Semi-presidentialism: a comparative study

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SUMMARY

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"In liberal democracies, the chief problem may not be so much to identify good institutions as to implement them and keep them" (Brennan & Lomasky, 1993: 225)

1. INTRODUCTION

Semi-presidentialism, also known as mixed government or dual executive (Cecanti, Massari y Pasquino, 1996; Convegno internazionale (Trieste): SEMIPRESIDENZIALISMI, 1997) has been shaken out of its lethargy by recent political and academic debate in Italy. Since the congress held to discuss the subject in Paris in 1986 and organised by Duverger (1986) there had been few new contributions (Linz, J.J. & Valenzuela, A., 1994; Shugart y J. M. Carey, 1992). In contrast to the relative lack of interest among scholars, the concept has undergone a process of growth and extension and is currently provided for in the constitutions of Angola, Austria, Colombia, Egypt, Finland, France, Guatemala, Haiti, Iran, Ireland, Iceland, Peru, Poland, Portugal, Romania and Sri Lanka. The most striking aspect of this list is the obvious disparity of the political systems included, and indeed a question arises as to how, if the majority of them are not even democratic, they can possibly embrace semi-presidentialism.
The aim of this study is to outline, as far as possible, an operative concept of semi-presidential government and also to try, in the light of cross-country comparison, to describe the necessary conditions for this system to be implemented. Setting out from the definition proposed by Duverger, I select 16 political systems whose constitutions include what I consider to be necessary conditions for the semi-presidential model to exist. Having examined the scope of the constitutional provisions, the next issue is to determine whether there exists a sufficiently solid democratic basis for the development of semi-presidentialism or indeed any other formula. On this basis, I exclude those states (Angola, Egypt, Guatemala, Haiti, Iran, Peru and Sri Lanka) exhibiting features which are likely to be incompatible with the concept of democracy (Dahl, 1971; Sartori, 1988: 197 and 202). I then go on to present a classification of the remaining countries in terms of the degree of development reached by semi-presidentialism in each. Thus, a distinction is made between seemingly semi-presidential systems and genuinely semi-presidential systems, leading to the elimination of a further three countries (Austria, Ireland and Iceland) which, despite the existence of appropriate constitutional provisions and fully democratic systems, are not in practice semi-presidential.

A total of only six polyarchies (Colombia, Finland, France, Poland, Portugal and Romania) can be categorised as genuinely semi-presidential. However, within this small group distinctions must also be drawn between their immediate political and institutional precedents. Thus, a division is made between those states which opt for a semi-presidentialist system after a period of consolidated parliamentary democracy (Morilino, 1986: 13-19), and those states which use this system as a phases in a process of transition to democracy, generally after a past which was de iure presidential but de facto dictatorial.

Having established the list of semi-presidential systems and the two main access routes to this form of government, I then set out some of the effects this regime may have on the party system and the political system itself. This irrevocably leads to an analysis of the powers conferred on the President in such circumstances. Similarly, the various categories of
semi-presidentialism which come about as a result of the existence or otherwise of parliamentary majorities, and the affinity or otherwise of these majorities with the President.

2. ORIGIN OF THE CONCEPT OF: 'SEMI-PRESIDENTIAL REGIME'.

"All countries should preserve a set of institutions which permit a small group of politicians to take decisions which are obligatory for society as a whole" (Rose, 1987: 5). There have traditionally been two ways of ordering institutions in a system of democratic government: presidentialism and parliamentarianism. In other words, the choice has been between either a rigid separation of powers, with practically no connection between the Parliament and the government1, or interconnected institutions, on the basis of a government elected by the Parliament and accountable to it, but endowed at the same time with the power to dissolve it.

Parliamentarianism, which at the close of the 20th century is now the predominant form in our democracies, is based on the idea of a single expression of the people's will through universal suffrage in the form of general elections. The general election gives rise to the legislative power and, closely linked to this, the government of the country. In parliamentary democracies the government must have the confidence of the Parliament, and it is from this conception that the concept of political responsibility springs (Sartori, 1994a; Linz, Lijphart, Valenzuela and Godoy, 1990; Consejo para la consolidación—n de la democracia, 1988)2.

The presidentialist system however, is "dualist" in that the people's will is expressed on two separate occasions and in a different way, through legislative and presidential elections. Presidentialism involves then two main electoral events, one to elect the Parliament and the other to elect the executive power: This implies that the executive power is not accountable to the Parliament. Presidentialism is then characterised by a clear-cut division between the legislative and executive powers (Linz & Valenzuela, 1994; Sartori, 1994a;
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Lijphart (1994a) holds that presidentialism can be condensed into three words "presidentialism heralds majoritarianism", in the belief that it leads to a concentration of power in the hands of the majority. This reasoning leads to the conclusion that presidentialism is inferior to parliamentarianism, independently of whether the President is strong or weak. Should he be strong, the system will tend to be overly majoritarian; should he be weak, the majoritarianism is not likely to be replaced by consensus but rather by conflict, frustration and paralysis. Equally critical of presidentialism is Linz (1987, 1994: 3-87), in whose opinion presidentialism as a system suffers from structural problems. Thus, the dual legitimacy, presidential and parliamentary, heightens the likelihood of conflict in cases where both majorities do not coincide. Furthermore, in such cases presidentialism does not have any overly effective mechanisms for conflict resolution. Another disadvantage is that presidential elections are a zero-sum game, with the result that the number of wasted votes may be as high as 60% on occasions. A third problem is that the system could potentially lead to a polarisation of society and fourthly, whereas parliamentarianism allows for flexible institutional responses in keeping with changing circumstances, presidentialism is not so versatile due to the rigid terms of mandate; this can have a deeply weakening effect on processes of democratic consolidation. Finally, presidentialism lacks moderating power, and as a result on many occasions the army has taken this role on for itself in Latin America.

Weighing up the advantages and disadvantages of each of these two forms of government, we could say that on an a priori basis parliamentarianism favours governability. In fact, the most severe governability crises, leading even to collapse of the system on occasion, have invariably taken place in presidential systems. Nevertheless, this must be balanced by the fact that the Latin American systems which unanimously adopted presidentialism and later collapsed were fraught with other serious problems; it was not just the political system that led to their recurrent crises (Alcántara Sánchez, 1994:85).
Linz (1990a: 51-69; 1990b: 84-91; 199: 3-87) pointed out that the negative effects of presidentialism in terms of governability are heightened by its combination with a proportional representation voting system (Lijphart, 1994a: 91-105, Sartori, 1994b: 106-118). And the effect can be worse again in a system which lacks a solid democracy. All these negative effects are due to three factors: firstly, presidential systems tend to reduce the political system's productivity as a result of the tendency for the executive and legislative power to be at loggerheads; secondly, they have an enormously weakening effect on the party system, and finally, they tend to polarise the nation's political life, creating a confrontational political climate which the system's incipient democratic structures cannot support.

In the light of these weaknesses, Juan Linz (1990c) unequivocally opts for parliamentarianism, especially in the case of political systems which are still undergoing processes of democratic consolidation. Linz's approach supposes that (i) in Latin America presidentialism is one of the causes of the collapse of democracies; (ii) presidentialism is an obstacle to redemocratisation and (iii) it makes the consolidation of new democracies more difficult. However, this defence of parliamentarianism is in sharp contrast with the view of Dieter Nohlen (1991: 43-54) who, while not rejecting the view put forward by Linz, holds that further study of South American presidentialism is necessary before a final conclusion can be drawn. While the generic idea of the presidentialist system is based on the concept of plenipotentiary powers bestowed on a President of the Republic, Nohlen defends the type of presidentialism being advanced in some Latin American countries, which sets out to reduce and balance the President's powers. Along the same lines, Sartori (1991: 375-407) proposes a system for Latin America which, in principle, would be neither presidentialist nor parliamentarian in its essential forms, and in which each country would opt for one or the other type of government in accordance with local circumstances (Serraferro, 1994: 83-99). Similarly, eastern European countries tend to adopt a form of presidentialism which is capable of generating a combination of solid leadership and powerful political parties (Alcantara, 1994: 96).
Of course, presidentialism and parliamentarianism are not static archetypes. The presidential-parliamentary dichotomy is fictitious and the inclusion of new variables has the effect of modifying the system and leads to each presidential and parliamentary system being unique. Thus, for example, the degree of party presence and control, the mechanisms of participation and representation and the characteristics of the individual society are all influential factors in the make-up of an individual system, and lead to units of analysis which do not fully correspond across borders, though comparative studies are of course possible because of the presence of similar elements.

The starting point for this study will be one of the essential differences between parliamentarianism and presidentialism: the expression of the people's will, whether this happens on a single or double basis. On the one hand, the European monarchies underwent a gradual evolution to the stage of constitutional liberalism, which involved the election of a Parliament, from which was drawn a governing cabinet, and at the same time, the Republics elected their Parliaments, but they also chose a President who was granted a set of executive powers. Alongside these two models, other countries introduced the concept of two elections, one for a President who appointed a cabinet, and the other to elect the parliament, while still maintaining the government's answerability to Parliament. This new hybrid development was not within the presidentialist formula, given that the President had fewer powers, and nor was it a parliamentary monarchy, since the President was directly elected; rather, it was a new form of government combining elements of presidentialism - a President elected by universal suffrage and granted wide executive powers - and elements of the parliamentary system - a government with executive power drawn from and accountable to the Assembly.

This new formula is generally associated with France; nevertheless, as I have mentioned earlier, the constitutions of Angola, Austria, Colombia, Egypt, Finland, France, Guatemala, Haiti, Iran, Ireland, Iceland, Peru, Poland, Portugal, Romania and Sri Lanka all make provisions for similar systems. How and when was it decided to name this new system of government?
In the early sixties, François Goguel (1964: 7-19) raised a question as to the nature of the system that had emerged after the French constitutional reform of October 1962, which introduced direct election of the President of the Republic. Goguel's understanding was that the head of State of a parliamentary system (whether monarch or President) had no effective power and played what was essentially a symbolic and arbitrational role between a weakly separated set of institutional powers. However, the French head of State had more power than a parliamentary head of State and had, furthermore, certain prerogatives that the kind of separation of powers required in a presidential system would never concede to the President; for example, he had the power to dissolve the National Assembly and to propose a vote of confidence. The new formula for government proposed that there should be a meeting point between the President and the Parliament which would be capable of smoothing out, avoiding and, when necessary, solving, conflict. This intermediate point was the government, which was to be appointed by the head of State but would be accountable to the Parliament. The government's duty was to serve as a link between both institutions and thus contribute to establishing the necessary compromises.

For the French political scientist, the fundamental difference lay in the office of the head of State. Presidentialism presupposes a personal power, "which is exercised alone, without control, and which is constantly in danger of becoming dictatorial" (Goguel, 1964: 9). Parliamentarianism, on the other hand, does not grant this kind of power, rather the power it involves is more relational or shared and involves control measures and discussion. The new form of government initiated a form of personalised power, which did not necessarily have to be personal in nature, and avoided the dictatorial risk by means of control mechanisms and discussion of actions and decisions to be taken. Nevertheless, having said that, the 1962 reform did in any case contribute to increased personalisation of the power of the head of State.

