

# More Parties, More PPGs, More Problems? On the Minimum Personal Requirement of Parliamentary Party Groups in Croatia

Oliver Kannenberg

Research Associate at the Institute for Parliamentary Research, Berlin

PhD Candidate and Lecturer at Martin-Luther-University at Halle-Wittenberg

kannenberg@iparl.de

## Introduction

**P**arty-based groups of representatives, henceforth referred to as Parliamentary Party Groups (PPGs),<sup>1</sup> are the central institutional link between voters, parties, and parliaments. They enable politically like-minded MPs to act as a cohesive collective in a more empowered position, establish electoral accountability, promote internal differentiation (horizontal and vertical), and are an important recruitment pool for public offices. Although these functional attributions were initially exclusively related to Western European parliaments, they have in recent years also proven their validity in post-communist states of Central and Eastern Europe (Kistner, 2007; Steinsdorff, 2015). To ensure that a group of MPs can adequately fulfil these functions, certain basic preconditions are necessary. First and foremost, a common political platform. The discussions on the definition of a PPG often deal with the borderline case of mixed-member groups or “technical” mergers of MPs in order to reach the threshold (Heidar and Koole, 2000). Besides the composition of the group, its size is an additional important factor. If the number of members falls below a certain level, the internal possibilities for differentiation and specialization are consequently limited.

The election results, and thus in the larger context the party system, determine the size and composition of parliamentary groups. The Croatian party system was a rare case among Central and Eastern European states for a considerable time. Along deep-rooted cleavages in the Croatian society, the two dominant parties, conservative HDZ and social democratic SDP, succeeded in winning over large parts of the electorate

<sup>1</sup> In the rest of the paper, the terms Parliamentary Party Group (PPG) and Parliamentary Group are used interchangeably for parliamentary associations of several MPs. In the terminology of the *Sabor*, these correspond to “MP clubs”.

(Raos, 2020). This resulted in comparatively low volatility and no major upheavals at the core of the party system (Nikić Čakar und Čular, 2022). However, the situation was quite different at the “periphery”, best described as “chaotic and messy existence of dozens of parties that try and some of them temporarily succeed in obtaining parliamentary representation” (Čular, 2018: 268). While the gradual fragmentation of the party system is the subject of recurrent (academic) debates, in-depth analyses of its consequences for parliament, or more precisely the formation of parliamentary groups, have only been partially undertaken (Čular, 2018).

**In its current composition, no less than 16 parliamentary party groups (PPGs) are present in the Croatian Sabor, a peak value in a Europe-wide comparison**

In its current composition, no less than 16 parliamentary party groups (PPGs) are present in the Croatian *Sabor*, a peak value in a Europe-wide comparison, when the Dutch *Tweede Kamer* (20 PPGs) and the Danish *Folketing* (16 PPGs), where, however, each individual MP is legally considered a “group”, are not taken into consideration.<sup>2</sup> This finding is addressed in this paper, along the following research questions: How do PPGs form and what are the legal rules regarding their formation? Is the fragmentation of the PPGs solely a consequence of the party system's development? Subsequently, possible reform options are discussed in an international comparison.

## PPGs in the Croatian *Sabor*: Legal Requirements and Political Development

Entering parliament is a trifold process for party MPs: Nomination on electoral list, entering parliament with the respective party and establishing or joining a PPG. An electoral list (consisting of one or more parties) must obtain at least five percent of the votes in one of the ten electoral districts to participate in the allocation of seats. Hence, the effective threshold for winning a seat is merely 0.5 percent of the national votes cast.<sup>3</sup> Although there have been (more or less promising) attempts from various parties or NGOs to reform certain areas of the electoral law, and therefore to tackle some of the negative effects of party fragmentation, the overall perception of a lack of political certainty remains true (Čepo, 2020).

Regarding the establishment of a PPG, Article 29 of the *Sabor Standing Orders* contains the relevant legal provisions. Therein the minimal number of MPs required to form a parliamentary group, which is called “PPG threshold” in the rest of the paper, is set at three, regardless whether the group consists of MPs from one or more parties, individual MPs, or a mixture of party and non-party members.<sup>4</sup> Exceptions apply to MPs representing national minorities who, in principle, establish their own minority parliamentary group. In

<sup>2</sup> If not otherwise specified, all data used for the *Sabor* refer to the respective end of the legislative period and for the tenth legislative period the data is as of 1 August 2022.

