

Polish Journal  
of Political  
Science

Volume 10 Issue 3 (2024)

V 10



**Polish Journal of Political Science**  
**Volume 10 Issue 3**

**Editorial Board**

**Clifford Angell Bates Jr.**, *University of Warsaw*

**Stephen Brooks**, *University of Michigan*

**Michael Freeden**, *University of Nottingham, University of Oxford*

**Marzenna James**, *Princeton University*

**Angieszka Łukasik-Turecka**, *John Paul II Catholic University of Lublin*

**Agostino Massa**, *University of Genoa*

**Paolo Pombeni**, *University of Bologna*

**Bogdan Szlachta**, *Jagiellonian University in Krakow*

**Filip M. Szymański**, *Cardinal Stefan Wyszyński University in Warsaw*

**Andrea Zanini**, *University of Genoa*

**Tomasz Żyro**, *University of Warsaw*

**Editorial Team**

**Lead Editors**

Chief editor: **Jarosław Szczepański**, *University of Warsaw*

Secretary: **Błażej Bado**, *University of Warsaw*

**Associate Editors**

**Katarzyna Gruszka**, *University of Warsaw*

**Paulina Szczepańska**, *University of Warsaw*

**Graphic design of the journal**

**Krzysztof Trusz**, *Academy of Fine Arts in Warsaw*

**Desktop publishing**

**Karolina Trusz**

**Language editor/Reviewing**

**Adam Petrétis**



All articles in the journal are peer-reviewed

The journal is published by the Interdisciplinary Research Center  
of the University of Warsaw „Identity – Dialogue – Security”  
(Interdyscyplinarne Centrum Badawcze Uniwersytetu Warszawskiego  
„Tożsamość – Dialog – Bezpieczeństwo”)

**Editorial address**

Polish Journal of Political Science

Interdisciplinary Research Center of the University of Warsaw  
„Identity – Dialogue – Security”  
Prosta 69, 00-838 Warsaw  
email: [centrum.tozsamosc@uw.edu.pl](mailto:centrum.tozsamosc@uw.edu.pl)

Warsaw 2024

eISSN 2391-3991

Original version: e-book

Submit your paper: [pjps@uw.edu.pl](mailto:pjps@uw.edu.pl)



Polish Journal of Political Science is included in:





## Table of Contents

### Articles

- 4 Jolanta Gul**  
**America First Again: The Resurgence of Republican Isolationism in Modern U.S. Politics**
- 36 Angelina Stokłosa**  
**Remarks on Post-Brexit Agreements: Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and New Zealand, and Free Trade Agreement between the United Kingdom of Great Britain and Australia**
- 60 Martinas Malužinas**  
**Diana Bluszcz**  
**The Legislative Power of the Republic of Lithuania, Latvia and Estonia – Comparative Analysis**
- 72 Rossi Selvaggi III**  
**Lipton Matthews**  
**Walter E. Block**  
**Should We Have the Minimum Wage at All? A Political Economic Analysis**

### Book review

- 90 Maliwna Ewa Kołodziejczak**  
**Dyplomacja obronna w procesie kształtowania bezpieczeństwa RP [Defence Diplomacy in the Process of Shaping the Security of the Republic of Poland]**



**Martinas Malužinas\***  
**Diana Bluszczyt\*\***

## **The Legislative Power of the Republic of Lithuania, Latvia and Estonia – Comparative Analysis**

DOI: [10.58183/pjps.03032024](https://doi.org/10.58183/pjps.03032024)

### **Abstract**

The purpose of this article is to conduct a comparative analysis of the functioning of the legislative power in the Republics of Lithuania, Latvia, and Estonia. This analysis focuses particularly on the fundamental differences and similarities in the functioning of the parliaments of these Baltic republics. The research methods used, especially the comparative method and institutional-legal analysis, allowed for the implementation of the indicated research objective. The analysis was conducted on the basis of the following basic laws: the Constitution of the Republic of Lithuania of October 25, 1992; the Constitution of the Republic of Latvia of February 15, 1922; and the Constitution of the Republic of Estonia of June 28, 1992. Identifying the differences and similarities in the implementation of the basic functions of legislative institutions in the light of Lithuanian, Latvian and Estonian basic laws is a topic worthy of scholarly investigation.

