

**PRESIDENTIALISM AND
PARLIAMENTARISM: A CASE
OF POST-COMMUNIST EUROPE
AND POST-SOVIET STATES¹**

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Introduction

Central and Eastern European countries have become a laboratory for political scientists because of ongoing process of transition to democracy. After being “fascinated” by the transition process itself the attention of scientists turned to the phenomenon of democracy consolidation in the newly democratizing countries.²

The birth of democracy there stimulated experts to consider the most convenient models of democracy; which of those models may be recommended to the newly democratizing countries and finally to what extent have been those countries inspired by already existing, largely western models. There was a serious discussion for example about the alternatives between the proportional and majority electoral systems and related systems of political parties.

¹ The first version of this chapter has been prepared for the Czech magazine Political Science Review (see Kubát, M. *Politický režim a konsolidace demokracie v postkomunistické Evropě a postsovětském prostoru*. Politologický časopis 2/2000, pp. 131–143).

² GRUSZCZAK, A. *Konsolidacja demokracji: aspekty teoretyczne i praktyczne*. Ad Meritum Nr 2, 1995.

Last year tenth anniversary of the fall of communism and coming of democracy to the Central and Eastern European countries including the Czech Republic offered an opportunity for various political evaluations. One of the key questions in the discussion has become the issue of political regime. Although the subject of political regimes in general (their types, functioning, advantages and disadvantages of their particular types, etc.) hasn't been any novelty in the western political science,³ the democracy upheaval in Central and Eastern Europe intensified the discussion and the issue came to its age of renaissance. Therefore it is highly appropriate to join the debate and present some modest comments relating to the theme.

Parliamentarism vs. Presidentialism in Theory Never Ending Debate

As indicated above, the period after 1989 can be considered a real renaissance of the discussion about the types of political regimes. Some political scientists prefer parliamentarism, the others are more likely to support the idea of presidentialism (or semi-presidentialism). This debate will not have been apparently finished by near future because both sides join issue with strong counter-arguments.⁴

This dispute is based on various aspects. Some experts use as a basic criterion the stability of the regime according to the disposition to political crisis (co-agent of democracy survival). Another criterion may be a stability of the regime connected with the government permanence (executive power) and its efficiency. Further criterion may become some empirical observations (various additions of particular

³ Arend Lijphart dealt with the question of advantages and disadvantages of parliamentary and presidential regimes in chapter 5 of his book called *Democracies* (from 1984). See LIJPHART, A. *Democracies. Patterns of Majoritarian and Consensus Government in Twenty-One Countries*. Yale University Press, New Haven and London 1984, pp. 67-90.

⁴ ANTOSZEWSKI, A. *Instytucjonalne uwarunkowania procesu decyzyjnego*. In: Antoszewski, A., Herbut, R., (eds.), *Demokracje zachodnioeuropejskie. Analiza porównawcza*. Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław 1997, p. 288.

types of regimes in the world in different periods and under given circumstances). The final criterion is a social-economic effectiveness of political system or the degree of political legitimacy both of the political system as a whole or its parts.⁵

Among the scholars who give clear preference to the parliamentarism in comparison with presidentialism are for example J. Linz, A. Lijphart, A. Stepan, C. Skache or F. Riggs.⁶ By contrast, G. Sartori, M. Shugart, J. Carey or T. Baylis support the counter-position in this debate.⁷

In western political science "adoration" of parliamentarism dominate to the detriment of presidentialism (or semi-presidentialism). Nevertheless Matthew Shugart and John Carey remark succinctly that *the majority of the theoretical discourses obviously favour parliamentarism but this attitude spreads slowly among the political representatives. All the new democracies constituted in the 70s, 80s but also in the 90s elected their presidents with different levels of executive power.*⁸ That is a very impor-

⁵ This is only brief and cursory reference about the discussion on the defects of particular political regimes. The purpose of this article is not to describe or to intervene in such discussions which are quite theoretical. These remarks represent entrée to the following considerations. For those who are interested in that, the details can be found in Journal of Democracy No. 1/14 (1990) or in a memorial volume (1992) edited by A. Lijphart. See Lijphart, A. /ed./. *Parliamentary vs. Presidential Government*. Oxford University Press, New York 1995.

⁶ See LINZ, J. J., *The Perils of Presidentialism*. Journal of Democracy Vol. 1, No. 1. 1990, LIJPHART, A. *Constitutional Choices for New Democracies*. Journal of Democracy Vol. 2, No. 1, 1991, STEPAN, A., SKACH, C. *Modele konstytucyjne a umacnianie demokracji (parlamentaryzm – system prezydencki)*. Państwo i Prawo, Nr 4, 1994, RIGGS, F. *Presidentialism versus Parliamentarism: Implications for Representativeness and Legitimacy*. International Political Science Review Vol. 18, No. 3, 1997.

