EXPLORING THE POWER-SHARING MODE
OF SEMI-PRESIDENTIALISM

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Abstract

The study of semi-presidentialism has been advanced by adopting clear-cut subtypes and linking them to system performance such as government stability and democratic survival. The dichotomous classification of president-parliamentarism vs. premier-presidentialism is one such set of subtypes that has gained wide acceptance among students of semi-presidentialism. The main problem with such classification is that it overly focuses on constitution stipulation, to the neglect of the behavioral patterns that mediate between legal norms and system performance. In this paper, we first develop a behavioral classification scheme that differentiates semi-presidential systems into four operational modes: quasi-parliamentarism (QP), presidential supremacy (PS), compromise (COM), and alternation (ALT), and concentrates on the COM mode. We classify world semi-presidential systems according to the four subtypes and identify the COM regimes. It is found that the COMs are situated between the ALTs and the PSs. They are based on, but not determined by constitutional stipulation that grants the president either the power to appoint specific members in the cabinet, or the power to directly design state policies in specific areas. As such, the COM regimes do not conform to either the principle of presidentialism which grants exclusive power to the president to appoint and dismiss cabinet members, or to the principle of parliamentarism which leaves the fate of the government in the hands of the parliament. The COMs recognize the authority of both the president and the parliament in cabinet formation and survival. Selective COMs are examined, including Poland (presidential ministers), Finland (presidential reserved domain), Taiwan (possible future case), Kenya and Zimbabwe (transitory). The rarity of COM cases and their fragility testify to the inherently uncertain and unstable nature of this particular subtype of semi-presidentialism.

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Semi-presidentialism is a fascinating constitutional system in part because of the wide range of operational possibilities that it demonstrates in different countries that adopted it. The critical variable is the role that the president plays in the system. As semi-presidentialism is defined in terms of direct presidential election and cabinet responsibility to the parliament, dual accountability is always possible. This systemic feature is not found in either presidentialism or parliamentarism wherein the chain of command and the direction of responsibility are clear. In a presidential system the government is directly under the control of the president, while in a parliamentary system the government is headed by the prime minister who leads the government and answer to the parliament. In a semi-presidential system the popularly-elected president may clash with the parliament over control of government. How the president would act in relation to the parliament is the core issue that defines a particular semi-presidential system.

Whether the president can control the government is determined by whether he can appoint/dismiss the prime minister unilaterally. In this regard, a most popular classification scheme in the study of semi-presidentialism is offered by Shugart and Carey in which two subtypes of the system are identified. Presidential-parliamentarism gives the president power to unilaterally dismiss the prime minister, while in a premier-presidential system the president does not have such power. The Shugart-Carey dichotomy has facilitated researches that explore into the impact of the level of presidential powers on democratic survival and performance in semi-presidential countries. The major problem with such approach is that it concentrates on constitutional stipulations and thus fails to grasp the operational reality. Obviously legal norms do not determine system performance directly. It is the behaviors of political actors who operate in the constitutional system that determine its performance. The other major problem of the Shugart-Carey dichotomy is its focus

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1 Here we adopt Elgie’s definition of semi-presidentialism that removes Duverger’s insistence on the president having considerable power in his original definition. For the definition of semi-presidentialism, see Duverger (1980), Vesser (1997), Bahro, et al. (1998), Elgie (1999a, 1999b, 2007b), Elgie and Moestrup (2007a), Elgie and Moestrup (2008).

on the dismissing power of the president, to the neglect of the more important appointing power. It is often the case that a constitution would stipulate clearly how the prime minister would be appointed, but the same document does not necessarily specify how he could be removed. Furthermore, the appointing power may imply the dismissing power, but not vice versa.

In this paper, we would concentrate on the president’s appointing power as the most important indicator of the sub-system of semi-presidentialism in which the country finds itself. We also concentrate on the behaviors of the president, instead of the mere constitutional stipulations. The president may play four roles as far as his appointing power is concerned. He may be a broker, a partner, an imposer, or a commander. These four roles correspond to the four subtypes of semi-presidentialism. A broker president acts like his counterpart in a parliamentary system. The subtype is quasi-parliamentarism. A partner president actively participates in cabinet formation, but not beyond what a parliamentary party leader would do. As a result, he may either command the government when his party holds majority in the parliament, or watch his power migrate to the prime minister who leads an opposing majority in the parliament. This subtype is alternation. An imposer president imposes his authority on the cabinet in areas specified by the constitution. His constitutional authority makes him always a vital participant in cabinet formation. The president typically shares power with the parliament. This is compromise. Finally a commander president dominates the cabinet as in a presidential system. He acts this way whether his party holds majority in the parliament or not. Here we find a system of presidential supremacy. In short, the president in a semi-presidential system can play broker, partner, imposer, or commander. The subtypes that correspond to the four presidential roles are quasi-parliamentarism (QP), alternation (ALT), compromise (COM), and presidential supremacy (PS).

In the following pages we would first detail the typology of the presidential roles and the subtypes. Then we would move to the empirical world and classify the existing democratic semi-presidential regimes according to our typology. This is followed by a discussion of the compromise (COM) regimes. We shall concentrate on its transitory nature, and come up with an explanation. Selective COMs are examined, including Poland, Finland, Taiwan, Kenya and Zimbabwe. We find the rarity of COM cases and their fragility testify to the inherently uncertain and unstable nature of this particular subtype of semi-presidentialism.

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**The typology**

Even though all semi-presidential countries share a broad institutional framework, the presidents of these countries base their actions on quite different political assumptions. Some consider themselves as honest brokers whose sole job is to facilitate the formation of cabinet after parliamentary elections. In those cases the presidents impose on themselves a self-constraining role, despite their popular election. They are not leaders in their own political parties (or in the parties that support their election). As a result, when there is congruence between the president and parliamentary majority, the president would yield to the leader in his own party in the formation of cabinet. When the presidential party fails to capture majority in the parliament (president-parliamentary incongruence), it is up to the parliamentary parties to determine how the cabinet would be formed. When there is an opposing political party or party coalition that claims majority in the parliament, then the presidential party in most likelihood would go into opposition. However, when there is a multi-party system and no majority can be formed, then the presidential party can still be a participant in the new cabinet. Whatever the final composition of the new government, the president would abide by his role as an honest broker, and let his party leader to negotiate in the parliament for the formation of the cabinet. Because the president has such a self-constraining role, the system can be properly characterized as quasi-parliamentarism (see table 1).

