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Measuring presidentialism of Central and East European countries

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Abstract

Political elites in newly democratising countries create political institutions, whose nature and functioning determine the level of legitimacy of everyday political decisions. With this legitimacy perceived by both the mass public as well as the competing elites, democratisers aim to create a stable democratic institutional regime. One of the most crucial choices democratisers face is the design of the relation between the executive and the legislative. In political science literature the simple trichotomy of parliamentarism, presidentialism and semipresidentialism is dominant, although more extensive classifications have been suggested. This paper seeks to move away from classification into the next step of scientific sophistication by measuring the relative level of presidentialism and parliamentarism of political regimes. Thus, it is possible to analyse subtle and minor institutional innovations over time within the same political system. This is particularly important when studying political regimes in transition. In this paper I will show that a relative measure of presidentialism and parliamentarism can be used to closer examine the assumed relationship between different regime types and their stability.

A revised version of this paper will appear in Acta Politica.

Introduction

In political science literature it is often assumed that institutional arrangements and political stability are closely related. Juan Linz (1990a; 1990b), for example, has argued that presidentialism leads to political instability because of its dual popular mandate and dual democratic legitimacy. Both the president and the parliament derive from a popular election which may lead to deadlock in terms of policy-making. Also presidential systems are characterised by rigidity because of the fixed term of the president. This not only leads to inertia, but also to instability as the removal of the president can not occur for mere political reasons and his or her political foes will thus have to attempt to remove the president by legal means. The single person executive is also prone to conflict as, besides the risk of insanity, alcoholism and other physical and psychological flaws, there is a substantial accumulation of power within one individual with all the dangers of abuse of power and authoritarianism. Furthermore, presidential systems create a partisan head of state which may also lead to conflict about the competencies and prerogatives of the president. Finally, presidential systems are said to create weaker parties and lower levels of party discipline in parliament. Parliamentary systems also have their weaknesses as they create substantial fusion between the executive and the legislative branch of government, which goes against the democratic separation of power. Furthermore, parliamentarism is said to create parliamentary polarisation and fragmentation which leads eventually to government instability.

Despite the clear and present dangers of presidential political systems, presidentialism has become the dominant form of executive power in the world during the 20th century. With the demise of communism in Central and East European countries as well as the transition from authoritarian regimes in the Americas, presidentialism is now the most common form of political executive (Derbyshire and Derbyshire 1996, 41). In the third wave of democracy (see Huntington 1991) the executive in the form of communist party leadership and military rule gave way to more democratic regimes, often some form of presidentialism. Although most 'democratisers' opted for a presidential regime, this does not mean that the more than 110 countries - now considered to be 'presidential' systems - all have similar constitutional arrangements, political institutions and practices. There are immense differences between, for example, the political system in Peru, Poland, Mexico, Ukraine, Russia and the United States, all of which classified as presidential systems (Derbyshire and Derbyshire 1996, 43).

Classification of political regimes depends on the definition of concepts. Since there remains substantial disagreement on the definition of presidentialism, it is consequently often unclear how to categorise the various political regimes. In addition, classifications are seldom mutually exclusive and totally exhaustive. Although such lack of precision is not unknown to scholars involved more generally in the classification of political regimes, this imprecision inhabits a meaningful comparative analysis as a result of 'misclassification' or 'concept-stretching' (Sartori 1970, 1991). In this paper I will first try to curb this problem by constructing 'minimal definitions' which uses only the key characteristics of parliamentary and presidential systems.¹ Secondly, I will use these core elements to characterise several Central and East

European countries by their relative level of presidentialism.² In doing so, I will distinguish between the formal constitutional institutions and the ‘de facto working’ of East and Central European systems. Another drawback with mere classification of political regimes is that these regimes are not static over time. Therefore, I will develop a more flexible characterisation of regimes, that is a relative scale of presidentialism/parliamentarism in order to move away from the too rigid trichotomy of parliamentarism, presidentialism and semi-presidentialism (see also Baylis 1996, 299). By analysing the changes that have taken place on these essential characteristics in Central and Eastern European countries it is possible to establish the extent and direction of transformation of these political systems since 1990. The central question of this paper thus boils down to: to what extent can political systems in Central and Eastern Europe be characterised as presidential and in what direction have these systems developed in the last decade?

Parliamentary, presidential and semi-presidential executives

As stated above, the most prevalent typologies to classify political systems are parliamentary, presidential and semi-presidential types of executive power (Verney 1959; Duverger 1980).³ Stepan and Skach (1993, 3) even assert that “with one exception (Switzerland), every existing democracy today is either presidential (as in the United States), parliamentary (as in most Western Europe), or a semi-presidential hybrid of the two (...).” Despite the widespread use of these typologies, there exists little agreement on how to categorise central and East European political systems. In the table below I present the categorisation of 12 new democracies according to five studies.

Table 1. Classifications of central and East European political regimes

<i>Country</i>	<i>Easter (1997)</i>	<i>Baylis (1997)</i>	<i>Derbyshire and Derbyshire (1996)</i>	<i>Elgie (1998)</i>	<i>Stepan and Skach (1993)</i>
Bulgaria	Parliamentary	Parliamentary	Parliamentary	Semi-presidential	Dual system
Czech Rep.	Parliamentary	Parliamentary	Dual system	Parliamentary	Parliamentary
Estonia	Parliamentary	Semi-presidential	Dual system	Parliamentary	Dual system
Hungary	Parliamentary	Parliamentary	Parliamentary	Parliamentary	Parliamentary
Latvia	Parliamentary	Semi-presidential	Parliamentary	Parliamentary	Dual system
Lithuania	Dual system	Semi-presidential	Dual system	Semi-presidential	Presidential
Macedonia	#	Semi-presidential	Limited presidentialism	Semi-presidential	#
Poland	Dual system	Parliamentary	Limited presidentialism	#	Presidential
Romania	Presidential	Presidential*	Limited presidentialism	Semi-presidential	Presidential
Russia	Presidential	#	Limited presidentialism	#	Presidential
Slovakia	Parliamentary	Parliamentary	Parliamentary	Parliamentary	Parliamentary
Slovenia	Parliamentary	Semi-presidential	Dual system	Semi-presidential	Dual system

= not available. * Baylis (1997, 300, fn. 7) argues that it is not even clear to country experts what type of executive is prevalent in Romania

It is clear that, at least among these authors, some kind of consensus exists only about the classification of Hungary and Slovakia (as parliamentary systems) and on Romania and Russia (as presidential systems), although the ‘level of presidentialism’ of the latter two remains disputable (see also Sekelj 1999, 266). To this problem on the ‘level of presidentialism’ I will return later in this paper.