⁷ See SARTORI, G. *Comparative Constitutional Engineering. An Inquiry into Structures, Incentives and Outcomes*. Macmillan Press LTD, Houndmills, Basingstoke, Hampshire and London 1994, SHUGART, M., CAREY, J. *Prezydenci i zgromadzenia przedstawicielskie w prezydenckich systemach sprawowania władzy*. In: Szczupaczyński, J., (ed.), *Władza i społeczeństwo 2. Antologia tekstów z zakresu socjologii polityki*. Wydawnictwo Naukowe Scholar, Warszawa 1998, Baylis, T. *Presidents versus Prime Ministers: Shaping Executive Authority in Eastern Europe*. World Politics Vol. 48, No. 3, 1996, NOVÁK, M. *Is There One Best 'Mode of Democracy'? Efficiency and Representativeness: 'Theoretical Revolution' or Democratic Dilemma? Czech Sociological Review Vol. 5, No. 2, 1997.*

⁸ SHUGART, M., CAREY, J. *Prezydenci i zgromadzenia ...*, p. 82.

tant perception. Only the Czech Republic and Hungary (for a short period also East Germany before rejoining with West Germany) from all of the Central and East European countries turned after 1989 to pure parliamentary regime. At this point it is really necessary to make difference between the pure parliamentarism and its various forms, which were called by Sartori *semi-parliamentary forms*. These semi-parliamentary forms contain some elements characteristic for semi-presidential or even presidential regimes.⁹ The supporters of parliamentarism were undoubtedly flattered by the fact that the newly democratizing countries did not accept the pure presidential regime but the triumph was not fulfilled as they mostly did not choose pure parliamentarism. In Central and Eastern Europe, as one will see, the parliamentary elements dominate only apparently.

Parliamentarism vs. Presidentialism in the Post-Communist World

World-famous Polish political scientist Jerzy J. Wiatr wants to prove in some of his latest discourses the superiority of parliamentarism over presidentialism or semi-presidentialism precisely on the example of post-Soviet and post-communist countries in Central and East Europe.¹⁰ His conclusions, however, seem to be at least questionable.

⁹ Giovanni Sartori is not actually a supporter of parliamentarism when he says: "...parliamentarism works when its wings are clipped, when it acquires – we could say – a semi-parliamentary form" (SARTORI, G. *Comparative ...*, p. 109). According to him, parliamentarism functions better, the less it is parliamentary. Later on in his book from 1994 he directly adds that he supports the middle course between these extremes- pure presidentialism and pure parliamentarism- therefore he supports the idea of mixed systems (SARTORI, G. *Comparative ...*, p. 135).

¹⁰ WIATR, J. J., *Parliamentarism vs. Presidentialism: Old Debate, New Experiences of Post-communist States*. In: Dvořáková, V. (ed.), *Succes or Failure? Ten years after*. ČSPV, SZPV, Praha 1999, pp. 10–14, Wiatr, J. J., *Socjologia polityki*. Wydawnictwo Naukowe Scholar, Warszawa 1999, pp. 320–346.

Wiatr argues that while all of the successful young democracies accepted parliamentary regime (the Czech Republic, Estonia, Hungary, Lithuania, Poland, Slovenia), those which chose some form of presidential regime, became usually victims of the return of authoritarianism or at least destabilization of the political system (Belarus, Croatia, Rumania, Russia, Ukraine, Yugoslavia). Similar attitude maintains J. Linz who claims that many of the states, former parts of the Soviet Union or Yugoslavia, which have not recently fulfilled the democratic criteria, elected presidential or semi-presidential regime. There are 26 post-communist countries. Those which chose presidentialism or appointed the presidents with strong competence have not met the democratic standards.¹¹

Wiatr determines three arguments why is the presidentialism in the post-communist Europe rather the source of problems than its solution:

- 1) in most of the states which have chosen the presidential form of government, former communist leaders became presidents,
- 2) the choice of presidentialism allowed the president to secure an independent position vis-à-vis political parties,
- 3) strong presidency may be a wrong answer to the very real challenges of multiethnic structure of the society.¹²

Wiatr introduces main arguments in favor of the parliamentary regime :

- 1) parliamentary regime forces the political representatives to seek compromise not only in a case of the coalition government but also when one political party gains absolute majority. Because the prime minister in this case has to face the fractions in its own political party,
- 2) if the prime minister loses his support within parliament he can be easily displaced through the *votum of non-confidence*. By contrast, in presidentialism the president is absolutely

¹¹ LINZ, J. J., *Introduction: Some Thoughts on Presidentialism in Post-communist Europe*. In: Taras, R. (ed.), *Post-communist Presidents*. Cambridge University Press, Cambridge 1997, p. 2.