<table>
<thead>
<tr>
<th>Subtype</th>
<th>Role of the President</th>
<th>Under united government</th>
<th>Under divided government</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quasi-parliamentarism (QP)</td>
<td>Broker (non-party leader)</td>
<td>President yields to co-partisan in parliament to form government</td>
<td>President yields to opposition majority leader in parliament to form government</td>
</tr>
<tr>
<td>Alternation (ALT)</td>
<td>Partner (party leader)</td>
<td>President appoints his favorite prime minister and form government</td>
<td>President yields to opposition majority leader in parliament to form government</td>
</tr>
<tr>
<td>Compromise (COM)</td>
<td>Imposer (party leader)</td>
<td>President appoints his favorite prime minister and form government</td>
<td>President and opposition majority leader distribute cabinet positions and/or divide executive power</td>
</tr>
<tr>
<td>Presidential supremacy (PS)</td>
<td>Commander (party leader)</td>
<td>President appoints his favorite prime minister and form government</td>
<td>President appoints his favorite prime minister and form government</td>
</tr>
</tbody>
</table>
Diametrically opposite to quasi-parliamentarism is presidential supremacy. This is a subtype that is based on the president's self perception as the commander of the government. The president in this case is the leader of his own party, or the party that supports his election. As the popularly elected leader of the nation, the president does not shy away from determining the formation of the government after his own election which is viewed as offering a mandate for him to rule. Under president-parliamentary congruence there is no doubt that the president can smoothly appoint the new cabinet. However, even under incongruence the president as commander of government insists on his right to determine the prime minister and cabinet members, the opposition from the parliamentary majority notwithstanding. The fascinating feature of this presidential supremacy system is that even though the parliament has the power and legitimate reason to vote down the presidential cabinet, it won’t. It may have to do with particular circumstances, but more important is a prevalent political culture that enshrines the president as the legitimate commander of government, and thus any challenge to his prerogative is considered improper. Such perception is a strong deterrent against any possible vote of no confidence that the opposition may launch against the government, for even though the opposition has enough votes to dislodge the cabinet, it may face voters’ punishment when the parliament is dissolved for reelection.

A quasi-parliamentary system (QP) functions like parliamentarism, and a presidential supreme system (PS) follows the principles of presidentialism. There are still two subtypes of semi-presidentialism that are located between QP and PS. One of them, the alternation mode (ALT), is close to QP with one significant difference, namely the ALT president is the party leader. This means when there is president-parliamentary congruence, the president as the leader of the majority party would surely appoint the prime minister and cabinet members and lead the government. The prime minister becomes the president’s chief lieutenant. If the presidential party fails to capture majority in the parliament, then like under QP, the presidential party may or may not join the government, depending on whether the opposing party/coalition can gain majority control in the parliament. Typically if there is a bi-party system, then under incongruence the presidential party would go into opposition. If there is a multi-party system, then the presidential party may still join the coalition government as a partner. Here the president would wield his influence not in his presidential capacity, but as the leader of a coalition party. In all, the ALT president is a partner in cabinet formation. Whether he would be the sole partner, the senior partner, the junior partner, or a non-partner depends on the distribution of seats and the dynamics of horse-trading among the parliamentary parties.
Compromise is yet another subtype of semi-presidentialism. It is the true mixture of presidentialism and parliamentarism in cabinet formation. The president plays the role of an imposer when the government is formed. As in PS and ALT, the COM president is the party leader. This means when his party is the majority in the parliament, the COM president determines the composition of the cabinet. The test comes when incongruence happens. As has been shown, both QP and ALT adhere to the parliamentary principle, i.e. cabinet formed in the parliament, while PS follows the rules of presidentialism, i.e. cabinet formed by the will of the president. In contrast to those more “pure” subtypes, COM reserves specific areas for the president while allows the parliament to dominate in the residue territories. It may take the form of designating presidential posts in the cabinet (the presidential ministers), or specifying particular policy areas where the president dominates (the presidential reserved domain). As the COM president imposes his will in specific areas under incongruence, he is an imposer. However, he is not an all-powerful commander, as under presidential supremacy, for the COM president needs to share power with an opposing parliamentary majority. Of course, neither is the COM president a mere partner, basing his authority purely on the seats of the party he leads in the parliament. In sum, the COM president finds his role between the PS president (commander) and the ALT president (partner).

Figure 1 below shows the different levels of presidential power to form cabinet in the four subtypes of semi-presidentialism. As can be clearly seen, during congruence the presidential authority is similar for PS (commander), ALT (partner), and COM (imposer), on a level much higher than QP (broker). During incongruence the PS president remains strong in cabinet formation, followed by COM, ALT, and finally QP. We assign Presidential Authority Scores (PAS) 1-4 to the presidential roles, with 1 standing for the lowest authority (broker) and 4 for the highest authority (commander). COM is given a 3, and ALT a 2.

The relation between the president and the premier is determined by the subtype. Under PS, the premier is the chief lieutenant of the president. Under QP, the premier wields ultimate power while the president serves as power broker during cabinet formation. Under ALT, the president either dominates the premier when the presidential party controls the parliament, or succumbs to the premier’s leadership when the latter leads an opposing majority party in the parliament. Under COM, the president either dominates the premier as under ALT (congruence), or shares power with him (incongruence). The relation between the president and the premier is a direct function of the particular subtype in which they find themselves. Also come
into play are the relation between the president and the parliament (congruence or incongruence), and the party system in the parliament (bi-party or multi-party).

