The Reduction of Presidential Powers in Semi-presidential Regimes: Armenia, Croatia, Russia and Ukraine Compared

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Abstract

Semi-presidentialism is a prominent topic in the comparative study of political institutions, especially since it represents a popular choice of government for third wave democracies. This is particularly true for Central and Eastern Europe and the former Soviet Union, where semi-presidential regimes – in both the president-parliamentary and the premier-presidential variant - have been the most prevalent regime choice. While much research has been conducted on the origins and effects of semi-presidentialism, less attention has been drawn to the evolution of semi-presidential systems over time. While they have overall proven to be relatively stable in the first two decades of transition, there have been attempts at reducing presidential powers in almost all president-parliamentary countries in the region. Since these countries often struggle with the consequences of excessive presidential powers, reforms that limit the powers of the executive can however – as the literature states – be potentially beneficial to the overall development of democracy. The paper therefore aims at uncovering similarities and differences in processes of constitutional reform in four president-parliamentary countries.
1. Introduction

Under what circumstances can the formal powers of presidents be reduced? The comparative literature on executive- legislative relations commonly claims that, in the context of newly democratizing countries, an excessive amount of power vested in the office of the president proves detrimental to the consolidation of democracy. Two decades after Juan Linz (1990a; 1990b) has advanced his tenet on parliamentarism’s superiority over presidentialism, scholarship in comparative politics has still not unequivocally embraced the assumption that parliamentary regimes trump presidential ones in promoting successful democratic consolidation (Mainwaring/Shugart 1997; Bernhard 2005; Cheibub 2007). Yet, the general skepticism about the concentration of power in the office of the president remains to this day (Stepan/Skach 1993; Foweraker/Landman 2002; Hiroi/Omori 2009). With the emergence of a large number of semi-presidential regimes – particularly in the post-socialist region – the classic debate on constitutional design has subsequently experienced both a geographic as well as a conceptual extension (Shugart/Carey 1992; Shugart 2005; Elgie/Moestrup 2008). While semi-presidentialism has for the most part been ascribed the negative effects of presidentialism (Linz 1994: 52; Merkel 1996: 45)\(^1\), the general finding is that – given their institutional heterogeneity – semi-presidential systems do not per se have adverse effects on democratic consolidation and stability (Skach 2007: 121; Elgie 2010: 31f.). More specifically, empirical research has found that semi-presidential systems of the premier-parliamentary type are generally unobjectionable while their president-parliamentary counterparts should better be avoided (Elgie/Moestrup 2008: 256; Sedelius 2008: 255f.; Elgie/Schleiter 2011: 58). As a result, both scholars and constitutional reformers have stressed the conduciveness of reducing the formal powers of presidents in president-parliamentary regimes (Elgie 2011: 4). This particularly holds true for the post-socialist region where virtually all countries in which president-parliamentary regimes have been institutionalized

\(^1\) Despite being eyed with suspicion, semi-presidentialism has also found advocates – among them, most prominently perhaps Giovanni Sartori – who commend the regime type for the sake of its constitutional flexibility (Sartori 1994: 135ff.; Pasquino 1997: 136ff.; Frison-Roche 2007: 73).
fall into the category of hybrid regimes and manifest obvious flaws in the horizontal division of powers (Beliaev 2006: 394; Protsyk 2011: 111).

Despite the common understanding that the cutback of presidential powers can potentially be beneficial to the overall development of democracy, existing research on semi-presidentialism has predominantly dealt with the origins and effects of this constitutional format (Schleiter/Morgan-Jones 2009) and has so far only drawn little attention to the evolution of semi-presidential systems over time (Newton/Van Deth 2010: 99).\(^2\) Yet, the primary focus on semi-presidentialism as an independent variable not only conceals the empirical finding that there have been various attempts at limiting presidential powers in several of the post-socialist states with president-parliamentary constitutions (Protsyk 2011; Samuel/Shugar 2010). It also leaves another key question unanswered: How do we explain why presidents actually consent to a reduction of formal powers that make presidents the most powerful players in the political game?