¹² WIATR, J. J., *Parliamentarism vs. Presidentialism ...*, pp. 12–13.

irrevocable except the quasi law trials in case of violation of the constitution or the laws,

- 3) parliamentary regime protects the interests of national minorities because their deputies may become useful in case of government formation.¹³

Wiatr finally concludes that: *“supporters of semi-authoritarian elements are likely to choose the presidentialism, where the elected and generally irrevocable president is the chief of executive power. In some of the post-socialist countries (Belarus, Russia) the presidents were given so strong competence that the parliament found itself so weakened that the presidential regime assumed the authoritative characteristics. The decision of East and Central European countries to choose the parliamentary cabinet regime turned out to be favourable to the democratic consolidation in the region.”*¹⁴

Consolidated and Non-Consolidated Democracy

In this kind of argumentation one can find several questionable points. Firstly it is a comparison of something that is in fact incomparable. What does mean Linz's formula *“out of 26 post-communist countries?”* Is it correct to compare for example Hungary or Poland with Belarus or Albania? What I mean is to make a clear difference between consolidated and non-consolidated democracies. We can easily use the criteria of two experts mentioned above in case of consideration which country is democratically consolidated and which is not. J. Linz (together with A. Stepan) precisely deal with this subject in the book from 1996, mainly in its first theoretical part. Essentially, in their opinion, there are two conditions for the consolidation of the democracy: completing of the transition process (free elections are crucial here) and fulfillment of the democracy framework that is to say that politicians elected in democratic way

¹³ WIATR, J. J., *Socjologia polityki...*, pp. 339–340.

¹⁴ *Ibidem*, p. 340.

govern democratically indeed: *“Behaviorally, a democratic regime in a territory is consolidated when no significant national, social, economic and political or institutional actors spend significant resources attempting to achieve their objectives by creating a non democratic regime or turning to violence or foreign intervention to secede from the state; Attitudinally, a democratic regime is consolidated when a strong majority of public opinion holds the belief that democratic procedures and institutions are the most appropriate way to govern collective life in a society such as theirs and when the support for antisystem alternatives is quite small or more or less isolated from democratic forces; Constitutionally, a democratic regime is consolidated when governmental and non-governmental forces alike, throughout the territory of the state, become subjected to and habituated to, the resolution of conflict within the specific laws, procedures, and institutions sanctioned by the new democratic process?”*¹⁵ As the leading Czech political scientist M. Novák states in his extensive review of this book: *“only democracy itself can be consolidated democracy. According to that, Linz and Stepan leave apart liberalizing non-democratic regimes, pseudo-democracies, as well as the hybrids where coexist along with several democratic institutions also non-democratic institutions without any control of a democratic state.”*¹⁶

¹⁵ LINZ, J. J., STEPAN, A. *Problems of Democratic Transition and Consolidation. Southern Europe, South America, and Post-Communist Europe*. The Johns Hopkins University Press, Baltimore and London 1996, p. 6.

Wiatr determines the criteria for democracy consolidation in a similar way: 1) regular free and fair elections, 2) lawfulness (legal state) and constitution-abiding, 3) protection of human rights and political liberties, 4) absence of state discriminatory policy against the national and religious minorities. In a broader perspective Wiatr defines the democratic consolidation as a well-functioning civic society based on state-independent self-government of the organized civic groups. The state where are no (or only marginally) anti-democratic forces calling for the violence or struggling for the secession and the state where the majority of the population and political elite accept the democratic procedures and democratic institutions as the only legal means for realization of political interests (WIATR, J. J., *Socjologia polityki ...*, pp. 333–234).

¹⁶ NOVÁK, M. Recenze knihy Juana J. LINZE, Alfreda STEPANA, *Problems of Democratic Transition and Consolidation. Southern Europe, South America, and Post-Communist Europe*. The Johns Hopkins University Press, Baltimore – London 1996, in: *Politologická revue* 1998/1, p. 115.

Therefore is it possible to ignore the difference between consolidated as well as non-consolidated democracies? Of course, it is not. Obviously Wiatr himself recognizes that when he says: “...at the end of the 90s there were only six post-socialist countries with consolidated and basically well-functioning democratic systems: the Czech Republic, Estonia, Hungary, Latvia, Poland and Slovenia.”¹⁷ Later on he continues: “... among twenty seven post-communist states in Europe and former USSR only six can be at present defined as consolidated democracies. They are the following: the Czech Republic, Hungary, Estonia, Lithuania, Poland and Slovenia. I have considered Latvia, Macedonia, and Ukraine as borderline cases...”¹⁸

There are dramatic differences among various countries of the post-communist world. It is extremely complicated to compare for example: Lukasenka's Belarus with Poland – member state of NATO. It seems to be behind the point to put on the same level Putin's Russia with its Chechen crisis or post-Miloshevic's Serbia with politically “mature” Hungary or Slovenia. Even in the post-Soviet region would be a mistake to mingle the succession states of the former Soviet Union. Is it possible to compare autocratic post-Soviet republics¹⁹ with Baltic States (Estonia is a front runner waiting to be accepted to the EU). Another problem concerns the borderline cases as for example Romania after 1996 post-Meciar Slovakia or post-

¹⁷ WIATR, J. J. *Sociologia polityki ...*, p. 333.