### **Keywords**

parliament, competences, Baltic republics, the Constitution of the Republic of Lithuania of 25 October 1992, the Constitution of the Republic of Latvia of 15 February 1922, the Constitution of the Republic of Estonia of 28 June 1992

\* Koszalin University of Technology, e-mail: [martinasmaluzinas@gmail.com](mailto:martinasmaluzinas@gmail.com), <https://orcid.org/0000-0002-2772-9534>

\*\* The University of Szczecin, e-mail: [diana.bluszczyt@usz.edu.pl](mailto:diana.bluszczyt@usz.edu.pl), <https://orcid.org/0000-0003-0673-7532>



## Introduction

The restoration of independent statehood in Lithuania, Latvia, and Estonia, occurring both *de facto* and *de jure* in the second half of 1991 after more than fifty years, led to the formation of new state structures in these countries. In Lithuania and Estonia, constitutions enacted less than a year later legitimized the parliamentary-cabinet system of government. Latvia, meanwhile, reinstated its Constitution of February 15, 1922.

Lithuania, Latvia, and Estonia are commonly classified as the Baltic republics. Undoubtedly, these states share numerous similarities of a geopolitical, geostrategic, and historical-cultural nature. These similarities have influenced the final structure of their adopted political systems.<sup>1</sup>

It should be emphasized that for each of the Baltic states, developing a new constitution was a crucial yet highly challenging task. This difficulty stemmed from the fact that each state was essentially being rebuilt from the ground up, either without its own political traditions or with traditions that were extremely distant. Moreover, this task fell to “young” societies that lacked a multi-generational, experienced native intelligentsia.<sup>2</sup> Despite the challenges, the Baltic republics succeeded in remarkably quickly and efficiently establishing the foundations of their political systems, leading to the adoption of their basic laws. The Estonians were the first to do so, largely due to the dominance of the left. The constitution embodied their vision of the state, strongly highlighting the principle of national sovereignty and the significance of human rights. In contrast, Latvia’s Basic Law emerged as a compromise between the radical parliamentary-committee system proposed by the left and the right’s vision, which granted the executive branch a significantly greater role. Meanwhile, in Lithuania, the Christian Democrats held the dominant position at the time and effectively influenced the constitutional commission’s compromise draft, leading to key modifications.<sup>3</sup>

A distinctive feature of the Baltic countries is the principle of national sovereignty. The principle of the sovereignty of the Lithuanian, Latvian, and Estonian nations has been stated verbatim in the first articles of their respective Basic Laws (Article 1 of the Constitution of Lithuania, Article 2 of the Constitution of Latvia, and §1 of the Constitution of Estonia). The adoption of this fundamental principle inherently requires the adoption of the principle of political representation as its natural complement to national sovereignty.<sup>4</sup> As a result, in Lithuania, as well as in Latvia and Estonia, the

1. D. Maj, *Referendum ogólnokrajowe w republikach bałtyckich po 1991 roku - analiza porównawcza*, “Annales Universitatis Mariae Curie-Skłodowska Lublin-Polonia. Sectio K”, 2016, Vol. XXIII, No. 2, p. 114, DOI: [10.17951/k.2016.23.2.113](https://doi.org/10.17951/k.2016.23.2.113).

2. P. Kierończyk, *O specyfice pierwszych konstytucji państw bałtyckich*, “Studia Iuridica Toruniensia”, 2013, Vol. 13, p. 35, DOI: [10.12775/SIT.2013.016](https://doi.org/10.12775/SIT.2013.016).

3. Ibidem, pp. 43–44.

4. Ibidem, pp. 42–47.



concept of the firm dominance of legislative bodies (national representative bodies) within the system of government has been adopted.<sup>5</sup>

In addition, the constitutions of the Baltic republics grant broad powers to their parliaments in sensitive matters that can significantly impact the state system. Each parliament has been granted the power of legislative initiative and the authority to pass laws, ratify international agreements, with the Seimas having the additional power to denounce these agreements, and the Riigikogu the authority to sign them. Furthermore, the Seimas and Saeima are empowered to consider and adopt constitutional amendments, while the Riigikogu has the power to propose constitutional amendments. A more detailed analysis of these powers will be provided in the empirical chapter.