On the basis of this theoretical and empirical puzzle, the article pursues a twofold objective: First, it seeks to uncover why countries shift their constitutional set-up from president-parliamentarism to premier-presidentialism and what factors determine the formal success of reform. Second, the study attempts to assess the potential benefits of regime type reform for the prospect of democratization. I argue that the reform processes themselves suggest the potential to which extent a change in the constitutional structure is likely to contribute to the promotion of democratic progression. To allow for comparable conditions, this study analyzes regime type development in four post-socialist hybrid democracies (Armenia, Croatia, Russia and Ukraine from 1990-2009). These countries are highly similar on significant parameters except for the reform outcome. While the reform of the executive-legislative system has in all countries been introduced to the political agenda, institutional development has across cases widely differed both with re-

\(^2\) A notable exception is Protsyk’s (2011) study on the development of post-socialist semi-presidential regimes. While Protsyk has made a great contribution to the mapping of institutional change over time, he offers only little systematic analysis of the underlying reform processes and dynamics. Further studies have been conducted by Armingeon and Careja (2008) as well as Roberts (2009). However, their analyses deal with constitutional change in general and do not solely focus on the executive-legislative format.
pect to the frequency and the dynamic of reform endeavors. Hence, these countries offer ideal circumstances for studying the driving forces of institutional reform and for assessing whether institutional adjustments can actually satisfy the hopes that are generally put into them.

The central finding is that, in the majority of cases, reforms were aimed at promoting the self-interest of the president rather than at restoring the overall balance of power in the institutional framework. The study therefore suggests that, in general, institutional reform has not fulfilled the hopes that were set into it. Rather than being the wished for magic bullet that would make a country’s democracy thrive, it rarely proved to be a viable means to advance democracy. While this conclusion might suggest that presidential leverage on institutional reform has been unlimited, process-tracing analysis has shown that both internal and external veto players as well as situational factors have, for all intents and purposes, proven to be significant in influencing the presidential agenda. Despite the fact that presidents could for the most part steer the reforms in their favor, reform processes have seldom evolved without the emergence of unexpected events that at times even changed the entire course of reform.

The article is organized as follows. The next section outlines the theoretical and analytical framework on which the study builds and spells out key research assumptions. In the third section, this framework will be applied to the empirical material by tracing each country’s reform endeavors in broad strokes. The article concludes by discussing both the empirical findings as well as their implications for the comparative study of political institutions and their presumed impact on processes of democratization.

2. The reform of executive-legislative institutions under presidential dominance: Analytical considerations

One of the goals of this study is to identify the conditions under which the formal powers of presidents are reduced. For the purpose of instructing the empirical analyses of executive-legislative reform in Armenia, Croatia, Russia and the
Ukraine, I have developed an analytical framework that draws on both the notions of the policy cycle (Jann/Wegrich 2007) and actor-centered institutionalism (Scharpf 1997). In a last step, this framework is linked with general assumptions about the role of presidents in the reform process.

Generally, the article draws on more recent efforts in comparative politics which conceptualize formal institutional change as a specific type of policy reform (Moe/Caldwell 1994: 173; Kaiser 2002: 21). Based on the notion that the formal structures of government result from goal-oriented human action and are thus “subject to deliberate choice” (Dahl 1996: 179), this study uses the policy cycle as a model to subdivide the reform process into distinct phases (Schneider/Janning 2006; Blum/Schubert 2011). While the stages heuristic has been widely criticized for its inadequacy to capture the actual course of policy creation (Jann/Wegrich 2007: 55ff.), it does in the present context however offer a useful heuristic tool for tracing reform processes. As the analysis is primarily interested in uncovering under what circumstances the reform of the regime type enters the political agenda, how and with what content a reform bill is formulated and under which conditions the process leads to a formal change in the executive-legislative setup, the study’s heuristic framework only includes the phases of agenda setting, policy formulation and decision-making and leaves aside the stages of policy implementation and evaluation.