The dissension on how to classify central and East European democracies derives from the fact that there remains substantial controversy on what precisely constitutes parliamentary and presidential government (Elgie 1998). Nevertheless, Lijphart (1992, 2) suggests that a few core features are relatively unequivocal. He argues that scholars agree that the main difference between these systems can be found in the relationship between the executive and the legislative power. Most authors focus on two crucial differences between parliamentarism and presidentialism, namely (a) the dependence on legislative confidence and governmental responsibility and (b) a fusion or separation of executive and legislative powers. Shugart and Carey (1992) employ two similar criteria for the classification of political regimes, specifically (a) the dependency of government survival on either the president or parliament and (b) the locus of principal authority over the government. Shugart and Mainwaring (1997, 15) define the two basic characteristics of presidentialism very pointedly as “separate origin” (in terms of separate popular mandates) and “separate survival” (fixed term in office). In a similar vein, Stepan and Skach (1993) also refer to both dimensions when they argue that ‘pure parliamentarism’ and ‘pure presidentialism’ each have two fundamental characteristics: “a pure parliamentary regime in a democracy is a system of mutual dependence:

1. The chief executive power must be supported by a majority in the legislature and can fall if it receives a vote of no confidence.
2. The executive power (normally in conjunction with the head of state) has the capacity to dissolve the legislature and call for elections.

A pure presidential regime in a democracy is a system of mutual independence:

1. The legislative power has a fixed electoral mandate that is its own source of legitimacy.
2. The chief executive power has a fixed electoral mandate that is its own source of legitimacy” (Stepan and Skach 1993, 3-4).

In addition to these two principle differences, Lijphart also points to a third fundamental distinction, namely between the single-person executive in presidentialism and the collective (collegial) executive of parliamentarism (Lijphart 1992, 3; 1999, 117).⁴

The core characteristics of (semi-)presidentialism and parliamentarism

On the basis of these two core dimensions, I suggest that parliamentary systems are characterised by the election of a legislative assembly from which a (majority) government is drawn, sometimes after lengthy coalition negotiations. This government holds office for as long as it has sufficient support (or ‘confidence’) in the assembly. Tenure of government is thus dependent on the confidence in the legislature and individual ministers as well as the collective cabinet are responsible to parliament. A government can be dismissed by a legislative vote of no confidence, making tenure in office determined only by a maximum number of years. In turn, the cabinet can dissolve parliament and call for new elections. This means that parliamentarism

denotes a fusion of executive and legislative powers. Nevertheless, the role of the head of state (either a president or monarch) is strictly separated from the executive office and reduced to mainly ceremonial and formal competencies. Both the party composition of government as well as the allocation of ministerial portfolios is beyond control of the head of state. The Prime Minister and his or her cabinet have primary responsibility for both policy-making and policy-implementation.

A crucial feature of presidential systems, on the contrary, is the strict separation of executive and legislative structures. This separation is established by independent popular mandates for both the executive and the legislative. The directly elected president (a single person executive) is both head of state and head of government: appointment and dismissal of ministers is the discretion of the president. Presidents also serve a fixed term, as parliament can not force the president to resign for political reasons (presidents can only be removed by impeachment). This pre-determined tenure in office is established by the provision that survival of the executive is independent of parliamentary support and the government is not accountable to parliament, only to the president. Primary responsibility for policy making resides in the legislative, yet the president can veto legislation. In turn, the legislative can override this veto.

Political systems combining elements of both models, yet often seen as a distinct regime type, are semi-presidential systems. This dual type of executive combines a directly elected president (who has obtained his or her own popular mandate) with a government drawn from a directly elected legislative and responsible to parliament. In this hybrid system the president often has substantial executive prerogatives, usually in the field of Foreign Affairs and Defence. Commonly, the president can dissolve parliament, call for new elections and appoint ministers that subsequently have to be approved by parliament. Nevertheless, most executive control and responsibility for policy-making usually rests with the Prime Minister and her or his cabinet. Here, semi-presidentialism is seen as a hybrid of both presidential and parliamentary institutional arrangements, which will become evident in the next sections where a relative measure of the level of parliamentary and presidential regimes is developed. The core elements of parliamentarism, presidentialism and semi-presidentialism are summarised in table 2.

Table 2. Core characteristics of Presidentialism, Parliamentarism and Semi-presidentialism

<i>Presidentialism</i>	<i>Parliamentarism</i>	<i>Semi-presidentialism</i>
• Direct election of head of state	• Indirect election of head of state	• Directly elected president and government drawn from directly elected legislative
• Prerogative of dissolving Parliament rests with the President	• Government (or Prime Minister) can dissolve Parliament	• President can dissolve parliament and call elections
• The head of state is directly involved in the formation of government (appoints ministers)	• The head of state has no formal powers in the formation of government	• The head of state can appoint ministers that have to be approved by parliament
• Government (and individual ministers) not responsible to Parliament	• Government needs to win a vote of Investiture in Parliament	• Government is responsible to the parliament
• President can introduce legislation	• President can not introduce legislation nor veto legislation	• President can introduce legislation only within his prerogatives
• Head of state has executive powers	• Head of state has no executive responsibilities	• President has substantial executive prerogatives. But most executive power rests with PM and cabinet
• Government can ignore a parliamentary vote of no confidence	• Government must resign if it loses a vote of confidence	• Government must resign if it loses a vote of confidence

Four of these characteristics are related to the first Lijphardian dimension of presidentialism (dependence of government on legislative confidence and governmental responsibility), namely the requirement of a vote of investiture, the possibility of a parliamentary vote of confidence, the power to dissolve government and ministerial appointment. The second dimension, a fusion or separation of the executive and legislative powers, constitutes three features, which are the independent mandate of a direct election of the president or indirect election, the right to introduce legislation and the designation of executive powers to the president. This paper does not deal in detail with the use of these two dimensions nor with alternative dimensional distinctions, yet the research project does want to develop more independent measures of these two distinct dimensions of institutional arrangements.

Towards a presidentialism-parliamentarism scale

On the basis of these core characteristics of executive systems I can now develop a scale of presidentialism-parliamentarism. I will only use these core elements as items on a scale of parliamentarism and presidentialism in order to move away from the simple trichotomy. I do not use the items on the semi-presidential list as they are all elements that belong to either one of the ‘pure’ types: presidentialism or parliamentarism. Utilising the constitutions of East-Central European countries I will assign scores to each of the countries on all seven of these core features of presidentialism (see the Appendix for details of the measurement of each of the items on the scale).

This score of presidentialism differs in several ways from scores of ‘presidentialism developed earlier in studies by Frey (1997), McGregor (1994) and Johannsen and Nørgaard (2003). The first crucial difference is the number of items included in the scale. In my score

of presidentialism I do not add all the powers constitutionally assigned to the president into one score. It seems to make more sense to identify the core elements of presidentialism, rather than including all powers and prerogatives of the president. Frey (1997), for example, regards the presidential prerogative to “address parliament” or “appoint the prosecutor general” equally important as the “right to dissolve parliament”, to “appoint ministers” and to “propose legislation”. I would argue that the latter three are far more consequential for the legislative-executive power balance within a political system than the former two. This inclusion or selection of items thus concerns the weighting of the different items. Johannsen and Nørgaard (2003) weigh items differently by grouping them in three distinct types of power resources (symbolic resources, appointive resources and political resources), yet the same problem occurs as ‘the appointment of the Ombudsman’ is considered of equal weight to the ‘appointment of the Prime Minister’ as they both fall into the category of ‘appointive resources’. Moreover, some of these indexes of presidential power do not include the, in my view, crucial feature of a separate popular mandate for the presidency by way of a direct popular election. Lijphart has argued that this item is the major source of presidential power as “presidents derive considerable strength from their direct popular election and the fact that they can claim that they (and their vice presidents, if any) are the only public officials elected by the people as a whole”(Lijphart 1999, 128).