Whereas personal power tends to favour a presidentialist government, this particular form of personalised power is more in keeping with a parliamentarian system due to the provisions for political control of the government by the Assembly; with the radical
difference that the latter is not on a lower level than the former. Although he did not assign any specific name to this new formula of government, Goguel seems to have seen it as parliamentarianism with personalised power in which the government's role was to act as a cushion between the weakly separated powers, one of which is two-headed in nature.

We owe the first conceptualisation of the system to Maurice Duverger (1970:277-282), who coined the term semi-presidentialism. Prior to the 1962 reform, which introduced direct election of the President of the Republic, Duverger (1962a: 304) felt that the French system of government was a parliamentary regime marked out from previous systems by two differences: the powers of the Parliament had been curtailed, and the head of State was no longer an honorary figurehead but had been given specific powers. In Duverger's opinion, the approach was mistaken, since if the aim had been to strengthen the executive then the prime minister's prestige and powers should have been widened and not those of the President. In Duverger's view (1962b: 15-31), it was obvious that there was a need to reinforce the executive and to abandon old taboos of governmental distrust, but he also saw that it was necessary that in the western world this reinforcement should take place in a parliamentary framework.

It was the constitutional reform, ratified by referendum in 1962, that was to make him change his opinion on the French system and coin the new term. The semi-presidentialist system was characterised by the election of the head of State by universal suffrage, in addition this head of Stage was granted more powers than a parliamentary head of State, which automatically implied a limitation to the powers of the Parliament. The government was made up of a cabinet, headed by a prime minister appointed by the President. And finally, the government was accountable to the Assembly, which conferred on the new regime some of the characteristics of both presidentialism and parliamentarianism. In short, we were dealing with a new formula for government: semi-presidentialism.

The reason why Duverger opted for the name semi-presidentialism instead of semi-parliamentarianism, given that the new system was a sort of half-way house between
both forms, lay in the fact that the dual element of the new system was located in the executive rather than in the Parliament. "The relations between the President and the prime minister are a reflection of the double expression of the people's will in two separate elections" (Duverger, 1986a: 7).

\[(i)\textbf{ Necessary conditions.}\]

From this description put forward by Duverger we can conclude that the semi-presidentialist system was characterised by (i) a President of the Republic directly elected by universal suffrage and granted wide powers and (ii) a prime minister and government which were accountable to the Parliament. However, to go thus far and no further does not help our categorisation. We must set out the conditions that are necessary and / or sufficient for the existence of the semi-presidential model. There are, I think five such necessary conditions:

1. Direct election of the President of the Republic through universal suffrage
2. The existence of a dual executive power
3. The granting of ample constitutional powers to the President of the Republic
4. The President appoints the prime minister and chairs cabinet meetings
5. The government is accountable to the Parliament

In principle, no single condition is in itself sufficient to facilitate the existence of the semi-presidentialist model, so we cannot speak of sufficient conditions; however, all of them must be met for a system to be a complete example of the regime. In other words, the absence of one of the listed conditions renders it impossible to apply the model and means we are dealing with some other variety of regime.

The first necessary condition is that the President of the Republic be directly elected through universal suffrage. This confers him with "superlegitimacy" (Sabsay, 1992a: 72-73; Hauroiu, 1971: 538). Nobody doubts that the main element of the President's power is his power over the parliamentary majority; but "the French President has greater prestige since he
is directly elected by the people and due to the symbolical role of the head of the State as personification of the nation" (Duverger, 1986b). Direct election reinforces the legitimacy of any political figure. To further pinpoint the concept of legitimacy Sartori indicates that "the fact that power belongs to the people establishes a principle as to the sources and legitimacy of power; it means that power is legitimate only if conferred from below, only if it stems from the will of the people, and only if it is founded on some basic consensus which has been manifested" (Sartori, 1988: 59). Power can stem from the will of the people either directly or indirectly, however, it is greatly strengthened when it is the direct result of universal suffrage.

Further, the fact that the President is directly elected by the people means he has a legitimacy which is on a par with that of the Assembly. The result is that the President's legitimacy may benefit from the perception of its having high component of popular will, while in the Assembly the legitimacy is that of the traditional democracy.

The second condition is that there must be a dual executive. This executive must be made up of the President of the Republic on one hand, and the government headed by the prime minister on the other. Overall headship of both organs rests with the President, who is both head of government and head of State at the same time. In addition "this latter role makes a single politician into the President of the whole people" (Rose, 1987: 20). The semi-presidential system then is composed of three political organs, the President of the Republic, the Cabinet and prime minister, and finally the Parliament with its own effective powers. The first two are positioned within the executive power while the third is part of the legislative power.

The dual presence of President and prime minister within the executive power operates on the basis of distributed functions, which allows the President to maintain a certain distance from day-to-day affairs. He can then avoid having to deal with everyday politics and is shielded to a certain extent by the government: "the distinction between the functions of the President and those of the prime minister makes it easier for the President to avoid direct involvement in secondary matters such as public services, while the centralised nature of
government policies necessarily involves the prime minister and his government colleagues" (Sabsay, 1992b: 14-15). This dual nature of the executive was synthesised in a single phrase by Chaban-Delmas: "Everything that goes badly is the prime minister's fault; everything that goes well is thanks to the President" (quoted in Duverger, 1986b: 50).

Sartori (1994b) sets out by considering semi-presidentialism as a system based on power-sharing rather than on a separation of powers. The power-sharing structure prevents power being concentrated in the hands of a single person, and therefore the authority of the head of government will be expressed as either (i) a first above unequals, or (ii) a first among unequals, or (iii) a first among equals. Among these options, Sartori sees semi-presidentialism as being in the first category, a first above unequals, which allows us to conclude that (i) the head of the executive will be the head of the majority party; (ii) he cannot be easily removed by a parliamentary decision and (iii) he has the power to appoint and dismiss members of the government.

The third necessary condition is that the constitution grant wide powers to the President of the Republic (Martínez Sospedra, 1988). He has the powers and functions of a head of State in the parliamentary system, but at the same time he also has executive powers. We have already mentioned that as a result of his position in the political system and his effective powers, the President of the Republic is half-way between the head of State of a presidentialist regime and that of a parliamentary system; however, he is much closer to the former due to his executive functions.

Within the triad of political powers already mentioned, the President of the Republic also plays the role of political symbol and moderator of the three State powers, that is, he assumes the role of embodying the neutral power defined by Benjamin Constant as pertaining to heads of State. However, alongside that typical function of the parliamentary head of State, the President enjoys extra powers which bring him closer to the realm of presidentialism. These extra powers lie in the sphere of executive power, are not shared with the cabinet and vary from one political system to another. However, they generally include the following: the
power to appoint the prime Minister and to chair the cabinet, the power to convene extraordinary sittings of Parliament, the power to dissolve Parliament, the power to initiate legislation, control of foreign policy, special powers at times of crisis, the power to refer laws to the Constitutional Court in cases of possible unconstitutionality, commandship-in-chief of the Armed Forces, the power to appoint high-ranking officials and to call referendums.

The fourth condition means the President is both head of State and head of the government. The latter role involves the power to appoint the prime minister and very often to chair cabinet meetings. A demand for official parliamentary investiture in the aftermath of presidential nomination is not common: In any case however, while the facility afforded the Parliament to control and censure the government does not normally include a formal demand for investiture it does nevertheless mean that the President's choice as prime Minister has to have the support of the House/s.

Although the government considers itself independent within this system, there is no doubt that it is closely linked to the President of the Republic. Indeed the latter may use the government to shield himself from attack by the opposition parties. Nevertheless, it is also increasingly possible that the presidential and parliamentary majorities may not coincide. In this case the President has no option but to appoint a prime minister from outside his own party, in which case the option of being shielded from opposition attack is of course non-existent. I propose to deal with these scenarios of what I prefer to refer to as political co-existence, as distinct from cohabitation, and the discrepancies which may arise between presidential and parliamentary majorities later in this article.

The fifth necessary condition, as mentioned earlier, is that the government must also be accountable to Parliament. It may seek and obtain Parliament’s approval, and similarly on other occasions it may be censured by Parliament when it fails to do so. In a semi-presidential system the government seems to be a typical parliamentary institution, however if differs in a number of substantial matters: for example, it does not have the right to dissolve itself, which is a typical feature of government in a parliamentary system, instead it is the President who,
head of the executive, has the power to dissolve Parliament. On the other hand, although the President has executive functions he cannot be subjected to a vote of no-confidence. The President is endowed with total stability, his term of office is pre-fixed and he can only be removed from office in cases of criminal offence (Impeachment or High Treason).

3. STATES WHOSE CONSTITUTIONS INCLUDE THE NECESSARY CONDITIONS.

A study of a wide range of individual State constitutions was carried out by the author with the aim of determining which States are, or indeed have the potential to be, semi-presidentialist. The first stage was to verify which constitutions included the necessary conditions for the system's existence (L—pez Guerra and Aguiar de Luque, 1992; Daranas Peléz, 1970)\textsuperscript{13}. The result of this assessment was that 16 countries proved to have the constitutional provisions necessary to be semi-presidentialist, eight of which are European (Austria, Finland, France, Ireland, Iceland, Poland, Portugal and Romania), four South American (Colombia, Guatemala, Haiti and Peru), two African (Angola and Egypt) and two Asian (Iran and Sri Lanka).

(i) Non-democratic systems.

Of this group of 16, Angola, Egypt, Guatemala, Haiti, Iran, Peru and Sri Lanka are clearly non-democratic countries. Simple constitutional recognition is not sufficient for a State to be considered as having a dual executive. In addition to the legal possibility, there must also be practical reality, an effective application of the necessary conditions for semi-presidentialism. It is not enough that the necessary conditions potentially exist, the circumstances which would permit development must also be available. In short, the existence of the constitutional prerequisites for semi-presidentialism does not guarantee that it will be put into practice. Democracy is an indispensable pre-condition for the development of semi-presidentialism, and as I will set out below, these countries do not have it.
On 31 May 1991 a peace agreement was signed in Angola which put an end to 16 years of civil war between the MPLA (People's Movement for the Liberation of Angola) supported by the USSR and Cuba, and the UNITA (National Unity for the Total Independence of Angola) which, thanks to its anticommunist stance, received heavy support from the US (CERI, 1991, 92, 93, 94, 95, 96, 97; El Pa’s, 1991, 92, 93, 94, 95, 96). In June 1991 a United Nations mission undertook to verify the demobilisation process on either side (UNAVEM II). Both sides agreed on 12 May 1992 to hold legislative elections which would bring the peace process to conclusion. The elections were held on 29 and 30 September 1992. The UN supervised the election process and duly declared that all had gone well, the process had been clean and the MPLA was declared to have won the election. However, Jonas Savimbi, leader of UNITA, did not accept defeat, claiming that the elections had been rigged. He fled the Angolan capital Luanda and the vigilance of the UN’s blue helmets and set up his headquarters in the city of Mambo. With the speed of lighting, UNITA overran two-thirds of the country, but despite fierce fighting did not manage to take Luanda. In early November a cease-fire was declared. Loss of support for UNITA from the US and pressure from the UN forced them to withdraw from the areas they had occupied since 1992. The peace process has not yet been brought to a close and the second phase of the presidential elections has been on hold since 1992.
<table>
<thead>
<tr>
<th>Political system</th>
<th>Dual executive</th>
<th>Direct election of President</th>
<th>Wide presidential powers</th>
<th>President appoints prime minister</th>
<th>Government is accountable to the Parliament</th>
</tr>
</thead>
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<td>Angola</td>
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<td>Yes (57)</td>
<td>Yes (56-74)</td>
<td>Yes (66.a,d)</td>
<td>Yes (88.n)</td>
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<td>Yes (190)</td>
<td>Yes (189-199)</td>
<td>Yes (189.1)</td>
<td>Yes (135.9)1</td>
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<td>Yes (76)</td>
<td>Yes (137-152)</td>
<td>Yes (141-142)</td>
<td>Yes (126)</td>
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<td>Yes (27-34)</td>
<td>Yes (36 y 38)</td>
<td>Yes (36a,b)</td>
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<td>Yes (8-9)</td>
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<td>Yes (183)</td>
<td>Yes (183.n)</td>
<td>Yes (166-167)2</td>
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<tr>
<td>Hait’</td>
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<td>Yes (134)</td>
<td>Yes (</td>
<td>Yes (137 y 154)</td>
<td>Yes (156)</td>
</tr>
<tr>
<td>Iran</td>
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<td>Yes (114)</td>
<td>Yes (113)3</td>
<td>Yes (124)</td>
<td>Yes (87,134 y 137)</td>
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<td>Yes (118)</td>
<td>Yes (122)</td>
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<td>Yes (55-56)</td>
<td>Yes (55.d)</td>
<td>Yes (70.b)</td>
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</table>