¹⁸ WIATR, J. J. *Parliamentarism vs. Presidentialism ...*, p. 9.

¹⁹ Political regimes in post-Soviet republics take sometime very comical almost bizarre characteristics. In Turkmenistan for example the president Saparmurat Nijazov was declared in the end of December 1999 by Supreme Legislative Assembly a prophet and his term of office was extended with no restrictions at all. Nijazov became lifelong president of Turkmenistan (MYKISKA, M. *Turkmenistán: Nijazov – traktorista a prorok v rouše prezidentově*. Týden 15/2000, pp. 36–38). It is not exceptional to witness election outcomes with statistical results so much similar to those that we encountered in our region in the period before 1989. There were the presidential elections in Tadjikistan (in the half of November in 1999) where it was announced after some disputes that the former president Imomali Rachmonov allegedly won 96 % of votes and the turnout was according to the official data 98 %! (VLACH, T. *Tádžikistán: jak z prezidentských voleb udělat dobrý obchod*. Týden 53/99, pp. 42–43).

Tudjman Croatia. It would be unjust to characterize these countries as non-democratic but at this stage they remain to be seen non-consolidated democracies.

Table 1. Consolidated Democracies, Non-Consolidated Democracies and Non-Democracies in Post-Communist Europe and Post-Soviet States

CONSOLIDATED DEMOCRACY	SEMI-CONSOLIDATED DEMOCRACY	NON-CONCONSOLID. DEMOCRACY	MINIMAL SCALE OR ABSENCE OF DEMOCRACY
Czech Republic	Bulgaria	Albania	Armenia
Estonia	Croatia (→)*	Bosnia-Hercegovina	Azerbejdjan
Hungary	Latvia	Kirgistan (→)*	Belarus
Lithuania	Macedonia (→)*	Moldavia	Yugoslavia
Poland	Slovakia (from. 1998)	Russia	Georgia
Slovenia		Romania	Kazakhstan
		Ukraine (→)*	Tadjikistan
			Turkmenistan
			Uzbekistan

* Borderline cases.

Source: The table made by the author following the data from *Eastern Europe and the Commonwealth of Independent States 1999*. Europa Publications Limited, London, 1999 (Fourth Edition).

Another disputed point in J. J. Wiatr's argumentation is his reluctance to differentiate within the group of consolidated democracies. He operates with the category of consolidated democracy as with a final level of the problems discussed. But even in the consolidated democracy problems can appear with functioning of the political system. In case of judging about the issue of the political regime choice, we shouldn't restrict ourselves to the question of the democracy itself and its survival (democracy vs. authoritative regime) but also to the question no less dramatic or

important and that is the optimum functioning of the democratic political system as a whole. Poland until 1997 or the present Czech Republic may be introduced as a good example. Searching for the political regime in Poland during 1989 and 1997 was not a struggle for the democratic regime substance itself, it was rather an effort to find out the most suitable political regime which would suit Poland the best.²⁰ Similarly the recent debate in the Czech Republic upon the constitutional and electoral engineering has not been a sign of crisis or struggle for democracy itself (despite some commentaries of journalists or statements made by certain Czech politicians who feel themselves endangered by these proposed changes). In fact, it is legitimate discussion and effort to improve the functioning of the political system in the democratically consolidated country.

In short, constitutional engineering and debate about advantages or disadvantages of particular political regimes may be but also may be not at all a sign of crisis of democracy or destabilization of a democratic political system.

Presidential Regime and Authoritarianism

There is another reason "related to the above problem" why the claim is wrong that presidential regimes are to be rejected on principle because the countries that chose such regimes failed to preserve democracy and fell prey to authoritarianism.

As mentioned above, it is crucial to distinguish among consolidated democracies, non-consolidated democracies and states with minimum level of democracy up to those with the complete absence of democracy. Presidential regime is as well as the other types (parliamentary and semi-presidential) in scientific literature linked entirely with the democratic political system. All these examples can

²⁰ Bankowicz, M. *Ewolucja systemu politycznego III Rzeczypospolitej*. In: Kloczkowski, J. (ed.), *Od komunizmu do ...? Dokąd zmierza III Rzeczpospolita?* Księgarnia Akademicka, Kraków 1999.

be used to all intents and purposes only in relation with liberal democracy.²¹ The bottom line for distinguishing these types of political regimes is the way how the separation of powers (executive, legislative and judicial) is accomplished. There is one head of state directly elected (the president is both the head of state and the prime minister) and strictly separated from the legislative power (parliament) in presidential regime. The principle of separation of powers is added by the principle of political non-responsibility of executive power (president) towards parliament. Practically, these prerequisites are to come into effect by the system of checks and balances that is to say the mutual restrictions among executive, legislative and judicial power. All of that must be complemented by the regular and free elections (presidential and parliamentary), political pluralism, lawfulness (legal state), adherence to human and civil rights and eventually other attributes of real democracy.²²