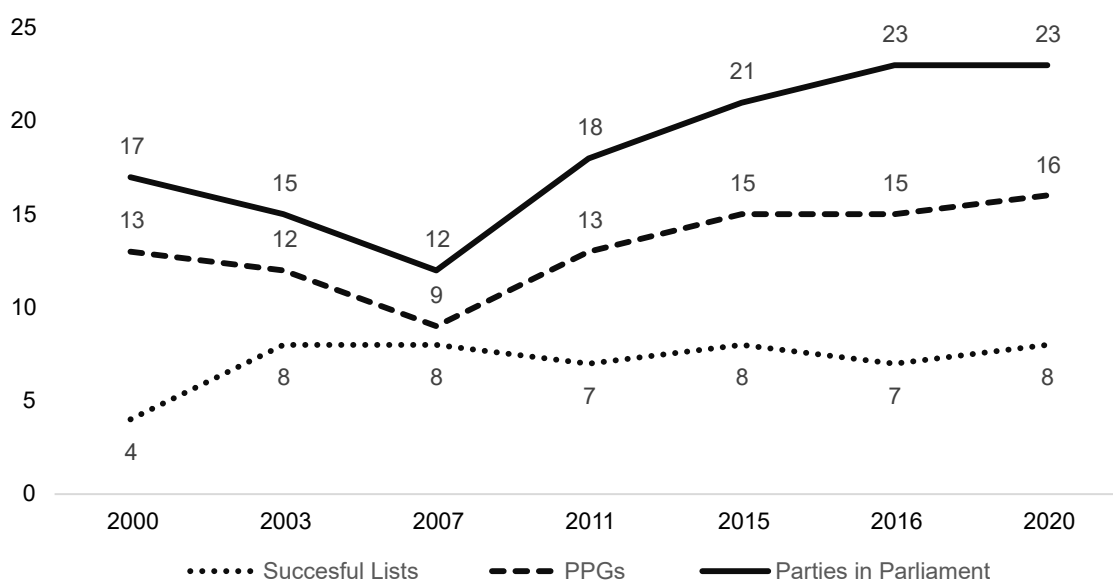
<sup>3</sup> Voters can give one preference vote for an individual candidate on an electoral list. However, preference votes matter for seat allocation only if an internal list threshold of 10 percent is met.

<sup>4</sup> Mixed PPGs of party members and independent MPs are allowed since 2013.

## Kannenberg, More Parties, More PPGs, More Problems?

addition, minority representatives may join another PPG.<sup>5</sup> Besides this exception provision for minority MPs in 2002 and the introduction of mixed-member groups in 2013, the rules for forming a parliamentary group have remained almost unaltered since the *Sabor* was transformed into a unicameral parliament in 2000.<sup>6</sup> In contrast to other countries, such as Bulgaria or Germany, there are no provisions for the dissolution of PPGs in the *Sabor Standing Orders*. A parliamentary group that is decimated by resignations or group switching to less than three MPs does not have to dissolve itself, neither is it automatically dissolved.

Figure 1. Number of Electoral Lists, Parties in Parliament and PPGs



	2000	2003	2007	2011	2015	2016	2020
MPs switching PPG	N/A	10	17	9	17	27	28
Non-electoral parliamentarization	5	3	1	5	3	1	1
Dissolved PPGs	0	1	0	0	0	3	0

Source: For “non-electoral parliamentarization” (parties in Parliament established after the election) see Čular, 2018: 274, otherwise own calculations based on data provided by the *Sabor* Information Office.

Figure 1 shows the successful electoral lists, that were able to enter parliament with at least one seat, the parties in parliament, and the PPGs at the end of the parliamentary term since 2000. Both the number of parties in parliament and the number of PPGs increased

<sup>5</sup> In the current, 10<sup>th</sup> legislative period, six out of eight MPs from the national minorities PPG make use of this rule and are members of two parliamentary groups. The exceptions are the chairman Vladimir Bilek, as well as the deputy chairman Robert Jankovics.

