media freedom is as an additional mechanism for prime ministers to dominate legislative agendas and increase the likelihood of their preferred policies becoming law. It is almost certainly the case in Hungary, following the 2010 Fidesz party landslide, that strong partisan support facilitated passage of Orbán-government initiatives that placed significant limits on the media. Overall, I expect prime ministers’ partisan seat share in lower houses to be negatively related to media freedom.

**Hypotheses**

Based on the preceding arguments, I advance the following hypotheses.

**Hypothesis 1 (H1):** Increasing presidents’ legislative powers—particularly *decrees* powers—decreases media freedom.
Hypothesis 2 (H2): Excepting mandate, presidents’ nonlegislative powers do not significantly affect media freedom.

Hypothesis 3 (H3): Increasing prime ministers’ legislative powers—specifically legislative agenda control and lower chamber dominance—decreases media freedom.

Hypothesis 4 (H4): Prime ministers’ nonlegislative powers do not significantly affect media freedom.

Hypothesis 5 (H5): Increasing partisan support for presidents decreases media freedom.

Hypothesis 6 (H6): Increasing partisan support for prime ministers decreases media freedom.

Collectively, these hypotheses suggest that media freedom is lowest when both presidents and prime ministers have strong legislative powers and strong partisan support. I estimate these relationships using all key explanatory variables and appropriate control variables, find some support for all the hypotheses, and find strong support for H1, H3, and H6.

Data and Measures

I test my hypotheses using 1993 to 2012 panel data from 16 democratizing, post-communist CEE countries that lacked an ongoing free-media tradition prior to democratization. CEE political institutions were created and adjusted under political and economic uncertainty, borrowed a variety of features from existing democratic constitutions, and resulted in as close to a blank slate as we are likely to find to study the effect of institutions on outcomes (e.g., Andrews & Bairett, 2014b; Elster, Offe, & Preuss, 1998).

Media Freedom

My dependent variable, media freedom, is operationalized using Freedom House’s FOTP index, based on expert analysis of legal, political, and economic factors impacting media operations. I reverse the 0 to 100 scale (100 – FOTP), so greater scores reflect greater media freedom and signs of model coefficients correspond to my hypotheses.

In evaluating media-freedom measures, Becker, Vlad, and Nusser (2007) report that FOTP is highly correlated (.81-.91) with Reporters Without Borders and International Research and Exchanges Board media indices. They find that FOTP is consistent and captures meaningful variation across time, indicating that fresh evaluations are completed annually. FOTP is also the only broad-based media-freedom index providing coverage for my entire study period.
**Executive Power**

Measurements of presidents’ and prime ministers’ legislative powers, nonlegislative powers, and partisan seat shares are from a comprehensive data set developed by Andrews and Bairett (2014a). Coding is based on detailed constitutional review and is rooted in Shugart and Carey’s (1992) presidential powers scheme, as modified by Metcalf (2000), and further modified by them. Rather than assuming prime ministers are effectively homogeneous, they treat all parliamentary systems as dual-executive regimes and code key powers constitutionally reserved for both executive categories. They characterize legislative powers as those that enable change in, or maintenance of, the formal status quo, and nonlegislative powers as those that influence change in the composition of veto players, and find considerable variation in those powers for both executive types, as shown in Figure 2.13

Each power in Table 1 is awarded 0 to 4 points, with four representing the highest levels of executive dominance for each. Presidents’ legislative powers range from 0 (Slovenia) to 13 (Russia), and nonlegislative powers from 2 (Latvia) to 13 (Russia). Prime ministers’ legislative powers range from 6 (Russia) to 17 (Albania 1998-2007), and nonlegislative powers from 3 (Ukraine) to 13 (Estonia; Albania after 2007). Partisan support is operationalized as presidents’ seat share and prime ministers’ seat share in lower houses, scaled .00 to 1.00.15

