

The Relative Merits (and Weaknesses) of Presidential, Parliamentary and Semi-Presidential Systems: The Background to Constitutional Reform

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ABSTRACT

A comparative study of presidential, semi-presidential and parliamentary systems indicates that no single institutional form can simultaneously maximize the achievement of all relevant objectives of institutional performance: conflict regulation and system maintenance, policy innovation and decisiveness, policy coherence and consistency, representation of social groups, protection of vital minority interests, and access to decision-makers. Concentration-of-power systems (either single-party majority governments in parliamentary systems or “unified” government in presidential systems) promote decisiveness in policy making, but may lead to majoritarian, winner-take-all behavior that can intensify conflict and destabilize a polity, lead to radical policy shifts (policy instability), and violate minority rights. Diffusion-of-power systems (broad, multiparty coalition governments or “divided” government in presidential systems) are less prone to decisive policy-making, but are more conducive to consensus-building, policy consistency over time, the mitigation of conflict, and the representation of a broad array of interests. Semi-presi-

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dential systems, rather than representing a “compromise” between presidentialism and parliamentary systems, are often unstable and unpredictable with regard to the performance of key actors. The performance of presidential vs. parliamentary systems is greatly affected by the interaction of those “first tier” structures with certain “second tier” institutions—most importantly, electoral laws (and, consequently, the structure of party systems), federal vs. centralized state structures, and the degree of partisan bias of “arbitral” institutions (courts and key regulatory bodies)—and by the extent to which the democratic system is consolidated.

Key Words: semi-presidentialism, presidentialism, parliamentary system, comparative political institutions

Following more than two decades of neglect, the study of political institutions and their impact on democratic politics returned to center stage in comparative politics in the mid 1980s. During the previous period, political scientists in this field had been preoccupied with the study of mass electorates, political culture and political socialization (in response to the “behavioral in revolution of the 1950s); the role of politics as a “sub-system” of society, which was seen as a complex set of interdependent relationships involving social structures, political culture and economic development (in response to the emergence of “structural functionalism” as the dominant paradigm in comparative politics); and the international capitalist order in interaction with domestic elites (during the period when “dependency theory” was ascendant). In the early 1980s, however, an increasing number of political scientists began to refocus their attention on political institutions, per se. Some (with origins in a neo-Marxist tradition) cast this shift as “the return of the state” (e.g., Skocpol 1979; and Evans, Reuschmeyer and Skocpol 1984), while others (some of whom had roots in microeconomics or organizational theory) proclaimed the birth of “the new institutionalism” (e.g., March and Olsen 1984 and 1989).

Political Institutions and Democratic Stability

This shift received particularly strong impetus in the mid 1980s in response to a conference paper presented by Juan Linz in 1984, “Democracy: Presidential or Parliamentary. Does it Make a Difference?” Although it

was not published until ten years later (Linz 1994), four years after publication of an abbreviated version (Linz 1990), its *samizdat* circulation stimulated a great deal of scholarly and political debate concerning the comparative merits of presidential and parliamentary forms of government. Based primarily on his comparative analysis of the frequent failure of democracy in Latin America (where presidential forms of government predominate), in contrast with the remarkable success of the democratization process in Spain (under a parliamentary monarchy), Linz argued that presidential systems (in which there is a formal separation of powers between the executive and legislative branches of government¹) are prone to political polarization and instability, and are particularly poorly suited for new democracies. Parliamentary systems,² on the other hand, are regarded by Linz as more flexible and adaptable to short-term circumstances (such as the loss of popular support for the government), and as facilitating conflict management in divided and potentially unstable politics. Specifically, Linz argued (see Linz 1990 and 1994) that competition for the presidency is inevitably a zero-sum, “winner-take-all” contest, in which an individual (such as Chile’s

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- 1 Presidential systems involve the direct election of both the president and the members of the legislature. The cabinet is effectively appointed by the president (although a largely perfunctory and rarely decisive process of ratification of those appointments by the legislature is required, in the case of the United States), and is not responsible to the legislature. Given their independent bases of legitimacy (derived from the fact that both the legislature and the president can claim full democratic legitimacy on the basis of their direct election by the people), and the absence of cabinet responsibility to the legislature, policy making normally involves considerable bargaining between the executive and legislative branches. The president is not responsible to the legislature, and can only be removed from office on the grounds of “high crimes and misdemeanors,” and the legislature has a fixed term and cannot be dissolved by the president.
 - 2 Parliamentary systems are those in which voters cast only one ballot at the polls—for parliamentary representatives of their respective electoral districts. The “executive” (headed by a “prime minister,” “chancellor,” “premier,” or “president of government,” who presides over a “cabinet” or “government”) receives its democratic legitimacy only indirectly. It is not elected directly by the people, and its claim to rule is based solely on its investiture by and continuing responsibility to the parliament. The prime minister and the government can be removed from office (under rules and practices which vary widely from one parliamentary system to another) by vote of the parliament, or by determination by the Head of State (either a monarch or a president who is **not** directly elected by the people) that the government no longer retains support from a parliamentary majority.