In non-democratic regimes is valid the principle of compactness of state power or the separation of powers is only formal and it is not fulfilled in common politics because entire state power belongs de facto to one dictator, one political party or one collective leadership (i.e. military junta). Policy is above the constitution and institutions. There are no free elections and no political pluralism (or just illustratory pluralism as were Institutes of National Fronts in some former communist countries). In addition to that, in case of so called presidentialisms which hide in fact the non-democratic regime, the principle of checks and balances either does not exist or is not put in practice at all.²³

²¹ BALL, A. R. *Modern Politics and Government*. Macmillan Education, Houndmills, Basingstoke, Hampshire and London 1988, p. 50, Antoszewski, A. *Reżym polityczny*. In: Jabłoński, A. W., Sobkowiak, L. (eds.), *Studia z teorii polityki. Tom I*. Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław 1996, p. 84, Hague, R., Harrop, M., Breslin, S. (1998). *Comparative Government and Politics. An Introduction*. Macmillan Press, Houndmills, Basingstoke, Hampshire and London 1998, p. 202.

²² BANKOWICZ, M. *Typy současné demokracie*. Parlamentní zpravodaj 06/1996, p. 222.

²³ HAGUE, R., HARROP, M., BRESLIN, S. *Comparative Government...*, pp. 215–218.

The presidential regime and authoritarianism are therefore not replaceable. At most it can be a certain facade²⁴ of presidentialism. Cover with no contents inside. But it has to be clear that this not only the case of presidentialism but also of the parliamentary regime. Parliamentary regime can serve as useful cover-up for non-democratic political system as well.²⁵

Is that anyhow related to Wiatr's hypotheses? A large number of post-communist countries has not finished the process of democratization of its political system yet. They have neither completed the transition process towards democracy nor have reached the aim of democratic consolidation. Some states even did not initiate the process of democratization because former communist leaders took over the power there (but is there any direct link to presidentialism itself as Wiatr argues?). After the fall of communism and following disintegration of the Soviet Union many of the former top communist authorities came to power again in many of the post-Soviet countries.

For example in Uzbekistan Islam Karimov, former chief of Communist Party of former Soviet era, has been governing there since 1990 till present. The democratization in Uzbekistan is completely out of question.²⁶ The classic example of the democratization failure has been also in Belarus where despite some of the

²⁴ Jackson, R. J., Jackson, D. *A Comparative Introduction to Political Science*. Prentice Hall, New Jersey 1997, p. 80.

²⁵ What comes around never goes around. The communist Czechoslovakia, which was politically and ideologically highly dogmatic state, formally produced many aspects of parliamentary regime – institute of the president of republic (rather an exception in the communist area), the system of relationships between the government and the parliament, *votum of confidence or non-confidence* procedures etc. (BANKOWICZ, M. *Systemy władzy państwowej Czechosłowacji i Czech. Studium instytucjonalno-polityczne*. Wydawnictwo PiT, Kraków 1998, p. 2). All these constitutional mechanisms were, however, only a formal matter. It is very important. The external characteristics is not sufficient. It can only be empty and meaningless. Democratic political regime becomes genuinely democratic only in the case when the declared democratic principles are thoroughly applied in practice. The constitution which is not respected is nothing but a piece of paper (remember Stalin's "the most democratic constitution of the world").

²⁶ *Eastern Europe and the Commonwealth of Independent States 1999*. Europa Publications Limited, London, 1999 (Fourth Edition).

attempts the democratization has not been even initiated.²⁷ From the very beginning the formal Belorussian presidentialism (pseudo-semi-presidentialism) is only a mere cover-up for the authoritative regime. In fact it has nothing in common with the semi-presidentialism and that is why it could not fail. The similar situation can be found in other post-communist countries.

Table 2. Real and Believed (only according to the constitution) Political Regimes in Post-Communist Europe and Post-Soviet Region (consolidated democracies, non-consolidated democracies or the absence of democracy)

PARLIAMENTARY REGIME		SEMI-PRESIDENTIAL REGIME		PRESIDENTIAL REGIME	
real	believed (according to the constitution)	real	believed (according to the constitution)	real	believed (according to the constitution)
Czech Republic	Albania	Lithuania	Armenia		Georgia
Estonia	(←)* Bulgaria		Azerbejdjan		Kazakhstan (←←)**
Hungary	(←)* Latvia		Belarus		Turkmenistan
Poland	(←)* Macedonia		(←)* Croatia		Uzbekistan (←←)**
Slovenia	(←)* Slovakia		Kirgistan		
			Moldavia		
			Rumania		
			Russia		
			Tadjikistan (→→)**		
			Ukraine		
			Yugoslavia (?)***		

²⁷ See OWSIANNIK, S., STRIELKOWA, J. *Władza a społeczeństwo, Białoruś 1991–1998*. Presspublica, Warszawa 1998.