**Control Variables**

Executive preference for a constrained media might be offset somewhat by other factors in a competitive electoral environment. Bueno de Mesquita, Morrow, Siverson, and Smith (2002) describe government transparency as a public good, and argue that the larger the size of the winning coalition selecting leaders, the more cost-effective it becomes to provide public goods, versus private goods, to defeat political rivals. They maintain that when selectorates and winning coalitions are large there is also greater risk of exclusion from private goods, so competitive democracies should tend toward greater demand for public goods and incumbents who supply them. Accordingly, a pattern of party alternation in power might reduce executives’ certainty of retaining office and induce them to supply media freedom as a costly signal to voters. Thus, presidential candidates and parties with prime ministerial aspirations might be more likely to campaign on the basis of increased government transparency to boost election prospects. Also, if there is a reasonable chance that incumbents will find themselves in opposition they may want the press to be able to monitor future executives and governments.
To operationalize alternation in power, and democratic competitiveness more broadly, I use Political Risk Services’ Democratic Accountability variable from the International Country Risk Guide (ICRG), scaled 0 to 6. Alternation receives maximum points in “alternating” democracies, in which “a government/executive . . . has not served more than two successive terms,”

**Figure 2.** Executives’ legislative and nonlegislative powers, selected European constitutions.
Entries are by country, with first year of new or amended constitution.
and lowest scores when heads of government are not “subject to [elections] in which political opponents are allowed to stand,” so are unlikely to lose office (Political Risk Services, 2011, pp. 33-34). Observations range from 2 (Russia, 1999; Ukraine, 2001-2003) to 6 (numerous) and appear to capture meaningful variation, between and within purportedly democratic countries, that corresponds to alternation in power. If alternation creates incentives for executives and candidates to be more respecting of media freedom, it should be positively signed.

Bureaucratic professionalization also frequently accompanies successful democratization, and may help offset executive attempts at media constraint—a positive relationship. I control for bureaucratic quality, scaled 0 to 4, which the ICRG describes as a shock absorber that helps dampen policy revisions as new governments take power. Highest scores indicate bureaucracies that function effectively and without drastic policy changes during government changeovers, with established recruitment and training programs, and with some autonomy from political pressure (Political Risk Services, 2011).

Although my theory is institutional, there are compelling socio-historic arguments that communist legacies have effects beyond those predicted by institutions (e.g., Howard, 2003; Jowitt, 1992; Linz & Stepan, 1996). This legacy includes individual freedoms and mass media being frequently subjugated to the state, so post-communist elites and media operators may be habituated to less independent relationships than their Western counterparts. From a societal standpoint, decades of equating media with state propaganda might engender residual distrust of media reports, a sense that political executives are not fair game for negative coverage, and less inclination to protest media restrictions. Hence I control for USSR Legacy—a binary variable coded 1 for countries that were members of the Soviet Union for at least 70 years—Moldova, Russia, and Ukraine in my data set—which should be negatively signed if the Soviet legacy is partially responsible for depressed media freedom.

FOTP reports account for economic conditions and the economic leverage that elites, including political executives, may have over the media. Executive sensitivity to bad press might also be mitigated somewhat by a good economy. Thus, I control for economic growth—change in gross domestic product per capita ($\Delta GDP_{pc}$), in thousands of dollars, from the previous year ($GDP_{pc_t} - GDP_{pc_{t-1}}$)—and expect a positive relationship with media freedom.

**Estimation and Results**

In estimating models, additive specifications are appropriate for two reasons. First, potentially interesting interactions, such as between specific powers
and executives’ party seat shares, do not improve model fit, and confidence intervals around interactive marginal effects do not preclude constant marginal effects for key variables of interest. Second, given the dual nature of executive power among my cases, an argument might be made that, where either presidents or prime ministers clearly dominate, power might operate in a weakest-link fashion. For instance, cohabitation might mean that the formal powers of presidents or prime ministers are less efficacious as a result of powers of the other office, especially if one executive prefers increased transparency as a check on the other executive. However, both executive types have media-control incentives, and even where presidents clearly dominate—Russia and Ukraine in my data set—prime ministers, who can be dismissed by presidents for any reason under both constitutional arrangements, still have considerable influence they can use to support presidential preferences. Given the variety of dual-executive party configurations and incentives, I avoid omitted-variable bias by including the relevant powers of both in additive fashion and letting the data speak for itself. I acknowledge that estimates represent average predicted effects, with actual effects under specific circumstances being possibly higher or lower.