Salvador Allende) can come to power with the electoral support of a minority of the population, and yet can claim a mandate “from the people” for sometimes sweeping, and (in the case of Allende) unpopular and revolutionary change. The latter is facilitated by the tendency of direct popular election to give a president an unwarranted aura of possessing a superior legitimacy, and a mandate to represent “the people” in the struggle against the “special interests” which allegedly dominate the legislature, particularly in less developed societies where legislators are likely to represent the more “backward” sectors of society. This can give the bargaining between executive and legislature over policy making an unbalanced and divisive quality: as Linz argues, “The feeling of having independent power, a mandate from the people . . . is likely to give a president a sense of power and mission that might be out of proportion to the limited plurality that elected him” (1994, 19). “In such a context, it becomes easy for a president encountering resistance to his program in the legislature to mobilize the people against the oligarchs, to claim true democratic legitimacy, deny it to his opponents, and confront his opponents with his capacity to mobilize his supporters in mass demonstrations” (1994, 8). Such behavior can serve to delegitimize representative institutions as the proper forum for the articulation of conflicting demands, thereby impeding democratic consolidation (e.g., Peru, under Alberto Fujimori) or even deconsolidating a long-established democracy (e.g., Venezuela). An additional negative characteristic of presidential democracy, in Linz’s view, is that the fixed terms in office of both legislators and government officials makes the system inflexible, and incapable of adapting to altered circumstances. Unlike parliamentary systems, in which the loss of public support can lead to the prompt dismissal of an unpopular government, unsuccessful or even incompetent presidents remain in office for the duration of their terms, except in those rare instances when they happen to have committed a crime. In unconsolidated democracies, moreover, this may suggest that the only way to depose an unpopular or unsuccessful president is through military coup. Direct election also makes it possible for “outsiders” or even politically inexperienced amateurs to be elected to the country’s most powerful political offices—the presidency and important cabinet posts (Linz 1994, 27-28; and Stepan and Skach 1993). The consequences may range from the mildly negative (e.g., as manifested in Jimmy Carter’s inability to establish a satisfactory working relationship with Congress, and in Ronald Reagan’s naive and ultimately damaging confidence in “supply-side” economics) to major constitutional crisis (as Brazil experi-

enced under the disastrous presidency of Fernando Collor de Mello). The dual legitimacy of the executive and legislative branches can also lead to stalemate when they are controlled by differing parties. This has frequently led to angry mutual recriminations between the American President and Congress over “deadlock” (see Campbell 1997). Scott Mainwaring (1993) adds that this is a particularly serious problem in many Latin American democracies, given their “difficult combination” of the election of the president according to majoritarian, winner-take-all rules, on the one hand, and of the congress through proportional representation electoral principles. Overall, Linz sets forth a sweeping critique of “the failure of presidential democracy,” and an implicit defense of the merits of parliamentary forms of government, particularly in new democracies.

Defenders of presidentialism set forth a starkly contrasting view of the relative merits of the two systems. The classic statement of the defense of the separation of powers (Montesquieu 1989, and Locke 1952, notwithstanding) was that articulated by the founders of the United States of America. As most eloquently argued by James Madison in *The Federalist* #51 (also #47 and #48), the interests of minorities must be protected from (what Tocqueville later referred to as) “the tyranny of the majority,” and the separation of powers is the best means of achieving this objective. Other defenders of presidential systems argue that they are more democratic than parliamentary governments, since they allow the electorate to participate directly in the selection of the most powerful of governmental figures, the president (von Mettenheim 1997, 1). By diffusing power throughout a number of institutional arenas, and providing for multiple channels of access to the policy-making process, they also maximize the possibilities for effective citizen participation in government, and for the representation of the interests of minorities. Contrary to Linz’s criticism, it is also argued that by effectively requiring that new policies be supported by both the executive and the legislative branches, the requisite bargaining between the two branches of government is conducive to the forging of consensus in support of compromises between initially conflicting policy preferences. Finally, those who stress the importance of symbolic and emotional linkages between citizens and their government argue that the presidency serves as unifying focal point for such attachments.

Also relevant to this debate is a third type of democratic system, although many participants in this dialogue over democratic stability often categorize it as a form of presidentialism. This is what Duverger (1980)

first called “semi-presidential government.” As in fully presidential forms of government, the president is directly elected by the people. However, the prime minister and the cabinet are, in effect, responsible to both the president and the legislature, unlike in presidential systems. The government must maintain a supportive majority within that chamber, and the loss of that majority may culminate in a vote of no-confidence in the government. It should be noted that there are considerable variations in the rules and norms concerning the prerogatives of the president under such forms of government, and in the actual political role performed by the head of state. In some (e.g., Fifth Republic France), the President is a powerful and highly partisan actor, who (when his party or coalition enjoys a parliamentary majority) plays a powerful role in the appointment of the prime minister and cabinet ministers, and even in the setting of governmental policy priorities. In others (such as Ireland) the president is expected to abstain from active intervention in partisan politics, and to function in a manner not unlike “figurehead” presidents in parliamentary systems. And in some cases (e.g., Austria and Portugal), the role of the president has been substantially redefined over time, generally in the direction of weakening presidential powers and encouraging a non-interventionist, non-partisan stance by the head of state. It should be noticed that all but three (the Czech Republic, Hungary and Slovakia) of the new democracies that have emerged in Eastern and Central Europe following the collapse of Communism have adopted semi-presidentialism.³