While the stages heuristic is instructive in distinguishing analytically useful reform sequences, this approach does in itself not generate theoretical assumptions about potential causes of reform. These will be spelled out in what follows. As reforms of the institutional format are “conscious outcomes of political activities” (Tsebelis 1990: 92) this study is tied in with the idea that actors are the crucial entity in institutional reform processes (Soltan 1998: 49; Kaiser 1997: 434). Unlike instances of institutional choice or “constitutional moments” (Ackerman 1991), which have generally found to be affected less by a fixed set of institutional rules and to be predominantly shaped by rational, goal seeking and utility maximizing actors (Colomer 1995; Geddes 1996), subsequent institutional reforms are to a significant degree also conditioned by the institutional framework and particularly by formal amendment procedures. It therefore stands to reason to build this
analysis on the assumptions of actor-centered institutionalism. A research heuristic which was coined by Renate Mayntz and Fritz W. Scharpf (1995) and argues that institutions do not completely determine politics but nevertheless stimulate, facilitate or constrain actors in their actions (Mayntz/Scharpf 1995: 43). Hence, the reform of political institutions can essentially be understood as a result of actors who interact within the boundaries laid down by the institutional framework (Kaiser 2002: 20; Scharpf 2000: 66). Accordingly, actors, interactions and institutions can be considered the key dimensions of explanation. While each of these dimensions is generally relevant at every stage of the reform process, they are for heuristic purposes assigned to one of the three reform sequences (see figure 1).

Finally, the reform stages and dimensions are combined with the potential role of presidents in the institutional reform process. Post-socialist presidents have, unlike other political personalities, been the key figures in transformation and consolidation processes of the region (Taras 1997; Bos/Helmerich 2006). Both theoretical and empirical evidence suggests that powerful presidents, particularly in hybrid regimes, will be either bent on maintaining or expanding their constitutional powers (O’Donnell 1994: 61f.; Roberts 2009: 107). A reduction of presidential prerogatives in turn appears counterintuitive. Based on these considerations, a cutback in presidential powers can therefore potentially follow one of three different scenarios: First, reforms can take place against the will of the president. Second, reforms can be initiated by presidents themselves. Third, a change in the institutional setup can be undertaken in cooperation with the president. Subject to the respective point of origin, three distinct courses of reform are likely to ensue.

The first scenario builds on the initial consideration that presidents will attempt to maintain their institutional status quo (Alexander 2001: 256). A reform of the executive-legislative order is therefore only to be expected under the condition that a reform is initiated against the will of the president. For this to occur not only will a shift in political majorities be required. The ensuing reform process is also likely to be highly conflictive and will only then result in a formal constitutional change if the reform camp can garner a coalition large and stable enough to surmount the amendment hurdle (Kitschelt 1994: 18). In addition to reforms against the will of the president, there are two further scenarios that can lead to a reduction of presi-
dential power. On the one hand, the president can himself initiate a reform process. Due to the prerogatives vested in his office, he will thus be likely to dominate the entire course of the reform event in both form and content. Depending on the majorities at hand, the reform process can, however, also take a contentious turn. As the presidential reform project also hinges on meeting the institutional thresholds, the amendment procedure can therefore potentially play an important role and can require the president to make concessions to other actors should he lack a majority of his own (Cortell/Peterson 1999: 190f.). On the other hand, the reduction of presidential powers can also occur as a result of a cooperative commitment by both the president and the opposition (Mahoney 2000: 523ff.). Granted that the reform project is based on a shared reform agenda, in all likelihood neither the stage of policy formulation nor of decision-making will turn out to be contested and problematic to the point of a reform’s failure. The formal amendment requirements can therefore assumingly be neglected and, should majorities be lacking, a reasonable trade-off be expected (Colomer 1991: 1287).
Figure 1: Stages and characteristics of reform processes