A second major difference of my measure compared to other measures of presidentialism is that I go beyond mere analysis of presidential powers and prerogatives, yet I include systematic characteristics of political systems as a whole. Presidentialism is more than pure presidential powers. By taking into account both features from ‘pure presidentialism’ and ‘pure parliamentarism’ and adopting a two-dimensional approach (the subtraction of the parliamentary score from the presidential score) my measure come closer to the actual character of the political systems under review. Both the inclusion of the popular mandate of the head of the executive as well as the two-dimensional analysis the score closer represents what are theoretically considered core elements of presidentialism.

Sources for the data for the twelve Central and East European countries under analysis I use Raina (1995) and internet-based constitution-finders.⁵ These data will be checked against the database collected by Woldendorp, Keman and Budge (2000), which is an update and expansion of earlier studies (Budge and Keman 1992; Woldendorp, Keman and Budge, 1993; 1997).⁶ This database includes information on 48 countries of their formal constitutional arrangements. The authors state that they “have included only those democracies that can be characterised as parliamentary or semi-presidential. Hence, only those political systems are included (...) where government is (fully) responsible to parliament, with or without features of dual leadership and alternating dominance of either the executive or the legislature” (Woldendorp et al. 2000, 4). Because the authors focus on party government, they state that presidential democracies are not included in this study. In ‘pure’ presidential systems “the head of state or president is the sole executive and only responsible to the constitution, there is no government consisting of ministers who are individually responsible to parliament and are collectively responsible for governmental action at the same time”(Woldendorp et al. 2000, 3). The authors do assert that semi-presidential democracies are included since in these systems governments are responsible to parliament or

executive power is shared between the head of state and the Prime Minister in a so-called dual leadership (see also Blondel 1992). Although a large number of Central and East European political systems are not included, the available cases differ sufficiently to move beyond categorisation and establish the relative level of presidentialism of these twelve systems. In addition I use the study by Frye (1997) who measures presidential power with 27 formal constitutional powers. In table 3 I have summarised the powers of East-Central European presidents (for the specific constitutional articles as well as the explanation of the variables and scores see the Appendix. Note that the seven features of table 2 can now be found in the upper row of table 3).

Table 3. Level of presidentialism of CEE countries on the basis of their constitutions

Country	Election president	Dissolution parliament	Ministerial appointment	Vote of Investiture	Vote of confidence	Introduce Legislation	Executive powers	Presidential Score
Bulgaria	Direct*	Pr (+Pa)	Pr (+ Pf)	Yes	Yes	No (v)	Yes	3.5
Czech Rep.	Indirect	Pr + Pa	Pr + PM	Yes	Yes	No	No	1.0
Estonia	Indirect	Pr + PM	Pr + Pa	Yes	Yes	No ##	No	1.0
Hungary	Indirect	Pr (+Pa)	Pa + PM	Yes	Yes	Yes	Yes	3.0
Latvia	Indirect	Pr + Rf	Pr + Pa	Yes	Yes***	Yes	No	2.5
Lithuania	Direct	Pr + PM	Pr + Pa + PM	Yes	Yes	Yes	Yes	4.0
Macedonia	Direct	Pa	Pr + Pf + Pa	Yes	Yes	No	No	1.5
Poland	Direct	Pa (+ Pr)	Pr + Pa + PM	Yes	Yes	Yes	Yes	4.0
Romania	Direct	Pr (+Pa)	Pr + Pa + PM	Yes	Yes	No (v)	No	2.5
Russia	Direct	Pr	Pr (+ Pa)#	Yes**	No	Yes (v)	Yes	6.5
Slovakia	Indirect	Pr	Pr + PM	Yes	Yes	Yes	No	2.5
Slovenia	Direct	Pr + Pa	Pr + Pa	Yes	Yes	No	No	2.0

Data from Woldendorp et al. 2000; Frye 1997; Baylis 1996; Easter 1997; Raina 1995. For a description and weighting of the variables and the scores see the Appendix. *In Bulgaria: before the direct election of Stojanov the first two presidents were indirectly elected. **In Russia: the president can ignore the loss of a vote of investiture. ***According to Art. 59 of the Latvian constitution the motion of confidence must be directed against the Prime Minister, but the government must resign when the vote is lost. # In Russia: if Parliament rejects the president's candidate for Prime Minister three times, the president can dissolve both Houses of Parliament and call new elections. ## The president of Estonia can initiate amendments to the Constitution. The (v) in the column 'Introduce Legislation' indicates that the president can veto legislation from Parliament.

Table 4. Level of parliamentarism in CEE country on the basis of their constitutions

Country	Election president	Dissolution parliament	Ministerial appointment	Vote of Investiture	Vote of confidence	Introduce Legislation	Executive powers	Parliamentary Score
Bulgaria	0	0.5	0.5	1	1	0.5	0.5	4.0
Czech Rep.	1	0.5	0	1	1	1	1	5.5
Estonia	1	0	0.5	1	1	1	1	5.5
Hungary	1	0.5	0.5	1	1	0.5	0.5	5.0
Latvia	1	0	0.5	1	1	0.5	1	5.0
Lithuania	0	0	0.5	1	1	0.5	0.5	3.5
Macedonia	0	1	0.5	1	1	1	1	5.5
Poland	0	0.5	0.5	1	1	0.5	0.5	4.0
Romania	0	0.5	0.5	1	1	0.5	1	4.5
Russia	0	0	0.5	1	0	0.5	0	2.0
Slovakia	1	0	0	1	1	0.5	1	4.5
Slovenia	0	0.5	0.5	1	1	1	1	5.0

Data from Woldendorp et al. 2000; Frye 1997; Baylis 1996; Easter 1997; Raina 1995. For a description and weighting of the variables and the scores see the Appendix.

In seven countries (Bulgaria, Lithuania, Macedonia, Poland, Romania, Russia and Slovenia) the president is elected by a direct popular vote. As can be seen from table 3, in some countries (such as Slovenia) this is about the only presidential characteristic of the political system, whereas in other states (such as the Russian Federation) the popularly elected president has substantial additional formal powers. Since the adoption of the new constitution in 1993, the Russian president is given the power to dissolve both houses of the Duma, appoint the Prime Minister, and introduce legislation as well as veto parliamentary legal initiatives. Only a two-third majority in both Houses can overturn this veto. The Duma can adopt a vote of no confidence against the government with a simple majority, but if it does so twice within three months the president can dissolve parliament and call new elections. In addition, the Russian president can ignore a vote of investiture. In five cases (Czech Republic, Estonia, Hungary, Latvia and Slovakia) it is parliament that elects the president, indicating a more parliamentary system where the president does not have its own direct popular mandate.