Results from model estimates in Table 2 support my theory that executives’ proactive legislative powers decrease media freedom. I estimate model coefficients using ordinary least squares (OLS) with panel corrected standard errors (PCSE), specifying country-level heteroskedasticity, to mitigate potential violations of OLS assumptions with panel data.\(^1\) Serial correlation in the time-series is mitigated by including a 1-year lagged dependent variable (LDV), \(media freedom_{t-1}\). Variation in media freedom for a given country at time \(t\) is not independent of pre-existing media freedom, and including a LDV “almost certainly [lowers] the degree of serial correlation, and often will eliminate it” (Beck & Katz, 2011, p. 339). My tests confirm a high probability of serial correlation in statistical models without the LDV, and a low probability of serial correlation in models that include it.\(^2\)

Model 1 displays aggregate-power results, and is only partially informative. Of my explanatory variables, only presidents’ legislative powers, prime ministers’ nonlegislative powers, and prime ministers’ seat share are significant using conventional two-tailed criteria. However, when the specific powers that I hypothesize (H1-H3) are most likely to depress media freedom replace their corresponding aggregate powers in model 4, the estimated effect of previous media freedom (\(media freedom_{t-1}\) on current media freedom drops from three quarters (.77) to two thirds (.69) and explanatory variable estimates largely meet my expectations.

My key explanatory powers alone (model 2) explain three fourths of the variation in media freedom \((R^2 = .72)\), but coefficients are biased as the LDV
Table 2. Media Freedom, Central and Eastern Europe.

<table>
<thead>
<tr>
<th>Aggregate powers</th>
<th>(1)</th>
<th>Specific powers</th>
<th>(2)</th>
<th>(3)</th>
<th>(4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Media freedom_{t-1}</td>
<td>0.77*** (0.04)</td>
<td>Media freedom_{t-1}</td>
<td>0.85*** (0.03)</td>
<td>0.69*** (0.04)</td>
<td></td>
</tr>
<tr>
<td>Presidents’ legislative powers</td>
<td>-0.21** (0.11)</td>
<td>Presidents’ decree</td>
<td>-10.10*** (0.74)</td>
<td>-2.01*** (0.44)</td>
<td>-2.03*** (0.44)</td>
</tr>
<tr>
<td>Presidents’ nonlegislative powers</td>
<td>-0.29 (0.20)</td>
<td>Presidents’ mandate</td>
<td>-1.94*** (0.37)</td>
<td>-0.42** (0.19)</td>
<td>-0.33* (0.18)</td>
</tr>
<tr>
<td>Prime ministers’ legislative powers</td>
<td>-0.21 (0.17)</td>
<td>Prime ministers’ agenda control</td>
<td>-2.90*** (0.50)</td>
<td>-0.27 (0.27)</td>
<td>-0.57* (0.30)</td>
</tr>
<tr>
<td>Prime ministers’ nonlegislative powers</td>
<td>0.27* (0.15)</td>
<td>Prime ministers’ nonlegislative</td>
<td>2.55*** (0.22)</td>
<td>0.50*** (0.13)</td>
<td>0.31** (0.14)</td>
</tr>
<tr>
<td>Presidents’ seat share</td>
<td>-1.34 (1.46)</td>
<td>Presidents’ seat share</td>
<td>-22.42*** (2.58)</td>
<td>-3.06** (1.38)</td>
<td>-2.98*** (1.47)</td>
</tr>
<tr>
<td>Prime ministers’ seat share</td>
<td>-6.10*** (2.29)</td>
<td>Prime ministers’ seat share</td>
<td>-10.43*** (3.60)</td>
<td>-3.05* (1.86)</td>
<td>-6.14*** (2.23)</td>
</tr>
<tr>
<td>Alternation in power</td>
<td>1.23*** (0.46)</td>
<td>Alternation in power</td>
<td>1.28*** (0.42)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bureaucracy quality</td>
<td>1.37*** (0.46)</td>
<td>Bureaucracy quality</td>
<td>1.82*** (0.48)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>USSR legacy</td>
<td>-2.51*** (1.08)</td>
<td>USSR legacy</td>
<td>-2.72*** (1.02)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ΔGDP per capita</td>
<td>0.75 (0.46)</td>
<td>ΔGDP per capita</td>
<td>0.62 (0.44)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Intercept)</td>
<td>11.10*** (3.61)</td>
<td>(Intercept)</td>
<td>80.84*** (2.37)</td>
<td>12.06*** (2.74)</td>
<td>15.86*** (3.42)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>(Intercept)</th>
<th>(Intercept)</th>
<th>(Intercept)</th>
</tr>
</thead>
<tbody>
<tr>
<td>R^2</td>
<td>.951</td>
<td>.723</td>
<td>.943</td>
</tr>
<tr>
<td>n = country-years</td>
<td>245</td>
<td>301</td>
<td>289</td>
</tr>
</tbody>
</table>

