

## **ELECTION BRIEFING NO 72 EUROPE AND THE CZECH PRESIDENTIAL ELECTION OF JANUARY 2013**

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### **Key points:**

- For the first time, the President of the Czech Republic was directly elected.
- Miloš Zeman, representing the Czech left, and Karel Schwarzenberg, representing the Czech right, both skillful politicians with vast experience, entered the second round of the elections.
- Miloš Zeman won the second round with roughly 55% of the vote.
- Turnout was 61% of eligible voters in the first round and 59% in the second, slightly lower than in the 2010 elections to the Chamber of Deputies of the Parliament of the Czech Republic.
- Registration of candidates was accompanied by problems with petitions endorsing particular candidates and it was the object of a review by the Supreme Administration Court.
- The campaign dealt with European integration-related issues in a rather peculiar and indirect way showing the potential that nationalist arguments still had.
- The two major candidates (Mr Zeman and Mr Schwarzenberg) belonged to the group of pro-EU politicians, which pointed to the possibility of a large impact on the changing image and position of the Czech Republic within the EU, taking the country more into the EU mainstream.

### **Context:**

#### **Stumbling towards direct elections**

The Constitution of the Czech Republic, adopted in December 1992 and valid since January 1st 1993, introduced indirect elections of the head of state who would be elected at a special joint session of both chambers of the Czech Parliament. In this respect, the new constitution followed Czechoslovak constitutional and political tradition. During the so-called First Czechoslovak Republic (1918-1938), the President had been elected by the parliament and the same applied to post-war

periods, including communist Czechoslovakia and the 1990-92 Czechoslovak Federation.

In indirect elections, Václav Havel was elected twice as President of the Czech Republic (1993 and 1998) followed by Václav Klaus (2003 and 2008). With the exception of the 1993 elections, the presidential electoral procedure proved to be an object of huge political disputes and hot public and media debates ever since. Mr Havel's second term election was accompanied by political protests from the extremist right-wing Republican Party. The election procedure had to be repeated three times five years later because no candidate was able to obtain enough votes. Finally, Václav Klaus emerged as a winner of this electoral marathon but the capability of the political elite to elect the head of state was seriously disputed.

Even less welcomed by the people were the last indirect elections in 2008, interpreted by many observers as an example of the declining political culture in the Czech Republic. The election procedure was specific because it was the first time in the history of Czech presidential elections when the preferences of electors were expressed publically. The atmosphere of the elections was questioned by rumours of alleged the blackmailing of, threats to, and scandalising of some deputies in order to influence electoral outcomes. Such rumours and undignified struggles regarding electoral procedure helped to raise the idea of direct elections.

Nevertheless, the question of how to elect the President of the Czech Republic was part of Czech political 'folklore' for many years. Especially in the periods around the indirect elections, commentators and politicians repeatedly raised the question of whether or not to change the mode of election procedure to direct elections by the citizens. With the exception of the Civic Democratic Party (ODS), there were no significant political objections made against the introduction of popular elections. On the other hand, there was hardly any real demand for this among the Czech political elite if we do not take into account the petition endorsing direct elections launched by the Party of Citizens' Rights-'Zemanovci' (SPOZ).<sup>1</sup>

The only pressure that mattered and nurtured the further political salience of the topic was the increasing public critique of the Czech parties' political culture. Following this mood, the Czech parties shifted towards the proposal of a directly elected President which was seen as the most simple and least costly reaction to public demands.

The new right-wing government formed after the 2010 parliamentary elections<sup>2</sup> - composed of the Civic Democratic Party, (Tradition-Responsibility-Prosperity 09) (TOP 09), and the Public Affairs Party (VV) - declared in August 2010 that the next President of the Czech Republic would be elected directly by the people. In a statement adopted by the government in November 2010, three possible electoral

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<sup>1</sup> This party was founded by Miloš Zeman after his break with the Czech Social Democratic Party (ČSSD).