With the exception of Macedonia, all East European heads of state are involved in the dissolution of Parliament. Only the Macedonian parliament has the right to dissolve itself, a very rare procedure in democratic systems. In most cases the power to dissolve parliament is shared between the head of state and the Prime Minister or parliament, balancing the executive and legislative. In Latvia, Russia and Slovakia the president can single-handedly dissolve parliament according to the constitution, although in practice consultation with the political leadership in parliament is the norm (see also Woldendorp et al. 2000). The Latvian presidential prerogative to dissolve parliament and call new elections is curtailed by the fact that this proposal has to be followed by a referendum, in which a majority of the electorate has to support this proposal. If the electorate rejects the proposal the president is considered to have resigned. Clearly this strong disincentive for presidents to propose dissolution is a check on presidential power.

In the large majority of the cases parliament is the most important actor in the formation of government, which in turn is the supreme executive body. The president can usually only nominate ministers (including the Prime Minister), but only after consultation or formal approval of parliament can cabinet ministers be appointed. This clearly shows the pervasive parliamentary character of the new democracies, where the survival of governments depends on the confidence of parliament. Presidential powers are often limited and checked. In Poland, for example, the position of the president in ministerial appointments is relatively weak: if the president fails to put forward a candidate which has sufficient support in parliament, the Sejm may choose the Prime Minister and other cabinet members with a majority vote. Prevalence of parliamentarism in Central and East European democracies is also visible in the fact that in all twelve cases parliament needs to approve of a government with a vote of investiture, indicating the requirement of confidence in the legislative. The more presidential character of Russia is indicated by the fact that the president can dissolve parliament in the case of multiple rejections of his Prime Minister designate. Pure presidential government is, as stated above, characterised by the lack of governmental responsibility to parliament. In all these twelve cases parliament can put forward a motion of confidence against the government and usually also against individual ministers, thereby determining the tenure of the government. Thus, in the new democracies the survival of government is dependent on the confidence of parliament (Russia, as stated before, is the notable exception).

The right to draft legislation primarily rests with the cabinet in most of the ECE countries, although (next to the Russian head of state) the presidents of Hungary, Latvia, Lithuania, Poland and Slovakia can also propose legislation. Although in most countries the president can influence the life span of governments, in only half of the cases have Presidents been given direct executive powers. Even where presidents have constitutionally determined executive responsibilities, these are usually very limited and seldom outside the field of national defence and foreign affairs.

When we analyse the core elements of presidentialism and parliamentarism on the basis of constitutional provisions it becomes clear that, at least in this sample; the Russian president is by far the most powerful president in ECE countries. Polish and Lithuanian presidents are more powerful than Hungarian, Rumanian and Bulgarian heads of state, while the weakest presidencies (i.e. more parliamentary systems) are found in the Czech and Slovak Republics, Estonia, Macedonia and Slovenia (see also Frye 1997, 547; McGregor 1994, 23-32; Baylis 1997, 303; Ishiyama 1995, 155).

Levels of presidentialism and parliamentarism in East and Central Europe

On the basis of these core constitutional elements it is now possible to determine more precisely the level of presidentialism (see Appendix) instead of relying on mere classification. It is important to emphasize that, in contradistinction to other scales of presidentialism, I argue that both the level of presidentialism and the level of parliamentarism should be part of one single measure. Therefore, in the table below, I have calculated the level of Presidentialism by subtracting the score of Parliamentarism from the Score of Presidentialism. Thus, a higher score indicates a higher level of presidentialism.

Table 5. Presidentialism and parliamentarism in East-Central European countries

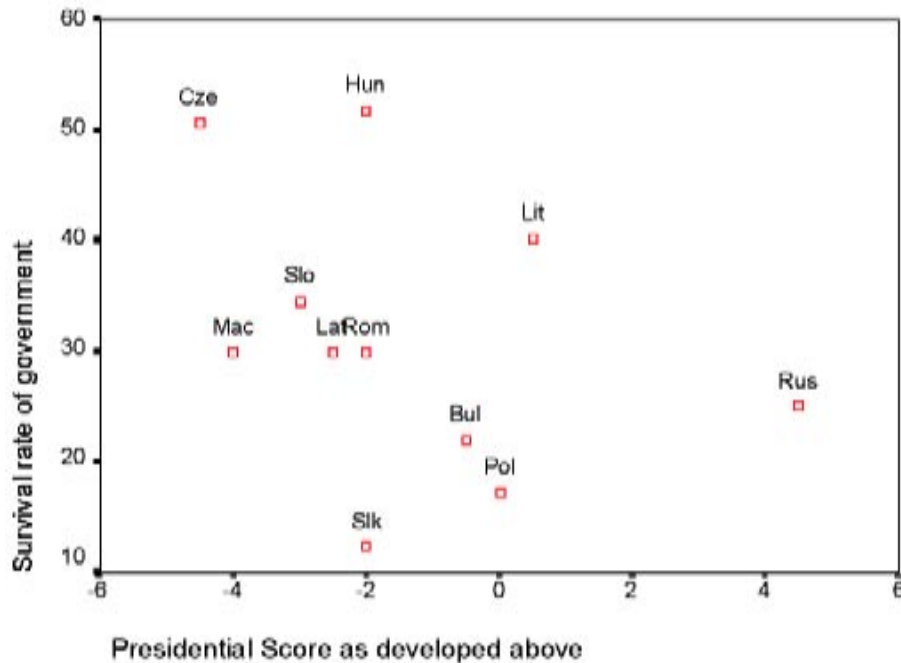
<i>Country</i>	<i>Presidential Score</i>	<i>Parliamentary Score</i>	<i>Level of Presidentialism</i>
Bulgaria	3.5	4.0	- 0.5
Czech Republic	1.0	5.5	- 4.5
Estonia	1.0	5.5	- 4.5
Hungary	3.0	5.0	- 2.0
Latvia	2.5	5.0	- 2.5
Lithuania	4.0	3.5	+ 0.5
Macedonia	1.5	5.5	- 4.0
Poland	4.0	4.0	0.0
Romania	2.5	4.5	- 2.0
Russia	6.5	2.0	+ 4.5
Slovakia	2.5	4.5	- 2.0
Slovenia	2.0	5.0	- 3.0

The level of presidentialism is calculated by subtracting the parliamentary score from the presidential score. A positive score indicates presidentialism and a negative score indicates parliamentarism. This score of the level of presidentialism correlates highly with the scores of Frey ($r^2 = .86^{**}$).