The purpose of this article is to conduct a comparative analysis of the functioning of the legislative authority in the Republics of Lithuania, Latvia, and Estonia. It focuses particularly on the fundamental differences and similarities in the functioning of the parliaments of the Baltic republics. The research methods used, especially the comparative method and institutional-legal analysis, allowed for the implementation of the indicated research objective. The analysis was conducted on the basis of the following basic laws: the Constitution of the Republic of Lithuania (October 25, 1992), the Constitution of the Republic of Latvia (February 15, 1922), and the Constitution of the Republic of Estonia (June 28, 1992).

The paper addresses the following research questions: What are the fundamental similarities and differences in the functioning of the parliaments of the countries in question? What are the characteristics of the Baltic republics? What is the scope of competence of the parliaments of the analyzed countries?

To date, the comparative analysis of the functioning of the parliaments of the Baltic republics has not been comprehensively or synthetically discussed in Polish legal and political science literature. However, these issues are addressed in a small number of works, including: D. Blažytė-Baužienė, M. Tamošaitis, L. Truska,<sup>6</sup> M. Römer,<sup>7</sup> M. Giżyńska,<sup>8</sup> E. Kūris,<sup>9</sup> J. Zieliński,<sup>10</sup> J. Ciechanowska,<sup>11</sup> A. Kārklīņa,<sup>12</sup> and publications by C. Taube<sup>13</sup> and P. Kierończyk,<sup>14</sup> as well as M. Malužinas.<sup>15</sup>

5. Ibidem, pp. 42–43.

6. D. Blažytė-Baužienė, M. Tamošaitis, L. Truska, *Lietuvos Seimo istorija: XX–XXI a. pradžia*, Baltos Lankos 2009.

7. M. Römer, *Organizacja władzy politycznej w rozwoju konstytucyjnym Republiki Litewskiej*, “Wydawnictwa Grup Polskich Porozumień Prawniczych z Zagranicą”, 1939, Vol. 4, pp. 40–58.

8. M. Giżyńska, *Procedura legislacyjna w Republice Litewskiej*, “Studia Prawno-ustrojowe”, 2009, No. 9, pp. 109–122.

9. E. Kūris, *Konstitucija, teisėkūra ir konstitucinė kontrolė: retrospekciniai ir metodologiniai svarstymai*, in: *Lietuvos Respublikos Konstitucijos dvidešimtmetis: patirtis ir iššūkiai*, ed. E. Kūris, Druka 2012, pp. 54–91.

10. J. Zieliński, *Instytucjonalizacja przemian ustrojowych na Litwie, Łotwie i w Estonii*, ASPRA-JR 2004.

11. J. Ciechanowska, *Władza ustawodawcza*, in: *Ustrój państwowy Republiki Estonii*, ed. S. Sagan, Wydawnictwo Uniwersytetu Rzeszowskiego 2018, pp. 21–39.

12. A. Kārklīņa, *Valsts prezidenta impēmēnta institūta juridiskie aspekti (II)*, “Likums un Tiesības”, 2005, Vol. 7, No. 67, pp. 86–95.



## Fundamental Differences and Similarities in the Functioning of the Parliaments of the Baltic Republics

Analyzing the legal provisions of the constitutions of all three Baltic countries, it is evident that they share a common constitutional element that vests legislative power in the parliament (in Lithuania, the Seimas [Article 67(2) of the Constitution]; in Latvia, the Saeima [Articles 2 and 5 of the Constitution]; and in Estonia, the Riigikogu [National Assembly] [§ 59 of the Constitution]). Although not all constitutions, such as that of Latvia, explicitly and directly establish the status of parliament as the institution exercising legislative power, a systematic analysis of constitutional norms conferring powers to state authorities leads to the conclusion that, in the Baltic republics, parliament is the principal and most important institution in the legislative process.

The parliaments of the Baltic states hold a virtual monopoly on passing laws. Although all three Baltic constitutions provide for the right of the people to legislate directly (by referendum) rather than through representatives, this right is rarely exercised in practice, typically only when it is necessary to resolve particularly important matters of state and public life. Furthermore, the ability of the people to directly exercise their legislative right is complicated by the fact that the right to initiate a referendum often rests with the same parliament (Article 9(1) of the Referendum Law of the Republic of Lithuania; Article 105(1) of the Constitution of Estonia; Articles 77-79 of the Constitution of Latvia) or requires a relatively large number of citizens with the right to vote (in Lithuania, 300,000 citizens; in Latvia, 1/10 of the electorate; notably, the Estonian Constitution does not provide for the possibility of citizens initiating a referendum).<sup>16</sup>

It is also important to note that the executive and judicial branches have minimal “interference” in the process of passing laws. In the constitutional practice of the Baltic states, certain powers are granted to the executive branch to ensure the functionality of the system of checks and balances between the branches of government. These powers include participating in various stages of the legislative process (such as proposing draft laws, considering them, promulgating enacted laws, and vetoing them). However, the actual enactment of laws does not involve representatives of the executive or judiciary, meaning that lawmaking remains the exclusive right of parliament.