<table>
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<tr>
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<th>Reform against the president</th>
<th>Reform by the president</th>
<th>Reform with the president</th>
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<tr>
<td><strong>Agenda setting</strong></td>
<td>• initiated by opposition</td>
<td>• initiated by opposition</td>
<td>• initiated in cooperation with opposition</td>
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<td><em>(actors)</em></td>
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<td><strong>Policy formulation</strong></td>
<td>• highly contested</td>
<td>• potentially contested</td>
<td>• consensual</td>
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<td><em>(interactions)</em></td>
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<tr>
<td><strong>Decision-making</strong></td>
<td>• constitutional majorities key</td>
<td>• constitutional majorities potentially important</td>
<td>• constitutional majorities secondary</td>
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<td><em>(institutions)</em></td>
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Notes: As mentioned above, the stages of the reform process cannot be distinguished clearly. Particularly, the phases of policy formulation and decision-making are likely to bleed into each other in anticipation of the final vote on reform. As a heuristic device and framework for the process-tracing analysis, this subdivision does however prove to be instructive.

What do these general theoretical assumptions suggest with regard to the potential impact of institutional reform on democratization? While the reduction of presidential powers is by no means bound to have a favorable effect on democracy in any of the three scenarios, an amelioration of regime performance appears to be most likely if it refers to shared need for reform and in this manner reflects the readiness of all political decision-makers to abide by the new rules of the democratic game. Of the three modes of reform presented above, the third scenario therefore is most likely to entail such a beneficial effect.
3. The reduction of presidential powers in hybrid regimes: Armenia, Croatia, Russia and the Ukraine compared

In the upcoming section, the analytical framework for analyzing the reform of executive-legislative institutions will be applied to four post-socialist hybrid democracies. It will start off with a general overview of events and will then continue with an analysis of the reform processes themselves. Following the most similar systems approach (Przeworski/Teune 1970) and Lijphart’s comparable-cases strategy (Lijphart 1975), Armenia, Croatia, Russia and the Ukraine provide a markedly good opportunity to comparatively analyze under which conditions a reduction in presidential power takes place and which factors account for the reform of the constitutional order. All of these countries have at the outset of their post-socialist transformation institutionalized president-parliamentary constitutions and have thereafter, due to the dominant position of presidents vis-à-vis governments and parliaments, experienced a manifest impairment of the horizontal division of powers. These defects in the institutional structure have across countries culminated in a total of eight efforts to reform the formal authority structure of the executive. There has, however, been a significant variation in the overall outcome and dynamics of reform. Of all countries under investigation, Russia is the only one to not have undergone a formal change in executive-legislative organization between 1990 and 2009. The remaining three countries have seen a formal reform of their constitutional framework. Yet, institutional development in the countries where reforms have formally succeeded exhibit marked differences with regard to both the frequency and the dynamics of reform. While reform efforts in both Russia and Croatia have been one-time phenomena, they have, with two instances of reform in Armenia and four in the Ukraine, been more numerous. As figure 2 highlights, the empirical analysis has further yielded

3 Apart from attempts to reduce presidential power, in 2000, president Kuchma has tried to increase his presidential powers. After the reduction of presidential powers succeeded in 2004, there have until the end of 2009 been various attempts at both limiting as well as expanding presidential prerogatives (Simon 2008; Luchterhandt 2010). However, none of them has formally succeeded and for the most part these attempts have not even reached the stage of agenda setting. The attempts at extending presidential powers have been included both for the sake of completeness and because they represent the frame conditions for the reforms during which an opposite agenda was pursued.
that there have been no attempts at reform against the will of the president. On the contrary, the majority of cases clusters in the second category of reform and, as previously identified, have found to be initiated by the presidents themselves. The Croatian case deviates from the plurality of cases in that it resulted from a cooperative project initiated by both the president and the opposition. As mentioned above, the Russian case doesn’t only prove to be an exception with regard to its lack of formal reform success. It is also different in that it is the sole case that eludes clear categorization in either one of the two scenarios. While the actual reform process was launched on the initiative of the president, formal responsibility was later transferred to the prime minister who tried to convert the process into a concerted endeavor. The Russian case is therefore placed in a median category. In addition to the general distribution of cases, figure 2 highlights two points: First, the compilation shows that all reform processes within one country follow the same pattern in that reform efforts within one country do not switch from scenario to another. Second, these findings reveal that a specific scenario of reform is not causally related to a particular outcome. More precisely, the variance of outcomes within the first category of reform suggests that the formal success of executive-legislative restructuring cannot be attributed to how and by whom the reform processes were initiated. It further highlights that reforms driven by presidents aren’t automatically bound to end in formal success. The set of explanatory factors responsible for reform outcomes thus appears to be more complex than the respective reform scenarios suggest and thus merit a more thorough analysis. The following paragraphs will in broad strokes give an account of the main similarities and differences that can be derived from both inter- as well as cross-case comparison. The analysis is structured according to the three stages of reform that have initially been identified.
Figure 2: Types of reform and distribution of cases