Overall, the level of presidentialism is low in these twelve countries. Only two systems have a positive score, indicating that powerful presidential systems are the exception rather than the rule in Central and Eastern Europe. Moreover, one of these two countries, Lithuania, has a very limited presidential system as a result of a relatively high score on the scale of parliamentarism. Thus, the only strong presidential system emerging from this analysis is Russia, which also has the lowest score of these East-Central European systems on the parliamentary scale. On the other end of the spectrum of institutional arrangements i.e. strong parliamentary systems, we find the Czech Republic and Estonia. Also Macedonia and Slovenia have a relatively high score of parliamentarism vis-à-vis the score on the presidentialism scale. Parliamentary systemic features is also dominant in Hungary, Latvia, Romania and Slovakia, although presidents do wield some important powers here. In Lithuania, Bulgaria and particularly Poland the drafters of the constitution seem to have avoided a firm decision in favour of either presidentialism or parliamentarism, instead they opted for a balanced division of power between parliament and the president. Evidently, the elite of these new democracies thought it important to check and balance legislative and executive powers.

These findings are not surprising when we take into account that the new democracies in East-Central Europe emerged from grim experiences with totalitarian or authoritarian regimes. Rather than opting for a singular, strong executive (like American presidentialism) and other forms of power concentration, elites are more likely to favour a system in which the executive, legislative and judiciary powers are widely dispersed, checked and decentralised. This is, however, not without risks. "From the trauma of the former illiberal practice this [power dispersion] would be intelligible but at the same time it generates an enormous dilemma in new democracies. Citizens usually have high hopes and expectations from the new 'democratic' regime. In order to generate and maintain legitimacy of the new democracy it needs to deliver to the electorate. When power is widely dispersed and organisations such as political parties weak, bureaucracies are still filled with incompetent and corrupt bureaucrats it is hard to deliver the goods of government" (Krouwel and Verbeek 1999, 335). Presidentialism, parliamentarism and government stability.

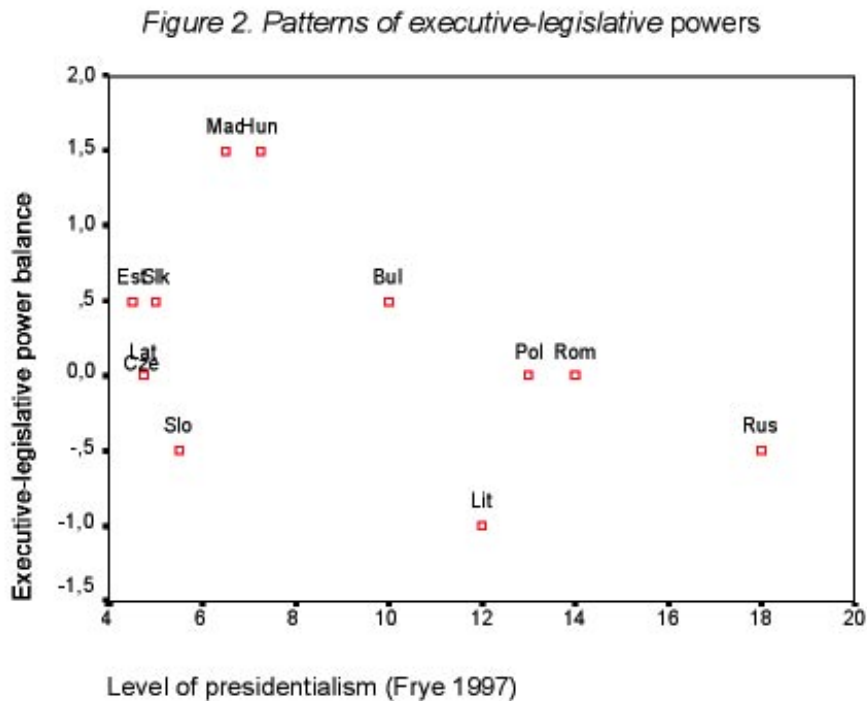
Figure 1. Presidential power and government duration



Although the main aim of this paper is to suggest a new method of measuring the relative level of ‘presidentialism’ and ‘parliamentarism’ of political systems, we nevertheless can use this score of relative presidentialism for a simple analysis of the crucial systemic relationship between the executive and legislative, particularly in terms of political stability. According to Lijphart (1999, 129) the best indicator for the relative power balance between the legislative and executive branches of government is cabinet durability. A higher rate of survival would indicate cabinet (or executive) dominance over the legislature. Figure 1 shows the relationship between the level of presidentialism as calculated above and the survival rate of government in our twelve cases.⁸ As can be seen from the distribution of the cases the correlation between presidentialism and cabinet duration is negative and weak ($r^2 = -.34$).⁹ This suggests that parliamentary origin and higher levels of dependence on legislative confidence (i.e. parliamentarism) have a moderate positive effect on governmental survival than the theoretically more plausible assumption that governments survive because of their ability to dominate over Parliament. Higher levels of presidentialism have a negative effect on government stability.

In order to corroborate this finding (which itself is interesting as theoretically one would assume that executive dominance would lead to higher levels of government survival) I have used an alternative method to measure the relative power balance between the executive and parliament. This measure is developed by Woldendorp, Keman and Budge (2000). They construct a variable, the ‘executive-legislative balance’, which measures the relative power balance between the government and parliament and the extent to which the head of state can influence the composition and existence of governments (see Appendix I). A positive score on this variable implies dominance of parliament over the executive powers (including the

presidency); a negative score implies dominance of the executive over parliament. Since my measurement is partly based on the same variables and measurements, I have opted here for a comparison with Frye's scale of presidentialism instead of the one I developed above (for their measurements see Appendix I).¹⁰ Figure 2 provides a comparison of presidential powers with the Woldendorp et al. - measure of executive-legislative power balance.



Data for the presidential powers are derived from Frye (1997) who developed a rating of presidential powers based on 27 formal powers (see Appendix.). For the executive-legislative balance of power I have used the data from Woldendorp et al. (2000). 'Executive legal balance' indicates the power balance between the executive and legislative powers. A positive score implies dominance of parliament over the executive powers (including the presidency); a negative score implies dominance of the executive over parliament.

When we examine the pattern of power dispersion between executives and legislatures in East-Central European systems, it emerges that the drafters of most constitutions have opted for a relative balance between the executive and legislative. Both extremes the upper left corner representing parliamentary dominance and the lower right corner representing executive dominance are virtually empty. The two countries that have high levels of parliamentary dominance are Macedonia and Hungary, where weak presidential powers are paralleled with a strong parliament. The only country in which the executive dominates is Russia, although it must be stated that the initial powers of the Russian presidency (before 1993) were more limited (Easter 1997). Five cases (Slovakia, Latvia, the Czech Republic, Estonia and to a lesser extent Slovenia) cluster around the position in the two-dimensional space that represents a non-decisive constitution. In these countries the powers of the president are very limited and neither parliament nor the executive have a dominant position. In particular the Czech Republic and Latvia are cases where none of the actors can, on the basis of formal constitutional rules, dictate the course of events. This may go a long way in explaining the lengthy institutional battle in the Czech Republic battle between the then president Vavlac Havel and the leaders of

the two major parties in parliament (Klaus and Zeman). In Slovakia even deeper antagonisms exist between President Michal Kovac and the leader of the dominant party HZDS, Vavlac Meciar. Since 1993 Meciar has attempted, and partly succeeded, in stripping the president from some of his constitutional executive powers.