*The constitutional reference is included in parentheses.
1. Only ministers are accountable and a maximum of four each time.
2. Only ministers are accountable.
3. The existence of the Leader or of the Leadership Council in the constitution has a major restraining effect on presidential powers.
Source: Current constitutions.

The Egyptian President Anwar el-Sadat was assassinated in 1981 and was replaced by his Vice-President Hosni Mubarak, who was re-elected in 1987 with 97.1% of the votes cast. In the same month legislative elections were held, but these, like the previous ones held in 1984, were declared unconstitutional in May 1990. In March of the same year, the election of
Majlis as-shura (to the Consultative Council) was also declared unconstitutional. Both the next elections to the Consultative Council held in June 1990, and the Parliamentary elections of 29 November and 8 December of 1990, were boycotted by all the opposition parties and the Islamic groups, who were prohibited from forming a political party (Lawson, 1991). Because of the boycott, which was in demand for reform of the 1971 constitution, the result was once again an overwhelming victory for the National Democratic Party. Despite the NDP victory and the boycott, the Egyptian people continue to exhibit a profound lack of interest in politics (the participation rate was a mere 44.9%, although it must be said that the registered voters only represent less than 50% of those eligible to vote).

This aura of political scepticism is worsened by the serious conflict between armed Islamic groups and the NDP government, which led to the declaration of a state of emergency which has been in force since 1990. Furthermore, in the referendum of 11 July 1993 Hosni Mubarak was once again re-elected for a third mandate with, according to the Interior Ministry figures, 96.28% of the votes; a totally incredible figure from any perspective, but especially since the Work Party, the Nasarists, the Progressive Union and the illegal Moslem Brothers had all called for a no-vote. This led to renewed attacks by the Islamic radicals, who at an early stage attacked the interior minister and the prime minister and later turned their sights to western tourists. In addition, since February of 1994 they have been running a campaign of intimidation against foreign investors ordering them to leave the country. Faced with this serious situation, the government made an offer of "national dialogue" with the legal opposition forces with the aim of consolidating democracy and rejecting fundamentalist violence.

Guatemala initiated peace talks in April and June of 1991 with the URNG (Unidad Revolucionaria Nacional Guatemalteca). Further talks took place between the government and the guerrillas in August 1992. However, the peace process suffered a severe setback on 25 May 1993, when the democratically elected President, Jorge Serrano, attempted to carry out a coup d'état without the support of the army. In the aftermath of this failure, the Parliament elected Ramiro León Carpio President and he placed army officers in
high-ranking government positions. The civil war which has been going on for 36 years worsened. In the elections of 1996 ñ varo Arzoe was elected President with an extremely high level of abstention. His first move was to initiate conversations with Ricardo Ram’rez, leader of URNG, so as to start a peace process. The successful outcome of these talks led to both men being awarded the Pr’incipe de Asturias Peace Prize in 1997. However, the country is still far from being anywhere near a democracy.

Haiti suffered a coup d’etat on 30 September 1991. The until-then chief of staff of the army, Raël Cédrés, seized power and overthrew the recently elected President Jean-Bertrand Aristide. Under the auspices of the United Nations an agreement was signed on Governors Island in July 1993 with the aim of returning the country to democracy. The refusal of Cédrès to accept the agreement however, led to its abandonment. Due to the severe civil conflict which broke out on the island between the supporters of the deposed President and the rebel Cédrès, the UN was forced to send in a peace-keeping mission (UNMIH). In the meantime, the Haitian army, police and paramilitary groups, all loyal to Cédrès, managed to prevent not only the return of Aristide (planned for the 30 October 1993), but also the landing of 200 North American advisors sent in by the UN, as observers of a transitional peace process, by blocking the port and taking the streets. Finally, towards the end of 1994 and not without further violence and deaths, a pact was signed granting Cédrès and his family a luxury exile and the deposed President returned. Today Haiti is a country in transition to democracy, and is not in a position to apply the semi-presidentialism set out in its constitution.

In the aftermath of the 1979 revolution, Iran's constitution (Principle 56) proclaimed that "absolute sovereignty over Man and the universe belongs to God, and it is He who makes Man the sovereign of his social destiny". Furthermore, building a republic on the basis of the sovereign deity means that divine revelation is a fundamental element in the legitimisation of laws, and that "charisma" and "leadership" are considered fundamental for the furtherance of the Islamic revolution. In addition, the preamble to the constitution, in the section dealing with the sovereignty of the just faqih states "the course of affairs is in the hands of those ulema that distinguish right from wrong". In the light of these provisions, it is clear that while
the Iranian constitution may include, in principle, the necessary conditions for the existence of a semi-presidential regime, this is no guarantee of its actual existence. At present, the concepts of divine sovereignty and the power of the leader militate against semi-presidentialism.

The winner of the 1990 Peruvian presidential elections was Alberto Fujimori. On the 5 April 1992 Fujimori himself launched a coup d'État in which the army occupied the Congress and all the countries judges were dismissed. Corruption among the judiciary and the population's traditional dislike of politicians, along with economic advances and the capture of Abimael Guzmán ("President Gonzalo"), the leader of Shining Path led to strong popular support for the Emergency Government of National Reconstruction. A major coup was attempted by the armed forces on 13 November. Once this had been put down, elections to the so-called Constituent Democratic Congress were held, in which the traditional Peruvian parties did not participate. Fujimori succeeded in having a new constitution approved in a referendum held on 31 October of 1993. In short, Peruvian democracy has been held prisoner now for more than five years.

Sri Lanka has now been torn apart for more than ten years by a civil war between the Singhalese majority and the Tamil minority. In 1987, President Jayewardene, leader of the UNP (United National Party) reached an agreement with the Indian prime minister Rajiv Gandhi by which Indian troops would be deployed throughout the island in a peace-keeping capacity. Attempts at dialogue between the UNP and the LTTE (Liberating Tigers of the Tamil Eelam) collapsed and the withdrawal of the Indian troops in 1989 led to renewed violence. General elections were held in 1994 but they were boycotted by the Tamil minority. The UNP lost the elections and the PA (People's Alliance) came to power with Kamaratunga as leader. In November of that same year presidential elections were held and the UNP's candidate and Secretary General were assassinated by the Tamil guerrilla. Kamaratunga's victory led to a new peace process involving Singhalese, now headed by the PA, and the LTTE in representation of the Tamils. At the end of 1996 each side accused the other of boycotting the process and it collapsed leading to further outbreaks of violence.
I feel that the political systems briefly described above can be said to be hypothetically semi-presidential in an institutional sense. However, in addition to the necessary conditions it is also indispensable to have a democratic basis in which semi-presidentialism can prosper, and this cannot be said to be the case in any of these countries. Therefore, we exclude these states from the study.

(ii) Seemingly semi-presidentialist systems

The nine remaining States (Austria, Colombia, Finland, France, Ireland, Iceland, Poland, Portugal and Romania) not only have constitutions which establish the conditions which are necessary for a semi-presidential system to exist, but also, in the majority of cases, they enjoy the minimum level of democratic stability needed to allow the development (and maintenance) of these necessary conditions. Now, it is a question of evaluating whether the semi-presidentialist system is actually in application in these countries or whether it is merely a matter of legal formalism but an absence of practical application.

Within this group we now find further sub-categories. Firstly, there is a group of three countries, Austria, Ireland and Iceland, which operate a seemingly semi-presidentialist system\textsuperscript{14}. In the cases of these three countries, the various political parties have reached what we could call a consensus to neutralise the presidential powers, by annulling the potential power conferred by direct election of the President. Indeed the presidency is deprived of all real power (Sartori, 1994b); it could even be termed a case of constitutional mutation.

In the case of Ireland, the 1937 Constitution confers few powers on the President and in addition, these powers are widely subject to government approval, given that executive power is exercised "by or on the authority of the government" (article 28.2), which means that "the powers and functions conferred on the President shall be exercisable and performable by him only on the advice of the Government" (article. 13.9). Furthermore, presidential candidates tend to be agreed prior to the presidential election by the political parties and the President
plays little part in the political life of the country. The Irish system "is essentially parliamentary" (Duverger, 1970).

In Iceland and Austria on the other hand, the President enjoys more potential power, although, as in Ireland, he or she does not use it. When Iceland obtained freedom from Denmark in 1944, the figure of President was incorporated into the parliamentary system which had been in operation since the beginning of the century. The intention was to establish a symbolic head of State, along the lines of the Danish monarchy, in which universal suffrage would replace royal privilege (Duverger, 1986a).

In Austria, the amendment establishing direct election of the President was introduced in 1929, as a result of pressure from the Austrian right wing, which had close connections with Nazism, and in the face of opposition from the Social Democrats. The first presidential election was held after the Second World War, and by that time neither of the two main parties (the Social Democrats and Christian Democrats) supported the measure. As a result, both of them agreed to present respectable candidates, but who would not appear as any form of supreme political authority; in this way, without any further constitutional reform, the remit of the Austrian President was reduced to a symbolic role devoid of all real political power.

4. GENUINELY SEMI-PRESIDENTIALIST SYSTEMS

(i) Two general access routes

We are now left with a group of six States, Colombia, Finland, France, Poland, Portugal and Romania, all of which, in addition to the necessary conditional provisions, actually have semi-presidential systems in varying degrees of application. At the outset, we must point out one rather self-evident observation, these states have not all developed semi-presidentialism to the same degree and in the same way. For this reason, if we are to reach generic conclusions it must be in the light of common circumstances or features which are found very
frequently among the six States. Each of these political systems is a world apart, nevertheless, as far as semi-presidentialism is concerned there are ample grounds for comparison.