Panel-corrected standard errors in parentheses, with heteroskedastic panels. GDP = gross domestic product.
*p < .10. **p < .05. ***p < .01; two-tailed tests.
is not correcting for lack of independence among within-country observations of media freedom. With the LDV included in model 3, other coefficients can be interpreted as explaining levels of media freedom beyond that which is already explained by previous media freedom; however, the coefficient of media freedom_{t-1} is positively biased (excessively high) until all control variables are added in model 4, which informs most of the following empirical discussion.

Executive Powers and Media Freedom

If H1 is correct, increasing presidents’ legislative powers—particularly decree powers—decreases media freedom. The aggregate-powers coefficient for presidents’ legislative powers in model 1 is negative and significant. Presidents’ decree in model 4 is also negative and significant, and predicts that a 1-point increase in decree is associated with a 2-point decrease in media freedom. Although Russia, with a score of 4, is the only country with presidents’ decree > 1, this finding is robust to dropping Russia or any other individual country from the analysis. In fact, without Russia, decree becomes a binary variable—remaining countries score 0 or 1—with a significant −4.72 coefficient, predicting a 5-point media-freedom difference in countries having presidents with limited decree authority versus those lacking decree authority. Either way, H1 is strongly supported.

H2 posits that, excepting mandate, presidents’ nonlegislative powers do not significantly affect media freedom. Accordingly, presidents’ nonlegislative is negatively signed but insignificant (model 1), while presidents’ mandate in model 4 is both negative and significant. However, this finding is sensitive to model specification and is not robust to dropping the Czech Republic, Estonia, or Ukraine from the analysis. So although H2’s null assertion about president’s aggregate nonlegislative powers appears to be supported, the mandate exception is only weakly supported.

Conversely, H3, that increasing prime ministers’ legislative powers—specifically legislative agenda control and lower chamber dominance—decreases media freedom, is robust to various model specifications and to dropping individual countries from the analysis and is strongly supported. Although the aggregated prime ministers’ legislative powers coefficient in model 1 is negative but insignificant, both legislative agenda control and lower house dominance in model 4 are significant. Together they predict that a country such as Slovakia, with a prime minister having relatively strong agenda control tools (agenda control = 3) and no upper house to satisfy (lower house dominance = 4) results in media freedom that is three points lower than for a prime minister with less agenda control (agenda control = 2).
and who faces an upper house whose decision requires a two thirds override by the lower house (lower house dominance = 1).23

As for prime ministers’ nonlegislative powers, I expect little impact on media freedom, or possibly some positive effect because such powers often enhance cabinet survival and thus reduce sensitivity to negative press. The model 4 coefficient is in fact positive and significant, and estimates that a country scoring 13, such as Estonia, will have three points greater media freedom as a result of this factor than a country scoring 3, such as Ukraine. However, the coefficient is cut drastically and is statistically indiscernible from zero (p value = .34) when Estonia is dropped from the analysis. Thus, this estimate lacks robustness and the impact of this class of powers on media freedom remains inconclusive.