Those favoring semi-presidential forms of government (e.g., Sartori 1994) argue that it represents a compromise between the extremes of presidentialism and parliamentarism. Cognizant of the potential majoritarian excesses inherent in presidentialism, at one extreme, and the possibilities for endemic government instability under parliamentary systems (such as Fourth Republic France), on the other, advocates of semi-presidentialism contend that an elected president can help to strengthen the government vis-a-vis the legislature and reduce the propensity towards cabinet instability. They also assert that such presidents can “stand above parties, factions and ethnic divisions, and respond quickly to foreign and domestic pressures” (von Mettenheim 1997, back cover).

Over the past few years, these contending hypotheses have been subject-

3 For an overview of the varying powers of presidents in the semi-presidential systems of the former Soviet bloc, see Bahro 1997.

ed to numerous empirical tests—based upon analyses of case-studies (e.g., in the volume edited by Heper, Kazancigil and Rockman, 1997), qualitative comparative studies (such as in the volume edited by Weaver and Rockman 1993), and quantitative cross-national comparative studies.⁴ The majority of these studies have focused on the ability of one system or another to survive over time, and/or to avoid the outbreak of political violence. The results have been inconclusive. Some (e.g., Stepan and Skach 1993) have concluded that their findings are more consistent with Linz's critique of presidentialism; others (e.g., Shugart and Carey 1992) claim that the data reveal a marginal superiority of presidential over parliamentary forms of government; while still others (e.g., Gunther and Mughan 1993, and Power and Gasiorowski 1997) contend that no persuasive evidence can be found in support of either hypothesis. The inconsistencies in these findings are often attributed to questions of sampling: studies focusing on the origins of instability in Latin America (where presidentialism predominates) tend to fault presidential forms of governance, while studies of democratic collapse in other parts of the world—such as post-colonial Africa—blame parliamentarism (Horowitz 1990, 74).

Out of these conflicting findings, a consensus of opinion is beginning to emerge (see, for example, Weaver and Rockman 1993a; Heper 1997; and Kazancigil 1997, esp. 201–203). It implies a need to reconceptualize, in several different ways, the nature of the causal processes linking these political institutions to the ultimate outcome of “democratic stability.” The first of these modifications is to explicitly recognize that instability is not just the product of institutions and the behavior of political elites; it is also the product of a number of social-structural, cultural and economic features of each individual society. Other things being equal, problems of “cleavage management” and risks of destabilizing and/or violent political conflict are potentially greater in divided societies (especially those containing ethnically, culturally and linguistically diverse populations) than in countries with more homogeneous populations (Lijphart 1977 and 1984; Gunther and Mughan 1993). Other things being equal, countries at higher levels of socio-economic development are more likely to sustain stable democracies than are poor countries (Lipset 1960 and 1990). Other things being equal, countries which had experienced “a democratic political order uninterrupted for

4 See, for example, Shugart and Carey 1992; Stepan and Skach 1993; Lijphart, Rogowski and Weaver 1993; and Power and Gasiorowski 1997.

some time,” which have “a democratic (associative) rather than authoritarian (hierarchical) culture” with “a substantial degree of social capital,” and a relatively high degree of prosperity, in which economic resources are relatively evenly distributed are more easily capable of sustaining democratic regimes than those with the opposite characteristics (Rockman 1997a). Thus, the role of political institutions must be assessed within the varying contexts of the societies in which they are set, some of which are more inherently predisposed toward instability than others. In short, the impact of political institutions is highly contingent on important non-institutional characteristics of societies.

The second theoretical reorientation is to conceive of the effect of political institutions on this outcome as indirect and mediated through the behavior of political elites, and **not** as direct and determinative. In most respects, institutions present political elites with incentives to behave in a certain manner (if they are rational, informed and focused on the achievement of objectives over the short term), while it precludes or poses obstacles discouraging other forms of behavior. In neither instance can we regard the role of institutions as guaranteeing that elites will behave in a certain manner, due to the possibility that they may lack accurate information, may have conflicting objectives, or may simply miscalculate (see Gunther 1989). With regard to the prospects for democratic stability in deeply divided societies, in accord with the arguments first advanced by Arend Lijphart and subsequently by many other scholars, the elite behavior which is regarded as most crucial is the avoidance of “majoritarian” behavior which can further polarize divided societies. Such behavior includes winner-take-all principles of political recruitment and resource distribution, the effects of which are to convert minorities into permanent losers whose only rational recourse is to seek to overturn the existing system. Conversely, it is often argued that “consensual” patterns of interaction among political groups, which may include the proportional sharing of government posts and outputs, reduce the stakes inherent in political conflict and give all participating groups a rational self-interest in the preservation of the system. Much of the ensuing debate about institutions and democratic stability concerns the extent to which one set of formal governmental institutions or another—most commonly, presidential vs. parliamentary, and centralized vs. federal—is conducive to majoritarian or consensual behavior. Consistent with the findings of several other studies, Tony Mughan and I (1993) have argued that the cases we surveyed revealed no clear relationship between