<sup>2</sup> See: Vit Hloušek and Petr Kaniok, 'The Absence of Europe in the Czech Parliamentary Elections, May 28-29 2010', *European Parties Elections and Referendums Network Election Briefing* No. 57 at <http://www.sussex.ac.uk/sei/documents/epern-election-briefing-no-57.pdf>.

systems were introduced as a basis for further discussion.<sup>3</sup> The debate concerning the electoral system reached a consensus relatively quickly, according to which the President would be elected in a similar way to Senators, namely: according to an absolute majority formula with the two best supported candidates in the first round contesting the second round if no one achieved an absolute majority of the vote initially. The heated political debate, however, continued because some parties considered the idea that, together with direct elections, the competences of the President should also be re-considered.<sup>4</sup>

In the last months of 2011, long lasting political discussions took their final direction towards the specific objective of achieving the direct election of the President and the political parties agreed upon the principle of no changes to presidential competences. The ‘Constitutional Law amending the Constitution of the Czech Republic’ was thus adopted, only changing the process of election to a direct one. The House of Deputies of the Parliament of the Czech Republic passed the law on December 14th 2011 with 159 votes in favor of and only three deputies voting against the change.<sup>5</sup> The Senate passed the law on February 8th 2012. 49 Senators supported the change and 22 voted against it, mainly from the Christian and Democratic Union–the Czechoslovak People’s Party (KDU-ČSL) and the Civic Democratic Party. President Václav Klaus signed the constitutional law on February 17th 2012, despite his strong objections to the idea of direct presidential elections. The subsequent implementation of the law was passed without further obstacles during the summer of 2012.

## **The Campaign:**

### **Too much expertise will kill you...and you don’t understand why**

Although the first round campaign itself lasted only two weeks, the public lived throughout the autumn with the prospect of the presidential election. The reason was simple - the ‘hot’ campaign had been preceded by the nomination of candidates, which could have come from two sources. The first of these was the party nomination, either backed by 20 members of House of Deputies or by 10 members of the Senate, the upper house of Czech Parliament. In this way Deputy Chairman of the Senate Přemysl Sobotka (Civic Democratic Party), Foreign Minister Karel Schwarzenberg (Tradition-Responsibility-Prosperity 09) and Senator Jiří Dienstbier (Social Democrats) were nominated. The Communists did not nominate their own party candidate, the Public Affairs party and their former colleagues Liberal Democracy (LIDEM) were more concerned with themselves and their own internal party problems than with the presidential election.

The second possible way to enter the presidential race was through a so-called civic nomination which consisted of collecting of at least 50,000 valid voters’ signatures backing the candidate. This threshold was achieved by eight candidates, but only six of them finally qualified. After the closing date for collecting the signatures, the

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<sup>3</sup> These were the ‘winner-takes-it-all’ system or the ‘absolute majority’ system in two variants: one where two best supported candidates entered the second round and one when the second round was contested by each candidate obtaining more than 12.5% of the vote in the first round.

<sup>4</sup> The Czech political system is designed and works as a parliamentary one, leaving a relatively limited scope of competences for the President, who rather plays a symbolical role.

<sup>5</sup> Three deputies from the Civic Democratic Party voted against, while the entire Communist Party of Bohemia and Moravia (KSČM) parliamentary club abstained.

Ministry of Interior chose samples of all lists and checked the declared signatures. On the basis of major mistakes and the presence of non-existent people on the lists, three candidates dropped below the threshold and were excluded: a member of the Senate Tomio Okamura; a former cabinet minister Vladimír Dlouhý; and former MEP Jana Bobošíková. Only Jana Bobošíková succeed in challenging the formula which had been used by the Ministry of Interior for calculating errors and joined the other civic nominees: MEP Zuzana Roithová (Christian and Democratic Union-Czechoslovak People's Party), civic activist Tanya Fischerová, two former Prime Ministers Miloš Zeman (Party of Citizens' Rights–'Zemanovci') and Jan Fischer, and composer Vladimír Franz. Several interesting names could be found among the losers' camp - apart from the new populist 'comet' in Czech politics Mr Okamura and ex-minister Mr Dlouhý, Václav Klaus's secretary Ladislav Jakl also tried unsuccessfully to capture the voters' interest. During the first half of 2012, THE mass media also speculated about the possible candidacies of prominent economist Jan Svejnar, who ran for the presidency in the previous indirect elections in 2008, and former Governor of the Czech National Bank Zdeněk Tůma.