Moreover, as Laura Stankevičienė notes, only the Latvian and Estonian Constitutions, which are characterized by the establishment of a relatively traditional parliamentary model, allow the government (in Latvia) and the president (in Estonia) to issue resolutions (decrees) with the force of law between parliamentary sessions, as outlined in Articles 81 and 109, respectively. In contrast,

13. C. Taube, *Baltijos valstybių įvairovė: konstitucijų palyginimas*, “Jurisprudencija”, 2002, Vol. 30 (22), pp. 42–46; C. Taube, *Constitutionalism in Estonia, Latvia and Lithuania: A study in comparative constitutional law*, Iustus Förlag 2001.

14. P. Kierończyk, *O specyfice pierwszych...*, op. cit., pp. 35–65; P. Kierończyk, *Litewskie konstytucje z okresu międzywojennego*, “Gdańskie Studia Prawnicze”, 2000, Vol. 7, pp. 243–260.

15. M. Malužinas, *Pozycja ustrojowa prezydenta w konstytucjach Litwy z 1922, 1928 i 1992 r.*, “Przegląd Sejmowy”, 2022, No. 4 (171), pp. 217–228, DOI: [10.31268/PS.2022.134](https://doi.org/10.31268/PS.2022.134); M. Malužinas, *Pozycja ustrojowa prezydenta w systemie parlamentarnym i semiprezydenckim w świetle konstytucji litewskich z 1922 r. i 1992 r. – analiza porównawcza*, “Przegląd Prawa Konstytucyjnego”, 2022, No. 1 (65), pp. 173–183, DOI: [10.15804/ppk.2022.01.13](https://doi.org/10.15804/ppk.2022.01.13); M. Malužinas, *Ewolucja pozycji ustrojowej prezydenta w konstytucjach Litwy w okresie międzywojennym*, “Przegląd Sejmowy”, 2021, No. 2 (163), pp. 83–103, DOI: [10.31268/PS.2021.19](https://doi.org/10.31268/PS.2021.19).

16. Lietuvos Respublikos referendumo įstatymas // Žin., 2002, Nr. 64-2570 (archival material).



in the event of an emergency, the executive branch does not have constitutional powers to regulate the most important affairs of the state, such as the organization and coordination of state bodies, the budget, the tax system, and the introduction of a state of emergency. These matters must be approved by parliament at its next session.<sup>17</sup>

**R**egarding the procedure for elections to the parliaments of the Baltic countries, it should be noted that all parliaments are elected through universal, equal, direct elections (by secret ballot). However, the parliamentary electoral systems of Latvia and Estonia are based solely on proportional representation (Article 6 of the Constitution of Latvia, Article 60 of the Constitution of Estonia), whereas Lithuania has adopted a mixed electoral system, combining proportional and majority voting (Article 55 of the Constitution of Lithuania and Article 9 of the Republic of Lithuania Law on Elections to the Seimas).<sup>18</sup>

**I**n addition, early parliamentary elections are regulated differently in the constitutional provisions of the countries analyzed. In Lithuania, early elections can be held if the Seimas itself decides on them (with the approval of 3/5 of its members), if the Seimas does not approve the government's program and proposals, or if the Seimas grants the government a vote of confidence (Article 58 of the Constitution). In Latvia, early elections to the Saeima can only be initiated by the President, who may propose the dissolution of the Saeima in a nationwide referendum (Article 48 of the Constitution).

**I**n the case of the Constitution of Estonia, the possibility (or necessity) of early elections to the Riigikogu arises under the conditions outlined in § 89, § 97, § 105, and § 119 of the Constitution. These articles of the Basic Law provide for the possibility of dissolving the legislature in several specific cases:

- 1) when a candidate for Prime Minister is unable to present the composition of the Government to Parliament, after Parliament has previously rejected the Prime Minister's nomination proposed by the President;
- 2) at the request of the Government, following a vote of no confidence declared by the parliament;
- 3) if a bill presented by parliament is not approved in a referendum;

17. L. Stankevičienė, *Šiuolaikinės Baltijos šalių (Lietuva, Latvija, Estija) konstitucijos*, Master's thesis, Mykolas Romeris University 2007, p. 39.