presidentialism/parliamentarism, on the one hand, and majoritarian vs. consensual patterns of group interaction, on the other. We pointed out that both presidential and parliamentary systems can serve as institutional frameworks within which majoritarian or consensual games are played: majoritarianism characterized the behavior of both prime ministers Thatcher and González (from 1982 through 1989), and Presidents Reagan (1981-82) and Roosevelt (especially in the early to mid 1930s); and consensual behavior was exhibited by President Eisenhower as well as numerous Dutch prime ministers during the classic era of consociational politics. Our findings were not meant to imply, however, that political institutions lack a significant or substantial impact on these patterns of elite behavior, despite the absence of a clear correlation between them.

Instead, the lack of consistent pattern suggests a third important reorientation of the debate over the impact of institutions. Specifically, the causal role of presidential vs. parliamentary forms of government must be regarded as interactive with the impact of other key political institutions, which jointly predispose elites towards majoritarian or consensual behavior. Most importantly, the relationship between institutions and elite behavior is affected by the structure of partisan control of the government and the legislature, and this, in turn, is profoundly affected by the nature of the electoral law which translates votes into seats in the legislature. In addition, it must be recognized that the behavior of political elites is not simply a function of institutional incentives. Thus, we argued that the scope of enquiry into these questions should be expanded to include such important interactive variables as the structure of the party system (and, in turn, the nature of each political system's electoral law), as well as the norms, values and political calculations of elites.

In my own studies of the case of Spain over the course of the 20th century, I found that the adoption of a parliamentary system was not consistently correlated with stability: both the turbulent and short-lived Second Republic and the present regime, which is quite stable, adopted parliamentary forms of government. Instead, it was the interaction of parliamentarism with the structure of the party system that helped to explain the great differences between these historical periods. Specifically, the parliamentary system of the Second Republic (1931-36) had a highly fragmented party system which was prone towards governmental instability. At the same time, its electoral law (which was partly responsible for this high party-system fragmentation) also massively magnified electoral swings from one

parliament to the next, leading to drastic reversals of key policies (what Weaver and Rockman, 1993, refer to as “policy instability”), which had polarizing and ultimately destabilizing consequences. As Weaver and Rockman have more generally stated, “Electoral laws that turn plurality preferences into legislative majorities are likely to be especially disastrous in highly divided societies” (1993c, 458). The current Spanish parliamentary monarchy, in contrast, has a very different kind of electoral law, and its party system is characterized by moderate levels of fragmentation and (with the notable exception of the 1982 election) post-election changes in the composition of parliament. The low level of elite fragmentation that resulted not only facilitated governmental stability during crucial periods of the transition to democracy, but also facilitated the elite-level bargaining which made possible the consolidation of democracy (see Gunther 1992 and 1997). This example suggests that debates over the inherent superiority of presidential over parliamentary forms of government (or vice versa) which deal with only this one dimension of the organization of the political system may not be as fruitful as those treating this important institutional factor as part of a more complex multivariate and interactive causal process.

Consistent with this notion, several recent studies have noted that the crucial distinction is not between presidential and parliamentary systems, *per se*, but between different sub-types of presidential and parliamentary governance, depending on the partisan composition of the executive and the legislature, and the extent to which this partisan balance facilitates majoritarian or consensual patterns of behavior. Specifically, presidential systems under conditions of “unified” government (i.e., when the presidency and the congress are dominated by the same party or coalition) and single-party majority governments in parliamentary systems (the “Westminster model”) are similar insofar as they make possible majoritarian, winner-take-all behavior by decision makers (see Weaver and Rockman 1993c, 450). Conversely, presidential systems under conditions of “divided” government (i.e., where the presidency and congress are under the control of different parties—a situation which has characterized the United States for all but two of the past 28 years), as well as parliamentary systems with either coalition or minority governments, both require substantial inter-party bargaining for the enactment of legislation, and hence are conducive to more “consensual” styles of politics. Thus, attempts to examine the impact of parliamentary or presidential institutions on a democracy’s ability to successfully regulate political conflict and to persist over time must also take into con-

sideration the structure of the party system (and, hence, the electoral law which helps to structure it).