Due to the process of civic nominations, the campaign had already started in autumn 2012. Each candidate could spend up to CZK 40 million before the first round, and in the interval between the first and second rounds the two successful candidates were allowed to spend another 10 million CZK. Much of the money was, however, spent unimaginatively on the mass media and advertising. By the end of September 2012 one could say (with only slight exaggeration) said that Miloš Zeman had already taken half the billboards throughout the country! Jan Fischer led his campaign in the same spirit, pursued by other candidates, who had a chance of advancing to the second round. It should be however noted that the visual presence of Karel Schwarzenberg and Jiří Dienstbier was much lower than in the case of the two leading candidates: Mr Fischer and Mr Zeman.

The official election campaign was launched on December 26th 2012 when Czech TV started to broadcast both TV spots and debates with candidates. In addition to this, the law guaranteed air time for candidates to prepare their own shows for commercial television; although not for all candidates equally, as they picked the most important and interesting faces only. There were two apparent favorites in the race: Miloš Zeman and Jan Fischer. All the opinion polls especially favored the younger of the two former prime ministers - the former statistician Mr Fischer, who, after Mr Topolánek's government had been voted down, completed the Czech EU presidency and then worked for two years in London for the European Bank for Reconstruction and Development. At one point, Mr Fischer had the support of more than 35% of the voters.

But Jan Fischer did not manage to hold this promising lead through to a victorious end. The former prime minister bet his money on projecting an image of non-partisanship and professionalism. However, this rhetoric had a number of cracks in TV debates, where he was repeatedly suppressed by opponents. Especially in comparison with Miloš Zeman, Jan Fischer looked more like an un-natural and artificial marketing product than like a politician. Trying to define himself against established political parties (placing an emphasis on non-partisanship and expertise as a platform for the future of the Czech Republic) eventually turned into his

disadvantage. Mr Fischer had failed to find any issue, and was perceived as a person who had no opinion on anything. Or at least who dared to express it.

Miloš Zeman, the second favorite to emerge during the first round, also did not propose any strong ideas at this stage. However, compared to Mr Fischer, Mr Zeman did not seem cramped and made it clear that possible failure in the election did not mean that his life would fall apart. The former leader of the Social Democrats, both visually and rhetorically, presented himself successfully as a 'common man' - indeed, one of his campaign slogans was 'President of the bottom ten million'. Although the media tried to go back to some controversial cases and persons associated with Mr Zeman while he was prime minister, these attempts did not play a significant role in the campaign.

Karel Schwarzenberg's campaign started gradually and its most important message was portraying Mr Schwarzenberg as politician bearing the legacy of Václav Havel. Mr Schwarzenberg (or rather his two younger generation campaign team members) was also very active on social media networks, where he emphasized simple and communicative themes: Mr Havel's ethos, support for the EU, tolerance and openness to the world.

Almost invisible was Civic Democratic Party candidate Přemysl Sobotka. A political veteran who had been chosen in the party primaries (where he had beaten another 'Mr Invisible', MEP Evžen Tošenovský), he played on a light version of nationalism and criticism of the Brussels bureaucracy during the campaign. However, he did not become Vaclav Klaus II - he simply lacked the charisma, persuasiveness, and voters' interest in such issues. It should be added that there were only a relatively small number of prominent Civic Democrats who helped with the campaign and openly backed Mr Sobotka; even most of his party comrades did not consider him as a strong candidate. Sometimes it seemed that Mr Sobotka stood as a candidate just because the Civic Democrats thought that such a large party had to have a party candidate; even though his chances would be close to zero.

A similar fate to that of Mr Sobotka, was the candidacy and campaign of Jiří Dienstbier. The son of the first democratic foreign minister after November 1989, Mr Dienstbier campaigned on an anti-corruption platform, which many of his Social Democratic colleagues did not want to hear. Moreover, many leading Social Democrats supported the candidacy of Miloš Zeman instead, which put both Mr Dienstbier and the Social Democrats in a problematic position.