Figure 1  Presidential Authority in Cabinet Formation

Distribution of subtypes in the semi-presidential world

How the four subtypes of semi-presidentialism distribute in the world? Following Elgie we use only two conditions specified by Duverger to determine whether a country is semi-presidential: direct presidential election, and government headed by the prime minister and responsible to the parliament. Duverger’s assertion that the president should have considerable power is dropped because of the difficulty to operationalize it. We find that there are currently 56 countries that have adopted semi-presidential constitutions (Elgie 2011). Among the 56, we further discern democratic regimes for our consideration. A minimal standard is used to exclude only those countries that are utterly undemocratic. We put into the “non-democratic” category those countries that are ranked as “not free” in the Freedom Rating, and given a score of less than 6 in Polity IV, consistently from 2005 to 2009 (Wu 2011). As a result we find 42 semi-presidential democracies in the contemporary world. They are readily clustered into three groups: established democracies (in Western
Europe and Scandinavia), post-Leninist countries (mostly in Eurasia), and post-colonial countries (primarily in Africa, but also scattered in Asia). Their cluster distribution is shown in figure 2.

Originally entrenched in Western Europe, semi-presidentialism rapidly expanded into the post-Leninist countries in Eurasia, and into the post-colonial world, particularly the Francophone and Lusophone countries, in the 1990’s, riding the third wave of democratization. There is an inherent intimacy between cluster and subtype. Given that West European countries have the strongest parliamentary tradition, it is only natural that the subtype emerging there would heavily tilt toward QP, and with some ALT and COM. Post-colonials are the other extreme. The weakest parliamentary tradition there suggests a heavy tilt toward PS, with minor cases of ALT, COM and QP. Finally post-Leninists have a medium position, and find their East European wing tilts towards QP, ALT, and COM while the post-Soviet wing tilts towards PS.

After looking into the operation of the 42 semi-presidential regimes in the contemporary world, we find the above generalizations borne out by country practices. In the following table 2, we find in Western Europe the dominant subtype is QP, accounting for 67 percent of all semi-presidential cases. There is one ALT and one COM. In the post-Leninist world, the East European wing is quite balanced among QP, ALT, and COM, accounting for 43 percent, 43 percent, and 14 percent of the seven cases respectively. There is a historical case of COM in Poland, from 1992 to 1997, that was succeeded by ALT. No PS is found. However, when we move to the post-Soviet area, PS surges to become the dominant pattern, accounting for 5 out of 6 cases, or 83 percent, with the only exception of Lithuania as a QP. Finally, in the post-colonial world, the absolute majority of the semi-presidential regimes are also PS, particularly among the Francophone countries. For a discussion of Francophone semi-presidential countries, see Moestrup (2006), Conac (2007).
Figure 2  Global Distribution of Semi-Presidentialism
The distribution of subtypes can also be measured by the Presidential Authority Score (PAS), i.e., the 1-4 score we assign to the four presidential roles and subtypes. For West European democracies, the average PAS is 1.5, suggesting rather weak presidential power in cabinet formation. The post-Leninists have an average PAS of 2.6, with the East Europeans standing at 1.7, the post-Soviets at 3.5, and the Asians at 3. This is a significant increase of presidential authority compared with West European democracies. Finally, the post-colonials have an average PAS of 3.4, with the Francophone countries standing at 4, the Lusophone countries at 2.6, and others (mostly Anglo) at 3. Finally, the overall average PAS of the 42 semi-presidential democracies is 2.8. In short, the post-colonials have an average PAS that is higher than that of the post-Leninists, which in turn is higher than that of the West Europeans. Among the post-Leninists, the post-Soviet presidents are more powerful than their counterpart in Eastern Europe, while among the post-colonials, the Francophone presidents wield greater power than the Lusophone ones, and those in the “others” category. Taken as a whole, the empirical data convince us that the further away a semi-presidential country is from Western Europe, the core of parliamentarism, the more powerful is its president in forming cabinet and so the higher is the country’s Presidential Authority Score.
<table>
<thead>
<tr>
<th>Cluster and Sub-Cluster</th>
<th>QP=1</th>
<th>ALT=2</th>
<th>COM=3</th>
<th>PS=4</th>
<th>Presidential Authority Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Western Europe &amp; Scandinavia</td>
<td>Austria, Iceland, Ireland, Portugal 4(67%)</td>
<td>France 1(17%)</td>
<td>Finland 1(17%)</td>
<td></td>
<td>1.5</td>
</tr>
<tr>
<td>Post-Leninist Eastern Europe</td>
<td>Bulgaria, Slovakia, Slovenia 3(43%)</td>
<td>Croatia, Macedonia, Poland (COM turned ALT, 1997-) 3(43%)</td>
<td></td>
<td>Poland (1992-97), Romania 1(14%)</td>
<td>1.7</td>
</tr>
<tr>
<td>Post-Soviet Lithuania</td>
<td>1(17%)</td>
<td></td>
<td></td>
<td></td>
<td>3.5</td>
</tr>
<tr>
<td>Asian</td>
<td>Mongolia 1(50%)</td>
<td></td>
<td></td>
<td>Taiwan 1(50%)</td>
<td>3</td>
</tr>
<tr>
<td>PL Total</td>
<td>4(27%)</td>
<td>4(27%)</td>
<td>1(7%)</td>
<td>6(40%)</td>
<td>2.6</td>
</tr>
<tr>
<td>Post-Colonial Francophone</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>4</td>
</tr>
</tbody>
</table>

| **Table 2** Subtype Distribution of Semi-presidentialism |
| **Lusophone** | Cape Verde 1(20%) | East Timor (UT)**, Sao Tome and Principe 2(40%) | Guinea-Bissau (UT)**, Mozambique (UT)** 2(40%) | 2.6 |
| **Others** | Singapore 1(20%) | Sri Lanka (PS turned ALT) 1(20%) | Kenya* Zimbabwe* | Namibia (UT)** Tanzania Yemen (UT)** 3(60%) | 3 |
| **PC Total** | 2(10%) | 3(15%) | 15(75%) | 3.4 |
| **Others** | Peru 1(100%) | 1 | 1 |
| **Semi-Presidential Total** | 11(%) | 8(%) | 2(%) | 21(%) | 2.8 |

*Kenya and Zimbabwe are COMs, but they are not covered in our list of democracies. They will be discussed later.
**UT stands for “untested,” suggesting the country has only experienced either congruence or incongruence, hence the subtype classification is based on expectation only.
Power Sharing and COM

Power sharing between the president and the parliament is common in semi-presidential systems. A typical mechanism of power sharing is coalition government that includes the presidential and other parties (CGPP). This situation would rise only under incongruence between the president and parliamentary majority. Except for the PS mode all the subtypes of semi-presidentialism are compatible with CGPP. Under QP, CGPP is formed when there is no majority party in the parliament, and the presidential party joins the coalition government based on its parliamentary seats. Furthermore, the president is not the leader of his party, so the coalition government is formed by the leaders of the presidential party and other participating parties in the parliament. Under ALT, CGPP is formed under similar circumstances, with a significant difference in that the president is the leader of his party, and so he participates in the forming of the coalition government. In short under the subtypes of QP and ALT, CGPP is formed in the parliament, and the president participates only in the capacity of party leader if at all.