Close examination of the Spanish case also suggests a fourth reorientation of the debate over the impact of political institutions on conflict regulation and democratic stability. Lijphart's initial formulation of the "consociational democracy" hypotheses stipulated that consensual if not proportional rules of the game should be a **permanent** feature of governance in a divided society. Accordingly, over the long term, key government posts should be divided up among groups that represent a substantially larger segment of the electorate than the traditional minimum-winning-coalition rules of government formation would imply, and steps should be taken to insure a broad if not proportional distribution of resources. The Spanish experience indicates that democratic stability in a divided society does not require indefinite adherence to consensual or consociational practices. Once a new democratic regime has been **consolidated**, it is possible to adopt majoritarian patterns of governance without necessarily running the risk of political destabilization. While the adoption of consensual rules of the game may be important, if not essential, for the processes of consolidating a new regime, they need not become a permanent feature of democratic politics over the long term. Accordingly, during the complex and difficult process of founding a new democratic regime (1977-79), Spanish political elites chose to adhere to consensual patterns of decision making (explicitly eschewing majoritarian, winner-take-all politics) in the interest of securing broad support for the new institutional order. Once democracy was consolidated (around 1982), however, more majoritarian governmental practices were adopted. The Socialist Governments of 1982-89, in particular, enacted bold policy changes and interacted with the parliamentary opposition in a manner which stood in sharp contrast with the "politics of consensus" which had prevailed between 1977 and 1979. Thus, I hypothesize that the special circumstances of the transition to democracy and the process of consolidating that new regime in a divided society may require that consensual styles of politics be adopted, and majoritarian, winner-take-all politics be avoided. Consolidated democratic regimes,⁵ however, can usually with-

⁵ I regard a democratic regime as consolidated when all politically significant groups regard its key political institutions as the only legitimate framework for political contestation, and thus adhere to democratic rules of the game. This definition thus includes an attitudinal dimension, wherein existing political institutions are regarded

stand the higher levels of conflict inherent in majoritarianism. This temporal dimension has been overlooked in the current debate over the relative merits of parliamentary and presidential systems.

My previous studies of the case of Spain, and more recent studies of Italy, also suggest a fifth modification in my conceptualization of the relationship between political institutions and democratic stability, insofar as they reveal that an institutional arrangement that had facilitated completion of important early stages in the democratization process (transition or consolidation) may later prove to be dysfunctional at the stage of democratic-politics-as-usual (or what Diamandouros has described as “democratic persistence”).⁶ Gianfranco Pasquino (1995) has made this point with regard to Italy, in arguing that open, consensual or proportional styles of decision making may have been extremely useful to secure support for a new regime, but that, once the new regime was set in place, more decisive, majoritarian patterns of decision making would have been preferable, insofar as they would have allowed for the resolution of difficult policy problems. Specifically, the consensual practices adopted at the time of the founding of the post-Mussolini Italian democracy (e.g., the extremely proportional electoral system, which gave parliamentary representation to tiny parties, and virtually precluded a parliamentary majority for any single party) or developed thereafter (e.g., the *lottizzazione*—the roughly proportional allocation of some important bureaucratic posts or government agencies to all the major parties) helped secure legitimacy for the system and gave all major actors a stake in its survival. But these same practices also led to instability and indecisiveness for decades on the part of Italian governments, eventually culminating in such high levels of government ineffectiveness so as to have contributed to the collapse of the Italian “first republic,” and the reequilibration of Italian democracy under a significantly different kind of regime. Similarly, the establishment of the Spanish *Estado de las Autonomías* (the highly uneven allocation of self-government authority to regional Autonomous Communities) and the **ad hoc, ad seriatim** process

as acceptable and without legitimate alternatives, as well as a behavioral criterion, according to which a specific set of norms is respected and adhered to by all politically significant groups. (For an extensive discussion of this concept and operational indicators of consolidation, see Gunther, Puhle and Diamandouros 1995, 5-19.)

6 See Diamandouros and Gunther 1995, especially concerning the relationship between this phase in the life-cycle of democratic systems and both earlier and subsequent phases.

which gave rise to this unbalanced structure were almost certainly unavoidable, if support for the new regime on the part of Basque and Catalan minorities was to be secured. Over the long term, however, most observers have concluded that this process has culminated in an awkward, confusing and administratively inefficient state structure. As in the case of Italy, what was functional, if not necessary, for the consolidation of democracy, has ultimately, under different political circumstances, proven to be a dysfunctional institutional arrangement.

Finally, the Spanish and Italian cases suggest a sixth reconsideration of the relationship between political institutions and democratic stability, insofar as they call our attention to political practices outside of the legislative-executive arena. The potentially polarizing or destabilizing impact of majoritarian practices by national-level governments can be somewhat offset by more consensual politics with regard to other government institutions (especially "arbitral" institutions), or by the adoption of "delegatory strategies" regarding "second tier" institutions (using the terminology of Lijphart, Rogowski and Weaver 1993). The establishment of autonomous regional governments in Spain is the clearest example of the "delegatory" strategy. While Basque and other regional minorities may be insufficiently numerous to take (or even share) power at the national level in Spain, they have been given a stake in preserving the system through control of their own regional government policies and agencies. Similarly, while Italian Communists may have been excluded from power at the national level for nearly five decades under the "first republic," their control of municipal governments in important parts of the country enabled them to play responsible roles in governance, thereby encouraging them to acknowledge the legitimacy of the regime and perceive that they had an important stake in its survival. While such quasi-federal practices are not without problems of their own,⁷ they can serve to offset majoritarian practices