Independent candidates and those nominated by minor political parties did not set the campaign agenda. Greater attention was aroused only by the extravagant Vladimír Franz, but not due to his opinions or themes, rather on the basis of his completely tattooed face! Two candidates played the 'European card'. Zuzana Roithová tried to sell her long experience of being an MEP, while Jana Bobošíková, on the other hand, built her agenda on hard Eurosceptic rhetoric. However, neither the Euro-positive nor anti-European stances succeeded, which confirmed the weak salience of the European issue for Czech voters.

If the campaign before the first round was sometimes sleepy and issues rather than image played the main role, then the campaign before the decisive second round was

much stronger and more aggressive. Both the tempo and themes were set by Miloš Zeman who managed to stress several key issues. First of all, he depicted his opponent as a puppet run by the unpopular finance minister Miroslav Kalousek (Tradition-Responsibility-Prosperity 09). By doing so, Mr Zeman partly transformed the presidential election into a referendum on government. The second issue was dirtier as Zeman did not hesitate to openly play national and chauvinistic cards and he alleged that: Mr Schwarzenberg did not speak Czech properly, had dual citizenship, and that part of his family had collaborated with the Nazis. At the same time, the so-called Beneš Decrees, which Mr Schwarzenberg clumsily commented on as no longer valid, emerged as an issue opening up the entire agenda of the post-war expulsion of the Sudeten Germans. Despite many of the issues being based upon half-truths and selective interpretations, Mr Zeman excelled in the second round of the campaign while Mr Schwarzenberg only defended himself and generally looked very shaky.

## Results

Electoral turnout reached the level of 61.3% of eligible voters which was slightly lower than in the 2010 Parliamentary elections but decisively higher than in the Senate, regional and local elections. The possibility of electing their own President thus apparently appealed to the Czech citizens.

The result of the first round is summarized in the following table:<sup>6</sup>

**Table 1: First round results of January 2013 Czech Presidential election**

| <i>Candidate</i>    | <i>Affiliation</i>                        | <i>Number of votes</i> | <i>Share of votes (%)</i> |
|---------------------|---|------------------------|---------------------------|
| Miloš Zeman         | SPOZ                                      | 1 245 848              | 24.21                     |
| Karel Schwarzenberg | TOP09                                     | 1 204 195              | 23.40                     |
| Jan Fischer         | Independent                               | 841 437                | 16.35                     |
| Jiří Dienstbier     | ČSSD                                      | 829 297                | 16.12                     |
| Vladimír Franz      | Independent                               | 351 916                | 6.84                      |
| Zuzana Roithová     | KDU-ČSL                                   | 255 045                | 4.95                      |
| Taťana Fischerová   | Independent, supported by the Green Party | 166 211                | 3.23                      |
| Přemysl Sobotka     | ODS                                       | 126 846                | 2.46                      |
| Jana Bobošíková     | “Sovereignty” Party                       | 123 171                | 2.39                      |

Source: [www.volby.cz](http://www.volby.cz)

Mr Zeman’s advance to the second round was hardly a surprise. Mr Schwarzenberg’s prospects of making it to the second round was also signaled by some of the opinion polls published prior to the two polling days, although longer-term estimates had forecast that Jan Fischer would be Mr Zeman’s challenger in the second round.

Another surprise result was the outcome of the eccentric Vladimír Franz who was expected to score as high as 10% of the vote. Other pre-election poll predictions more or less corresponded with electoral reality. The last exception to this rule was the electoral disaster for the Civic Democratic Party’s candidate Mr Sobotka who gained only five times more votes than the number of party members at the time of the

<sup>6</sup> Detailed results of both rounds are available in English at the web page of Czech Statistical Office, see: <http://www.volby.cz/pls/prez2013/pe?xjazyk=EN>.

election (25,000). It was obvious from the very beginning that Mr Sobotka was a weak candidate, with hardly any chance to challenge the major competitors. However, his boring campaign, which only stressed general patriotic/chauvinistic motives and slogans, combined with the open disengagement of the Civic Democratic Party in the destiny of its candidate, moved him to very end of the assemblage.