These institutional results indicate that countries granting constitutional decree powers to presidents, or lower house dominance and/or agenda control provisions to prime ministers, will have media freedom that converges at lower levels than countries that do not. Slovakia and Russia, for example, had identical FOTP scores (media freedom = 45) in 1994, and executives’ legislative power differences partially explain why Slovakia’s press freedom converged at higher levels. Slovakia’s executive institutions (presidents’ decree = 0, prime ministers’ agenda control = 3, and lower house dominance = 4) predict a 5-point depression in media freedom.24 In fact, Slovakian Prime Minister Fico’s legislative attempts to push media-restricting legislation (Freedom House, 2011) have not facilitated nearly the media control achieved by Russian President Putin. Russia’s executive-power institutions (presidents’ decree = 4, prime ministers’ agenda control = 2, and lower house dominance = 1) predict double Slovakia’s media-freedom degradation at 10 points,25 largely due to high presidents’ decree power.

As for executive power accrued via parliamentary support—assembly seat shares for presidents (H5) and prime ministers (H6)—model coefficients are negatively signed, suggesting that increased partisan strength for either executive hurts media freedom. In a region where presidents tend to have little direct influence over legislatures, it is perhaps not surprising that the coefficient for presidents’ seat share, at −2.98, is considerably smaller than for prime ministers’ seat share at −6.14. Presidents’ seat share also loses significance, but is still negative, if Slovakia is dropped from the analysis. So although increased partisan support for presidents might have an impact, H5 is only weakly supported and we cannot confidently conclude that seat share strengthens presidential power in ways that harm the press.

In contrast to presidents, the coefficient of prime ministers’ seat share is robust to various model specifications and to dropping individual countries. Model 4 predicts, for instance, that a prime minister enjoying single party
control of parliament with 59% of the seats depresses media freedom three points more, on average, than a minority-government prime minister whose party controls 10% seat share. In any event, H6—increasing prime ministers’ partisan support decreases media freedom—is strongly supported.

Slovakia’s Prime Minister Mečiar, who repeatedly attempted to constrain the media (e.g., Perlez, 1996), controlled the government almost continuously from independence in 1993 until 1998 with 41% to 49% seat share. When Mečiar’s party lost control in 1998, media freedom jumped from 53 to 70 points immediately, and climbed to higher levels under prime ministers whose parties held only 19% to 33% seat shares through 2011. Notably improved press freedom following decreases in prime ministers’ seat share also occurred in Moldova after 2009, and to some degree in Albania after 1996, and a large increase in seat share preceded sizable press freedom declines in Hungary after the 2010 elections. Although there are substantive differences between earlier administrations and the governments that replaced them, these cases offer additional support for my hypothesis that media freedom is more likely to suffer as increased prime ministers’ seat share results in greater legislative dominance.

**Other Factors Influencing Media Freedom**

As for control variables, the coefficient of alternation is positive, significant, and robust to varying model specifications or to dropping individual countries. The bureaucracy quality coefficient is also large, positive, significant, and robust, indicating that bureaucratic professionalization may help offset executives’ media-restricting propensities. The significant coefficient of USSR Legacy estimates that non-Baltic former Soviet states have media-freedom scores 3 points lower than explained by other factors. As for economic growth, the coefficient of ΔGDPpc is positive, but insignificant in both aggregate- and specific-powers models. Although media freedom may be enhanced by positive economic growth, the question is not confidently resolved here.

A possible critique of my analysis is omission of factors that might reveal bias in variable estimates or even show purported relationships to be spurious. Probably the most concerning potential omission is level of democracy, which might partially explain both executive power and media freedom, but which I largely capture with alternation in power and bureaucratic quality controls. If I also include Polity IV’s polity2 variable—a measure of democratization—in model 4, its coefficient is statistically indiscernible from zero (p value = .71) and coefficients of hypothesized variables are effectively identical. Although certain aspects of successful democratization may help
explain media freedom, democratization level does not negate the explanatory strength of executive power.

Since European Union (EU) membership requires national legislation that commits applicants to many Western legal and civil rights norms it might buoy media freedom. However, an EU dummy variable added to model 4 is insignificant and other coefficients are essentially unchanged. Grigorescu (2002) argues that the EU has largely failed to transmit Western transparency norms to CEE member states, and this finding lends support to his claim.

Model Predictions: CEE Versus Western Europe

On the whole, my analysis indicates that countries with the most media freedom tend to be those that do not grant decree powers to presidents, that limit prime ministers’ ability to dominate legislative output via agenda control and lower house dominance, and where prime ministers’ parties control smaller portions of lower house assembly seats. A Soviet legacy is not helpful; however, increased nonlegislative powers for prime ministers may enhance press freedom, and increased alternation in power and bureaucratic professionalization certainly appear to boost it.