7 One risk of granting a minority in a divided society control of a local or regional level of government is that it might be tempted to practice winner-takes-all politics at that lower level, or even engage in repression of those groups which are a minority within the region. It is inevitable, moreover, that conflicts will erupt between the central and state or regional governments. As the American and Nigerian civil wars clearly demonstrate, there is nothing to guarantee that such conflicts will be satisfactorily regulated within a federal system. Another serious problem is that such strategies are largely irrelevant to situations in which the minority (such as African-Americans

adopted at the national level. Somewhat less problematic is the creation of “arbitral” institutions and the adoption of consensual practices concerning appointments to those posts. In Spain, for example, ministerial posts in the national government are partisan appointments, and winner-takes-all rules have prevailed, but consensualism applies to the staffing of certain government bodies which are regarded as above partisan politics due to their fundamental roles as guarantors of fair-play and/or basic civil or political rights. Appointments to the Constitutional Court, the Supreme Court, the Consejo General del Poder Judicial (which appoints judges and oversees the court system), the Public Defender, and the boards which oversee the public broadcasting and university systems must be ratified by qualified majorities in the Cortes (by votes of at least 60 percent). Since no parliamentary party has ever controlled that number of seats, inter-party agreements were necessary concerning all such appointments. But it is interesting to note that the scope of inter-party consensus has increasingly gone considerably beyond minimal compliance with these formal oversized-majority requirements. The most recent appointments to these posts, for example, have included representatives of all significant parliamentary parties. Consensual norms have even applied to some government bodies, such as the Council of State, where appointments do not have to be ratified by oversized majorities. In Italy, the *lottizzazione* allocated important segments of the state apparatus to several parties, including the opposition Communists (who controlled their own state-run television channel). These practices stand in sharp contrast with the extreme majoritarianism practiced by the executive branch at both the state and national level in the United States, where partisan “packing” of the Supreme Court has occurred, and where majoritarianism and partisanship can extend even to the recruitment of county engineers and coroners.

Summing up the available evidence concerning the relationship between parliamentary vs. presidential forms of government, on the one hand, and democratic stability, on the other, leads me to the following tentative conclusions and modified hypotheses: First, the absence of clear-cut evidence supporting the superiority of one institutional form or the other in regulating political conflict results from the complexity of the multivariate, interactive, and conditional causal processes that can lead to the breakdown

in the United States) is not concentrated in specific geographical areas. (See Lijphart, Rogowski and Weaver 1993, 315-316.)

of democratic regimes. Some of the determinants of democratic breakdown (pertaining to the nature and depth of social cleavages, political culture and historical traditions, economic and other environmental crises) have little or nothing to do with political institutions, but clearly pose greater challenges to some democratic systems than others. With regard to the institutional determinants of instability and collapse, the basic nature of the relationship between institutions and democratic stability is best conceived as one of facilitating or inhibiting certain types of elite behavior, especially majoritarian vs. consensual interactions among contending forces. Political elites may behave rationally and in accord with those institutional incentives and constraints, but they also retain considerable autonomy and freedom of action as to serve as crucial intervening variables in this analysis. These incentives and constraints are the product not just of presidential vs. parliamentary structures of government, per se, but of the sub-types produced when the size and distribution (between the two branches of government, in presidential systems) of the governing party's majority are simultaneously taken into consideration—with single-party majority governments in parliamentary systems and “unified” presidential governments sharing more in common, in this respect, than they do with “divided” presidential governments or multiparty or minority parliamentary governments; the former most commonly lead to majoritarian behavior and the latter tends to be conducive to consensualism. Even in plural or divided societies, however, majoritarian behavior may not lead to political instability if the democratic regime has been consolidated, and/or if “delegatory” or “arbitral” strategies are successfully implemented with regard to “second tier” government institutions, thereby tending to compensate for majoritarianism at the level of the national government. We also noted, however, that institutional structures and practices that facilitate the consolidation of democracy, or otherwise contribute to conflict regulation or cleavage management may, at the same or some subsequent time, prove to be dysfunctional with regard to the achievement of other objectives of democratic government. It is to these other governmental functions that we will turn our attention in the following section.

While empirical support for the alleged superiority in conflict management of presidential over parliamentary democracy (or vice versa) is inconclusive, a somewhat more consistent pattern of evidence is beginning to emerge with regard to the implications of semi-presidentialism for the prospects for the stability of new democracies. Transitions to democracy in

post-Soviet Eastern and Central Europe have significantly increased the number of democracies with this institutional format, thereby making it possible to examine the effects of semi-presidentialism in a systematic and comparative manner. To date, however, most quantitative comparative studies have dichotomized their samples, with parliamentary systems in one category, and presidential and semi-presidential cases combined in the other. Thus, we must extrapolate from qualitative case studies of a handful of semi-presidential systems. The emerging conclusion is that semi-presidential systems have more negative than positive attributes, especially in new democracies.