Power sharing under COM is quite different. Here one finds two major forms: presidential ministers and presidential reserved domain. The former is based on the presidential prerogative in filling specific cabinet posts, sometimes through the constitutional provision that requests the president be consulted when such posts are filled. The latter is based on constitutional provision or presidential assertion that the president should determine policy guidelines in specific areas. The former concerns cabinet personnel, the latter concerns policy and its implementation. Even though the two COM forms are often based on constitutional provision, its existence relies more on political practice and tradition.

The Polish case is a good example of presidential ministers. As Poland moved through the process of democratization, the Polish United Workers’ Party (PUWP) went into Round Table talks with Solidarity to lay down the future constitutional structure. In order for General Wojciech Jaruzelski, the leader of PUWP who was slated for the presidency of the country, to wield effective control over the government, it was agreed that the critical ministers of foreign affairs, defense and the interiors shall be determined by the president. Solidarity made the concession to strike a deal with PUWP for the latter’s support for democratization. After the failure of the Communists to form a government in the aftermath of the parliamentary elections in June 1989, Solidarity’s Tadeusz Mazowiecki succeeded in gaining support by the Communists’ erstwhile allies in the parliament and formed a cabinet. However, in Mazowiecki’s government one finds Deputy Prime Minister and Minister of Internal
Affairs Czesław Kiszczak, and Minister of National Defence Florian Siwicki from the Communist Party, and Foreign Minister Krzysztof Skubiszewski a non-partisan. Those were Jaruzelski’s choices. The president acted as an imposer here. The presidential power to determine the three critical ministers was incorporated into the “Little Constitution” of 1992, which required the prime minister to consult the president about the appointment of the ministers of foreign affairs, defense and the interiors. After his election in 1990, President Lech Wałęsa insisted on this presidential prerogative left over from his Communist predecessor. The president had his way with the Bielecki and Suchocka cabinets, but failed to get Olszewski to appoint his nominee defense minister (McMenamin 2008, 130). As the parliamentary elections of 1993 brought into power a left government led by the post-Communist Alliance of the Democratic Left (SLD) and the Polish Peasant Party (PSL), Wałęsa came into conflict with the prime minister, Waldemar Pawlak (PSL) and Józef Oleksy (SLD). Even under such tension, both Pawlak and Oleksy accepted Wałęsa’s prerogative in appointing the presidential ministers in their cabinets, partly in an attempt to achieve good relation with Wałęsa (van der Meer Krok-Paszkowska 1999, 182). They are Foreign Ministers Andrzej Olechowski and Władysław Bartoszewski, Interior Ministers Andrzej Milczanowski and Defense Minister Zbigniew Okoński (Jasiewicz 1996, 1997). As the relationship between the president and the premier was tense, the presidential appointees in the cabinet acted as saboteurs to undermine the prestige of the premier. A famous example was Oleksy’s interior minister Milczanowski accused his boss of passing on state secrets to Russian agents, while Oleksy refuted such accusations and criticized President Wałęsa for destabilizing the state (Jasiewicz 1997, 472). The conflict between the presidential ministers and the prime minister often resulted in the former’s resignation and conflict between the president and the premier over their replacements. This happened when Andrzej Olechowski tendered his resignation over disagreements with Pawlak, and when Pawlak fired Defense Minister Adm. Jerzy Kołodziejczyk. Wałęsa and Pawlak collided over the replacements to the two presidential portfolios. The existence of presidential ministers in a cabinet led by a premier opposing the president tends to exacerbate the animosity between the president and the parliament.

Partly to redress this defect, Poland passed a new constitution in 1997 that

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5 Ultimately, Wałęsa was able to bring down the Pawlak government by delaying the state budget, and then accusing the Sejm for failing to pass the budget in time, a condition stipulated by the Little Constitution for the president to dissolve the parliament. The threat of dissolution drove a wedge between Pawlak and his coalition partner SLD, and caused the latter to launch a constructive vote of no confidence on the Pawlak government. In short, Wałęsa was able to dislodge the premier whom he cohabited with. This shows the tension in a COM system under incongruence (Jasiewicz 1996, 437-438).
significantly reduced the president’s power, including his prerogative to appoint the three presidential ministers in the cabinet. The new constitution removed the basis of Poland’s COM system at one stroke. Since 1997, no president was able to appoint his ministers inside a cabinet led by an opposing premier, i.e., during incongruence. This was the case under the reign of the moderate Aleksander Kwaśniewski as well as the flamboyant Lech Kaczyński, despite the latter’s attempt to revive the presidential prerogative. Thus Kwaśniewski had to content himself with the full authority by Jerzy Buzek to determine his right AWS-UW cabinet (1997-2001), and Kaczyński with Donald Tusk’s full control of his PO-PSL coalition government (2007- ). Presidential ministers have disappeared in those cabinets during incongruence. Since 1997, Poland has turned itself from COM to ALT, and the president has changed his role in cabinet formation from an imposer (Wałęsa) to a partner (Kwaśniewski and Kaczyński).6