<sup>6</sup> For changes on the rules for establishing a PPG prior to 2000, see Čular, 2018.

substantially over the last two decades (parties from 12 to 23; PPGs from 9 to 16). However, there is no continuous increase in the number of successful electoral lists. The growing number of parties is therefore not the result of more successful lists, and the data on non-electoral parliamentarization<sup>7</sup> provide only limited explanatory force: Although new parties have been formed in every legislative period since 2000, the figures vary widely from one election period to the other and do not encompass the disappearance of parties or mergers of two parties into one. However, there has been a sharp increase in the number of MPs switching PPGs. In the course of the past and current legislative period, 27 and 28 MPs respectively, and thus around 18 per cent of the total number of MPs, have crossed the floor.

**The increasing number of parties with a constant number of electoral lists is a consequence of the widespread practice of electoral coalitions**

A more substantial reason for the increasing number of parties with a constant number of lists is the practice of electoral coalitions, which is used to a particularly large extent in Croatia. Among these, a two-fold distinction can be made: On the one hand the more frequent “puller” coalitions, where a large party “pulls” one (or more) small parties over the threshold and on the other hand “mutual salvation” coalitions, including several smaller parties that would not be able to pass the threshold on their own (Čular, 2018: 272f). The composition of lists at the last parliamentary election in 2020 provides a clear picture of these phenomena (*Table 1*). In four of the five electoral lists that won seats, the leading party claimed more than two-thirds of the allocated seats and can therefore be classified as a “pull” coalition. This is particularly clear for the HDZ-led coalition and the SDP-led Restart coalition. In both cases, the leading party claimed more than 80 per cent of the seats won. Although no conclusive statement can be made as to whether the small parties would have won seats on their own, it can be assumed that at least some of them would have failed to pass the threshold without this coalition support and that the practice of electoral coalitions has a noticeable influence on the parliamentary fragmentation.

**Table 1. Seat Allocation After the 2020 Election**

<i>HDZ Coalition (66)</i>	<i>Restart (41)</i>	<i>DPMŠ coalition (11)</i>	<i>Green-Left (7)</i>	<i>P-IP (3)</i>
<b>HDZ 62 (93.9%)</b>	<b>SDP 35 (85.4%)</b>	<b>DPMŠ 11 (68.8%)</b>	<b>Možemo 5 (71.4%)</b>	SIP 1 (33.3%)
HSLs 2 (3.0%)	IDS 3 (7.3%)	HS 3 (18.8%)	RF 1 (14.3%)	SMART 1 (33.3%)
HDS 1 (1.5%)	HSS 2 (4.9%)	HKS 1 (6.3%)	NL 1 (14.3%)	FOCUS 1 (33.3%)
HDSSB 1 (1.5%)	GLAS 1 (2.4%)	BzH 1 (6.3%)	ORaH	
	HSU	HRAST		
	SNAGA	ZL		
	PGS	SU		

Source: Own calculation based on data provided by the Sabor Information Office.

<sup>7</sup> Parliamentary parties established after the election.

## Kannenberg, More Parties, More PPGs, More Problems?

However, an increasing number of PPGs says little about the group composition in each case. Divided into three categories of different sizes, the results are as following: In each legislative period since 2000, there were only two parliamentary groups with more than 15 members, namely HDZ and SDP, until the large split of the SDP parliamentary group in 2021. Over time, the proportion of small parliamentary groups with fewer than seven MPs has remained fairly stable at around two thirds of all PPGs. The dual nature of the party system, with a stable core and a volatile, fragmented periphery, continues (as expected) in the formation of PPGs.

A remarkable change can be observed in the composition of party membership. With the 2015 parliamentary election, the number of PPGs with members from more than one party jumped from one to five. In the calculation, groups consisting of members of one party and independent MPs were counted as part of the one-party group, so the 2013 *Standing Orders* reform (see above) does not provide an adequate explanation. In the current, tenth legislative period, for the first time there are more multi-party PPGs than single-party groups, as only six PPGs are composed entirely of their own party members. In this context, it should be noted that only nine out of the 23 parties present in parliament have three or more MPs and are therefore able to establish a PPG on their own.

*Table 2. Composition of PPGs*

Legislative Period	PPGs	Size			Membership	
		< 7 MPs	7 to 15 MPs	> 15 MPs	Multiple Parties*	One Party
4 <sup>th</sup> (2000)	13	8	2	2	2	10
5 <sup>th</sup> (2003)	12	7	3	2	1	10
6 <sup>th</sup> (2007)	9	6	1	2	1	6
7 <sup>th</sup> (2011)	13	9	2	2	1	10
8 <sup>th</sup> (2015)	15	11	2	2	5	9
9 <sup>th</sup> (2016)	15	10	3	2	5	8
10 <sup>th</sup> (2020)	16	10	4	2	8	6

Source: Own calculation based on data provided by the Sabor Information Office.