The two leading candidates' territorial distribution of preferences showed that Mr Schwarzenberg's supporters were concentrated in the biggest cities (with the exception of Ostrava) as well as in some regions of Southern, Middle and Northern Bohemia. In the rest of the Bohemian regions, as well as in the whole of Moravia (with the exception of Brno) and Silesia, Mr Zeman was the clear winner in the first round.

A similar territorial distribution of support could be seen in the second round of voting that took place on Friday and Saturday 25th-26th January. According to many observers, the fortnight between the first and the second rounds provided exhaustive and sharpened campaigns. As already discussed, Mr Zeman clearly took the offensive in his campaign strategy. Meanwhile Mr Schwarzenberg was apparently losing ground both as far as issues and his impression of coming across as a tired man were concerned. The second round was slightly less attractive to the voters than the first: 59.1% of eligible voters found their way to the ballot boxes. The highest turnout among the Czech regions (*kraje*) was reached in the Vysočina region (perceived by the Czech public as Miloš Zeman's home region) followed by the capital Prague, a 'domicile' of Karel Schwarzenberg. The lowest turnout was in *Karlovarský kraj* (slightly below 50%).

Miloš Zeman finished as the clear winner as shown in the following table:

**Table 2: Second round results of January 2013 Czech Presidential election**

| Candidate           | Number of votes | Share of votes (%) |
|---------------------|-----------------|--------------------|
| Miloš Zeman         | 2 717 405       | 54.80              |
| Karel Schwarzenberg | 2 241 171       | 45.19              |

Source: [www.volby.cz](http://www.volby.cz)

Although a neck-and-neck race was predicted by many analysts, roughly half a million votes prevented Mr Schwarzenberg from taking office as the third Czech President at the end of the second day of polling. In fact, Mr Schwarzenberg only came in as the winner in a few districts. He was the clear winner in Prague with 66% of the vote as well as in other major cities, although with smaller margins. He gained 57.5% of the vote in Liberec, 54.2% in Plzeň, 54.5% in České Budějovice, 53.9% in Brno, and 52% in Zlín. On the other hand, many major cities in Moravia and Silesia (as well as the Bohemian city of Pardubice, where Mr Zeman won 51% of the vote), with the exception of Brno, voted for Mr Zeman who gained 64.8% in Ostrava and 51.6% in Olomouc. As far as the countryside and the vast majority of smaller towns were concerned, Mr Zeman was a clear winner all-around.

A poll (although, unfortunately, not an exit poll) conducted by the Median agency together with Czech TV showed<sup>7</sup> that 99% of Schwarzenberg voters from the first

<sup>7</sup> The full report could be found on line in Czech at: [http://www.median.cz/docs/Median\\_PREZIDENT\\_II\\_KOLO\\_determinanty\\_vysledku.pdf](http://www.median.cz/docs/Median_PREZIDENT_II_KOLO_determinanty_vysledku.pdf).

round remained loyal to their candidate. At the same time, some 4% of Mr Zeman's first round supporters voted for Mr Schwarzenberg two weeks later and 5% of them stayed at home (compared with only 1% abstainers among Mr Schwarzenberg's first round voters). Jan Fischer's first round voters supported Mr Zeman more (37%) than Mr Schwarzenberg (19%). The shifts of Mr Dienstbier's voters confirmed the statement that for many social democratic-oriented voters Mr Zeman was 'not a problem' despite substantial attacks on him raised by Mr Dienstbier after the first round. 58% of them voted for Mr Zeman in the second round and only 15% followed Mr Dienstbier's own recommendation to vote for Karel Schwarzenberg. Polls also confirmed that the left-right cleavage mattered for voters. Mr Schwarzenberg was supported by a clear majority of Civic Democratic Party voters in the second round no matter how strongly Václav Klaus endorsed Mr Zeman. Mr Schwarzenberg was also favoured by voters with higher incomes and a tertiary education.

### **Impact of European issues: Good news for both Brussels and Prague**

Although Europe was quite a visible theme during the campaign, this does not mean that it played an important role. Eurosceptic rhetoric did not attract voters, whether in the hard version of Jana Bobošíková, or in the rather moderate version articulated by Přemysl Sobotka. The fact that both of these candidates finished in the last two places in the first round seems to be quite significant.