The other form of power sharing between the president and the parliament during incongruence is presidential reserved domain. Here one finds the president dominating particular policy areas stipulated in the constitution, and/or asserted by the president. Finland is a typical case.7 The 1919 Constitution granted the president wide-ranging powers, particularly in foreign policy. Article 33 stipulates that “the relations of Finland with foreign powers shall be determined by the president” (Arter 1999, 53). During the inter-war period, the Finnish president cooperated with the prime minister and foreign minister on foreign affairs without asserting presidential primacy. The role of the president surged during and particularly after WWII. The importance of maintaining good relations with the Soviet Union provided crucial context for the Finnish president to exert leadership in foreign policy (Arter 1987). The cornerstone of Finland’s post WWII foreign policy was the 1948 Treaty of Friendship, Cooperation, and Mutual Assistance with the Soviet Union. Under Juho Kusti Paasikivi (1946-1956) and Urho Kekkonen (1956-1982) a clear division of power developed between the president who directed the pro-Moscow foreign policy and the prime minister who took charge of domestic affairs and answered to Eduskunta. While Paasikivi directed foreign policy through the State Council, Kekkonen directly commanded officials in the Foreign Ministry when it came to relations with Moscow. The prime minister could not intervene in this presidential

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6 The election of Bronisław Komorowski as president of Poland in 2010 to succeed Kaczyński who died in a tragic plane crash near Smolensk may signal a further change of Poland’s semi-presidential subtype. This is because in ALT the real power holder is the president during congruence, but Tusk is unlikely to play a subordinate role to Komorowski who won the presidential election with the backing of Civic Platform (PO) that Tusk leads. Whether this would lead Poland toward QP remains to be seen.

reserved domain. The position of Paasikivi and Kekkonen was supported by the Soviets as the two presidents pursued their “Finlandized” policy, or the Paasikivi-Kekkonen line (Arter 1999, 56). The presidential dominance in foreign policy even spilled over to cabinet formation as Kekkonen managed to exclude the right National Coalition Party from government and invited the pro-Moscow Finnish People’s Democratic League into the Popular Front governments for yleiset syyt (general reasons) (Arter 2009a, 229).

The transformation of Finland’s external relations brought about changes in its constitutional system. The breakup of the Soviet Union removed the major reason for the president to dominate foreign policy. The effort to join the European Union required parliamentary participation in passing legislation in conformity with European requirements. Mauno Koivisto, Kekkonen’s successor, led a major effort to amend the constitution in his second term (1988-1994). In 2000 Finland adopted a new constitution. The presidential prerogatives in cabinet formation and dismissal were curtailed. His decree power was also removed. However, the president still has the power to collaborate with the government and guide the nation’s foreign policy (Article 93). Practically this means the president still dominates Finland’s foreign policy regarding non-European countries. The proposal to abolish the president’s reserved domain in foreign policy has not been welcome in the country, as most people hold the president in great esteem and expect him/her to exert influence in the country’s external relations (Arter 2009b). Because Finland has a multi-party system and the Finnish president’s relation with Eduskunda has been incongruent, the fact that the president can exercise significant authority in particular policy areas justifies the classification of the country as a COM, although the reduction of presidential powers in recent decades has to be recognized.

COM is a possible subtype choice for other semi-presidential countries. Taiwan (the Republic of China) shows such a tendency. After the adoption of semi-presidential constitutional amendments in 1997, Taiwan experienced four years of unified majority government under the Kuomintang (KTM). From 2000 to 2008, the country was ruled by the Democratic Progressive Party’s president Chen Shui-bian. The subtype was a unmistakable PS, as President Chen determined the prime minister and the composition of the cabinet without consulting or collaborating with the Kuomintang and its Pan-Blue allies that dominated the Legislative Yuan. In 2008, Chen was re-elected and the composition of the cabinet was not affected. However, Chen was forced to resign in May 2008 due to accusations of corruption. The new president, Ma Ying-jeou, who was elected in January 2008, faced a difficult situation as he had to deal with the demanding demands of the Democratic Progressive Party (DPP) and the Kuomintang (KMT). The DPP was the largest party in the Legislative Yuan and had the power to block any legislation that was not favorable to them. The KMT was the ruling party and had the power to veto any legislation that was not favorable to them. The new president had to navigate the political landscape carefully to ensure the smooth functioning of the government. As a result, the new president had to consult with both the DPP and the KMT to ensure that the legislation was approved. This situation was unprecedented and marked a significant change in the political landscape of Taiwan.

8 For a discussion of Taiwan politics in view of its semi-presidential system and the PS subtype, see Wu (2000b, 2005, 2007). It has to be recognized that even under PS, the DPP still appointed individual KMT members into the cabinet, including the first premier Fei Tang, foreign ministers Hung-mao Tien and You-hsin Chien, and the four generals-turned-defense ministers Shih-wen Wu,
the KMT’s presidential candidate Ma Ying-jeou won presidential race, and the
candidate-parliamentary relations reverted to congruence. Ma’s original idea of how to
operate the ROC’s semi-presidential system was quite different from that of his
predecessor. The KMT had long advocated that the constitutional structure of Taiwan
is a dual-executive system (shuang shouzhang zhi), and it had been highly critical of
the DPP’s disrespect of the majority in the parliament. During the campaign for the
parliamentary elections, Ma promised that if the Pan-Green were to capture the
majority in the Legislative Yuan, and if he was elected president, then he would
respect the parliamentary majority and appoint a Pan-Green prime minister. This
showed that Ma did not insist on holding the prime minister accountable to him if the
KMT and its allies failed to capture parliamentary majority. Under those
circumstances, it would be hard for Ma to dismiss the premier as long as the latter
enjoyed the support of the parliament. On the surface this would look like the French
system during cohabitation, i.e., ALT. However, appointing a Green premier under
incongruence did not mean Ma would leave the whole cabinet to the discretion of the
DPP. As Additional Article 2 to the ROC Constitution stipulates that the president
shall determine major policies for national security, Ma interpreted that as
empowering the president to have a say on the personnel of the cabinet members
directly related to national security, i.e., ministers of defense and foreign affairs and
director of mainland affairs council, the cabinet-level agency in charge of
cross-Taiwan Strait relations with mainland China. This meant a portion of the cabinet
would still be responsible to him, even under divided government. Here we find
Taiwan’s “presidential ministers.”