\* Multi-party PPGs include all parliamentary groups to which MPs from more than one party belong. In cases where MPs from one party and independents are part of a PPG, it is considered to be a single-party PPG. The parliamentary group of national minorities and independent MPs were not included in the calculation.

Overall, there are three trends in the development of PPGs in the Croatian parliament: While the number of successful electoral lists remains constant, more parliamentary groups have been established in recent years, depending on the increased number of parties represented in parliament. The majority of PPGs consists of three to six members. In the recent past, more parliamentary groups have been formed by MPs from several parties than from a single party.

A larger number of small parliamentary groups (in relation to the number of members) does not necessarily have a negative impact on the functioning of the parliament. Nevertheless, given the “subordinate role of [...] the parliamentary party to the executive or party leader” (Čular, Nikić Čakar, and Raos, 2016: 16), which has been identified at least for the two established, larger parliamentary groups (HDZ and SDP) and whose validity we can assume for other parties as well, the increasing fragmentation at the party and parliamentary group level should be viewed critically for several reasons: The Parliament is obliged to provide sufficient (financial as well as organizational) resources for MPs and their PPGs. Although the legal requirements for state support to parliamentary groups are rather low, they are already not met in some areas (e.g., provision of facilities). Considering the lack of political will to expand public spending on parliamentary organization, a further fragmentation would create more PPGs with less organizational support and (in some cases) no solid party foundation. This problem is then reflected politically, for example, in a limited use of oversight tools, the missing articulation of policy alternatives, or the (very) strongly office-oriented motivation to join coalitions (Nikić Čakar and Krašovec, 2021; Nikić Čakar, 2021). At this point, it is worth recalling that “fairly coherent PPGs are a necessary condition for electoral accountability” (Heidar and Koole, 2000: 4) and for the public perception of politicians, parties and their work inside the parliament.

## Looking Abroad: International Comparison of PPG Thresholds

The Croatian *Sabor* (together with the Serbian National Assembly) has the lowest threshold for the formation of a parliamentary group among the parliaments in Central and South Eastern Europe (see [Table 3](#)). Effectively, in both parliaments, two percent of the members are needed to form a PPG. A special case is the Hungarian Parliament, where different rules apply to PPGs of one or more parties (1.5 percent for single lists, 2.5 percent for coalition lists).

The highest PPG threshold is found in the House of Representatives of Bosnia and Herzegovina, where – as in Croatia – only three MPs must come together, but these account for slightly more than seven percent of the total seats due to the low number of MPs (42 in total). The Slovakian parliament has an almost identical number of MPs like the *Sabor* but a PPG threshold that is more than twice as high: Eight MPs are needed to form a PPG.

**A vast majority of parliaments base their PPG threshold on the electoral threshold**

Strikingly, the vast majority of parliaments base their PPG threshold on the electoral threshold. This appears to be a sensible approach for two reasons: On the one hand, it guarantees the ability for all successful electoral lists to form a PPG on their own. On the other hand, it reduces the likelihood of split-ups, especially for smaller parliamentary groups. This is also reflected in the number of PPGs represented in the respective parliaments. Croatia, the aforementioned frontrunner (16 PPGs), is followed by Serbia (15) and, at a considerable distance, Montenegro and Hungary with ten parliamentary groups. Consequently, the ratio of the average number of MPs per parliamentary group is particularly low in Croatia (9.4) and is surpassed solely by Montenegro and Bosnia and Herzegovina.



## Kannenberg, More Parties, More PPGs, More Problems?

**Table 3. Electoral and PPG Thresholds in Central and Eastern Europe and Southeastern Europe**

Country	Seats	Electoral Threshold*	MPs Needed to form PPG	PPG Threshold	PPGs	MPs/PPGs
Bosnia and Herzegovina	42	3%	3	7.1%	9	4.7
Slovakia	150	5%	8	5.3%	6	25
Albania	140	5%	7	5.0%	5	28
Kosovo	120	5%	6	5.0%	6	20
Latvia	100	5%	5	5.0%	7	14.3
Czechia	200	5%	10	5.0%	7	28.6
Lithuania	141	5%	7	5.0%	8	17.6
Estonia	101	5%	5	5.0%	5	20.2
Bulgaria	240	4%	10	4.2%	7	34.3
North Macedonia	120	None	5	4.2%	4	30
Montenegro	81	3%	3	3.7%	10	8.1
Slovenia	90	4%	3	3.3%	5	18
Poland	460	5%	15	3.3%	4	115
Romania	330	5%	10	3.0%	6	55
Hungary	199	5%	5 or 3	2.5%/1.5%	10	19.9
Serbia	250	3%	5	2.0%	15	16.7
Croatia	151	5%/0.5%**	3	2.0%	16	9.4