* The borderline cases – mostly semi-consolidated democracies

** The borderline cases-countries balancing between believed semi-presidentialism and believed presidentialism. Kazakhstan does not meet the condition of one headed executive. Together with the president there is also the government chaired by prime minister. But the government is responsible to the president of the republic not to the parliament (nevertheless the president appoints the prime minister with an approval of the parliament). The similar situation is in Tadjikistan, where the president of the republic is at the same time a head of a state and chief of executive power but the head of the government is prime minister. The government there is responsible both to the parliament and to the president of the republic. Prime minister and ministers are appointed and deposed by the president with an approval of the parliament According to the constitution, Tadjikistan in contrast to Kazakhstan rather comes near to semi-presidentialism than presidentialism. In Uzbekistan the political system resembles the political system in Kazakhstan in this regard.²⁸

*** Yugoslav Federation does not meet the essential prerequisite of semi-presidential regime which are the direct general elections of the federal president. In fact he is elected by Federal Assembly.

Bosna-Herzegovina is not included in the table as it has collective leadership of the state – three-member presidency.

Source: The table following the data from *Eastern Europe and the Commonwealth of Independent States 1999*. Europa Publications Limited, London, 1999 (Fourth Edition), and Goduń, T. et al. *Leksykon systemów politycznych*. Dom Wydawniczy Elipsa, Warszawa 1999 and *International Constitutional Law*, Universität Würzburg., *Constitution Finder*, University of Richmond.

In: <http://www.urich.edu/~jpjones/confinder/const.html>.

Face-to-face with these facts it becomes evident that we can hardly speak about presidential or semi-presidential regimes in case of post-communist Europe and post-Soviet states where non-consolidated democracies has been still prevailing (authoritative regimes included). Where the genuine democracy was not established, there could not have been established presidential or semi-presidential regime and at most it has been a matter of pseudo-presidentialism or pseudo-semi-presidentialism. Therefore it is very questionable to prove the failure of presidentialism or semi-presidentialism on the examples of countries which has not become consolidated democracies yet (or has not become democracies at all)

²⁸ *Eastern Europe ...*, GODUŃ, T. et al. *Leksykon systemów politycznych*. Dom Wydawniczy Elipsa, Warszawa 1999.

and therefore could not establish genuine working presidential or semi-presidential regime to all intents and purposes.

Political Regime in Central and Eastern Europe – Triumph of Parliamentarism?

Only six post-communist countries, if we consider Linz's and Stepan's criterion are consolidated democracies. It is the Czech Republic, Estonia, Hungary, Lithuania, Poland and Slovenia. Other seven countries have been on their way towards democratic consolidation. This is the question of Bulgaria, Croatia, Latvia, Macedonia, and Slovakia. The rest of the states is characterized by the lack of democratic consolidation or absence of democracy itself. Consequently the political regimes can be seriously discussed only in case of the first and with certain amount of indulgence in case of the second group of states.

It is true that in Central and Eastern Europe dominates parliamentary regime. Presidential regime did not push through and semi-presidential regimes or near semi-presidential regimes are rare in this region.²⁹ But it is really sufficient reason for claiming the parliamentary regime to be the only correct way to achieve consolidated democracy? Semi-presidentialism was not in any way an obstacle for the establishment of consolidated democracy in Lithuania.³⁰ Poland did not become a parliamentary republic until 1997 when a new constitution was accepted. During 1989–1997 there was a regime closed to semi-presidentialism in Poland which was not a cause of any destabilization of the political system and did not mean a threat to the successful process of democratic consolidation.³¹ Semi-

²⁹ KUBÁT, M. *Ústavní změny v perspektivě srovnání se středovýchodní Evropou*. Parlamentní zpravodaj 1/2000, p. 29.

³⁰ The regime in Lithuania is completely different from the regime in Latvia and Estonia. The most characteristic sign is the strong position of the president. Lithuanian system of state power is based on two fundamentals: parliament (Seimas) and directly elected president of the republic. (See NÓRGAARD, O. *The Baltic States after Independence*. Edward Elgar, Cheltenham-Brookfield 1995, pp. 73–76).

presidential regime in Croatia did not manage to maintain the semi-authoritarianism connected particularly with the deceased president Franjo Tudjman (died in 1999). Croatia is after the parliamentary and presidential elections in 2000 in hope of stepping out towards the democratic consolidation without changing its regime.³² The similar situation was in semi-presidential Rumania which, after the presidential and parliamentary elections in 1996 (took place together), also stepped out on the difficult way leading to democratic consolidation. By contrast, in Slovakia the parliamentary regime was totally unable to prevent Meciar from coming to power there and it definitely did not contribute to the consolidation of democracy in the country. In Latvia alike, the parliamentarism itself failed to protect the interests of national minorities and therefore Latvia cannot be classified among the completely consolidated democracies.³³ Furthermore, it has to be stressed that some of the democratically consolidated countries in

³¹ Wiatr affirms that establishment of parliamentary regime in Poland was a great contribution to calm the stormy situation on the Polish political scene and stabilized the whole political system (WIATR, J. J. *Parliamentarism vs. Presidentialism ...*, p. 13). But the truth is that the main cause was the reform of the electoral system in 1993 which strengthened the majority effect and prevented further division (even scattering) of the Sejm. In semi-presidential regime, a lot of elements play their roles. The role of Polish president developed in accordance with the theory of semi-presidential regimes. (See DUVERGER, M. *A New Political System Model: Semi-Presidential Government*. *European Journal of Political Research* 8/2 /June 1980). The political system in Poland was after the parliamentary elections in 1993 it means well before the new constitution was adopted in 1997 which brought about departure from semi-presidential system towards a parliamentary one (See BANKOWICZ, M. *Ewolucja systemu politycznego ...*).