So how do these predictions perform in relation to actual media freedom? Figure 3 plots (reversed) FOTP scores, as reported by Freedom House, against specific-powers predictions from model 4. The perfect-fit line indicates where observations fall if predicted = reported values, and deviations are shown for CEE and for some Western European countries using parameter estimates from the CEE analysis.

Predicted and actual media-freedom scores correspond closely for all CEE country cases—perfect-fit and CEE fitted-values lines are nearly identical—which strongly supports my theoretical framework. Although there is variation around the perfect-fit line, 15 of 16 countries converge to model expectations, as evidenced by less than 3-point differences between actual and predicted values averaged over the last 3 years observed. Only Moldova does not converge in the last 3 years, and this aberration is due to a 10-point jump in 2010 media freedom after a 2009 electoral victory by the Alliance for European Integration over the Communists resulted in a series of legal protections for journalists (Freedom House, 2011). By 2011, Moldova’s media freedom is again within 3 points of model predictions. Other than Moldova in 2010, only Russia is consistently more than 3-points off model predictions after an initial 5 to 6 year democratic-transition period. Russia has mostly better-than-predicted media freedom for 8 years, but converges quickly to model expectations after Putin takes power and fully exercises the super-presidential authority of the Russian constitution. In any event, my theory of
executive-power incentives, institutions, and partisan support explains CEE media freedom well, and does so exceptionally well after the initial years of democratic transition.

Although Western Europe has the world’s best regional FOTP scores, CEE model parameters also fit the 10 Western European countries for which Andrews and Bairett (2014a) have executive-power measures, with all country-year observations falling within the same difference range as CEE. The Western Europe fitted-values line is different than for CEE because France and Portugal consistently have reported media freedom above what CEE parameters predict. Nevertheless, my theory appears largely generalizable to other dual-executive systems.

Discussion

This article presents compelling evidence that decisions about executive-power institutions as post-communist constitutions were designed in CEE, and later amended in some countries, persistently affect media freedom. I theorize that both heads of government and heads of state have strong incentives to constrain media ability to monitor and publicize government activities, and show that
countries granting strong legislative powers—especially proactive powers—to presidents or prime ministers tend to have less media freedom. I argue that media freedom tends to suffer further as presidents and prime ministers accrue power through increased party support in lower houses of parliament and find strong support for that argument as applied to prime ministers. My model parameters fit CEE quite well, and adequately predict press freedom for Western Europe. Although the contrast between some high-scoring Western European countries and lower-scoring CEE countries with relatively strong presidents merits future research, model performance is excellent considering that Western Europe consistently has the highest regional media-freedom scores in the world.

Perhaps most importantly, the comparative literature does not explicitly develop the linkages between executive-power institutions and government transparency for either heads of government or heads of state, and this article begins filling that void by exploring the relationship between such powers and media freedom as one salient transparency mechanism. Since executive accountability without information is unfathomable, and since executives have considerable influence over government transparency, and thus their own accountability, it is critical from both scholarly and constitutional-design perspectives to understand the consequences of varied executive-power institutions. It is also important to note that accounting for relevant variation in the powers of both heads of state and heads of government may often enable much more complete and accurate explication of such relationships.

While noting that certain executive powers and party seat-shares account for most of the variation in media freedom, there are contextual variables beyond those I control for that may also have marginal impacts, and that merit additional research. These include the composition of governments—ideologies of ruling parties and whether they form majoritarian, majority coalition, or minority cabinets—and the informal decision-making structures within cabinets and within countries—for example, corporatism. Correspondingly, individual agency, including executives’ leadership style and attitudes regarding citizens’ right to monitor government, undoubtedly varies in ways that might affect media freedom. For instance, why Putin uses the substantial decree powers of the Russian presidency to restrict the media, to a much greater degree than Yeltsin, merits further research. Further study of the relationships between media freedom and democratization indicators such as alternation in power and bureaucratic professionalization is also needed. Finally, additional examination of the specific mechanisms linking reserved executive powers to transparency and accountability outcomes—an enduring challenge when actors do not want to be transparent—is always in order. Such efforts, however, are likely to be much more meaningful and
complete if they consider all relevant forms of power for both heads of government and heads of state.