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<tr>
<th>Reform by the president</th>
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<td>I (-) II (+)</td>
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<td>I (-) II (-) III (+) IV (-)</td>
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Note: The table lays out all instances of reform for each of the countries under investigation and indicates either their formal success (+) or failure (-). The year specifications given for each case refer to the point in time at which reforms were either successfully adopted or when the reform process ended through either failed adoption or failure at an earlier stage of the reform process.

**Agenda setting**

At the outset I argued that presidents would presumably be reluctant to reduce the formal competences of the office that they themselves hold. Nonetheless, the empirical investigation has revealed that, across countries, institutional reform was placed on the political agenda on the initiative of presidents themselves. Yet, despite this commonality, empirical analysis has uncovered that the motivation to push the reduction of presidential prerogatives varies significantly between cases. The following account aims at highlighting why presidents have undertaken seemingly self-damaging reforms and investigating the underlying motives for institutional change.

Overall, analysis across countries has revealed two basic incentives for reform. While reform efforts have on the one hand – as would be expected – shown to serve immediate presidential self-interests, they have on the other hand been a response to both external as well as internal triggers and didn’t initially reflect a genuine desire to reform the institutional framework in the direction of a more balanced system of powers. For instance, Armenia’s recent history of democratization and the nature of executive-legislative relations did not suggest that, in
1998, president Kocharyan himself would come out for creating a constitutional framework geared in favor of parliament (Manutscharjan 1999: 57). On closer inspection, however, the incitement for reform turned out to be quite plain: Armenia had in 1996 applied for membership in the Council of Europe. Yet, the Caucasus republic’s admission to the organization came along with the requirement to adapt the system of executive-legislative relations to European constitutional standards and thus the institutionalization of a premier-presidential regime (Abrahamyan 2005; Parliamentary Assembly of the Council of Europe 2000). Hence, external parameters have accounted for the fact that the reform of the institutional setup was pushed on the political agenda by the president himself. While institutional reform has entered the Russian political agenda for similar reasons, the actual trigger for reform was not of international but of domestic origin. Executive-legislative reform had been a prominent subject of contention between Yeltsin and parliament since the former had forced the adoption of a new Russian constitution in 1993 (Slater 1994: 3; Mommsen 2003: 39). However, attempts at reform had led nowhere until in 1998, the reduction of presidential power had conveniently lend itself as a bargaining chip in the resolution of the government crisis in the fall of 1998 (Sharlet 1999: 442). While the demand for a reform of the constitutional framework had in both Armenia and Russia not been unheard-of, the reform of the institutional setup was – in the final analysis – a means to and end rather than the means itself.

Unlike in Armenia and Russia, where presidents have more or less perceived the reform project as a concession to external circumstances, reform endeavors in the Ukraine can clearly be traced back to president Kuchma’s institutional self-interest. While in the year 2000 he had initially attempted to further concentrate institutional powers in the office of the president, his reform efforts had taken a 180-degree turn in the run-up to the 2004 presidential elections and the oncoming end of his second and final term in office (Bos 2006: 91; Christensen/Rakhimkulov/Wise 2005: 219f.). His course of action was clearly based on the consideration that, upon having to leave the presidency, he didn’t want to see the position be filled by a successor who would have ample institutional powers at his disposal. Even more so as Kuchma allegedly entertained the plan to assume
the post of prime minister upon leaving the presidency (Bos 2006: 92; Sedelius/Berglund 2012: 33). The Croatian case resembles the Ukrainian case insofar as executive-legislative reform proved to be in the interest of the president. Yet, unlike the Ukraine, the Croatian president’s agenda represented a general consensus and was supported across the political spectrum as a mutual effort to renew Croatia’s political institutions and to institutionally substantiate Croatia’s revitalized attempt to advance democratization after the decade-long reign of Franjo Tudjman (Prpić 2001: 41).