In contrast with the portrayal by advocates of such systems, semi-presidentialism does **not** necessarily function as a stabilizing compromise between majoritarian extremes of presidentialism and the potentially destabilizing fragmentation characteristic of some parliamentary systems. Instead, when the president and the legislature are under the control of the same party or electoral alliance, semi-presidential systems tend to function in the same highly majoritarian manner as “unified-government” presidential systems. Conversely, when strong norms of partisan impartiality have been imposed upon the head of state (as in Iceland or Ireland [see Duverger 1980, 167-8]), or when a more partisan president lacks a supportive majority in the legislature, presidents in semi-presidential systems tend to behave much like the “figurehead” heads of state in parliamentary systems. Several scholars (including Lijphart 1994; and Duverger 1980 and 1988) have noted this pattern of wide divergence in the actual functioning of semi-presidential systems. Indeed, it should be noted that in the most heavily studied system, that of France, the role of the president has been most unstable over time: “In no case has the system worked as half presidential and half parliamentary, with the president and the prime minister jointly heading the government. The Fifth Republic, instead of semi-presidential, is usually presidential and only occasionally parliamentary” (Lijphart 1984, 7). In situations where the role of the president is itself unstable, it is highly unlikely that semi-presidentialism will serve as a moderating, stabilizing influence on potentially unstable governments.

Indeed, under some circumstances, there are certain features of semi-presidentialism which are inherently destabilizing. The first of these is when a highly partisan president lacks a supportive majority in the legislature. If, under these circumstances, the incumbent president is generally uncompromising in style or policy preferences, the result could be paralyz-

ing deadlock between two diametrically opposed segments of “the executive.” The cohabitation between Socialist French President François Mitterrand and a conservative government between 1986 and 1988 did not realize this dire scenario only because Mitterrand had the good sense to suppress (albeit reluctantly) his partisan instincts and allow the government to function without excessive interference (and even in this case, confusion and tensions often arose over the proper roles of the president and the government—particularly over foreign policy). Under a stronger-willed or less pragmatic president, a much more serious situation of policy deadlock and potentially destabilizing conflict over the prerogatives of these actors could call into question the legitimacy of these key political institutions or the regime itself. This potential for conflict over the roles of the president and the legislature could have particularly negative consequences for new democracies. As George Szablowski (1997) has noted, semi-presidentialism

. . . offers numerous opportunities to the president and to the Council of Ministers to engage in serious and damaging inter-institutional disputes about the uses of divided executive power. Constitutional complexities and intricacies, intended to carve the executive turf into many overlapping pieces in order to satisfy contending institutional self interests, only increase the potential for conflict, and do not promote institutional consolidation . . . A divided political executive . . . is not an easily workable institutional device. It requires, at the very least, a well-developed and supportive democratic elite culture plus a legitimate and stable constitution . . . Such circumstances are clearly lacking in Poland where the critical elites feel free to manipulate political institutions and change their behavior in order to attain their own strategic objectives (168-70).

In short, the institutional instability inherent in semi-presidentialism can allow irresponsible elites to engage in a “fierce struggle over jurisdictional turf” (1997, 170), as was characteristic of the incessant wrangling between President Lech Walesa and the Socialist government and parliamentary majority (also see Geddes 1995, 268). These kinds of fundamental disputes can seriously hinder the consolidation of new democratic regimes.

Other negative consequences of semi-presidentialism have been observed in the case of France. Electoral competition for the presidency is inherently zero-sum, and hence is potentially polarizing in its implications for

appointments to government posts and policy making. The Socialist victory in both presidential and legislative elections in 1981, for example, led to massive nationalization of key industries and initially to the adoption of a number of other decidedly left-wing policies. In 1986, with the parliamentary election victory of the right, these policies were abruptly reversed, and widespread privatization of nationalized firms was initiated. This abrupt shift in policy—a natural outcome of majoritarian, zero-sum electoral competition—not only represents an extreme example of “policy instability” (as will be discussed below), but it can also help to polarize politics significantly (Suleiman 1994, 155–6). To this widely observed consequence of the shift to semi-presidentialism under the Fifth Republic, Ezra Suleiman adds that the highly personalistic and partisan nature of the presidency has given rise to even more unrestrained politicization of the bureaucracy, and a heavier reliance on patronage-dispensing as a criterion for recruitment, than is typical of fully presidential systems like the United States, where oversight and the requirement of congressional approval of key appointments, in addition to the decentralization of government bureaucracy through federalism, limit the most extreme abuses of patronage appointments. Valerie Rubsamen adds to this indictment of French semi-presidentialism the somewhat unanticipated finding that it has undermined the development of strong political parties. While the institutional incentives inherent in the winner-takes-all race for the presidency have encouraged the development of large catch-all parties, and have contributed to the demise of small centrist parties, “the incentives of the race for the presidency have influenced the goals, organization and operation of parties in such a way as to undermine the parties’ abilities to respond to new social and political demands. . . . The parties’ evolution . . . as vehicles for presidential candidates has made them more a locus for leadership rivalries than channels of integration and representation” (Rubsamen 1997, 91). Overall, Rubsamen concludes that “the presidentialization of French politics and the bipolarization imposed by the electoral system undermine the ability of political parties to act as channels of representation” (1997, 86). Given that one of the most commonly noted problems of the new democracies of post-Soviet Eastern and Central Europe is their apparent incapacity to develop strong, stable parties with durable social roots, this predisposition of semi-presidential systems to stress personal loyalty to the presidential candidate over societal representation is yet another drawback of the governmental form that most of them have adopted.