This article has implications for broader comparative scholarship on government transparency, government accountability, and democratization. Compelling support for my theory that executives eschew being monitored and tend to use their powers to constrain media freedom suggests they might also curb other transparency mechanisms. Such restraints are likely to limit accountability and lower the probability of complete democratic transition. Future research on the institutional causes of other forms of government transparency—for example, fiscal transparency—perhaps using similar measures, should prove fruitful in aiding our understanding and in enabling principals to better hold elected agents accountable.

Declaration of Conflicting Interests

The author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author(s) disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: The author gratefully acknowledges research assistance provided by the Donald S. Rothchild Memorial Graduate Research Award.

Notes

2. Such access is often institutionalized via “freedom of information” laws, for which media outlets are among the primary users.
4. For instance, cabinet reshuffling and early 2013 elections in Bulgaria followed repeated media reports of official corruption. Examples of information that executives might not want publicized include nepotism, awarding contracts or changing policies as a result of inducements offered to political elites, official diversion of public resources as private or club goods, soliciting bribes for public services, political scandals, and perceived or actual government inefficiency or ineffectiveness.
5. Executive institutions in Ukraine have undergone transition after the February 2014 revolution. My references are always pre-revolution.
6. Presidents could initiate legislation, return legislation for reconsideration, and propose referenda. They also had some emergency decree powers and sole
authority to refer bills for judicial review prior to promulgation. Constitutional amendments effective in 2012 erased some of these powers.

7. Scores are from FOTP reports, although reversed so higher scores reflect greater media freedom.

8. Articles 106, 107, and 113 of the pre-February 2014 revolution Constitution of Ukraine provide details.

9. Details were provided to the author in April 2013 interviews with IGO/NGO officials and a media outlet director in Kiev. Consequences for ignoring warnings included selective enforcement of the tax code against specific outlets or editors being fired by unknown bosses (media-ownership transparency in Ukraine was almost nonexistent).


11. Post-2003 Russian observations are not included because, by most measures, it ceased democratizing by that point. The other countries are Albania, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Serbia, Slovakia, Slovenia, and Ukraine.

12. Since Freedom of the Press (FOTP) references media conditions for the previous year, my country-year scores are based on reports issued early the following year—for example, 1998 media freedom is from the 1999 report. Although the economic component is further removed from executives’ de jure powers than the legal and political, increased de jure powers often facilitate increased de facto powers. Financially stressed media outlets should be easier to co-opt or coerce, and government pressure via (selective) enforcement of tax laws, bribes for selective press coverage, or withholding government advertising is also important to capture. I note, however, that the correlation between FOTP with and without the economic component is high at .98, and that parameter estimates using FOTP minus the economic component as the dependent variable are analogous to those using full FOTP scores. Thus, my substantive conclusions are unaltered whether or not the economic component is included.

13. Presidents’ scores are not directly comparable with respective prime ministers.

14. Some nonlegislative powers in Ukraine shifted from president to prime minister for the period 2006 to 2010 as a result of the post-Orange Revolution constitutional amendments, but shifted back to the president after the Constitutional Court overturned those amendments in October 2010. Legislative powers were largely unaffected.

15. Based on parliamentary election results and executive dates in office, these data reflect seats held by presidents’ and prime ministers’ parties, respectively, divided by total seats. Mid-year power and partisanship changes receive the score for whichever powers or seat shares were in effect for the greatest portion of a year.

16. I do not include the Baltic states, which considered their 1940 annexation illegal, were independent prior to World War II, and thus have a communist legacy more akin to other Central and Eastern Europe countries than to Ukraine and Moldova,
which were claimed by the Soviet Union in the 1920s and were never independent states prior to its breakup.

17. FOTP methodology suggests reasons for this connection: Poor economies can raise the costs of establishing new media outlets, increase production and distribution costs, and depress subscription and advertising revenue. Such conditions may predispose media outlets and personnel to be more accepting of government subsidies, more susceptible to bribes, and more vulnerable to selective withholding of advertising by party and state actors, all of which might limit media content in ways that benefit political executives.