In summary, empirical analysis has uncovered that presidents have across countries proven to be the driving forces in hoisting the reform of executive-legislative institutions to the political agenda. While the presidents of the Ukraine and Croatia came out for reform based on either personal or general interest, the decision to initiate institutional change in both Armenia and Russia turned out not to be entirely self-determined in that it was imposed on the presidents due to either internal or external pressure.

Policy formulation

For the stage of policy formulation the argument was put forward that presidents would on the basis of both their formal and informal powers be likely to have unrestrained authority over the reform process in both form and content. Based on the diverse starting points of reform, one would be led to expect that presidents would be keen on navigating the reform processes in accordance with their respective self-interests and use their prerogatives to that effect. While one could assume the Ukrainian president to put significant thrust behind his reform platform, actions by both the Armenian and the Russian president would presumably turn out to be more restrained. As neither had initiated reform on their own accord one could expect both of them to make an explicit effort to use their formal and informal powers to keep a check on the institutional remake and only concede to the demands as much as absolutely necessary.

In principle, empirical analysis has confirmed this supposition. In the Ukraine, the president has sought to shape each reform process in ways that best promoted his self-interests. For instance, president Kuchma, in both 2000 and 2002, tried to
lead his reform project to success by bypassing the formal amendment procedures laid down in the constitution and choosing procedures that would be more conducive to the realization of his objectives. He has both times resorted to involving the public and rallying support for the changes in the institutional framework from outside the narrow circle of politics. Further, he willingly resorted to the violation of the amendment rules in order to advance his institutional reform agenda (Beichelt/Pavlenko 2005). In quite the same way, Armenia’s president Kocharayan aimed at retaining control over the reform process by putting himself in charge of the reform project and thus being the key figure that could pull all strings. For example, he appointed the presidential commission responsible for the elaboration of the proposal and – within the Council of Europe’s requirements – also set the parameters of reform. In order for it not to take unexpected turns, the policy formulation process was at all times closely monitored by the president (Manutscharjan 1999: 57).

This did not hold true for either the Russian or the Croatian case. While the Croatian policy formulation stage was from the outset intended to be a non-partisan project by engaging an expert commission in the preparation of a general reform proposal (Working Group of the President of the Republic of Croatia 2000), the Russian reform process has – after having started out as a presidential initiative – taken a similar turn in that responsibility was shifted from president Yeltsin to prime minister Primakov. By this means the policy formulation’s character changed from being unilateral to being multilateral in that it approximated the Croatian mode of consensual reform by instituting a working group with equal representation by all decision-makers (von Steinsdorff 2001: 297f.). Despite minor divergences with regard to questions of detail between the Croatian president and prime minister, the expert proposal has successfully served as a blueprint throughout the negotiations in that it reflected an overall reform consensus. Even though – as will be seen in the next section – the Russian reform effort quickly took a controversial turn, the Russian and Croatian projects of institutional change hence bore similarities in that a shared need for reform was reflected in the way the policy formulation process was organized.
In addition to these general findings about how presidents have shaped the policy formulation process, empirical investigation has further generated instructive insights into the degree of presidential leverage on the course of reform. Analysis has revealed that a president’s capacity to navigate executive-legislative reform in his favor was restricted by both internal and external veto players as well as situational factors and thereby refuting the assumption of presidential almightiness. For example, the Armenian attempt to change the constitutional system was heavily influenced by the Venice Commission. After the unexpected failure of the first Armenian reform attempt in 2003, the commission had decided to assume a more active role in the reform process. Despite the president’s ability to retain the key position in the overall negotiations, the Venice Commission’s commitment did by all means extort concessions from President Kocharyan and made the overall reform project less controllable for the Armenian head of state (Markarov 2006: 164). Likewise, President Kuchma’s reform agenda was thwarted but sometimes also boosted by both the supreme and constitutional courts as well as foreign and domestic agents which have in turn significantly affected the reach of the president’s reform strategy (Ott 2002: 93; Bredies 2011: 43).