Firstly, four of the States, Colombia, Poland, Portugal and Romania adopted a semi-presidential system in constitutions which were designed to create an impetus of transition towards democracy. Thus, the new Colombian Constitution drawn up in 1991, marked "the first time in the history of Colombia that there had not been winners and losers" (Cepeda and Duhamel, 1994: 637). Despite the great difficulties involved in the consolidation of democracy throughout Latin America, the case of Colombia does offer grounds for optimism\textsuperscript{15}.

The Polish case is perhaps better known. The strikes and campaigns mounted by the Solidarity trade union and, to a lesser extent, the Catholic church, forced the authorities to introduce a number of reforms which set Poland on the path to democracy. The negotiations between the Communist Party and the trade union led by Lech Walesa gave rise to the establishment of a solidly semi-presidentialist system\textsuperscript{16}, although a total of 65\% of the seats in the Sejm (legislative Assembly) were reserved for the Communist Party and its allies. From the Round Table agreements of 1989 until the introduction of the new Constitution in April of 1997, a twofold constituent task was carried out, which reached its culmination in 1997 but which had an earlier milestone in the Little Constitution of 1992; in addition to a complex transition process which was plagued with frequent tensions, both between the ex-Communists and Solidarity and also between the different parties whose roots lay in Solidarity itself.

For us in Spain, the Portuguese case is much more familiar, bearing resemblance as it does to our own democratic transition process. On the 25 April 1974, the bloodless uprising known as the "Revolution of the Carnations" put an end to the dictatorship and set off a process aimed at the restoration of democracy, which culminated on the 2 April 1976 with the approval of the new Constitution, which was last updated in 1997.
Communism in Romania collapsed with the disappearance of the Berlin Wall, and one of the most immediate effects was a social uprising which originated in Timisoara (a city on the Hungarian and Yugoslavian border) and soon spread throughout the entire country. The dictator Ceaucescu was summarily tried and executed. In the face of the lack of organisation of the democratic opposition, the ex-Communists of the NSF (National Salvation Front) headed by Illiescu and Roman, came to power and initiated a controversial democratic transition. In May 1990, elections to the constituent assembly were held in which the NSF won an overwhelming victory over a divided and disorganised opposition. Eighteen months later the Parliament voted to approve a new Constitution by 414 votes out of a possible total of 510. The Constitution was later ratified in a referendum on 8 December of the same year. Once again, the opposition lost the elections of 1992, and did not gain power until the last elections held, in 1996.

In the case of Finland, the semi-presidentialist system was adopted in the Constitution which appeared in the aftermath of independence. At first, the role of President was relatively secondary in what was, like Austria, Ireland and Iceland, a predominantly parliamentary system. After the Second World War however, the figure of President gained considerably in importance and independence, and the semi-presidentialist system set out in the Constitution became reality. This was especially so during the mandate of Urho Kekkonen from 1956 to 1982 (Törnudd, 1986).

Finally, France established its semi-presidential system in the Constitution of 1958, which marked the beginning of the Fifth Republic. The political instability which marked the Fourth Republic gave rise to a constituent process which included a debate between those who wished to implant a presidential system and supporters of the then-prevailing parliamentarianism. Finally, it was decided to opt for a dual executive system (President-government), in which the government was accountable to the National Assembly.

All six semi-presidentialist systems adopted this model as a means of transforming their respective political systems, which were seen as either ineffective or anti-democratic. It
would seem that all of them wished to escape or avoid something else, and sought a new system, or at very least, a new set of rules for the running of the democratic institutions necessary for stability and effectiveness.

In addition, prior to installing semi-presidentialist systems all six States had either parliamentary or presidential systems, and had chosen the new system as a response to the shortcomings of the previous structure. France and Portugal both had histories of recent parliamentary failures, and Colombia, Finland, Poland, Portugal and also Romania, had pasts marked by presidential regimes or systems in which all power was in the hands of a single individual.

In France the aim was to find a system of government which would overcome the problems posed by a lack of stable majorities in Parliament. The Fifth Republic was not, as is sometimes claimed, established against political parties, rather it was with the aim of preventing parliamentary paralysis through lack of majority. Portugal (Miranda, 1986) on the other hand, after 50 years of dictatorship, sought to establish a system which would provide controls and counter-balances to avoid the emergence of further dictatorships. For this reason, they wished to restore the Parliament but aimed to eliminate the defects which it had developed during the First Republic (1910-1926). In both France and Portugal the separation of powers that was achieved by conferring increased powers on the President of the Republic, more than fulfilled their expectations.

Colombia, similar to a number of the Latin American countries which I have not considered here because of their lack of a consolidated democracy, is emerging from a past marked by rigid and failed presidentialism. That negative experience led the country to abandon the system and install another in which presidential powers were limited and there was provision for political accountability. The regime chosen was semi-presidentialism, instead of parliamentarianism, perhaps to avoid the consequences of an overly abrupt change.

On attaining independence, and after a civil war which lasted from January 1918 to May of the same year, Finland (Jansson, 1986) went through a period of dispute between
monarchists, who wished the Monarch to hold executive power, and republicans, intent on establishing a republic which would take them as far away as possible from their monarchist past (Grand Dukedom 1809-1917). In the light of the failure of both parties to secure their aims, they agreed to a compromise which involved the abandonment of the figure of the monarch and the adoption of a limited level of parliamentarianism, in which the President of the Republic was granted wide powers (Sorsa and Saraviita, 1986).

In the case of Poland, in 1989 the country was emerging from a single-party communist system in which the President had wide powers. In place of this a semi-presidentialist system was set up which aimed to avoid the defects of presidentialism and a lack of parliamentary majorities. In all probability, it was the uncertainty of the changeover process which led to a gradual introduction of plural elements and division of powers (Colomer, 1995).

There were certain similarities in Romania. 1989 marked the end of a single-party system which had been in force since 1938, when the Constitution established a Royal dictatorship which was followed by one of more fascist and military inclination, and which, after the Second World War, was replaced by a communist one. The choice of a semi-presidentialist system was the outcome of negotiations between the NSF, which wished to replicate in democratic form the presidential system of personalised power which had always existed in Romania, and the opposition, which wished to set up a parliamentary system with a President endowed with strictly symbolical powers.

In short, we see that some of these political systems opted for semi-presidentialism in the hope that it would eliminate the worst effects of parliamentary impasses since the President would have a relatively free hand to proceed, while others intended that the separation of powers would be balanced by a limiting of presidential powers and a strengthening of parliamentary controls.

(ii) Some effects on the political system.
Comparison of these six cases allows us to pinpoint three characteristics, in addition to the necessary conditions which we have mentioned earlier, which while not necessary conditions are sufficiently frequent to merit mention here and are, at least in part, the result of the semi-presidential pattern of relationships between legislative and executive power. One of these features concerns the election system, and the other two pertain to the party system. They are (i) the use of a majority-runoff system for the presidential election; (ii) a tendency towards presidential structures within the parties themselves and (iii) the existence of a limited multi-party system.

Let us turn now to the first feature, which is the use of the majority-runoff election system. This is a majority system involving a two-phase election process held in a single constituency in which an absolute majority is required by whichever candidate wins. Should no candidate manage to obtain this overall majority on the first vote, a second ballot takes place in which only the first two runners participate and in which a relative majority is sufficient for victory. All the six above-mentioned political systems coincide (Table II) in the requirements of an absolute majority in the first ballot and relative majority in the second one. The differences lie in (i) the length of the mandate, which ranges from four to seven years with an average of 5.2 years; (ii) in the time lapse allowed between ballots, which varies from one to three weeks and averages 16.3 days, and (iii) in whether the presidential elections coincide or not with the general elections; in two of the six States they do coincide.
### Cuadro II.- Characteristics of the majority-runoff presidential election in semi-presidential political systems

<table>
<thead>
<tr>
<th>Political system</th>
<th>Length of mandate</th>
<th>Majoritarian required in first ballot</th>
<th>No. of candidates in second ballot</th>
<th>Majority required in second ballot</th>
<th>Days between ballots</th>
<th>Coincides with general elections</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colombia</td>
<td>4</td>
<td>&lt;50%</td>
<td>2</td>
<td>relative</td>
<td>21</td>
<td>X(^{(1)})</td>
</tr>
<tr>
<td>Finland(^{(2)})</td>
<td>6</td>
<td>&lt;50%</td>
<td>2</td>
<td>relative</td>
<td>&gt;21(^{(3)})</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>7</td>
<td>&lt;50%</td>
<td>2</td>
<td>relative</td>
<td>&gt;7(^{(4)})</td>
<td></td>
</tr>
<tr>
<td>Poland</td>
<td>5</td>
<td>&lt;50%(^{(5)})</td>
<td>2</td>
<td>relative</td>
<td>&gt;14</td>
<td></td>
</tr>
<tr>
<td>Portugal</td>
<td>5</td>
<td>&lt;50%(^{(6)})</td>
<td>2</td>
<td>relative</td>
<td>21</td>
<td>X(^{(7)})</td>
</tr>
<tr>
<td>Romania</td>
<td>4</td>
<td>&lt;50%</td>
<td>2</td>
<td>relative</td>
<td>14(^{(7)})</td>
<td></td>
</tr>
</tbody>
</table>

\(^{(1)}\) Both ballots are held in the same year since the length of parliamentary and presidential mandate is the same; however the elections do not coincide.

\(^{(2)}\) If there is only one candidate no election is held and the candidate is appointed President.

\(^{(3)}\) Third Sunday after the first ballot.

\(^{(4)}\) First Sunday after the first ballot.

\(^{(5)}\) If one of the candidates retires the next most-voted candidate is eligible for the second ballot and the time between ballots is increased to 14 days.

\(^{(6)}\) Blank votes are not counted.

\(^{(7)}\) The Constitution does not specify this information; not having access to the election regulations, the data is that of the last elections held.