According to Woldendorp et al. (2000) the executive-legislative relationship is equally balanced in Romania, Bulgaria and Poland. That one of the political actors can benefit from such a situation can be illustrated by the developments in Romania. Particularly until 1996 president Ion Illiescu, once part of the Ceausescu-nomenklatura, wielded substantial power on the basis of extra-constitutional resources. Next to his hold over the largest parliamentary party (PDSR) Illiescu presented himself as a dissident and member of the 'revolutionary' National Salvation Front which overthrew the Ceausescu regime. When this did not suffice he called upon an army of coal-miners to deal with his protesting political enemies.¹²

This type of analysis allow us to better understand the problems with overall systemic stability in newly democratising countries. In an earlier publication (Krouwel and Verbeek 1999) I have argued that there are two possible 'systemic black holes' for new democracies. The first can be found in the upper right corner, where a strong presidency would be combined with a strong parliament. No doubt, such a systemic format leads to major conflicts over competencies between parliament and the presidency. The opposite situation would amount to a system characterised by a weak presidency combined with a frail parliament, amounting to a country without a political centre that can make authoritative decisions. We called these extremes 'black holes' because countries which would adopt this pattern of legislative-executive powers would certainly be torn apart by constitutional conflict and governmental stalemate. Most of the new East-Central European democracies seem to have been able to avoid constitutional choices leading to these deadlocks between the executive and the legislature.

Presidentialisation or parliamentarisation of East-Central European countries?

A final point I would like to make in this paper is that this new relative measure does not only allow us to make more precise characterisations of political systems, it also allows us to analyse the transformation development of political systems over time. We will thus be able to answer the question whether the new democracies in East-Central Europe are moving from strong parliamentarism into a presidential direction. This is important in the light of the claim by Linz and Stepan (1978) that democracies in Latin America broke down because of such a deadlock between an assertive and powerful legislature and a strong presidential executive. Other authors also argued that presidentialism is less responsive than parliamentarism, as a fixed term in executive office leaves failing presidents in office without the possibility of replacement. Diamond, Linz and Lipset (1978) also recommend democratising countries to move into the direction of parliamentarism instead of presidentialism, because legislative prominence will lead to stronger and more disciplined political parties.

Even without using the relative level of presidentialism developed above one could argue that the collapse of the communist party executive (usually referred to as the Central Committee) is in itself a move to presidentialism, at least in constitutional terms. Nevertheless,

the chairman of the communist party had substantial power akin to presidential powers. When we take the year 1989 as a starting-point of analysis, it is clear that Russia has moved radically into the direction of strong presidentialism. From the battle between the Supreme Soviet Chairman Khasbulatov and newly elected president Yeltsin between 1991 and 1993, Yeltsin emerged as the victor. The new constitution, adopted after a referendum in December 1993, changed the balance of power on at least five of the core elements of presidentialism. Government survival became independent on parliamentary confidence, while the president also gained more power in the nomination of the Prime Ministers and other ministers. More power was also given to the president in the dissolution of government and the president gained substantial executive powers as well as the right to veto parliamentary legislation (Easter 1997; Banks and Muller 1998). Poland also adopted a constitutional modification that impacted on the core characteristics of presidentialism. In 1990 indirect election of the president was replaced by direct popular election. Subsequent changes in 1992 also redefined the relation between the legislature and the executive; the president no longer had the right to dismiss parliament, yet was given greater authority in the appointment of the Prime Minister and the right to reject candidates put forward by the Sejm. In Romania it was not constitutional innovation that gave both president Illiescu and Constantinescu increasing power, rather this process occurred within the constitutional framework. Year on year there was little consensus in parliament on policies so that both presidents increasingly had to rule by decree. This type of 'political presidentialisation' thus differs from the 'constitutional presidentialisation' visible in Russia and to a lesser extent in Poland.

Despite the trend towards presidentialisation in Russia, Poland and Romania, the dominant trend in East-Central Europe seems to go in the opposite direction. The Slovenian constitution of 1991 reduced the presidency to a largely ceremonial function, vesting most powers with the Prime Minister. A minute shift in the direction of parliamentarism is also found in Estonia. A majority of the participants at the Estonian round-table negotiations favoured a return to the parliamentary system of the interbellum. Direct presidential elections were only used in the first round of the founding presidential elections. Since then the system has moved towards parliamentarism with indirect elections of the head of State. Since the partition of Czechoslovakia the Slovak Republic has moved slightly into the parliamentarist direction. The antagonism between Prime Minister Meciar and president Kovacs led to several attempts by Meciar to remove executive powers from the presidency. Both in 1995 and 1998 he succeeded in creating a political situation in which the Prime Minister could assume the presidential executive prerogatives in the field of national defence and internal security. Although Meciar was unable to affect any of the other core system aspects or to formally change the constitution, this still left Slovakia clearly in the parliamentarist camp. In all the other countries the crucial dimensions of the system are not affected. In the case of the Czech Republic the dissolution of the Czechoslovak federation did not lead to power shifts on the crucial dimensions of presidentialism. Although opposition parties favoured a direct election of the president, the dominant party – Klaus' ODS – rejected this proposal since it would strengthen President Havel's position. Hungarian politicians have also left the original constitutional format largely unchanged since in 1990 a referendum on the direct election of the president failed because

of insufficient turnout. In 1995 the constitutional conflict emerged again over direct election of the president and other constitutional amendments, yet no agreement could be reached and none of the proposed modifications were implemented. In Latvia and Lithuania there have not been any constitutional changes that impact the core elements of presidentialism. In Latvia the tenure of parliament was increased from three to four years, but the legislative-executive relationship remained untouched. Under siege by Soviet troops a referendum was held in Lithuania in 1992 over presidential powers. None of the proposals was adopted as a result of insufficient turnout. Four years later new proposals for constitutional reform failed again, resulting in an unchanged situation.

From this we can conclude that East-Central European countries have neither embarked on a uniform transformation in the direction of presidentialism nor shown a propensity to move consistently towards parliamentarism. Poland, Romania and particularly Russia have moved towards the presidential end of the scale on the crucial systemic features, while most of the other countries parliamentary powers have increased (Slovenia, Slovakia, Estonia) or countries have remained stable parliamentary systems.

Conclusion

In this paper I have developed a new method of measuring the relative level of presidentialism and parliamentarism of political systems. This measure allows a more precise characterisation of political systems and analysis of systemic transformation over time. Also, this relative measure of presidentialism and parliamentarism can be used to closer examine the assumed relationship between different regime types and their stability. Contrary to theoretical assumptions, it emerged that there is a negative relationship between the level of presidentialism and government stability. Analysis on the basis of an alternative measure of both the executive-legislative balance and the level of presidentialism concluded that most East and Central European (ECE) democracies have opted for relative balanced power relations between the legislature and the executive. Over time, ECE countries have shown movement towards higher levels of parliamentarism and less towards a presidential type of political regime (with the exception of Russia and to a much smaller extent Poland and Romania). This relative measure of the character of political systems has thus proven useful in analysing and explaining political developments and political stability in ECE.