In a nutshell, the analysis of the policy formulation process has essentially affirmed the assumption that presidents tried and for the most part also succeeded in shaping the course of reform in a way that best served their respective objectives. Yet, process tracing of cases across countries has also revealed instances where presidential leverage was significantly restricted by actions of both external and internal veto players.

**Decision-making**

It is quasi-common knowledge that formal amendment thresholds are crucial for the formal success of constitutional reform (Lutz 1995; Lijphart 1999). Generally, a reform is expected to succeed upon the condition that a constitutional majority willing to support the initiative exists. In the absence of such majorities, prospects for reform success of contentious issues are, albeit not necessarily, likely to be meager. The formal success of constitutional amendments seems particularly likely in case executive-legislative reform is spearheaded by presidents who themselves command the majority required for passing a reform bill. The study of ex-
ecutive-legislative reform in the four post-socialist countries under investigation has on principle confirmed that constitutional majorities prove to be essential for the formal adoption of institutional reform. However, the empirical review of reform instances has also disclosed that situational factors can absorb either the presence or the absence of a reform majority and thus can at times make formal reform thresholds secondary conditions for success. Both the Armenian as well as the Ukrainian reform development offer relevant evidence for this assumption. Given that Armenia’s president Kocharyan was in command of a reform majority of his own, the failure of the first attempt at reform, which was caused by not meeting the quorum requirements for the constitutional referendum, was not foreseeable. The outcome of reform was insofar remarkable because the president’s leverage in society could have easily been utilized to decide the referendum in his favor. Presidential attention was however geared to the upcoming parliamentary elections, which had pushed constitutional reform to the background (Markarov 2006: 164). Thereupon the referendum’s success was, as the reform’s potential Achilles heel, safeguarded by an extensive media campaign when the vote was repeated in 2004. Unlike Armenia, the Ukraine’s constitutional framework underwent reform despite the lack of a constitutional majority in favor of the president. While Kuchma’s attempt to forge a reform coalition with the help of votes outside of his own camp failed in the run-up to the presidential elections in the fall of 2004, he had come out on top in his attempt to replace the president-parliamentary with a premier-presidential system due to the exceptional circumstances of the Orange revolution (Hale 2011: 590).

The careful tracing of events has thus shown, that the formal outcome of reforms was at times determined by unanticipated incidents rather than formal amendment rules. That constitutional majorities turned out to be of secondary importance in the Croatian case comes as little surprise. A reform process whose initiation and implementation on the basis of a shared reform agenda significantly facilitated the passing of the final bill (Helmerich 2006: 244). In Russia, it was impossible to

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4 Similarly Kuchma’s allegedly foolproof initiative to expand the power portfolio of the presidency remained unfinished due to the Gongadse scandal. A scandal which revolved around the death of an oppositional journalist which president Kuchma was accused of having been involved in (Helmerich 2003: 157).
emulate such a pattern because neither did the reform process start from a consensual stance, nor did parties achieve to overcome their differences with regard to the politics of the day (von Steinsdorff 2001: 297f.; Sharlet 1999: 445f.). Moreover, the imminent end of Yeltsin’s second term in office and the quest for a potential successor who would guarantee the incumbent president exemption from punishment soon shifted attention away from questions regarding the institutional foundation of the Russian political system. While initiatives of constitutional reform in hybrid regimes have thus shown to be affected by formal amendment parameters, they have to a certain extent also proven to be less predictable and contingent on situational factors.