The vast majority of the candidates thus demonstrated more or less openly pro-European views as far as the future of the Czech stance towards integration was concerned. Taking into account the rather poor performance of the Eurosceptic candidates and the fact that second round was a struggle between two pro-European politicians, it is hardly surprising that EU-related issues had a limited impact in the campaign. On the other hand, Europe somehow emerged as a hot topic indirectly. This mainly surfaced in the debate concerning the Beneš decrees and the promotion of nationalistic moods and fears by Mr Zeman's team between the first and second rounds. It is clear that nationalistic topics still mattered a lot although they were not as salient as they used to be in the 1990s.

Brussels could consider Milos Zeman's election as good news. Although Mr Zeman was repeatedly supported, both implicitly and explicitly, by the prominent Eurosceptic Václav Klaus, the general approaches towards EU differed substantially between these two men. Mr Zeman could be hardly qualified as an authentic Euro-federalist, but his stance towards European integration was much warmer and more positive than was the case with Václav Klaus. Mr Zeman was a pragmatist in relation to European integration: he did not profile himself on this topic when being either opposition leader or as the prime minister. It could, therefore, be predicted and expected that he would not stress the EU agenda as much as Václav Klaus did and he would be instead be more interested in domestic issues. Some of Miloš Zeman's views on integration were far from the EU mainstream, such as his repeated statement that Russia could and shall become an EU member in some twenty years' time. However, he would not undermine further integration nor actively prevent the 'EU-mainstreaming' of Czech foreign policy.



Miloš Zeman's victory should, in the medium term, also help to increase the efficiency and readability of the Czech EU policy. With Václav Klaus's departure from Prague Castle one of its power centers should disappear. So far, there have been three of them: together with the informal influence of Prague Castle on Czech EU policy, there was one state secretary for EU affairs in the Cabinet Office and another in the foreign ministry. Clearing out the Castle, which was logically close to the positions taken by the Cabinet Office, should, in medium term, lead to a decrease in the latter's importance on the European agenda and strengthen that of the foreign ministry. Although this observation seems to be strange, President Miloš Zeman was actually a close ally of Karel Schwarzenberg in his capacity as foreign minister, as far as the EU agenda is concerned.

The result of the election would hardly influence the content of Czech European policy because it was the government which set its agenda. One could not, for example, have expected that the Czech Republic would express its interest in euro currency, or at least set a time horizon for its adoption. Although Tradition-Responsibility-Prosperity 09 announced shortly after the election that it saw government approval of the fiscal compact as a condition for revision of the coalition agreement, one would not have expected the government to split over this issue.

## **Conclusions/Future Prospects**

The first direct presidential election in Czech politics revealed several interesting factors, which might develop in the future, although not necessarily.

The biggest risk that the direct election revealed was the attractiveness of nationalist and xenophobic rhetoric for Czech voters. Especially in the second round, the campaign revealed motives which had not been so extensive nor previously appeared in such severe form in Czech politics. The question was raised as to whether there would be some politician capable of further development of these explosive topics and whether someone would try to transport them also into party competition? The thematic enemies did not have to be Germans, as was the case in the presidential election, but could be socially excluded groups or the Roma minority. The election suggested that, due to the great disappointment of the general public with the established political parties, Czech society could, in a very short space of time, face serious systemic problems.

The result also confirmed that Czech voters were shifting to the left. Since autumn 2012, the left controlled the Senate and now the presidency as well, and the polls also predicted its victory also in the next parliamentary elections. On the right side of the political spectrum, the situation was close to disaster. The Civic Democrats were in severe crisis, both in terms of ideas and leadership, which the presidential election confirmed. It seemed that the Civic Democrats' position as the dominant right-wing party in the Czech Republic, which they occupied since party's establishment, was over. The key question was whether this role would be taken over by Tradition-Responsibility-Prosperity 09, a conglomerate of former Christian Democrats and municipal politicians held together by Miroslav Kalousek's skills and the charisma of Karel Schwarzenberg?

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