Source: [http://www.georgetown.edu/LatAmerPolitical/esphome.html](http://www.georgetown.edu/LatAmerPolitical/esphome.html)

I am not claiming that the majority run-off system is a necessary condition for a semi-presidential political system. However, it is noteworthy that in each of the six systems under discussion, the President of the Republic is elected by this method. In short, while it is not a necessary, or even a sufficient condition for semi-presidentialism\(^{21}\), it is nevertheless a usual feature which, as I will set out below, becomes meaningful when considered in the context of the party system and which strengthens the President with regard to his own party (Table III).
Cuadro III.- *Comparison of the percentage of votes obtained by the President in the first ballot with that of the second and that of his party in the last general elections.*

<table>
<thead>
<tr>
<th>Political system</th>
<th>Year of presidential election</th>
<th>President and Party</th>
<th>% in first ballot of winner of presidential elections</th>
<th>Result achieved in second ballot</th>
<th>Difference</th>
<th>% achieved in general elections by President's party</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colombia.</td>
<td>1994</td>
<td>Samper-Pizano (PL)</td>
<td>45.2</td>
<td>50.4</td>
<td>-5.2</td>
<td>53.3</td>
<td>-8.1</td>
</tr>
<tr>
<td>Finland.</td>
<td>1994</td>
<td>Ahtisaari (SDP)</td>
<td>25.9</td>
<td>53.9</td>
<td>-28.0</td>
<td>28.3</td>
<td>-2.4</td>
</tr>
<tr>
<td>France.</td>
<td>1995</td>
<td>Chirac (RPR)</td>
<td>20.7</td>
<td>52.6</td>
<td>-31.9</td>
<td>15.7</td>
<td>5.0</td>
</tr>
<tr>
<td>Poland.</td>
<td>1995</td>
<td>Kwasniewski (SLD)</td>
<td>35.1</td>
<td>51.7</td>
<td>-16.6</td>
<td>27.1</td>
<td>8.0</td>
</tr>
<tr>
<td>Portugal.</td>
<td>1996</td>
<td>Sampaio (PS)</td>
<td>53.8</td>
<td>-</td>
<td>-</td>
<td>43.9</td>
<td>9.9</td>
</tr>
<tr>
<td>Romania.</td>
<td>1996</td>
<td>Constantinescu (CDR, PNT-CD)</td>
<td>28.2</td>
<td>54.4</td>
<td>-26.2</td>
<td>30.2</td>
<td>-2.0</td>
</tr>
<tr>
<td><strong>Mean</strong></td>
<td></td>
<td></td>
<td>42.35</td>
<td>52.6</td>
<td>-21.6</td>
<td>33.1</td>
<td>1.7</td>
</tr>
</tbody>
</table>

*The data is from the following general elections: Colombia 1996, Finland 1995, France 1997, Poland 1997, Portuguese 1995 and Romania 1996. All these elections employed proportional systems.*

*Source:* http://www.universal.nl/users/derksen/election/home.htm
http://dodgson.ucsd.edu/lij/
http://www.georgetown.edu/LatAmerPolitical/esphome.html. Elaboración—n propia.

The fact that there is a double ballot means that necessarily there is a sizeable increase in the number of votes obtained by the candidates in the second ballot, the average increase being in the order of 21.6 percentage points. This feature reinforces the legitimacy of the winning candidate and therefore strengthens the figure of President. In the presidential elections the double ballot reaches its maximum potential to exert influence: a single-vote constituency and an absolute majority. Even so, Tables II and III show how on one side, the parties have some two weeks in which to hammer out deals in return for explicit support for either of the two candidates and, on the other, the results of this can mean an increase in votes of up to 20 percentage points, invariably exceeding what would have been an absolute majority of the votes cast. Furthermore, given the binary tendency of these rounds, the parties with most chances of success are the ones that occupy the political centre of the individual political system.
If we compare the results of the first ballot with those of the President's party in the general election, differences can be seen in the increase in the number of votes, although in mean terms the President's total vote is still superior to that of the party. Even in the cases of Finland and Romania where the difference is narrow, possibly due to high levels of abstention, the President's result in the second ballot is still superior. We can then say that the majority-runoff or double-ballot system strengthens the Head of State. In the case of Colombia, the explanation for the difference in favour of the party may lie in the fact that in the general election the LP (Partido Liberal) achieved an absolute majority of both votes and seats and, in contrast, the second runner in the presidential election, Andrés Pastrana Arango of the PSC (Partido Social Conservador) had personal prestige far in excess of that of his party -two months previously he obtained 27.8% of the vote in the general elections- and was a serious opponent for Samper and the PL, since there were only three percentage points separating them in the first ballot and eventually less than two points.

The second characteristic is the tendency for the parties to adopt an internal presidential structure; they tend to structure themselves around the presidential candidate. For example, Portelli has shown how the presidential nature of French politics has influenced the structure of the parties. This idea is further developed by Quermonne, who sees the concept "party of the President" as meaning that the party cannot have any Secretary General or President other than the Head of State himself (Quermonne, 1987). Furthermore, the President's party is normally the majority party in the Assembly.

The literature, and we need go no further than Colliard (1978) for example, has pointed out how the majority of western governments suffer from confusion as to the exact roles of government and party. Semi-presidential systems are not free of this defect either, so while some of them have limited themselves strictly to either party or government action, others fail to adequately distinguish between being Head of State and leader of the majority party, which gives rise to the concept of "party of the President".
An empirical examination of how political parties become more presidential in nature under a semi-presidentialist system of government is far beyond the scope of this study. Indeed, studying fifty individual political parties would not have made for a worthwhile contribution since this tendency of the political parties is not a necessary condition but rather an effect, and it has no effect on the system of government itself apart from simplifying the process of designation of the presidential candidate for the political parties.

The third noteworthy feature is the existence of a limited multi-party system. This circumstance could possibly be due more specifically to the double ballot election system for presidential elections than to the semi-presidential system in itself. Direct majority election of the President tends to create a binary dynamic, with a polarising effect on the political system, and all of this tends to create a two-party political spectrum, in the medium or long term. Nevertheless, because of the majority-runoff system, the polarising effect does not lead to a two-party system but rather to a limited multi-party system which is based around what we could call two main or macro-tendencies. Table IV shows the average number of parties represented in the lower chamber to be 3.57 and that there are no two-party systems - not even in those states where the presidential and general elections are held on the same day.
Cuadro IV. Total and effective numbers of parties represented in the lower chamber in semi-presidential systems

<table>
<thead>
<tr>
<th>Political system</th>
<th>Year of last general elections</th>
<th>Total number of parties in lower chamber</th>
<th>Effective number of parties in lower chamber*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colombia</td>
<td>1994</td>
<td>7</td>
<td>2.24</td>
</tr>
<tr>
<td>Finland**</td>
<td>1995</td>
<td>11</td>
<td>4.90</td>
</tr>
<tr>
<td>Francia</td>
<td>1997</td>
<td>10</td>
<td>3.73</td>
</tr>
<tr>
<td>Poland</td>
<td>1997</td>
<td>6</td>
<td>2.96</td>
</tr>
<tr>
<td>Portugal**</td>
<td>1995</td>
<td>4</td>
<td>2.55</td>
</tr>
<tr>
<td>Romania</td>
<td>1996</td>
<td>13</td>
<td>5.08</td>
</tr>
</tbody>
</table>

Mean 8.5 3.57

Political systems in which general and presidential elections coincide are in bold. In Romania both elections are held together but in Colombia they are not.

*p* = \( \frac{1}{N} \sum p_i^2 \), where \( p_i \) is the index of each party in the lower chamber.

**Single-chamber Parliaments.

Source: [http://www.universal.nl/users/derksen/election/home.htm](http://www.universal.nl/users/derksen/election/home.htm)

http://dodgson.ucsd.edu/lij/

http://www.georgetown.edu/LatAmerPolitical/esphome.html

Elaboración—n propia.

(iii) Presidential powers.

Three variables are normally employed in analysis of semi-presidential systems. The first of these is whether there is a parliamentary majority or not. In cases where there is, the second variable is then the President's position with respect to this parliamentary majority, that is whether it is with him or against him. These two variables determine the type of semi-presidential system we are dealing with. The third variable concerns the constitutional powers bestowed on the President, and which make him different to the head of a parliamentary State.

Quite apart from the specific powers granted by the constitution, the President of the Republic enjoys greater prestige than the other state institutions. "It is a power which is not of the same nature as that wielded by the other organs of the Republic. Whereas the latter function by using the energy of the parties (....) the arbitration power conferred on the
President, which can be considered as on a higher level, arises directly from the service required by the permanent interests of the State" (Burdeau, 1981).

However, despite this, the institution is headed by a real person who most face new and unforeseen situations on a daily basis. In other words, the national leader's actions will be the result of interaction between the President's powers, events and his personality. A President must play many roles and they all make up part of his function. Of course, his ability in each of these roles will depend on his personal qualities, but it will also depend on other factors. A semi-presidential regime can be weak if presidential powers are limited or have been neutralised; on the other hand, it can be strong if the presidential role is highly valued. This, of course, is why I included among the necessary conditions that the constitution bestow wide powers on the presidency, at least wide powers in comparison with those granted to a parliamentary system President.

Table V sets out the main and most frequently conferred presidential powers, and as I have just mentioned, these wide powers are a necessary condition for the existence of a semi-presidential regime (see section II. 1). The results of this comparison enable us to divide presidential powers into a number of groups. On one side we can distinguish between presidential powers granted by all the systems and those granted only by a majority or by at least half of them. On the other side, we can form two groups of powers in accordance with whether they are more linked to executive or legislative powers.

Comparison of both sets permits us to confirm that powers which are bound up with the executive branch (appointment of government and high-ranking State and Administration officials, commandship-in-chief of the State's Armed Forces, control of foreign policy, the power to call referendums and special increased powers at times of institutional crisis) are almost uniformly conferred. Only two of these powers are not found in all six systems, the power to call a referendum and the exceptional increase in powers at times of crisis. In the case of the former, it is Colombia and Finland which do not grant the President the power to convene a referendum. In Finland this capacity rests entirely with the Parliament, but this is
not the case in Colombia, where the Senate's authorisation is required to call a referendum, but the initial decision to call for this authorisation or actually permit the referendum to go ahead corresponds to the President. Of special interest is the question of increased presidential powers at times of crisis, which in slightly different form are conferred on the President in Colombia, France and Romania. According to the Polish Constitution, these are powers to be employed "in situations of particular danger, if ordinary constitutional measures are inadequate" (article 228). Among these measures I have included declarations of war and curfew. These, of course, are not unanimously granted powers, indeed the wording varies widely in several of the different systems and therefore it is not entirely clear that we can even refer to it as a usual power. However, given its peculiarity I judged it to be at least worthy of mention.

Cuadro V. - Constitutional powers granted to the President in semi-presidential systems

<table>
<thead>
<tr>
<th>Presidential powers</th>
<th>Colombia</th>
<th>Finland</th>
<th>France</th>
<th>Poland</th>
<th>Portugal</th>
<th>Romania</th>
</tr>
</thead>
<tbody>
<tr>
<td>Power to appoint prime minister</td>
<td>Yes(189.1)</td>
<td>Yes(36-38)</td>
<td>Yes(8)</td>
<td>Yes(144.11)</td>
<td>Yes(133.f)</td>
<td>Yes(85)</td>
</tr>
<tr>
<td>Power to appoint high-ranking officials</td>
<td>Yes(189)</td>
<td>Yes(87)</td>
<td>Yes(13)</td>
<td>Yes(144)</td>
<td>Yes(133)</td>
<td>Yes(94)</td>
</tr>
<tr>
<td>Control of foreign policy</td>
<td>Yes(189.2)</td>
<td>Yes(33)</td>
<td>Yes(52)</td>
<td>Yes(133)</td>
<td>Yes(135)</td>
<td>Yes(91)</td>
</tr>
<tr>
<td>Commandership-in-chief of Armed Forces</td>
<td>Yes(189.3)</td>
<td>Yes(30)</td>
<td>Yes(15)</td>
<td>Yes(134)</td>
<td>Yes(134)</td>
<td>Yes(92)</td>
</tr>
<tr>
<td>Increased powers at times of crisis</td>
<td>Yes(212)</td>
<td>No</td>
<td>Yes(16)</td>
<td>No</td>
<td>No</td>
<td>Yes(93)</td>
</tr>
</tbody>
</table>
In Colombia the President, after obtaining the signature of all the cabinet ministers, can declare an *Estado de Conmoción Interior* "in cases of serious disturbances of public order which jeopardise institutional stability, State security or law and order, and which cannot be dealt with by the ordinary powers of the Police authorities". In similar terms, the Colombian President is also entitled to take action to repel exterior attack and to declare a state of emergency "when events occur which seriously upset or threaten to seriously upset the economic, social and ecological order of the country, or in cases of public calamity". The power to declare war for reasons other than self-defence lies with the Senate (article 212-215). All these powers are complemented by another which entitles the President to legislative power for periods of up to six months, when "it is necessary or when public welfare requires it" (article 150.10).