18. Time-series cross-sectional data can violate ordinary least squares (OLS) assumptions in four ways: errors might be serially correlated rather than independent across time; errors might have panel heteroskedasticity—different variances across countries—rather than constant variance; errors might be correlated at points in time due to exogenous shocks; and, errors might be simultaneously autocorrelated and heteroskedastic (Plümper, Troeger, & Manow, 2005). Summary statistics for media freedom and mean residuals from predicted values of media freedom indicate non-constant variance by country and over time. Another modeling challenge is that important explanatory variables—executives’ constitutional powers—do not vary over time in most countries. Estimation of variables having little or no within-unit variance using fixed effects (FE) ranges from inefficient to impossible because of high collinearity between such variables and unit-effects dummy variables, and because FE considers only within-unit variance and ignores important between-unit variance (Plümper & Troeger, 2007). Plümper and Troeger’s (2007) recommended fix—fixed effects vector decomposition (FEVD)—is only a reliable improvement if the ratio of variables’ between-variance and within-variance (b/w) is large, overall $R^2$ is low, and correlations between (nearly) time-invariant variables and unit effects are low. My b/w ratios vary from small to large, my overall $R^2$ is high, and correlations between variables and unobserved country effects are inherently unknowable, so FEVD is not a valid solution. An analogous assumption underlying random effects models—that unit effects are uncorrelated with the covariates—is similarly unjustified. Feasible generalized least squares (FGLS) is another available strategy; however, Beck and Katz (1995) show that FGLS is inefficient when the number of time periods (T) is not notably larger than the number of panels (N). I analyze 16 countries with years per (unbalanced) panel ranging from 5 to 19 ($M = 15$), so fall short of the $T >> N$ criteria. Although Chen, Lin, and Reed (2010) show that the panel corrected standard errors (PCSE) estimator can be even less efficient than FGLS, they find that PCSE performs well when the number of time periods is close to the number of panels, which is generally the case in my analysis. My results are robust to a variety of estimators including either FGLS or PCSE with heteroskedastic panels, and with or without panel-specific autoregression correction.


20. Since media freedom and media freedom$_{-1}$ are highly correlated (.97), omitting additional variables that explain media freedom necessarily results in a biased lagged dependent variable (LDV) coefficient.
21. Replacing presidents’ legislative powers in model 1 with presidents’ decree also results in slightly higher $R^2$ and improved model fit, suggesting that presidents’ decree powers are responsible for most of the negative relationship between presidents’ legislative powers and media freedom.

22. Prime ministers’ agenda control just misses two-tailed .05-level significance with $p$ value = .054.

23. $([3 \times -0.57] + [4 \times -0.73]) - ([2 \times -0.57] + [1 \times -0.73]) = -2.76$

24. $(-2.03 \times 0) + (-0.57 \times 3) + (-0.73 \times 4) = -4.63$

25. $(-2.03 \times 4) + (-0.57 \times 2) + (-0.73 \times 1) = -9.99$

26. $[0.59 - 0.10] \times -6.14 = -3.01$

27. Although it can be argued that press freedom enhances electoral competitiveness, it does not necessarily follow that such competitiveness results in seat shares spread across more parties.

28. It may be that depressed media freedom following increased seat shares can help lead to further seat share increases, as occurred in Russia after Putin’s first election as president.

29. Mean alternation among my CEE observations is 5.11, with standard deviation .83, so model 4 predicts a 1.1-point media freedom improvement per standard deviation increase, suggesting that media freedom is more likely to thrive in a competitive electoral environment with regular alternation in power.

30. The CEE mean is 2.30, with .85 standard deviation, so a 1 standard deviation improvement predicts a 1.5-point improvement in media freedom.

31. The difference range for CEE is −13.8 (Slovakia 1994) to +14.9 (Albania 1997). The Western European difference range is narrower at −9.9 (Greece 2012) to +12.2 (France 2002).

References


**Author Biography**

Richard L. Bairett Jr. is an assistant professor of Political Science at Southern Utah University. He has research interests in government transparency and in the powers of political executives, and uses both quantitative and qualitative methods to explore political outcomes related to executive power.