Appendix. Measurement of variables

Some of these variables have been taken from the database collected by Woldendorp et al. (2000), yet these variables have been re-coded in order to indicate the *level of presidentialism* and the *level of parliamentarism*.

Election of the Head of State (president)

Presidentialism

Direct election = 1

Indirect election by Parliament = 0

Parliamentarism

Direct election = 0

Indirect election by Parliament = 1

Dissolution of Parliament = the prerogative of dissolving parliament rests with:

Mo = Monarch/Head of State

Pr = President/Head of State

Pa = Parliament

PM = Prime Minister

Gov = Government

Rf = the electorate by means of popular Referendum

Note that in many cases it involves two or more actors who **must** act together (indicated by a +) or by means of mutual **consultation** (indicated by **brackets**).

Presidentialism

When it is the sole prerogative of the President to dissolve Parliament the score is 1; when the President shares the power to dissolve parliament with another actor the score is 0,5; when the President has no formal power to influence the tenure of Parliament the score is 0.

Parliamentarism

When it is the prerogative parliament itself to dissolve Parliament the score is 1; when Parliament shares this power with another actor the score is 0,5; when Parliament has no formal constitutional competence in its dissolution the score is 0.

Ministerial appointments = the power to appoint ministers (including the Prime Minister) and influence the individual ministerial portfolio allocation and/or party composition of government.

Pr = President (Head of State)

Pt = Extra parliamentary political parties

Pf = Parliamentary parties

PM = Prime Minister

Note that in many cases it involves two or more actors who **must** act together (indicated by +) or by means of mutual **consultation** (indicated by **brackets**).

Presidentialism

When the President appoints ministers (including the Prime Minister) the score is 1, when the President shares the power to appoint ministers and/or influence the portfolio allocation with Parliament or another actor the score is 0,5; when the President has no formal power to influence portfolio allocation, the score is 0.

Parliamentarism

When the prerogative of appointing ministers (including the Prime Minister) rests with the (extra) parliamentary parties the score is 1, when the partyleaders share this power to appoint ministers and/or influence the portfolio allocation with another actor the score is 0,5; when political parties have no formal power to influence portfolio allocation, the score is 0.

Vote of Investiture

Investiture = Formal vote of Investiture is required before a government takes office

Presidentialism

No = not required (*presidentialism*). Score is 1.

Yes = vote of investiture is required (*parliamentarism*) Score is 0.

Parliamentarism

No = not required (*presidentialism*). Score is 0.

Yes = vote of investiture is required (*parliamentarism*) Score is 1.

Vote of Confidence

Confidence = Government must resign if it loses the Vote of Confidence.

Presidentialism

1 = Not required (or can be ignored by the government): cabinet is not fully dependent on confidence in Parliament = *presidentialism*

0 = Losing a vote of (non-)confidence **always** results in the resignation of government (or, alternatively, in the dissolution of parliament) = *parliamentarism*.

Parliamentarism

0 = Not required (or can be ignored by the government): cabinet is not fully dependent on confidence in Parliament = *presidentialism*

1 = Losing a vote of (non-)confidence **always** results in the resignation of government (or, alternatively, in the dissolution of parliament) = *parliamentarism*.

Introduction and veto of legislation

Introduction Legislation

Presidentialism

1 = President has right to propose legislation.

0,5 = President can veto legislation from Parliament = indicated by a (v) in the table.

0 = President can not propose nor veto legislation.

Parliamentarism

1 = Parliament has sole right to propose legislation.

0,5 = President can veto legislation from Parliament = indicated by a (v) in the table.

(0 = this score, indicating that Parliament is not the legislative, is a *contradictio in terminis* in a democracy)

Executive Powers

Executive Powers = the locus of executive power

Pr = President/Head of State

Gvt = Government

Presidentialism

When the president has executive powers the score is 1; when executive power is shared with the government, the score is 0,5 and when the president has no executive power the score is 0.

Parliamentarism

When a government originating from parliament has the exclusive executive authority the score is 1; when executive power is shared with for example the president the score is 0,5 and when government is not responsible to parliament but to the president the score is 0.

Parliamentary-Governmental powerbalance (dualism/monism)

Parl-Gov = Extent to which Parliament is dominant over Government. It is a cumulative index:

It is constructed by adding up scores of:

1. Vote of Investiture is **necessary** condition to govern **(1,0)**
2. Vote of Confidence is **necessary** condition to continue to govern **(1,0)**.

HoS-Parl = Extent to which the Head of State can influence the composition and (continuation) of the existence of a Government. Hence, it indicates the independent power of the Head of State vis-à-vis Parliament. This variable is constructed by adding up the scores of:

1. HoS is directly involved in the formation of Government (**0,5**)
2. HoS can **dissolve** Parliament (**0,5**)
3. HoS has also **executive** powers (**1,0**).

Gov-Parl = Extent to which Government is dominant over Parliament.

It is constructed by adding up scores of:

1. Government can **ignore** losing a Vote of Confidence (score is **1,0**)
2. Government (or PM) can **dissolve** Parliament: **1,0**
3. if shared with Head of State, then score is **0,5**

Executive-Legislative Power Balance

The measurement of the power balance between the executive and legislature is a composite index constructed of three variables: PARLGOV – (HOSGOV + GOVPARL).

PARLGOV is the extent to which parliament is dominant over government. This is measured by adding (1 = yes; 0 = no) up the scores of (A) is a vote of investiture a necessary condition to govern, (B) is a vote of confidence a necessary condition to continue and (C) the existence of strong bi-cameralism (see Lijphart 1984: 99-104).

HOSGOV is the extent to which the head of state can influence the composition and existence of a government. This is measured by adding the scores (1 = yes and 0 = no) of (A) HoS is directly involved in the formation of government, (B) HoS can dissolve parliament and (C) HoS also has executive powers.

GOVPARL is the extent to which government is dominant over parliament (1 = yes; 0 = no), measured by (A) can government ignore losing a vote of confidence, (B) can government (or PM) dissolve parliament and (C) existence of weak bi-cameralism.