In France, the President of the Republic is allowed to take whatever measures he sees fit when "the Institutions of the Republic, the independence of the nation, the integrity of its territory or the fulfilment of its international commitments are seriously and immediately threatened and the regular functioning of constitutional public services is interrupted" (article 16). A declaration of curfew however, is the responsibility of the government, and a declaration of war that of the Parliament (articles 35 and 36).

<table>
<thead>
<tr>
<th>Feature</th>
<th>Yes(138)</th>
<th>Yes(27)</th>
<th>Yes(18)</th>
<th>Yes(140)</th>
<th>Yes(133.c)</th>
<th>Yes(63.2)</th>
<th>Yes(27)</th>
<th>Yes(12)</th>
<th>Yes(98.5)</th>
<th>Yes(133.e)</th>
<th>Yes(89)</th>
<th>Yes(154)</th>
<th>Yes(18)</th>
<th>No</th>
<th>Yes(118.1)</th>
<th>No</th>
<th>No</th>
<th>Yes(241.8)</th>
<th>No</th>
<th>Yes(144.9)</th>
<th>Yes(144)</th>
<th>No</th>
<th>Yes(144.5)</th>
<th>Yes(134.c)</th>
<th>Yes(90)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convene special sittings of Parliament</td>
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<tr>
<td>Power of early dissolution of Parliament</td>
<td>No</td>
<td>Yes(27)</td>
<td>Yes(12)</td>
<td>Yes(98.5)</td>
<td>Yes(133.e)</td>
<td>Yes(89)</td>
<td>No</td>
<td>No</td>
<td>Yes(118.1)</td>
<td>No</td>
<td>Yes(154)</td>
<td>Yes(18)</td>
<td>Yes(118.1)</td>
<td>No</td>
<td>Yes(1)</td>
<td>Yes(241.8)</td>
<td>No</td>
<td>Yes(144.9)</td>
<td>Yes(144)</td>
<td>Yes(144.5)</td>
<td>Yes(134.c)</td>
<td>Yes(90)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legislative initiative</td>
<td>Yes(154)</td>
<td>Yes(18)</td>
<td>No</td>
<td>Yes(118.1)</td>
<td>No</td>
<td>No</td>
<td>Yes(27)</td>
<td>Yes(12)</td>
<td>Yes(98.5)</td>
<td>Yes(133.e)</td>
<td>Yes(89)</td>
<td>Yes(144)</td>
<td>Yes(144)</td>
<td>Yes(144)</td>
<td>Yes(144.5)</td>
<td>Yes(134.c)</td>
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<tr>
<td>Power of referral to Constitutional Court</td>
<td>Yes(241.8)</td>
<td>No</td>
<td>No</td>
<td>Yes(144.9)</td>
<td>Yes(144)</td>
<td>Yes(144)</td>
<td>Yes(27)</td>
<td>Yes(12)</td>
<td>Yes(98.5)</td>
<td>Yes(133.e)</td>
<td>Yes(89)</td>
<td>Yes(144)</td>
<td>Yes(144)</td>
<td>Yes(144)</td>
<td>Yes(144.5)</td>
<td>Yes(134.c)</td>
<td>Yes(90)</td>
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<tr>
<td>Power to call referendums</td>
<td>No</td>
<td>No</td>
<td>Yes(11)</td>
<td>Yes(144.5)</td>
<td>Yes(134.c)</td>
<td>Yes(90)</td>
<td>No</td>
<td>No</td>
<td>Yes(11)</td>
<td>Yes(144.5)</td>
<td>Yes(134.c)</td>
<td>Yes(90)</td>
<td>Yes(144)</td>
<td>Yes(144)</td>
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</table>

*Source: Current constitutions.*
The Romanian Constitution does not make any provision for such exceptional circumstances but it does however confer the President with the right to repel attack from abroad, of which the Parliament must be informed "without delay" and the right to declare a curfew, although in this case he must seek parliamentary approval within five days. Formal declaration of war for reasons other than self-defence rests with the Parliament (article 92 and 93).

As I have already mentioned, in Poland provision is made for exceptional situations in which the standard constitutional measures are insufficient. In such cases Martial Law would be declared, but this is the responsibility of the Sejm - the Parliament. On the other hand, the declaration of curfew, emergency and natural catastrophe is in the hands of the government, although decisions for extensions of these measures rest with the legislative Assembly. This is also what occurs in Portugal in the case of the declaration of curfew, although there are no provisions for a situation in which constitutional institutions cease to function. As for the declaration of war, this is made by the President but must be proposed by the government and is subject to approval from the Council of State and the Parliament. In Finland it is the Parliament's role to declare states of emergency.

Presidential powers of a more legislative nature are not uniformly conferred in the six systems under discussion. Such powers include the power to convene special sittings of Parliament, to dissolve Parliament, introduce legislative bills and refer legislation to the Constitutional Court. Only one of these powers is equally and uniformly present in all six systems while one other is present in five and inevitably absent from the sixth due to other provisions. These powers are, firstly, the power to convene special sittings of Parliament, found in all six systems, and secondly, the power to dissolve Parliament, which is found in all the countries with the exception of Colombia, where the duration of both the presidential and parliamentary mandate is pre-established and even the Parliament itself cannot vote to dissolve itself. The systems which do not grant the President legislative power or powers to refer laws to the Constitutional Court do however grant these powers to the government and,
given the close link between the President and government, we can see that the President can thus have indirect access to these powers.

5. TYPOLOGIES.

I have already indicated the variables which serve to classify the various models of semi-presidential system. These were the existence of otherwise of parliamentary majorities and whether the President has the support of the parliamentary majority or not. Presumably, as set out by Linz (1994) and Duverger (1986c), these variables are much more important for the effectiveness of presidential powers and for the practical success of a semi-presidential regime. "The formidable power of the President does not owe anything to the Constitution, rather it rests on a very simple foundation: the existence of a solid (and united) majority in the National Assembly which loyally obeys the head of State" (Duverger, 1986c:8)22. As pointed out by Bogdanor (1987), the functionality of semi-presidentialism depends less on constitutional norms than on political factors.

The existence of a parliamentary majority will have an influence on the government's power23. In a parliamentary system, a parliamentary majority will facilitate a prime minister by giving him control of government policy and authority over the parliament. On the other hand, a lack of majority will normally give rise to a weak government with little legislative power which will be doomed to instability. A presidential system however is based on a rigid separation of powers, which leads to the maintenance of a certain distance between the government and the Parliament. Nevertheless, relations between the various forms of power are entirely different in accordance with whether the President has a majority in the Parliament or not. "If the same party occupies both the presidency and the majority in both assemblies, this practically eliminates the constitutional separation of powers; (...) on the other hand, if the presidency and the Parliament are each in the hands of a different party, the
official separation of powers is widened by the rivalry between the opposing parties, which superimposes an additional layer of separation" (Duverger, 1957: 422).

The existence of parliamentary majorities is also conditioned by the prevailing party system. "The most important difference among democratic party systems is that between two-party and a multi-party system. In parliamentary types of governments, two-party systems make one-party majority cabinets possible, whereas such cabinets are not impossible but much less likely in multi-party systems. In presidential forms of government, two-party systems may have two quite different but equally significant results: majority support from the legislature or he or she will be faced by a hostile legislative majority" (Lijphart, 1994:67).

As Duverger observed, "the separation of powers is the result of the combination formed by the party system and the constitutional framework" (Duverger, 1957: 420). If the same party holds the presidency and has a parliamentary majority, the Parliament's prerogatives over the government will be weakened; but furthermore, such a government's authority would be much stronger in a two-party system than in a multi-party one. And it will indeed be a much stronger government that a parliamentary government arising from a multi-party context, because it conserves something that tends to be lost in a multi-party parliamentary system: homogeneity and stability. "A multi-party system (in a presidentialist regime) heightens the stature of a President who emerges from an array of different parties and reinforces the personal nature of a presidentialist system" (Duverger, 1957, 1957: 429). He points out that while parliamentary majorities are the result of alliances between parties, the President can always claim that his mandate is from a popular majority.

In this light, it is worth noting that in a semi-presidentialist regime, similar to a parliamentary or presidentialist system, the options are twofold: either there is a parliamentary majority or there is not. If there is, the President is faced with three possible scenarios with respect to the Assembly:

1. A parliamentary majority in favour of the President.
2. A parliamentary majority hostile to the President.
3. A parliamentary majority supportive of the President but not acknowledging his leadership.

The first of these scenarios: semi-presidentialism with majority support is the situation that has existed in Colombia, Finland, Portugal and Romania, ever since they opted for a semi-presidentialist system. This situation exists when the parliamentary majority is held by the President's party and this adds political strength to his constitutional prerogatives. In the case of Colombia and Romania, the fact that the legislative and presidential elections coincide facilitates the existence of favourable majorities, while elections separated in time may favour the emergence of two separate majorities: the presidential and the parliamentary. If both majorities coincide, the President "reigns and governs" (Duhamel, 1994: 558). However, the majority in question can be "mono-colour" or it may be the fruit of parliamentary alliances, in which case the President's power over the government will be somewhat more limited24.

The second possible combination is of a parliamentary majority which is in opposition to the President, which we can term semi-presidentialism of co-existence25. In this situation the Parliament has a weakening effect on the President's power and he finds himself strictly limited to his constitutional prerogatives. Even before any such cases had existed, Duverger himself speculated that should it occur it would be a case of "legalism" defined by a simple rule: all the Constitution and nothing but the Constitution" (Duverger, 1977: 215). This situation has occurred twice in France. The first and, to date most tense, occasion was during the 1986-1988 period which saw F. Mitterrand as President of the Republic and J. Chirac heading the government as prime minister, with the support of the RPR-UDF parliamentary overall majority. The second occasion was between 1993 and 1995, once again with Mitterrand as President of the Republic and another RPR-UDF parliamentary majority, however this time led by a much more conciliatory E. Balladur. Since the end of that period and until the present, France has had its third period of semi-presidential co-existence, with Chirac as President and Jospin as prime minister supported by the PS-PCF-Ecologists parliamentary majority.
Poland is a case of historical consistency with regard to recent situations of semi-presidential co-existence, for since 1989 it has had gone through three periods marked by this type of governmental relation and is at present in another. There has only been one occasion of semi-presidentialism with majority support, which was between 1995 and 1997. The first two occasions were atypical in that they were a response to the "Round Table" negotiations of 1989 between the Communists and Solidarity. The result of these negotiations was that 65% of representation in the Sejm (lower chamber) and the Presidency of the Republic -General W. Jaruzelski- was conceded to the Communists, and leadership of the government -T. Maazowiecki- was conceded to a Solidarity minority, although Solidarity had won an overwhelming victory in the elections held for 100% of the seats in the Senate and 35% of those in the Sejm.