³² The situation in the post-Yugoslav republics (except Slovenia) is more complicated because of war conflicts in the region and their consequences. To talk about the failure or non-failure of any kind of political regime would be very complicated. Authoritarianism of Franjo Tudjman is tightly connected to the war in the Balkans and its consequences (GARLICCY, A. L. *Wstęp*. In: *Konstytucja Republiki Chorwacji*. Wydawnictwo Sejmowe, Warszawa 1995). It is illusory to think that parliamentary regime could have prevented the war. The causes of the destabilization in the region are completely different.

³³ According to Wiatr parliamentary regime is better than presidential one because it succeeds in protecting the national minorities as their deputies are usually needed in the process of government setting. This is very optimistic statement. The problem of Russian minority in Latvia has nothing in common with the type of political

Central and Eastern Europe are parliamentary regimes but in a combination with certain non-parliamentary elements. For example Polish and Slovenian presidents are elected in direct general elections. Their position no doubt corresponds with the principles of parliamentarism but the single fact that they come out of the general elections raises their legitimacy and strengthens their position in the political systems of those countries.

Among the parliamentary regimes in Central and Eastern Europe only the Czech Republic, Hungary and Estonia the pure parliamentarism have.³⁴ Other countries have either semi-presidential regimes (Lithuania) or parliamentary regimes with a reinforced position of their presidents (Poland, Slovenia). Out of the countries which are at the moment on their way towards democratic consolidation only Latvia represents pure parliamentarism. The rest is formed by the countries with semi-presidential regimes (Croatia, Rumania, Ukraine) or parliamentary regimes with strengthened position of their presidents (Bulgaria, Slovakia, Macedonia).³⁵

regime there and the Latvian parliamentary regime cannot be thus expected to bring a solution. In other countries there is also no obvious connection between the type of political regime and the status of national minorities (for example parliamentary regime in the Czech Republic and the problem of Romany people). In addition to it, deputies of national minorities are not represented in the parliament everywhere (because the electoral system won't let them in or because of the fact that these minorities are simply not organized and strong enough to push through, for example Romany people in the Czech Republic). The other problem could be also that these minorities are very small and therefore with no influence at all (for example German minority in Poland which had 4 deputies during 1993-1997 and since 1997 has had only 2 deputies out of 460 members of parliament).

³⁴ There was an extensive political debate in Hungary during 1989-1990 if the president should be elected by direct general elections or by the National Assembly. There was a referendum on the subject on 29th of July 1990. But it was not valid as the electoral turnout was very low – 13,8 % instead of required min. 50 % of entitled voters 1,86 % of voters voted for the direct elections). Thereupon the President of Hungary is elected by the parliament. (ROSE, R., MUNRO, N., MACKIE, T. *Elections in Central and Eastern Europe Since 1990*. University of Strathclyde, Glasgow 1998, p. 58).

³⁵ GODUŃ et al. *Leksykon systemów ...*

Table 3. Political Regime in Consolidated Democracies of Central and Eastern Europe

PARLIAMENTARY REGIME	PARLIAMENTARY REGIME WITH DIRECTLY ELECTED PRESIDENT	SEMI-PRESIDENTIAL REGIME
Czech Republic	Poland	Lithuania
Hungary	Slovenia	
Estonia		

Source: The table following the data from *Eastern Europe and the Commonwealth of Independent States 1999*. Europa Publications Limited, London, 1999 (Fourth Edition), Goduń T. et al. *Leksykon systemów politycznych*. Dom Wydawniczy Elipsa, Warszawa 1999 and *International Constitutional Law*, Universität Würzburg, In: *Constitution Finder*, University of Richmond. In: <http://www.urich.edu/~jppjones/confinder/const.html>.

Table 4. Political Regime in Semi-Consolidated Democracies of Central and Eastern Europe

PARLIAMENTARY REGIME	PARLIAMENTARY REGIME WITH DIRECTLY ELECTED PRESIDENT	SEMI-PRESIDENTIAL REGIME
Latvia	Bulgaria	Croatia
	Macedonia	Rumania
	Slovakia	Ukraine

Source: The table following the data from *Eastern Europe and the Commonwealth of Independent States 1999*. Europa Publications Limited, London, 1999 (Fourth Edition), Goduń, T. et al. *Leksykon systemów politycznych*. Dom Wydawniczy Elipsa, Warszawa 1999 and *International Constitutional Law*, Universität Würzburg. In: *Constitution Finder*, University of Richmond. In: <http://www.urich.edu/~jppjones/confinder/const.html>.