18. Lietuvos Respublikos Seimo rinkimų įstatymas // Žin., 2000, Nr. 59-1760 (archival material).

## Election Procedure and Dissolution of the Parliaments of the Baltic States



4) if the parliament fails to approve the state budget.

The above analysis shows that the Estonian Constitution provides the greatest (theoretical) possibility for dissolving parliament. It is also important to note that the Latvian Constitution does not provide for the possibility of holding a referendum on the dissolution of parliament. In the case of the Lithuanian Constitution, early parliamentary elections are called in situations of crisis related to the formation of the government or in the event of a vote of no confidence in the government (in such cases, the President of the Republic of Lithuania has the right to initiate the dissolution of parliament).<sup>19</sup>

The Lithuanian legislature, under Article 58 of the Constitution of the Republic of Lithuania, provides for the possibility of the self-dissolution of the Seimas. This mechanism of self-dissolution is not included in the constitutions of the other Baltic states.<sup>20</sup>

Analyzing the specifics of the regulation of other parliamentary functions, it can be noted that, unlike the constitutions of the other two Baltic states, the Latvian Constitution does not precisely define the list of parliament's competencies in one or more articles. The provisions regulating the functions of the Saeima of the Republic of Latvia are "scattered" throughout the Constitution. Instead, most of the Latvian norms governing the functions of parliament can be found in the chapters on parliament and legislation.

Darius Butvilavičius notes that in terms of the scope of their powers, Latvian and Estonian parliamentarians are considered more privileged than their counterparts in Lithuania. Among other things, they have the right to elect the president and appoint judges to all levels of the courts (Articles 35 and 84 of the Constitution of the Republic of Latvia; § 65(3), (7), and (8) of the Constitution of the Republic of Estonia). Additionally, they can exercise constitutionally guaranteed rights to make resolutions and inquiries.<sup>21</sup> The right to make resolutions allows parliament to request that the government or a member of it carry out specific actions or terminate certain functions.<sup>22</sup>

19. M. Malužinas, *Pozycja ustrojowa prezydenta w systemie...*, op. cit., pp. 173–183.

20. J. Zieliński, *Instytucjonalizacja przemian...*, op. cit., p. 268.

21. D. Butvilavičius, *Estijos Respublikos 1992 m. Konstitucija*, in: *Konstitucinio reguliavimo įvairovė*, eds. V. Bacevičius, D. Beinoravičius, T. Birmontienė, D. Butvilavičius, E. Jarasiūnas, G. Mesonis, A. Pumputis, M. Vainiūtė, E. Vaitiekienė, S. Vidrinskaitė, J. Zilys, E. Ziobienė, M. Varaska, Mykolas Romeris University 2006, p. 289.

22. According to the Latvian Basic Law, this legal provision should not be confused with the right of interpellation (inquiry). The right of inquiry is a constitutionally guaranteed right for parliamentarians to appoint temporary commissions of inquiry to investigate the activities of top executive officials.



## Specifics of the Impeachment Procedure in the Baltic Republics

The Lithuanian and Latvian legislatures have established procedures for the impeachment of top state officials by the Lithuanian Seimas (under Article 74 of the Constitution of the Republic of Lithuania in the case of a gross violation of the Constitution, violation of oaths, or if a crime is found to have been committed) and the Latvian Saeima (a special form of impeachment is outlined in Article 5 of the Constitution of the Republic of Latvia, although no specific circumstances are provided for initiating the process; as a result, impeachment can be proposed under any circumstances at the request of half of the statutory number of parliamentarians).<sup>23</sup> The Estonian Constitution does not provide for an impeachment procedure. However, if top government officials are found to have committed a crime, this is considered an automatic cause for the termination of their powers and mandate (Articles 64(1)(2), 82(2)).<sup>24</sup>

It should also be noted that in all three Baltic states, members of parliament are granted parliamentary immunity to ensure the free exercise of their mandate. This immunity guarantees that only parliament can consent to the arrest and indictment of its members. Additionally, parliament has the authority to consent to the arrest and indictment of the President, judges of the constitutional (supreme) courts, and the Chancellor of Justice (Articles 74, 75, and 116 of the Constitution of the Republic of Lithuania; Articles 29-30 and 54 of the Constitution of the Republic of Latvia; § 76, § 85, § 145, and § 153 of the Constitution of the Republic of Estonia). It is also important to note that the issuance of a final conviction is not always sufficient for removal from office. The Basic Laws of Lithuania and Latvia specify particular circumstances in which removal from office requires parliamentary approval (Article 74 of the Constitution of the Republic of Lithuania, Article 51 of the Constitution of the Republic of Latvia).