From this brief summary of executive-legislative reform in the four post-socialist countries under investigation, three general conclusions can be drawn. First, empirical analysis has uncovered multiple triggers for reform of regime type and has shown that causes for institutional reform are not one-dimensional. While political actors initiated institutional reform out of a desire to bring the political rules of the game in line with the democratic balance of powers, reforms have for the most part served the fulfillment of presidents’ general or specific power-political interests. Second, presidents have proven to be all but omnipotent in the formulation stage of the institutional reform process. Even though their formal and informal power portfolio has enabled presidents to significantly shape the negotiations both in form and content, they were still reigned in by both external and internal veto players such as institutions of democracy promotion and courts. Finally, the analysis has revealed that formal amendment rules did neither have predictable nor standard effects. While the presence or absence of a reform majority generally suggested either the success or failure of reform, situational factors have in some instances proven to trump the assumed effect of formal amendment rules.

4. Conclusion

The preceding analysis has shown, through a comparison of the development of executive-legislative institutions in Armenia, Croatia, Russia and the Ukraine, that
countries with dominant presidents have not only chosen to take the path of reducing presidential powers but that surprisingly many cases of reform have actually resulted in formal constitutional change. Yet, the results from the analysis of executive-legislative reform during 1990-2009 cast reasonable doubt on the hoped for impact of institutional modifications and the prospects for the democratization of hybrid regimes stated in the literature (Elgie 2011; Samuels/Shugart 2010).

The empirical analysis has shown that the reform of the constitutional format generally occurs in either one of two ways. While it can take the form of a consensual project with the shared goal of distributing political power more evenly between president, government and parliament and making the revised democratic rules “the only game in town” (Przeworski 1991: 26), reforms can also serve as vehicles for the realization of presidential self-interest. The majority of cases studied in the research at hand fall into the latter category and therefore mitigate expectations regarding the democratizing potential of reform. This conclusion is further substantiated by the fact that the successful reduction of formal presidential power – as witnessed in Armenia, Croatia and the Ukraine – did not automatically give rise to defect-free horizontal systems of government (Freedom House 2012). The level of democracy has only improved significantly in Croatia. Ukraine has seen a bout of improvement after the reform was adopted in 2004, however, democratic development has like in Armenia more or less stagnated. The study has provided no proof for the fact that the lack of formal executive-legislative reform in Russia is to be held responsible for Russia’s democratic decline in the mid 2000’s. Yet, the Russian reform does suggest that it could have well had a beneficial impact. It goes without saying that institutional reform is on no account likely to be the sole driver of democratization. However, as recent analysis of the impact of formal constitutional change has shown, the potential to fuel democratic reform is not to be undervalued (Hale 2011).

These findings have considerable implications for both the comparative study of political institutions as well as empirical democratization research. For one thing, while helpful in conceptually differentiating between various systems of executive-legislative design, the classification of multiple semi-presidential regime types (Shugart/Carey 1992) in itself offers little systematic evidence of the ex-
pected impact of subtypes on democratic performance. Institutional performance is contingent on a panoply of cultural, economic and historic parameters. Thus, this study further underlines the assumption that democratization is caused by more than just political institutions (von Mettenheim 1997; Bernhard 2005). The reform of the institutional framework does not represent the magic bullet that can compensate for a lack of democratic elite behavior that is underpinned by informal institutions (Lauth 2000; Helmke/Levitsky 2004). Despite the fact that premier-presidentialism does therefore not present a guarantee for the advancement of hybrid regimes, the present findings nonetheless illustrate that the reduction of presidential powers in defective democracies can potentially hold beneficial effects and thereby generally underline the importance of formal institutions (McGregor 1996; Rüb 2007).

Future research should aspire to identify conditions under which institutional reform stands a chance at being conducive to regime development. On that score scholars should especially draw their attention to the role of external actors in domestic institutional reform. In two out of four post-socialist countries, foreign agents have facilitated the reform endeavors and have, despite obvious restrictions and domestic constellations, played a significant roll in the overall processes of institutional adjustment. Political science should try to gain a more detailed understanding of outside contributions to domestic reform and particularly its unintended consequences (Carothers 2009; Levitsky/Way 2006; Pevehouse 2002). Such findings could – beyond theoretical gains for the discipline – also deliver insight into the practice of external democracy promotion and would thereby represent a fruitful research agenda at the interface of both comparative politics and international relations.
References