Conclusion

Unfortunately, the recent experience from the post-communist countries does not contribute largely to the discussion upon the political regimes. It is impossible to prove or disprove the absolute superiority of a single political regime over another on the basis of a constitutional theory and political practice in Central and East European countries. No political regime is ideal for all countries. It is always inevitable to take into account the specifics of each particular state and its society. Each form has to be adapted to the given circumstances.³⁶ The claim that parliamentary or presidential regime is under all circumstances better, better functioning and more convenient for democratic consolidation, more capable for action, etc. is unmaintainable.

In Central and Eastern Europe (consolidated and semi-consolidated democracies) the parliamentary regime prevails but in its pure form parliamentarism can be found only rarely (the Czech Republic, Hungary, Estonia and Latvia). The most common is parliamentarism with strengthened presidency either by the way the presidents are elected or by particular competences given them by the constitution. The semi-presidential regime is rare in the region but Central and East Europe does not witness its complete absence. Parliamentarism can be helpful in the process of the democratic consolidation but not always (Slovakia). Semi-presidentialism may but also may not obstruct democratic consolidation (Lithuania). The presidential regime is not truly represented in the region of Central and Eastern Europe and post-Soviet area and that is why it is difficult to prove on the basis of pseudo-presidential regimes (which have been in fact non-democratic from the beginning of their existence) the failure of the presidential regime itself.

Many elements other than the type of a political regime, however, contribute to the democratic consolidation or on the contrary

³⁶ DAHL, R. A. *O demokracji*, Znak, Kraków 2000, p. 179, Dahl, R. A., *Demokracie v právním státě?* Readers International, Praha 1995, p. 69.

endanger democracy as such. It is the respect or non-respect of the democratic procedures by political elites and the transfer of political rivalry to extra-electoral and extra-parliamentary levels (a style of thoughts of political elites which admits or not the possibility of a defeat of a political rival in some other way than by democratic elections and willingness to tolerate the opposition), relationship of political elites with the media (especially towards television), the conflict related to the conciliation with the heritage of communism (overcoming the situation when the main conflict landmark of party cleavages is the relationship to the past), the type and quality of party political system, the relationship to national minorities and the way of the solution of this problem, the ability of conversion from post-communist parties to pro-system parties which can participate in a democratic game and respect its rules, the behaviour of the electorate and many other factors.³⁷ The question of perspective of democracy, its survival or on the contrary its collapse is very extensive and complicated theme which deserves in-depth separate discourse.

Summary

The discourse introduces the connection between the type of political regime and the level of democratic consolidation in Central and Eastern European countries. Unfortunately, the recent experience from the post-communist countries does not contribute largely to the discussion upon the political regimes. It is impossible to prove or disprove the absolute superiority of a single political

³⁷ ANTOSZEWSKI, A. *Perspektywy demokracji w Europie Środkowo-Wschodniej*. In: Antoszewski, A., Herbut, R. (eds.), *Demokracje Europy Środkowo-Wschodniej w perspektywie porównawczej*. Wydawnictwo Uniwersytetu Wrocławskiego, Wrocław 1998, HUNTINGTON, S., P. *Trzecia fala demokratyzacji*. Państwowe Wydawnictwo Naukowe, Warszawa 1995, Linz, J. J. *Crisis, Breakdown, and Reequilibration*. In: Linz, J. J., Stepan, A. (eds.), *The Breakdown of Democratic Regimes*. The Johns Hopkins University Press, Baltimore and London 1978.

regime over another on the basis of a constitutional theory and political practice in Central and East European countries. No political regime is ideal for all countries. It is always inevitable to take into account the specifics of each particular state and its society. Each form has to be adapted to the given circumstances. The claim that parliamentary or presidential regime is under all circumstances better, better functioning and more convenient for democratic consolidation, more capable for action, etc. is unmaintainable. In Central and Eastern Europe (consolidated and semi-consolidated democracies) the parliamentary regime prevails but in its pure form parliamentarism can be found only rarely (in the Czech Republic, Hungary and Latvia). The most common is parliamentarism with strengthened presidency either by the way presidents are elected or by particular competence given them by the constitution. The semi-presidential regime is rare in the region. Parliamentarism can be helpful in the process of democratic consolidation but not always (Slovakia). Semi-presidentialism may but also may not obstruct democratic consolidation (Lithuania). Presidential regime is not truly represented in the region of Central and Eastern Europe and post-Soviet area and that is why it is not difficult to prove the failure of presidential regime itself on the basis of pseudo-presidential regimes (in fact from the beginning the authoritative ones). Many elements other than the type of a political regime, however, contribute to democratic consolidation or on the contrary endanger democracy as such.

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