

# Miloš Zeman's attempt to impose a caretaker government in the Czech Republic is a fundamental challenge to Czech parliamentary democracy.

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*Last month, the Czech Republic's Prime Minister Petr Nečas resigned after his chief of staff was charged with corruption and abuse of power. [Seán Hanley](#) writes that following the collapse of the Nečas government, the Czech Republic's President, Miloš Zeman, has exploited the situation by attempting to impose a technocratic caretaker administration. He argues that Zeman's move poses a fundamental challenge to the parliamentary character of Czech democracy.*



The [collapse](#) of the centre-right government of Czech prime minister Petr Nečas last month came as little surprise. His coalition had struggled on for more than a year without a parliamentary majority trying to push through an unpopular package of reforms and austerity measures that divided even its own MPs. Nor, in hindsight, was it surprising that Nečas was forced to resign in a corruption scandal. Although by reputation a geekish 'Mr Clean', Nečas's efforts to root out corruption in his own Civic Democratic Party (ODS) and in wider political life proved patchy and ineffectual.

The main talking points were how close the arrests came to Nečas – the main accused is his former *chef de cabinet* Jana Nagyová – and why Czech police and prosecutors had only now got their act together after years of suspicious inaction. Commentators speculated that the anti-corruption probe could open out into a Central European version of Italy's [Clean Hands](#) operation in the early 1990s that brought down the whole party-political establishment.

Most commentators assumed, however, that in the interim the coalition would limp on until scheduled elections in 2014 under the Civic Democrats' stopgap leader Miroslava Němcová, or that the deadlock would be broken by a cross-party vote to dissolve parliament. Attention shifted to the familiar ritual of party delegations being called in for talks with the president, who constitutionally appoints the prime minister and informally plays a brokering role in government formation.

## A de facto presidential government

At this point, however, the country's recently elected president Miloš Zeman tore up the political script. Rather than allowing the outgoing coalition to prove its claims that it could win a vote of confidence by appointing Mrs Němcová prime minister (as right-wing parties wanted) or encouraging the parties to agree to dissolve parliament (as left-wing parties wanted), Mr Zeman unexpectedly opted for a third option: the appointment of a caretaker



Miloš Zeman, Credit: David Sedlecký (CC-BY-SA-3.0)

'government of experts' under former finance minister Jiří Rusnok. Mr Rusnok, who was formally appointed prime minister on 25 June, is currently picking his cabinet.

Technocratic caretaker administrations are nothing new in the Czech Republic. The country's finely balanced party politics and high constitutional hurdles to calling early elections have seen them form following two previous government collapses: in 1998 under Josef Tošovský and in 2009-10 under Jan Fischer.

In both these cases, however, parliamentary support for technocratic administrations was carefully negotiated beforehand between parties of left and right. Indeed, as the then leader of the Social Democrats, Miloš Zeman was deeply involved in the 1998 negotiations. The Rusnok government, by contrast, has been appointed in the face of opposition from all major parties and has virtually no parliamentary support. When it formally presents itself to parliament in the next month, it seems certain to lose a vote of confidence.

This, however, may make little difference to president Zeman. The Czech constitution sets no time limits with which the president must appoint a new prime minister if his initial nominee fails win a vote of confidence. If Zeman chooses to sit on his hands, the Rusnok government could simply continue in office, possibly for months, as a 'government in resignation' – or what [some political scientists term](#) a 'continuation caretaker' – until elections finally take place. Although it would struggle to pass legislation, such a *de facto* presidential government could take important executive decisions regarding the next budget, big infrastructure projects and the disbursement of EU funds.

### **A challenge to parliamentary democracy**

President Zeman [justified the imposition of a technocratic government](#) as the only way forward, given the inability of parties to put together the three-fifths parliamentary majority needed to call early elections. The continuation of the unpopular centre-right government, Zeman argued, was unacceptable given his promises as a presidential candidate to 'Stop the Nečas government' and the risk that, if left in office, right-wing politicians would interfere in ongoing anti-corruption investigations.

However, there are indications that Zeman sees the Rusnok government as a longer term option, which could continue until scheduled elections in 2014. He spoke approvingly of the economic success enjoyed in Belgium in 2010-11 under long-running caretaker administration and argued that the Rusnok government would be legitimate even if it failed to win parliamentary approval because it would be composed of politically neutral experts.

Zeman has used his powers quite legally. However, equipped with a popular mandate that neither of his indirectly elected predecessors enjoyed, Zeman has pushed the boundaries considerably further than either Václav Havel or Václav Klaus. Even the much criticised Klaus – otherwise no slouch at exploiting constitutional loopholes – insisted that any incoming government should have a clear prospect of gaining parliamentary approval. However Zeman's actions flout the spirit of the constitution and may provoke a constitutional crisis. The Czech constitution frames the country's political system as a parliamentary democracy, even making explicit reference (in Article 5) to the importance of political parties.

### **No holds barred**

The entrenched status of parliamentarianism and the tough-minded independence of the Constitutional Court suggest that in the short term Miloš Zeman is unlikely to bend the Czech Republic's parliamentary system into a semi-presidential form. The country's main political parties may yet sink their differences and vote for early elections. Social Democrat leaders are even talking of amending the constitution to narrow the president's scope to nominate the prime minister. However, in the longer term Zeman's political gamble may pay off. A prolonged spell of technocratic caretaker government may disrupt political business-as-usual, giving the president an opening to persuade public opinion that he is a popular champion fighting a corrupt and ineffective party establishment

So far public reaction has been mixed. While technocratic governments in 1998 and 2009-10 enjoyed high approval

ratings, this time few voters seem convinced that the Rusnok government will be a team of selfless non-political experts. Early indications are that most ministers will, like Rusnok himself, be former ministers in Zeman's 1998-2002 Social Democrat administration or associates of the president. Polls suggest that voters are split down the middle over Zeman's actions, but that a very large majority prefer early elections.

One thing does seem certain. While Václav Klaus [devoted his presidency to fighting the EU](#), his successor seems set on waging a no-holds-barred struggle for domestic power. It may yet reshape the Czech political landscape.

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*Note: This article gives the views of the author, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics.*

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## About the author

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