## Conclusions

The institutional-legal analysis of the legislative power in the Baltic republics, based on the Constitutions of Lithuania, Latvia, and Estonia, reveals both fundamental similarities and differences in the functioning of parliaments in these countries.

First and foremost, it should be emphasized that a defining feature of the Baltic republics is the adoption of the concept of the firm dominance of legislative bodies within the state apparatus. The parliaments of Latvia and Estonia have been granted a near monopoly on lawmaking by restricting the right of the people to legislate directly. The executive and judicial branches also have a minimal role in the lawmaking process.

23. Constitution of Republic of Latvia ("Valdības Vestnesis", 1922, No. 141).

24. Constitution of the Republic of Estonia (Riigi Teataja, of 6 July 1992, No. 26, item 349).



In analyzing the issue at hand, it is also important to consider the scope of the powers of the parliaments in the countries under analysis, particularly focusing on the key elements of this system:

**Table 1.** Basic powers of parliament in light of the Constitution of the Republic of Lithuania (October 25, 1992), the Constitution of the Republic of Latvia (February 15, 1922), and the Constitution of the Republic of Estonia (June 28, 1992)

Legislative body	Seimas	Saeima	Riigikogu
Characteristics of the regime	Constitution of the Republic of Lithuania, October 25, 1992	Constitution of the Republic of Latvia, February 15, 1922	Constitution of the Republic of Estonia, June 28, 1992
Form of government	parliamentary system with active arbitration presidency	parliamentary system	parliamentary system
Core competencies (legal basis)	<p><b>Article 67:</b></p> <p>1) considers and enacts amendments to the Constitution;</p> <p>2) enacts laws;</p> <p>4) announces presidential elections of the Republic of Lithuania;</p> <p>6) approves or rejects the candidature of the Prime Minister proposed by the President of the Republic;</p> <p>7) considers the program of the Government submitted by the Prime Minister, and decides whether to approve it or not;</p> <p>9) supervises the activities of the Government, and may express non-confidence in the Prime Minister or individual Ministers;</p>	<p><b>Article 35:</b></p> <p>The Saeima shall elect the President.</p> <p><b>Article 64:</b></p> <p>The Saeima, has the right to legislate.</p> <p><b>Article 66:</b></p> <p>The Saeima shall determine the State Revenues and Expenditures Budget.</p> <p><b>Article 67:</b></p> <p>The Saeima shall determine the size of the armed forces of the State during peace-time.</p> <p><b>Article 68:</b></p> <p>All international agreements, which settle matters that may be decided by the legislative process, shall require ratification by the Saeima.</p>	<p><b>§ 59</b></p> <p>Legislative authority is vested in the Riigikogu.</p> <p><b>§ 65:</b></p> <p>1) passes laws and resolutions;</p> <p>3) elects the President;</p> <p>4) ratifies and denounces international treaties;</p> <p>5) authorizes a Prime Minister candidate to form the Government of the Republic;</p> <p>6) passes the national budget and approves the report on its implementation;</p> <p>7) acting on a recommendation of the President, appoints to office the Chief Justice of the Supreme Court, the Chairman of the Board of the Bank of Estonia, the Auditor General and the Chancellor of Justice;</p>