Source: Electoral laws and *Standing Orders of Parliament* in the respective country; own calculations. For bicameral parliaments are the rules for the lower chamber listed.

\* Threshold for single party lists.

\*\* Five percent threshold at constituency level, effective nationwide threshold at 0.5 percent.

With this knowledge, one could argue for a straightforward increase of the PPG threshold in Croatia to reduce the number of parliamentary groups. What would be expected if this number were doubled to, for example, six MPs, so that four percent of the seats were required to form a parliamentary group? Bearing in mind the current composition of the parliamentary groups, the number of PPGs would (inevitably) be reduced, but their composition would remain relatively diverse, i.e. consisting of several parties and/or independent MPs. Such a change would have comparatively little political impact but would reduce the organizational effort. When we take a closer look at the regulations in other countries, two models in particular seem worth discussing.<sup>8</sup>

<sup>8</sup> Within the scope of this paper, it is not possible to discuss both models in great detail.

## The Slovenian Model: In for a Penny, In for a Pound

If simply raising the PPG threshold lacks the incentive for MPs to form politically coherent groups that are more than organizational units, the rules for Slovenian PPGs might be a better reform option. Article 29 (1) of the *Standing Orders of the Slovenian Parliament* (Državni zbor, 2020) expresses them as follows:

Deputies elected from the same list of candidates and deputies who are members of the same parliamentary party have the right to form only one deputy group. A deputy may only be a member of the deputy group of the same list of candidates as that on which he was elected, or of the deputy group of the parliamentary party of which he is a member.

At first glance, such a regulation has similarities with the *Sabor* regulations which were in place from 1995 to 1998. Back then, only parties that had taken part in the election were allowed to form PPGs, a regulation that was mainly to be understood as a reaction to the previous defections of members of the governing HDZ. A crucial difference, however, is that the formation of new parliamentary groups would be permitted in such cases, provided that this was accompanied by the formation of a new party with a basis in statute law. The aim of such a reform would be to provide incentives to continue pre-electoral coalitions in parliament. Whether a PPG acts as a politically cohesive group or presents itself more as an organizational unit that grants the respective MPs a great deal of freedom remains in the hands of the parties involved. At the same time, the existing rights of independents and minority representatives would remain untouched.

A possible objection would be that purely “formal” amalgamations of electoral coalitions that split up into individual groups after entering parliament are still possible. An additional increase of the PPG threshold to, for example, six MPs, could further reduce the likelihood of planned “split-ups”, not to mention a combination with a higher electoral threshold. The main aim of such reforms is not to punish splits but to reward remaining grouped together.

## The German Model: First- and Second-Order PPGs

A less complex but no less significant measure would be the creation of a two-tiered group structure, as practised in Germany. To enter the German *Bundestag*, a party needs five percent of the second votes. Five percent of the seats are necessary to form a parliamentary group (*Fraktion*). Due to the variable number of MPs, Germany is thus one of the few countries that have a relative PPG threshold.<sup>9</sup> If a number of MPs below this threshold join, they form a Group (*Gruppe*). For each such case, the *Bundestag* decides collectively which rights are granted to the respective group, whilst individual MP rights remain untouched. So far, groups have always been granted substantial rights, but nevertheless clearly graded from those exclusively reserved for the PPGs. In the “*Fraktionenparlament*” *Bundestag* (Schüttemeyer, 1998), this ensures sufficient political participation, and at the same time takes account of the lower voter support.

<sup>9</sup> The other European country is Cyprus with a relative 12 percent PPG threshold.