In this first phase of the Polish transition then, the standard semi-presidential formula was one of a parliamentary majority in opposition to the President, that is, co-existence. In principle, co-existence describes situations in which the two majorities, presidential and governmental, do not coincide, and presupposing that two openly competitive direct elections have taken place, one to designate a President and another for parliamentary representation. Of course, at this stage in Poland the elections were neither separate nor completely free. Further, both the President and the prime minister, while they represented different political interests, were appointed by the same parliamentary majority. There are many factors in this case which militate against it being described as "co-existence", as we are applying it here, but even so, it is clear that the President and the prime minister both came from different political blocks -communist and anticommmunist- which were involved in the transition to democracy and while the President did not co-exist with a hostile parliamentary majority, he did have to contend with a unanimously opposed Senate and a lower chamber in which the minority had gained an overwhelming electoral triumph. In this sense, given that neither of the two blocks was in a position to predominate, we are I feel justified in terming it a semi-presidentialism of co-existence.
The first elections for President of the Polish Republic were held in 1990 and the victor was L. Walesa. The prime minister was still linked to Solidarity, although the communists still held the majority in the lower chamber. The 1990 presidential election marked a clear change in the political leanings of the presidency. While the previous situation was one of co-existence, in which the President and the prime minister were from two opposing sides, now both represented the same political interest and the situation can be described as semi-presidentialism of majority support. However, the parliamentary array faced by Walesa was identical to that of Jaruzelski in terms of political representation and composition of majorities. So while the two institutional heads were in affinity, the type of semi-presidentialism was also one of co-existence; in other words, the President did not have a parliamentary majority and was therefore forced to reach a compromise with the communists, and even more serious for its weakening effect on the President was the fact that he was not universally accepted by Solidarity's parliamentarians as leader.

The third period of co-existence arose after the general elections held in 1993, in which the "post-communists" emerged as victors and Walesa continued as President of the Republic. This period came to an end with the presidential elections of 1995 in which the post-communists were once again victorious with the election of the leader of Alliance of Democratic Left, A. Kwasniewski. In the meantime however, two separate pairings occupied the government/executive power: Walesa-Pawlak and Walesa-Olesky. Both prime ministers enjoyed the support of a parliamentary majority made up of the Alliance of Democratic Left and the Polish People’s Party. At present, there is another situation of co-existence which emerged after the elections of September 1997, in which A. Kwasniewski continues as President, but the prime minister is J. Buzek at the head of a liberal-conservative parliamentary coalition.

The potential for conflict posed by cohabitation seems to have led to the belief that the only solution lies in calling an early presidential election. To my mind however, Quermonne (1987) is right when he says that the President of the Republic should in these cases play the role of statesman. It would be a grave error in cases of cohabitation if the head
of State were seen to be the leader of the opposition. After all, his role as head of State implies supreme responsibility within the Republic. The power of the State needs a person capable of embodying it; that is, "there is no power of State without a man of State" (Quermonne, 1987: 111).

The third and final situation, is that in which the parliamentary majority supports the President without actually recognising him as leader. This situation leads to a devaluation of the politico-institutional profile of the President, and can give rise to government which, although semi-presidentialist in constitutional terms, is really more akin to a parliamentary system in practice. In Pactet's view (1994: 154-5) the lack of coherence of these mixed regimes and the risk of institutional gridlock can be offset in two ways: either the President's majority and the parliamentary majority coincide, which is a circumstantial solution, or the President decides to renounce the role of exercising the main State power which is assigned to him, the latter being a more structural solution. Poland went through this situation of semi-presidentialism with a parliamentary majority supportive of the President but not acknowledging his leadership between 1991 and 1993, when the parties whose origins lay in Solidarity held the majority in the Parliament and Walesa, former general secretary of Solidarity, was President of the Republic; despite their previous alliance, agreement was impossible. In this three-year period there were four prime ministers and the President exercised his right to veto the lower chamber on numerous occasions.

There is another unusual situation which is worthy of mention and which has only ever occurred in Poland, where it took place from December 1990 until October 1991, due in part to the early transition agreements. This was semi-presidentialism of co-existence in which the parliamentary minority which, in principle, supported the President, did not recognise his leadership. The fragmentation and confrontation of the various groupings emerging from Solidarity meant that the President not only had to negotiate with the communists who held the majority in the lower chamber, but also with those of his own side, a complex situation which meant even more obstacles to smooth decision-making and functioning within the political system.
6. CONCLUSIONS

All systems of government are a world unto themselves; they are a unique response to the context in which they emerge. They are influenced, for example, by their historical precedents, by the prevailing party system or cultural context. For this reason, "exporting" or applying a political system such as semi-presidentialism from one country to another is not so simple, and there is no guarantee that it will bring about the same results. In addition, there is no evidence that semi-presidentialism is any more a panacea for all ills than any other system, nor is it proven to provide either more or less governmental stability or efficiency. It does however, have potential benefits which could be developed and built on.

For this reason I think that Lijphart's claim with regard to Polish semi-presidentialism is generally true of all semi-presidentialist regimes: "In the above two instances, the choices were much more strongly determined by internal political considerations than by external models. On the other hand, this foreign model (he is speaking from the French perspective) served as more than mere after-the-fact rationalizations: they gave the advocates of semi-presidentialism as open-list PR the useful ammunition of specific empirical precedents in their arguments in favour of this alternative.” (Lijphart, 1994c: 211-12).

What then are the arguments in favour of the semi-presidential system? It is a hybrid system which does not lock a state into either of the two extremes of presidentialism or parliamentarianism. As pointed out by Juan Linz, depending on the social and institutional context, the leader's personality, the nature of parliamentary majorities and the outcome of the balance of political activity, it permits a system to become either more parliamentary or presidentialist in nature. In all the cases studied we find presidentialist phases alongside others which are more parliamentarian in terms of political institutions. Linz believes that the same institution, in different circumstances of relations between a President and the party system, can operate in an entirely different way. Thus, in the case of a strong President with solid parliamentary support the system will swing towards a more presidentialist style (Linz,
1994). Similarly, cases such as those of Iceland, Ireland and Austria show how a semi-presidentialist system can end up as traditional parliamentarianism.

One of the virtues of a semi-presidentialist system is that it simultaneously promotes the role of the Parliament and of a dual executive (President and government, with the President at the head of the political hierarchy), given that both powers are conferred by the people's vote in a direct election. In addition, this reinforces the separation of powers, but at the same time it permits each power, the legislative and the executive, to have some control over the other (the government is accountable to the Parliament, the President has the power to convene and dissolve the Parliament). This control helps to overcome the stalemates that can occur with hung Parliaments and also the danger that the system "might serve to disguise dictatorship in the guise of presidency" (Lambert, 1973: 523).

Polyarchies which opt for semi-presidentialism after a parliamentary phase are usually in search of a system which will allow for an executive power which is not entirely dependant on the Parliament, but which will not annul the Parliament or the interaction of political parties. Those which come from a more presidentialist past wish to avoid the abuse of presidential power by giving more scope to the Parliament and the political parties. In both cases what is being sought is a solution to institutional problems which will not mean a radical break such as a change from presidentialism to parliamentarianism or vice-versa would mean. Linz (1994) holds that in Latin America a transition from presidentialism to semi-presidentialism is a preliminary step for a later move to a more parliamentarian system. He believes that a direct changeover is avoided since it is seen as being too abrupt.

Finally, in the light of this study I would present the following four conclusions:

Firstly, the necessary conditions enabling a political system to become a semi-presidential system are (i) the existence of a dual executive power (ii) that the President of the Republic be directly elected by universal suffrage, (iii) that the Constitution confer wide powers on the President, (iv) that the President appoint the prime minister and chair the ministerial council and (v) that the government be accountable to the Parliament.
The dual nature of executive power, the fact that the President appoints the prime minister and that the government is accountable to the Parliament are not the source of any controversy. They either exist or not, in the sense that there are no alternative variations. In contrast however, the matter of direct election of the President of the Republic is not so straightforward. As a general principle, the presidential election system must be chosen with care, given that while no formula generates an automatic result, all have slightly different tendencies. In the case of a presidential election one of two formulas can be employed, either plurality or majority. Plurality tends to promote the development of a two-party system. The majority approach (majority-runoff or double ballots) tends to promote bipolarity, and although this may not lead to a two-party system it works against the development of a multi-party system. The majority-runoff system has the advantage that in the first vote one elects and in the second one eliminates, in other words, each party tests its strength and its potential in the first ballot.

In addition, the specific socio-political circumstances of each State are important factors in the choice of plurality or majority. For example, a two-party political system will encounter no problems in adopting the plurality formula. On the other hand, if a multi-party system opts for the plurality approach in the presidential election, the result of the winning candidate will be rather weak and in all likelihood there will be a trend towards a two-party situation which will lead to complex political mergers and alliances. Should this occur in a country which is undergoing a democratic transition, the result could be a bitter confrontation between the representatives of the former regime and the new parties that are the driving force behind democracy. In contrast, a majority system permits the presence of several parties in the election process without such a high level of confrontation. The bipolarity that is often associated with the majority system means that in the case of a majority-runoff presidential election, the winning candidate's victory will be the fruit of party alliances.

Hence, due to the fact that semi-presidential systems tend to develop in multi-party polyarchies, direct election of the President by universal suffrage in a double ballot or majority run-off format is a suitable option, since it tends to perpetuate multi-party systems,
even if it does limit them, and it also confers greater authority and legitimacy on the elected President as a result of the regrouping of the political parties in the second ballot.

Turning now to presidential powers, we have seen that there are six specific powers, (i) the power to appoint the prime minister, (ii) the power to appoint high-ranking State and Administration officials, (iii) control of foreign policy, (iv) supreme command of the Armed Forces, (v) the power to convene special sittings of the Parliament and (vi) the power to dissolve the Parliament, which are found in practically all the systems examined and which allow us to obtain a clearer idea of the nature of the role of the President in a semi-presidential system and to see what differentiates this role from that of a parliamentary or presidential head of State. In addition, we have seen that legislative initiative, the power to refer legislation to the Constitutional Court and to call a referendum are aspects of executive power which often fall to the President. Increased presidential powers in situations of emergency or institutional collapse are not a universal feature but are found in some systems.

The second conclusion to be drawn is that the existence in the Constitution of the necessary conditions for semi-presidential government is no guarantee that this is actually the system in practice since (i) the system may be non-polyarchical and the institutions may exist only in the Constitution but not in reality and (ii) in the case of a democratic system, practice and conventions or a constitutional mutation may transform the system into an seemingly semi-presidentialist system from the political point of view.

Thirdly, the classification of semi-presidentialist system is a flexible one which can oscillate between presidentialism and parliamentarianism depending on the political, social and institutional circumstances of each State. Semi-presidentialism provides a means of offsetting the risks of institutional gridlock arising from divergences between the parliamentary and presidential majority and it also allows for political control of the government, thus avoiding abuse of presidential power.