Ma’s inclination to follow a “functional division of power” between him and the
premier can be further explored by the president’s behavior after winning the
presidential race. In May 2008 Ma invited Liu Chao-shiuan, a veteran technocrat, to
be his prime minister and to form the new KMT government. Ma then worked out
with Liu as to the composition of the new government. During the process Ma made it
clear that he should determine the ministers of foreign affairs and defense, and the
director of the mainland affairs council. Liu had more say on other ministerial
positions, primarily in the economic and domestic realms. This means that even under
congruence, Ma would self-constrain his authority to that directly related to national
security. At the early stage of Ma’s presidency, he thought the “functional division of
power” was the appropriate formula between the president and the premier. He

Yiau-min Tang, Jye Lee and Tien-yu Lee. However, those KMT cabinet members joined the DPP
government on their individual basis, and did not bring about power sharing between the DPP and the
KMT.
thought this was a correct reading of the constitution. Ma then carved out the bulk of state affairs for the prime minister to take charge, while constrained himself to security matters. The president thought he should stand on the “second line,” leaving the premier in full control of the government. This brought about an uproar of protest from the people who did not know why they had elected a president who constrained himself and left everything to a prime minister whom none had expected to be in that position when Ma was elected. The constitution-abiding, self-constraining role that Ma imposed on himself was in contradiction with popular expectations of an all-powerful president who could lead the nation through challenges. Since Ma’s inauguration the skyrocketing energy prices, the international financial crisis, and most critically the devastating impact of Typhoon Morakot that struck Taiwan in early August, 2009 all forced Ma to take the lead in directing government actions. Ma’s partnership with Liu was finally broken after the government found itself under mounting criticism from both domestic and international media for lack of effective actions in the wake of Typhoon Morakot which left 700 deaths, the worst in Taiwan’s typhoon history. One month after Morakot struck, Ma accepted the resignation from Liu and his cabinet. Wu Den-yih, the KMT’s secretary general, was appointed by Ma as the new premier. A new government was formed. Among the members in the cabinet, Ma’s favorites filled important posts. The erstwhile functional division of power between the president and premier simply disappeared. Ma took the lead in changing the premier and reshuffling the cabinet (Wu and Tsai 2011). This was a clear-cut PS mode of semi-presidentialism.

This development shows that under congruence Taiwan’s president would have to take lead, whether he likes it or not. However, the same popular expectations might during incongruence push for the president’s holding onto power in areas that the constitution presumably has declared his territory, viz. national security. Should that happen, namely should the president is aggressive enough to claim primacy in national security but self-constraining enough to respect parliamentary majority, then Taiwan would move to COM. It may take the form of either presidential ministers (a la Poland), or presidential reserved domain (a la Finland).

Power sharing in semi-presidential countries can be found in less institutionalized context. Kenya and Zimbabwe are two pertinent cases. Typically semi-presidential regimes in Africa are found in Francophone and Lusophone countries. This fact has a lot to do with the strong demonstration effect that France and Portugal have over its former colonies. For Anglophone countries in Africa, the initial constitutional choice was parliamentarism. However, the political need by the
strong man to head both the state and government prompted constitutional change that abolished prime minister and set up an all-powerful president. In Kenya, the founding father Jomo Kenyatta swiftly shifted from prime minister to president after the independence of the country in 1963. In Zimbabwe Robert Mugabe served as prime minister from 1980 to 1987, and then shifted to president. Such constitutional change and shift of position by the top leader were common for former British colonies in Africa. It may provide the institutional reservoir that makes possible the restoration of prime minister when political expediency requires.

The presidential elections in Kenya (December 2007) and Zimbabwe (March 2008) provided such expediency. Flawed elections in both cases and refusal to admit defeat by the major opposition presidential candidates led to serious conflicts between the government and the opposition, whipped up ethnic strife, caused mass killings and produced internal refugees. In Kenya the incumbent Mwai Kibaki was challenged by the opposition leader Raila Odinga. The two were allies in the past against former president Moi, but split after the 2002 elections. In Zimbabwe President Mugabe faced the challenge by the opposition leader Morgan Tsvangirai, who lost to Mugabe in the 2002 presidential election. The post-election conflict was such that the international society intervened and mediated between the government and the opposition. As Kibaki and Mugabe refused to give in to the opposition’s demand, while Odinga and Tsvangirai stood fast, it was obvious that no solution could be found in the current institutional framework. In this context that the idea of restoring the office of prime minister surfaced.

It was an ingenious solution. By taking advantage of the elusive location of real power in the semi-presidential system, the two sides found a way to reconcile their seemingly incompatible demands. The incumbents would keep their presidency, while the opposition leaders could assume a post with equal prestige and possibly even greater power. The contestants temporarily stopped their confrontation and took a political gamble by sharing power with each other under ill-defined terms. After they decided to restore prime minister, political elite in the two countries still needed to figure out what subtype of semi-presidentialism they would adopt. As COM offered a most balanced distribution of power between the president and the parliament/premier, both Kenya and Zimbabwe adopted the COM version of semi-presidentialism. In Kenya the opposition ODM (Orange Democratic Movement) won a landslide victory in the parliamentary elections held simultaneously with the presidential election, and yet Odinga accepted the need for a compromise, hence he reached a power-sharing agreement with Kibaki in February 2008, which was later enshrined in the National
Accord and Reconciliation Act. The cabinet posts were divided evenly between Odinga’s ODM and Kibaki’s PNU (Party of National Unity) camp, with Odinga taking premiership.\(^9\) It was stipulated that the premier should be responsible to the parliament, and the job can only be taken by the leader of the largest party or coalition in the parliament. There was even power sharing in the ministries with ministers from one party flanked by deputy ministers from the other party. This grand coalition government was not formed in the parliament, but through extra-parliamentary negotiation and compromise reached on the constitutional level. The government was formed not by the parliamentary principle, not by the presidential principle, but by a compromise that designated presidential ministers in the cabinet.\(^10\) The president was able to control the ministerial posts of defense and foreign affairs, while the ODM had a dominant position in domestic affairs and economy. Similar situation appeared in Zimbabwe, with Tsvangirai willingly taking premiership and forming a grand coalition government with Mugabe. According to Zimbabwean Power-Sharing Agreement, the 31 ministers were divided between Mugabe’s ZANU-PF (Zimbabwe African National Union-Patriotic Front), Tsvangirai’s MDC-T (Movement for Democratic Change-Tsvangirai), and MDC-M (MDC-Matambara).\(^11\) There are also 15 deputy ministers, with 8 nominated by ZANU-PF, 6 by MDC-T, and 1 by MDC-M. There would also be one deputy prime minister for both MDC-T and MDC-M. The power sharing agreement was later written into the constitution (Article 20.1.6), showing clearly that this is a COM mechanism.\(^12\)