## Kannenberg, More Parties, More PPGs, More Problems?

If this logic were applied to the Croatian *Sabor*, the hurdle for a “fully-fledged” PPG would be five percent of the total number of seats, which corresponds to eight seats. Furthermore, it would be possible to form a political group of at least three seats. When differentiating parliamentary rights, it is important to avoid creating an absolute two-tier system between PPGs and parliamentary groups. Potential starting points would be, for example, staggered rights of interpellation or minutes in the plenary debate. In addition, distinctions could be made in the provision of public funds. In this case, it would clearly be preferable to give the PPGs additional funding and not to cut back on the groups. For all MPs who are not in one of these two models, the parliamentary group of independents and the untouched individual rights guarantee sufficient opportunities for participation. Conclusive, it would be a worthwhile consideration to enshrine both sets of rights in the *Sabor Standing Orders*.

## Conclusion

Corresponding to the various existing options of electoral law reform, there is no silver bullet regarding the legal basis for the establishment of a PPG. Any possible reform, irrespective of its design, would favor some political actors and disadvantage others. The supreme basic prerequisite for a change of the electoral law or the *Sabor Standing Orders* is political will, without which neither can be put into practice. The potential for an cross-party reform of parliamentary law may lie in the lower potential for politicization. The described Slovenian and German models could indicate two possible directions for the formation of parliamentary groups in the *Sabor*. Regardless of whether, and if so, how reform attempts may be undertaken, the goal should be to strengthen the parliament as a whole and PPGs as the key organizational entities within it.

## References

Čepo, D. (2020). Structural weaknesses and the role of the dominant political party: democratic backsliding in Croatia since EU accession. *Journal of Southeast European & Black Sea Studies*, 20(1), 1-19.

Čular, G. (2018). Stability and Permissiveness. Party Regulation and Party Competition in Croatia. In: F. Casal Bértoa and I. van Biezen (Eds), *The Regulation of Post-Communist Party Politics* (pp. 257-281). London and New York: Taylor & Francis Group.

Čular, G., Nikić Čakar, D., and Raos, V. (2016). *Intra-Party Democracy in Croatian Political Parties: Politicians' Perspectives*. Zagreb: Friedrich-Ebert-Stiftung.

Državni zbor (2020). Rules of Procedure of the National Assembly. *imss.dz-rs.si*. <https://imss.dz-rs.si/IMiS/ImisAdmin.nsf/IMiSNetAgent?OpenAgent&2&DZ-MSS-01/94ba34acd907256bb1ca483622718b81d954305a67df7d6cec29fe06c2991454>

Heidar, K. and Koole, R. (2000). Approaches to the Study of Parliamentary Party Groups. In: K. Heidar and R. Koole (Eds), *Parliamentary Party Groups in European Democracies. Political Parties Behind Closed Doors* (pp. 4-22). London and New York: Routledge.

Kistner, N. A. (2007). *Legislative Party Institutionalization in New Democracies: The Case of Poland*. Doctoral Thesis. Columbus, OH: Ohio State University.

Nikić Čakar, D. (2021). Croatia: Strong Prime Minister and Weak Coalitions. In: T. Bergman, H. Bäck, and J. Hellström (Eds), *Coalition Governance in Western Europe*. 1<sup>st</sup> ed. (pp. 640-679). Oxford: Oxford University Press.

Nikić Čakar, D. and Čular, G. (2022). Democratic Consolidation and Electoral System Change in Croatia: What Is Wrong with the Proportional Representation? *Political Studies Review*, 147892992210848. DOI: 10.1177/14789299221084856.

Nikić Čakar, D. and Krašovec, A. (2021). Coping With the New Party Challenge: Patterns of Prime Ministerial Survival in Croatia and Slovenia. *East European Politics*, 37(3), 417-431.

Raos, V. (2020). Ideology, Partisanship, and Change. *Croatian Political Science Review* 56(3-4), 7-28.

Sabor (2020). Standing Orders of the Croatian Parliament (Consolidated Text). *sabor.hr*. <https://www.sabor.hr/en/information-access/important-legislation/standing-orders-croatian-parliament-consolidated-text>

Schüttemeyer, S. S. (1998). *Fraktionen im Deutschen Bundestag 1949-1997. Empirische Befunde und theoretische Folgerungen*. Opladen and Wiesbaden: Westdeutscher Verlag.

Steinsdorff, S. von (2015). Institutionelle Stabilität, politische Fragilität: Die mittel- und osteuropäischen Parlamente 25 Jahre nach dem demokratischen Neubeginn. *Zeitschrift für Parlamentsfragen* 46(2), 235-256.