Finally, the fundamental classifications of the semi-presidential model are (i) majority support, (ii) co-existence and (iii) support without recognition of leadership. All three are
determined by the relationship which exists between the President's majority and that of the Parliament. This dimension of allowing scope for the interplay of factors does not arise when presidential and parliamentary elections coincide.

FOOTNOTES

1. Generic use of the concept of "separation of powers" may be misleading since powers are separated both in presidentialism and parliamentarianism. It is true that to a certain extent both systems can be distinguished from each other by the degree of separation of powers, however the main feature which differentiates presidentialism from parliamentarianism is the degree of separation of institutions and their heads (Verney, 1963: 184-185).

2. In a now classic study, Verney (1963: 175 – 84) set out that the main elements of a parliamentary system are: 1) the government is drawn from the legislative Assembly; 2) the executive is divided into: head of State and government; 3) the head of State appoints the prime minister; 4) the prime minister designates the ministers; 5) the ministers form a cabinet or Council of Ministers; 6) the ministers are generally members of parliament; 7) the government is politically accountable to the Assembly; 8) the prime minister can ask the head of State to dissolve the Parliament; 9) the Parliament is more important than the legislative Assembly and the government, and at the same time neither of these two institutions can dominate the other; 10) the government is indirectly accountable to the electorate, and 11) the Parliament is the centre of power within the political system.

3. For Verney (1963: 185 – 91) the main features of presidentialist systems are as follows: 1) the government is not part of the Legislative Assembly; 2) executive power is not divided between the head of State and the government; 3) the President is elected by the people in a separate election to the legislative ones; 4) the head of State is also head of the executive; 5) the President appoints the ministers; 6) within the executive, the President is a first above unequals; 7) the parliamentary mandate is incompatible with ministerial function; 8) the executive is not accountable to the Assembly, but it is accountable to the Constitution; 9) the President can neither dissolve nor oblige the Assembly in any way; 10) in the last extreme, supreme power corresponds to the Assembly, which has sole authority to undertake constitutional reform; 11) the executive is directly accountable to the electorate, and 12) in a presidentialism there is no centre of power within the political system.
4. A recent study by Stepan and Skach (1994: 119-136) concludes that parliamentarianism is structurally more suited than presidentialism for the consolidation of democracy. The reasons underlying this conclusion lie in six tendencies found in parliamentarianism a) the propensity of governments to have majorities to implement their programmes; b) a great ability to rule in multi-party settings; c) a low propensity for executives to rule at the edge of the Constitution and great facility at removing a chief executive who does so; d) low susceptibility to military coups, and e) a great tendency to provide long party or government careers which add loyalty and experience to political society.

5. Lijphart (1900: 121) claims that "presidentialism is the enemy of the compromises of consensus and pacts that may be necessary in the democratisation process and during periods of crisis..., presidentialism is inferior to parliamentarianism".

6. Alc‡ntara (1994: 88) also cites the case of Russia; however, I believe the present institutional structure in Russia is far from being semi-presidentialist. Duhamel (1994: 556) indicates that, due to the distribution of constitutional powers, it seems that in all the semi-presidential regimes with the exception of France, the direct election of the President does not seem to concern the government. This is the case in Portugal, Austria, Iceland and Ireland. Indeed, it even happens in Eastern Europe, where with the exception of Poland, it seems that the direct election of the President by universal suffrage does not offer any great governmental power. "For whatever the reason, France is the only stable democracy with double governmental elections"

7. In this connection, Portelli (1989) sees the architecture of the Fifth Republic as being founded on a double separation of powers: the by-now classic separation of executive and legislative power, in the form of governmental power and parliamentary power; and a newer form, announced by De Gaulle in his Bayeux address, a separation of the power of State and that of the parties.

8. Colliard (1978: 280), to highlight the dual nature of the executive of this new regime termed it a parliamentary regime with presidential corrective.

9. He even claimed that the regime established by the 1958 Constitution was an Orleanist parliamentarianism, half-way between a limited monarchy and classic parliamentarianism.

10. Duverger pointed to two reasons for these misgivings with regard to the executive. On one hand the fact that the Assemblies were the first democratic institutions to emerge in the monarchies with the aim of limiting them; and on the other, an increase in the powers of a deputy meant an increase within the State of the democratic element; whereas a
restriction of the prerogatives of the executive had the effect of diminishing, within the State, the role of the autocratic element. However, with a view to ensuring economic management of a semi-public, semi-private apparatus and to acting as a counter balance to the pressure groups, the executive had to be strengthened, and both taboos had to be overcome.

11. In an opinion article in El Pa’s on 29 May 1996, Duverger coined the phrase "semi-parliamentary" to define the new model of government in Israel and Italy. The fundamental difference lies in the fact that the people directly elect the Parliament and the prime minister and both are linked, since the fall of the prime minister means the automatic dissolution of the Assembly.

12. In France, for example, it is not obligatory to obtain the Parliament’s confidence to carry out the tasks of government. Article 49 of the 1958 Constitution entitles the government to present a programme to the Assembly. It is not an obligatory practice but it is an habitual one. François Goguel considered that this was the only system capable of reconciling governmental stability and the complex composition of the successive French Assemblies (Goguel, 1962).

13. I also contacted the embassies in Spain (more than 80) and asked for a copy of the present Constitution of each State. Similarly, I consulted the information available on the Internet at http://www.uni-wuerzburg.de/law/index.html. The total number of constitutions consulted exceeded 100, although this does not mean that no errors were committed.

14. At first Duverger (1970: 279) saw these States as being "closer to the traditional parliamentary regime". Later, to define them more specifically he coined the phrase "seemingly semi-presidentialist" (1986a). Lijphart (1994: 15), describes them as "parliamentary systems with directly elected presidents". And Linz (1994) sees the semi-presidentialist system as a "dual executive system" and points out that one of the terms accepted in the literature is "parliamentary presidential republic".

15. In fact, the social and political context of Latin America poses problems for the effective development of democracy (Colomer, 1994). In the view of Diamond and Linz, the widespread social and economic inequality found in Latin America is incompatible with the democratic principle of equal rights and participation, since "democratic stability is highly dependent on economic performance, understood not only as sustained growth but as promoting social mobility and steady and broad improvement in popular wellbeing" (1989: 46). For his part Anglade (1994), holds that if a liberal democracy is to become a just society the following conditions must hold: a) all citizens must have equal civil and political rights; b) minimum socio-economic rights and c) accountability. His analysis of South American
countries in terms of these three conditions is not overly optimistic however. Nevertheless, Colombia is one of the countries in which the three conditions are most fully met.

16. The President, General Wojciech Jaruzelski, was elected by both chambers of the Parliament, but he was not subject to its confidence.

17. The country obtained independence in December 1917 and the Constitution was approved on 17 July 1919. Since then it has been amended several times. The most important reform for my purposes here, given that it affected the presidential election, was that of 22 July 1991. Indirect election of the President was replaced by the majority run-off system.

18. In favour of the presidentialist option were the Gaullists and such prestigious intellectuals as George Vedel (1964). General De Gaulle himself is attributed with having said "When I am no longer here, it will be necessary to have a head of State who is separate from the parties and not dependent on a parliamentary majority" (quoted by Passeron, 1962: 134). On the other side were the PCF and the other left-wing parties who objected to presidentialism as a system and to the provisions of the 1958 Constitution. Their view was that it could lead to a personalisation of power. Mitterrand even went so far as to claim that the 1958 Constitution when passed was "a permanent coup d'État". There were also scholars who, like Goguel, believed that the new regime was in keeping with the needs of the system, "the real function of the President of the Republic is to act as a counter-balance to the tendency to instability (of the governments in the Fourth Republic) (...) the government's political accountability to the Assembly is the only way to achieve stable government given the composition of French political Assemblies" (Goguel, 1962). Finally, Borella (1979) pointed out the paradox that a system established against the political parties was the first real party system to exist in French history.

19. Twenty-nine political parties were represented in the Sejm in 1991. The majority party held a mere 14% of the 400 seats. This led to a situation in which Suchocka's government failed to obtain the support of the Parliament, and the President, Walesa, dissolved it in May 1993.

20. The terms majority-plurality and majority-runoff were coined by Lijphart (1994). Both refer to the double ballot majority system, the difference lying in the number of candidates who compete in the second ballot. Thus, plurality (relative majority) implies that several candidates will participate in the second phase; in contrast, the term runoff is associated with runoff primary, the two-phase primary elections held in the United States. According to Duverger (1957) in certain states the possibility that a given faction might win led to the grouping together of its opponents with the final result of a two-candidate contest.
21. Sabsay does consider the majority-runoff system as a requisite for semi-presidentialism, "ballotage (a double ballot majority formula) and semi-presidentialism would appear to be closely linked" (1992a: 41). In his view, the extra legitimacy which the President obtains under this system is offset by the fact that the executive is made up of more than one person, and because the President must achieve consensus with the Assembly. For these reasons he believes that "the double-ballot system is a requisite for semi-presidential governability (...) a mechanism which is an integral part of semi-presidentialism" (1992a: 72-73).

22. Previous to this, Duverger had pointed out the need for agreement between the President and Parliament. "In every system in which a President and a Parliament, both of which elected by universal suffrage, confront each other, the essential problem is the organisation of their relationship. A certain rivalry is inevitable, and is not in itself harmful; indeed the system is based on this rivalry. However, it is necessary to avoid it going too far, it is important that both powers resolve their conflicts and collaborate more or less regularly" (1962b: 90).

23. One of the main areas of impact of the election system on the political system is the composition of majorities. Rae (1967) described four possible election results: earned majority, manufactured majority, natural majority and artificial majority. Lijphart (1994b: 71-74) pointed out that this classification is not exhaustive since it is also possible to have a result which is both manufactured and artificial majority and similarly, later parliamentary majorities can also be earned or manufactured majorities.

24. I agree with Pactet (1994) who rejects generic use of the term cohabitation. In his opinion "cohabitation" connotes close links and fluid communication, which is only possible if the President is not going to be a candidate for re-election and the prime minister enjoys considerable majority support (as in France after 1993: Mitterrand-Balladur). Therefore, instead of "cohabitation" I prefer the term "co-existence" which implies a greater distancing, which is more in keeping with the antagonistic nature of the relationship (the French case in 1986: Mitterand-Chirac).

26. In Pactet's view, mixed regimes are incoherent since they not only fail to provide a solution to conflicts among constitutional organs, but also if every organ chooses to fully use its powers then conflict is guaranteed. "the risks of institutional gridlock are not at all limited" (1994: 155).

27. As noted by Alc‡ntara, this is because a great number of the results of modern transition processes are "democracies by default", "in the sense that the new polyarchies appeared on the scene fundamentally due to the collapse of previous
non-democratic regimes in a deep governability crisis, and, consequently, these countries are "condemned to democracy". The path taken has been the "pactist" one in which the political parties that held power prior to democracy maintained a high level of political autonomy and power or they managed to establish 'pacts of silence'." (1994:209).

28. Crewe (1994), in the case of the new democracies of eastern Europe believes that liberal democracy has reached central and eastern Europe before there was time for the basic principles of liberal culture to take root. For this reason, he believes that the party systems will take a period of ten years to become fully established, and for this to take place leadership organisation, party mergers and splits, and strategic decisions will all play a role.
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