<p>10) appoints judges to, and Chairpersons of, the Constitutional Court and the Supreme Court;</p> <p>14) approves the State budget and supervises the implementation thereof;</p> <p>16) ratifies or denounces international treaties of the Republic of Lithuania;</p> <p>20) imposes direct administration and martial law, declares states of emergency, announces mobilization, and adopts decisions to use the armed forces.</p> <p><b>Article 68:</b> The Seimas has the right of legislative initiative.</p>	<p><b>Article 69:</b> The Saeima passes laws.</p> <p><b>Article 76:</b> The Saeima may amend the Constitution in sittings at which at least two-thirds of the members of the Saeima participate. The amendments shall be passed in three readings by a majority of not less than two-thirds of the members present.</p> <p><b>Article 84:</b> Judicial appointments shall be confirmed by the Saeima and they shall be irrevocable.</p>	<p>8) acting on a recommendation of the Chief Justice of the Supreme Court, appoints to office justices of the Supreme Court;</p> <p>13) determines motions to express no confidence in the Government of the Republic, the Prime Minister or individual ministers;</p> <p>14) declares a state of emergency in the national territory;</p> <p>15) acting on a proposal of the President, declares a state of war and orders mobilization and demobilization;</p> <p>16) resolves other issues of national importance which the Constitution does not assign to the President, the Government of the Republic, other public bodies or local authorities.</p> <p><b>§ 78</b> 8) initiates amendments of the Constitution.</p>
---	---	--

Source: own compilation based on the Constitution of the Republic of Latvia of 15 February 1922, <https://www.saeima.lv/en/legislative-process/constitution>, (access 22.10.2022); Constitution of the Republic of Estonia of 28 June 1992, <https://www.riigiteataja.ee/en/eli/521052015001/consolide>, (access 22.10.2022); Constitution of the Republic of Lithuania of 25 October 1992, <https://e-seimas.lrs.lt/portal/legalActPrint/lt?jfwid=rivwzvpvg&documentId=TAIS.211295&category=TAD>, (access 22.10.2022).

In the table above, the stark difference in the placement of parliamentary powers within the basic laws is immediately apparent. In the case of the Lithuanian and Estonian constitutions, the parliament's competencies are placed in a separate provision within the chapter on the parliament. In contrast, the powers of the parliament in the Latvian constitution are dispersed throughout the legal document.



It is also worth noting that the basic laws of the three Baltic republics grant significant powers to their parliaments in sensitive areas, which can have a substantial impact on the state system. Each parliament has been granted legislative initiative and the power to pass laws, ratify international agreements, with the Seimas having the additional power to denounce these agreements, and the Riigikogu the power to sign them. Furthermore, both the Seimas and Saeima are empowered to consider and adopt constitutional amendments, while the Riigikogu is granted the authority to propose constitutional amendments.

The dominance of legislative bodies is also evident in their stability. The analysis conducted revealed that the Estonian constitution provides the greatest (theoretical) possibility for dissolving parliament. In contrast, the Latvian constitution does not allow for a referendum on the dissolution of parliament at all. The Lithuanian constitution, however, provides for the possibility of early parliamentary elections in the event of a crisis in government formation or if a vote of no confidence is passed against the government. Additionally, Article 58 of the Lithuanian Constitution grants parliament the power to self-dissolve, a provision not found in the basic laws of Latvia and Estonia. At the same time, members of the parliaments of the Baltic countries are granted broad immunity.

A fundamental difference can be observed in the structure of the basic laws of the Baltic republics. In the Lithuanian and Estonian constitutions, the powers of parliament are contained within a single provision and placed in the chapter dedicated to the parliament. In contrast, in the Latvian constitution, these powers are “scattered” throughout the basic law.

It is also worth noting that the Latvian and Estonian parliaments, unlike the Lithuanian parliament, were granted, among other things, the right to elect the president and appoint judges at all levels of the judiciary.

## Bibliography

Blažytė-Baužienė D., Tamošaitis M., Truska L., *Lietuvos Seimo istorija: XX-XXI a. pradžia*, Baltos Lankos 2009.

Butvilavičius D., *Estijos Respublikos 1992 m. Konstitucija*, in: *Konstitucinio reguliavimo įvairovė*, eds. V. Bacevičius, D. Beinoravičius, T. Birmontienė, D. Butvilavičius, E. Jarasiūnas, G. Mesonis, A. Pumputis, M. Vainiutė, E. Vaitiekienė, S. Vidrinskaitė, J. Zilys, E. Ziobienė, M. Varaska, Mykolas Romeris University 2006, pp. 273–301.



**Ciechanowska J.**, *Władza ustawodawcza*, in: *Ustrój państwowy Republiki Estonii*, ed. S. Sagan, Wydawnictwo Uniwersytetu Rzeszowskiego 2018, pp. 21–39.

Constitution of Republic of Latvia (“Valdības Vestnesis”, 1922, No. 141).

Constitution of the Republic of Estonia (Riigi Teataja, of 6 July 1992, No. 26, item 349).