The COM regime in Kenya and Zimbabwe operated under difficult situations. As semi-presidentialism and COM were instrumentally chosen, they could be abandoned

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\(^9\) Uhuru Kenyatta, son of Kenya’s founding father Jomo Kenyatta, led Kenya African National Union (KANU) and joined the PNU camp as a junior partner to Kibaki. Kenyatta became a deputy prime minister in the coalition government. The other deputy prime minister was Wycliffe Musalia Mudavadi from the ODM.

\(^10\) Had the cabinet been formed by parliamentary principle, then ODM would not need to form a coalition government with the PNU. The ODM captured 100 seats of 213 in the Kenyan parliament while PNU had only 45. The ODM could easily form a majority government with the small parties (QP and ALT). If Kenya follows presidential principle, then Kibaki could form his own cabinet without worrying about the distribution of seats in the parliament (PS). The grand coalition government was formed as a compromise between the parliamentary and presidential principles by designating presidential ministers in the cabinet (COM).

\(^11\) MDC-M led by A.G.O. Mutambara is a junior partner of MDC-T. Both are rooted in the MDC. Mutambara served as a deputy prime minister in the coalition government.

\(^12\) Like in Kenya, the opposition MDC-T and MDC-M captured more seats than the presidential party (ZANU-PF). If the parliamentary principle prevails (QP and ALT), then one would expect a MDC-T/MDC-M government without the participation of ZANU-PF. If the presidential principle prevails (PS), then Mugabe could go ahead forming his own cabinet without consulting the parliament. The grand coalition government formed according to the power-sharing agreement was a compromise of the parliamentary and presidential principles (COM).
easily. In Kenya, whether there should be a prime minister had long been debated and resisted (Moestrup 2011). The last-minute compromise to restore the position was purely a matter of political convenience. When it came to drafting a new constitution in 2010, the representatives from both the PNU and the ODM agreed that the prime minister’s position should be again removed, and Kenya’s constitutional system restored to presidentialism. The change of attitude on the part of the ODM was in part a reflection of the social mood against the internal struggle that was inevitable in the grand coalition government as Odinga and Kibaki fought for the right to reshuffle the cabinet. More importantly, it showed Odinga’s camp was interested in catching the position of an all-powerful president in the next presidential election scheduled to be held in 2012, instead of co-habiting with a premier in an ill-defined relationship. The passing of the constitutional draft in August virtually ended Kenya’s short flirtation with semi-presidentialism. It showed the transitory nature of the 2008 arrangement and the vulnerability of a COM solution. The situation in Zimbabwe is no less fluid. The legitimacy of the new government was much lower than Kenya’s, both domestically and internationally, with Mugabe still in power. The economy was in a chaotic situation, also related to the political malaise. Mugabe was in control of much greater state power than Kibaki, having reserved for himself not only the ministerial posts of defense, foreign affairs, and security, but also justice and part of home affairs. There were not only problems inherent in running the coalition government, but also harassment of the prime minister and government officials from his camp. In the Zimbabwean constitutional draft, one does not find the position of the prime minister, suggesting the lack of interest in perpetuating the current semi-presidential arrangement. Mugabe was interested in recovering his full power, while the Tsvangirai camp was busy surviving in the hostile environment and interested in democratizing the system. The current constitutional arrangement proved extremely fragile.
Conclusion

In this paper we come up with a classification scheme that differentiates semi-presidential systems into four operational modes: quasi-parliamentarism (QP), presidential supremacy (PS), compromise (COM), and alternation (ALT). As different from the prevalent Shugart-Carey dichotomy of premier-presidentialism vs. president-parliamentarism that is legalistic and concentrates on the president’s dismissal power, this classification scheme is behavioral and concentrates on the president’s appointing power. The president plays four distinctive roles in the four subtypes: broke in QP, commander in PS, partner in ALT, and imposer in COM. We use the scheme to review all the 42 semi-presidential democracies in the world, and find an intimacy between cluster and subtype. In Western Europe the dominant subtype is QP, accounting for four of six cases. There is one ALT and one COM. In the post-Leninist world, the East European wing is quite balanced among QP, ALT, and COM. However, when we move to the post-Soviet area, PS surges to become the dominant pattern, with the only exception of Lithuania as a QP. Finally, in the post-colonial world, the absolute majority of the semi-presidential regimes are also PS, particularly among the Francophone countries. Taken as a whole, PS accounts for 75 percent of all the 20 post-colonial cases, leaving two QPs and three ALTs. If we assign scores of 1-4 to the presidential roles (Presidential Authority Score), with 1 standing for the lowest authority (broker in QP), 4 for the highest authority (commander in PS), and 2, 3 for the intermediates (partner in ALT, imposer in COM), then we find that the further away a semi-presidential country is from Western Europe, the core of parliamentarism, the more powerful is its president in forming cabinet and so the higher is the country’s presidential authority score.

With the global survey complete, we then move to one particular subtype: compromise. We look into its two forms of power sharing: presidential ministers and presidential reserved domain. They are based on constitutional stipulation and behavioral pattern that grant the president either the power to appoint specific members in the cabinet, or the power to directly design state policies in specific areas. Presidential ministers are exemplified by Poland between 1990 and 1997, and presidential reserved domain by Finland (particularly under the 1919 constitution). We examine the possibility that some semi-presidential countries may make a subtype shift and move into COM, using the case of Taiwan. Finally we look into two unstable cases of COM in Africa: Kenya and Zimbabwe.