Constitutional articles on which table 3. is based

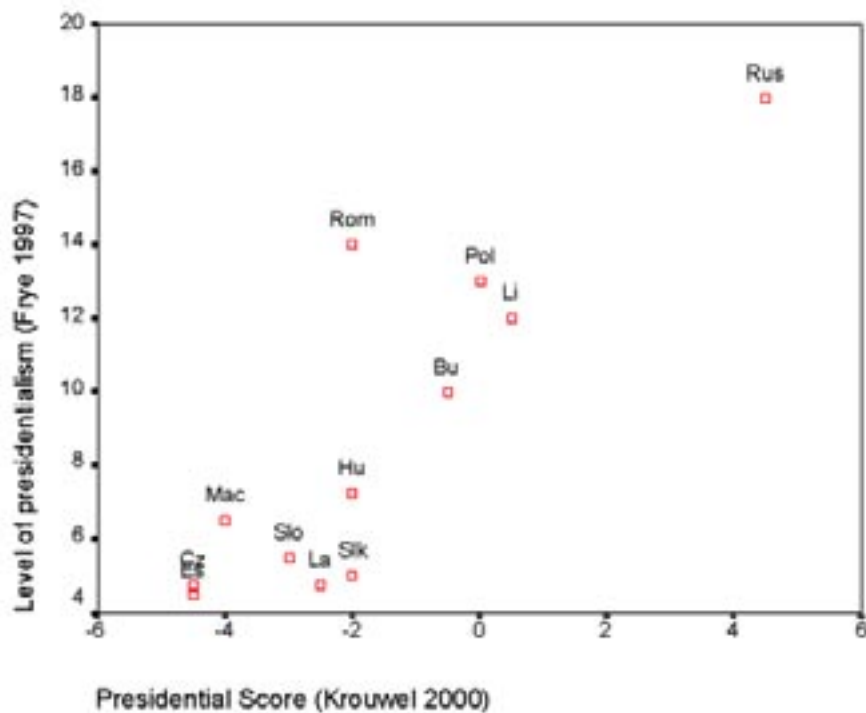
Country	Election president	Dissolution government	Ministerial appointment	Vote of Investiture	Vote of confidence	Introduce Legislation	Executive powers
Bulgaria	93.1	98.1 & 102.2	99.1	84 & 89	89, 111 & 112	86 + 101	100 & 98
Czech Rep.	54.2	35 & 62	62a & 74	68	71, 72 & 73	15.1	62, 63 & 64
Estonia	79.1	62	78.8, 89.1, 90 & 92	89.2	89, 92, 97 & 98	59 & 103.1.5 & 78.8	86
Hungary	29/A.1	28	33.3 & 33.4	33 & 39	39/A & 3/A.d	25.1 & 30/A.f	19/A/B/C
Latvia	35	48	56	-	59	47 & 65	44 & 46
Lithuania	78.2	58, 59 & 87	92	92.4 & 92.5	61	71 & 72	67, 84 & 85
Macedonia	80	93 & 94	84 & 90	90	92	88 & 86	86
Poland	29.1 & 29.2	64 to 66	46, 57 to 62	58	57, 59, 66 to 68	46	32 to 38
Romania	81.1	105, 106 & 109	85.2	102	85.1	73 to 78	86,87, 91 to 94
Russia	81.1	83	83.a, 111 & 112	83 & 111	103 & 117	84, 107, 114 & 115	
Slovakia	101.1	8 & 89	86 & 102.f	86	86, 88, 113 to 115	87	102
Slovenia	103	115 & 116	111, 115	111, 117	116	87, 88	102, 107 & 108

Presidential power according to Frye

Frey (1997) bases his measurement of presidential power of 27 formal powers: Powers shared with the Assembly are counted as 0.5. This scale of presidential power highly correlates with similar scales (see Shugart and Carey 1992)

The included presidential powers:

1. Dissolve Parliament
2. Call Referendums
3. Call Elections
4. Appoints Prime-Minister
5. Appoints ministers
6. Appoints Constitutional Court
7. Appoints Supreme Court
8. Appoints judges
9. Appoints prosecutor general
10. Appoints Head of Central Bank
11. Appoints Security Council
12. Appoints senior officers
13. Appoints senior commanders
14. Commander in Chief of Armed Forces
15. Chairs National Security Council
16. Remands law for reconsideration – two thirds override = 1
17. Sends laws to Constitutional Court
18. Proposes legislation
19. Issues decrees in non-emergencies – no review = 1
20. Proposes amendments to Constitution
21. Calls special sessions of Parliament
22. Special powers if Parliament is unable to meet
23. Assumes emergency powers at other times
24. Participation in parliamentary sessions
25. May address or send messages to Parliament
26. May convene cabinet sessions
27. Participation in cabinet sessions



Notes

- ¹ To develop a valid and unambiguous definition, Sartori's method of concept reconstruction and formation is useful (Sartori 1970; 1984; 1991). Sartori's methodology implies that, first, the meaning (connotation) of a concept must be reconstructed by enumerating all characteristics mentioned in the literature in order to establish what exactly characterises a phenomenon. The aim of this exercise is to find a common core of characteristics and organise these constituent abstract elements in a meaningful and valid manner (Sartori 1984, 50). Sartori (1984, 55) argues that the "crux of (re)conceptualisation consists of separating the defining (core) properties (or necessary characteristics) from the accompanying properties (or contingent and accidental characteristics)." The defining properties delineate the extension of the concept, that is all objects to which the concept applies (Sartori 1984, 24).
- ² In this paper I will limit the analysis to Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Macedonia, Poland, Romania, the Russian Federation (referred to as Russia), Slovakia and Slovenia. In some instances I will refer to other system in central and eastern Europa as a means of illustration, but the database focuses on the countries enumerated above.
- ³ Shugart and Carey (1992, 26) distinguish six types of democratic regimes: parliamentary, presidential, premier-presidential, president-parliamentary, parliamentary with president and assembly independent.
- ⁴ On the basis of these criteria Lijphart (1992; 1999) distinguishes between eight types of systems, yet admits that these typologies are not mutually exclusive and totally exhaustive.
- ⁵ For the constitutions not included in Raina (1995) I have used the internet sites with the respective constitutions (see the literature list).
- ⁶ I would like to thank Jaap Woldendorp, Hans Keman and Ian Budge for allowing me to use that data from this study.
- ⁷ "How can the relative power of the executive and legislative branches of government be measured? For parliamentary systems the best indicator is cabinet durability. A cabinet that stays in power for a long time is likely to be dominant vis-a-vis the legislature, and a short-lived cabinet is likely to be relatively weak" (Lijphart 1999, 129). This argument is not totally sound and tenable: a strong legislature may stretch the life-span of a weak government when Parliament can push its own agenda and influence cabinet members. In addition, as Lijphart himself admits: while cabinets may be short-lived, individual ministers can serve again in subsequent cabinets. As a measure of government survival I use the concept of cabinet durability, or better 'rate of survival' (Taylor and Herman 1971; Sanders and Herman 1977) which measures the percentage of the maximum constitutionally determined tenure.
- ⁸ A cabinet ends its administration (a) after an election even when it returns with the same Prime Minister and party composition; after (b) a change of Prime Minister; (c) a change in the party composition of the cabinet.
- ⁹ The correlation between the 'level of parliamentarism' and the governmental 'rate of survival' is $r^2 .39$
- ¹⁰ In the cases of Romania, Bulgaria and Poland we see that Frye's scale assigns a higher level of presidentialism to some systems, mainly on the basis of powers not regarded as core elements in my definition outlined above.
- ¹¹ Our sample is somewhat biased because of the exclusion of countries such as Armenia, Belarus, Croatia, Georgia, Kazakstan, Kyrgyzstan, Moldova, Turkmenistan, Ukraine and Uzbekistan, which are all strong presidential systems (see Frye 1997, 547).
- ¹² Romania is also a special case in that during the transition the participants at the round-table negotiations only needed two meetings in five days to draft the new constitutional format (Welsh 1994).

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