Constitution of the Republic of Estonia of 28 June 1992, <https://www.riigiteataja.ee/en/eli/521052015001/consolidate>, (access 22.10.2022).

Constitution of the Republic of Latvia of 15 February 1922, <https://www.saeima.lv/en/legislative-process/constitution>, (access 22.10.2022).

Constitution of the Republic of Lithuania of 25 October 1992, <https://e-seimas.lrs.lt/portal/legalActPrint/lt?jfwid=rivwzvpvg&documentId=TAIS.211295&category=TAD>, (access 22.10.2022).

**Giżyńska M.**, *Procedura legislacyjna w Republice Litewskiej*, “Studia Prawnoustrojowe”, 2009, No. 9, pp. 109–122.

**Kārklīņa A.**, *Valsts prezidenta impīčmenta institūta juridiskie aspekti (II)*, “Likums un Tiesības”, 2005, Vol. 7, No. 67, pp. 86–95.

**Kierończyk P.**, *Litewskie konstytucje z okresu międzywojennego*, “Gdańskie Studia Prawnicze”, 2000, Vol. 7, pp. 243–260.

**Kierończyk P.**, *O specyfice pierwszych konstytucji państw bałtyckich*, “Studia Iuridica Toruniensia”, 2013, Vol. 13, pp. 35–65, DOI: [10.12775/SIT.2013.016](https://doi.org/10.12775/SIT.2013.016).

**Kūris E.**, *Konstitucija, teisėkūra ir konstitucinė kontrolė: retrospekciniai ir metodologiniai svarstymai*, in: *Lietuvos Respublikos Konstitucijos dvidešimtmetis: patirtis ir iššūkiai*, ed. E. Kūris, Druka 2012, pp. 54–91.

Lietuvos Respublikos referendumo įstatymas // Žin., 2002, Nr. 64-2570 (archival material).

Lietuvos Respublikos Seimo rinkimų įstatymas // Žin., 2000, Nr. 59-1760 (archival material).



**Maj D.**, *Referendum ogólnokrajowe w republikach bałtyckich po 1991 roku - analiza porównawcza*, "Annales Universitatis Mariae Curie-Skłodowska Lublin-Polonia. Sectio R", 2016, Vol. XXIII, No. 2, pp. 113–132, DOI: [10.17951/k.2016.23.2.113](https://doi.org/10.17951/k.2016.23.2.113).

**Malužinas M.**, *Ewolucja pozycji ustrojowej prezydenta w konstytucjach Litwy w okresie międzywojennym*, "Przegląd Sejmowy", 2021, No. 2 (163), pp. 83–103, DOI: [10.31268/PS.2021.19](https://doi.org/10.31268/PS.2021.19).

**Malužinas M.**, *Pozycja ustrojowa prezydenta w konstytucjach Litwy z 1922, 1928 i 1992 r.*, "Przegląd Sejmowy", 2022, No. 4 (171), pp. 217–228, DOI: [10.31268/PS.2022.134](https://doi.org/10.31268/PS.2022.134).

**Malužinas M.**, *Pozycja ustrojowa prezydenta w systemie parlamentarnym i semiprezydenckim w świetle konstytucji litewskich z 1922 r. i 1992 r. – analiza porównawcza*, "Przegląd Prawa Konstytucyjnego", 2022, No. 1 (65), pp. 173–183, DOI: [10.15804/ppk.2022.01.13](https://doi.org/10.15804/ppk.2022.01.13).

**Römer M.**, *Organizacja władzy politycznej w rozwoju konstytucyjnym Republiki Litewskiej*, "Wydawnictwa Grup Polskich Porozumień Prawniczych z Zagranicą", 1939, Vol. 4, pp. 40–58.

**Stankevičienė L.**, *Šiuolaikinės Baltijos šalių (Lietuva, Latvija, Estija) konstitucijos*, Master's thesis, Mykolas Romeris University 2007.

**Taube C.**, *Baltijos valstybių įvairovė: konstitucijų palyginimas*, "Jurisprudencija", 2002, Vol. 30 (22), pp. 42–46.

**Taube C.**, *Constitutionalism in Estonia, Latvia and Lithuania: A study in comparative constitutional law*, Iustus Förlag 2001.

**Zieliński J.**, *Instytucjonalizacja przemian ustrojowych na Litwie, Łotwie i w Estonii*, ASPRA-JR 2004.