A casual look at the distribution of the four subtypes gives the reader an impression that COM is not a popular choice. Among the 42 democratic
semi-presidential regimes in the world, one finds only two contemporary cases, and two historical ones. There are also two African cases with dubious democratic credential. How is it that COMs are so few? As this particular type of system reflects a genuine compromise between presidential and parliamentary authority, one would expect its adoption in many semi-presidential countries, and yet we find the opposite.

The existence of COM rests on constitutional stipulation and corresponding behavioral pattern that stress the need for the president to dominate specific policy areas, either by appointing his ministers or by setting guidelines, particularly in foreign affairs, national defense, and/or domestic affairs, i.e., the commanding heights of state power. Such institutional arrangement is typically made when there is great need for the president to exert strong leadership. However, respect for the parliament in such system requires the composition of the cabinet be determined by parliamentary parties. The coincidence of two conflicting principles results in a genuinely mixed strategy: the president can appoint his ministers into the cabinet, or exert policy leadership in specific areas, while the premier controls the residual realm. It is a compromise within a mixed system. As such, it is inherently unstable.

We can put COM into perspective. Semi-presidentialism carries the core features of parliamentarism and presidentialism. It is not simply a mixed system, but it does stand between parliamentarism and presidentialism, with their two distinctively different logics. In parliamentarism the government is accountable to the parliament, while in presidentialism the government is answerable to the president. In a semi-presidential system the conflicting logics inherent in its structure may be concealed when the president and the parliamentary majority belong to the same party or political bloc, i.e., under congruence. However, during incongruence the inconsistence revealed itself and the four subtypes are nothing but the different mechanisms with which different semi-presidential countries deal with this inherent problem, the Achilles heel of the system.\textsuperscript{13}

Among the four subtypes, QP is to operate semi-presidentialism according to parliamentary principles. PS is to operate the same system following the principles of presidentialism. They are both clear-cut. ALT witnesses shifting authority between the president and the parliament, but only as a result of the president acting as leader of a

\textsuperscript{13} The four subtypes of QP, ALT, COM, and PS do not exhaust possible outcomes under a semi-presidential system. It is possible that the president and the parliament fail to reach any consensus on how to deal with incongruence, and they assert their authority to the extreme and cause disruption of the system, resulting in democratic breakdown. The case of Weimar Germany is a pertinent example. See Bookbinder (1996), Shen (2006, 2009).
parliamentary party. The underlying principle in ALT is still parliamentarism, namely, the party system in the parliament is the ultimate arbiter of power. COM is intrinsically different from all the three subtypes in that it does not abide by either the parliamentary or the presidential principle. COM accepts both presidential and parliamentary control over government under incongruence, and finds ingenious ways to juxtapose the two mechanisms. Presidential ministers and presidential reserved domain are two prominent forms of COM, but they certainly do not exhaust the possibilities of this subtype.

Why is COM so rare? It is natural that people expect some degree of certainty even in a system that is inherently unstable. This is why semi-presidential regimes either tilt towards QP and ALT on the parliamentary end or towards PS on the presidential end, influenced by factors such as political culture and cluster in which the country finds itself. COM is a subtype that recognizes conflicting principles of cabinet formation and policy design. It juxtaposes the incompatibles. Within COM, presidential ministers appear a more intrusive form than presidential reserved domain to assert the president’s power, and can be expected to cause greater friction, as exemplified by the Polish case compared with the Finnish case. Both Kenya and Zimbabwe are also COM with presidential ministers. As such, they face great internal inconsistencies and the perennial problem of who should have the power to reshuffle the cabinet, the president or the premier. The intra-executive strife is maximized.\(^\text{14}\) Kenya has decided to exterminate its short flirtation with semi-presidentialism and COM, and shift back to presidentialism in the next election, testifying to the intrinsically difficult structure it faced since 2008. Zimbabwe is in political limbo, expected to further democratize its system, plunge back into Mugabe tyranny, or slide into utter chaos. Its semi-presidential system is in flux, and it is difficult to imagine the current dicephalus arrangement could last long.

COM is found in the borderline countries where the presidential and parliamentary principles conflict. It is inherently uncertain and unstable. Its uncertainty adds to the attractiveness of the system to countries in post-crisis trauma that need to adopt an institution that recognizes competing political forces without specifying which one, the president or the premier, rules supreme. This is why Kenya and Zimbabwe took the COM form of semi-presidentialism. However, since COM is inherently unstable, to adopt it instrumentally means the country is likely to abandon it when political expediency so requires. Kenya has already done so, and it may be accompanied by Zimbabwe.

\(^\text{14}\) For intra-executive strife between the president and the premier, see Protsyk (2006).
In sum this paper adopts a behavioral classification scheme for semi-presidential regimes that concentrates on the president’s power to appoint the cabinet. After identifying the subtype of semi-presidential democracies in the world, we focus on the COM genre. A preliminary investigation is done to shed light on the working of the system in several empirical cases. As such it is a mid-stream institutional research. A lot can be explored to look into the working of other subtypes, and to link subtype to upstream factors (backward tracing), such as explaining why the QP is a dominant subtype in the West European cluster, or to connect subtype to downstream variables (forward tracing), such as exploring the effect of PS on democratic survival. The above research can be juxtaposed to the existing literature that utilizes the Shugart-Carey dichotomy as their organizing principle, and explore relative strengths and weaknesses, for example to test whether presidential appointing power is more indicative of the regime’s democratic performance and survival than the president’s dismissal power. A rich research agenda is ahead of us.

15 It is suggested in a previous study that even though dual accountability may contribute to democratic demise of a semi-presidential regime, as argued by those applying the Shugart-Carey dichotomy, this is only one scenario of democratic failure. The other scenario is slide into authoritarianism as exemplified by Russia. For the discussion, see Colton (1995), McFaul (2001, 2002), Skach (2005), Fish (1995, 1997, 2000, 2005), Schleiter and Morgan-Jones (2008), Morgan-Jones and Schleiter (2004), Wu (2000a, 2009b).
References