Again, we must note that not all semi-presidential systems behave in a similar manner. A restrained and generally non-partisan head of state can, indeed, “rise above parties,” and might serve as a useful arbiter among contending forces to push for compromise and stability. On occasion, such intervention can be of decisive importance, as when newly elected Bulgarian President Petar Stoyanov skillfully negotiated in late 1996 the convening of early parliamentary elections, thereby allowing for the democratic (and system-reinforcing) replacement of an extremely unsuccessful and unpopular Socialist government, and defusing a potentially explosive confrontation between tens of thousands of angry demonstrators and recalcitrant members of the parliament. The problem is that there is no institutional mechanism inherent in semi-presidentialism itself that can determine whether an incumbent will serve his or her term in office as an impartial, unifying figure whose primary motivation is to stabilize democracy and advance the national interest, or as an intrusive, partisan or even self-serving politician. Indeed, the behavior of a single individual serving as president in a parliamentary system can change substantially over time, depending on partisan-political circumstances and on the specific objectives that the head of state regards as paramount at any given moment. The behavior of Mario Soares in his second term as president of Portugal, for example, was greatly different from that of his first four years in office.⁸ In order to facilitate his prospects for reelection, Soares in his first term behaved in a relatively non-partisan and constructive manner vis-a-vis the PSD government of his rival Anibal Cavaco Silva. Following his reelection to a second and final term, however, lame-duck President Soares concluded that he had nothing to lose by seeking to oppose Cavaco at every turn. Indeed, by using the powers of the presidency to hinder the PSD government, Soares helped to improve the electoral prospects of the opposition Socialists at the next parliamentary election by undermining the perceived efficacy of the incumbents. In short—and particularly in new democracies which lack the kinds of widely shared norms concerning the role of the president which exist in Ireland or Iceland—whether a president in a semi-presidential system plays a non-partisan, stabilizing role, on the one hand, or engages in destructive partisan conflict against the prime minister and his/her government, on the other, is largely determined by the motives, cal-

8 Thanks to Pedro Magalhães for this observation concerning the Portuguese presidency.

culations and personality of the president, as well as the oft-noted opportunity structures implied by the partisan balance of forces at any given time. This indeterminacy introduces new uncertainties and risks into the processes of consolidating new democracies.

Parliamentary vs. Presidential Democracy: Democratic Representation, Accountability and Performance Capabilities

Most of the debate over the effects of presidential vs. parliamentary forms of government has focused on the prospects for survival or breakdown of democratic regimes. The substantial volume of empirical findings now available suggests that whatever causal relationship between these political institutions and democratic stability exists is not simple, clear-cut or deterministic. On the basis of similar findings, Power and Gasiorowski concluded, "If this is true, then advocates of different institutional options should redirect their attention away from the regime survival debate and toward more nuanced issues of political process, policy outputs, and economic performance. The impact of different institutional formats on these variables may well be clearer—in terms of direction, significance and magnitude—than they appear to be on a highly aggregated dependent variable such as democratic survival" (1997, 151). While potentially a more fruitful avenue for research, this is also a relatively unexplored sub-field in comparative politics. Both scholarly and polemical attacks on the alleged shortcomings of the structure of American, Italian or other governments abound, but to date very few of them have been based on a rigorous comparative analysis, assessing the merits or shortcomings of one system against real-world alternatives. Hence, the remainder of this paper will be more abbreviated, tentative and hypothetical, pending the outcome of years of future research.

One important work (Weaver and Rockman 1993a) is based upon a number of qualitative comparative studies concerning the capabilities of presidential, semi-presidential and parliamentary forms of government for developing and implementing public policies in a number of important issue areas—concerning pensions, budget deficits, international trade, national defense, energy, the environment, and industrial development planning. It focused the contributing authors' attention on several important aspects of policy-making processes: their openness to demand articulation by citizens; their capacities for innovation and adoption of coherent, coordinated pol-

icies; their ability to take bold action and, when required, to impose “losses” on affected interests;⁹ their ability to implement these policies in a consistent manner over time; and their ability to protect the interests of vulnerable minorities. There were three very general conclusions that applied to the findings of these comparative case studies. The first is that policy-making capabilities varied substantially across policy areas within a single political system. No single institutional framework was equally favorable for the achievement of policy objectives across each of the aforementioned issue areas. Second, there are significant trade-offs among the various criteria for assessing the capabilities of differing systems: institutional characteristics that were conducive to policy innovation (a desired characteristic), for example, were also conducive to policy instability over time (a negative trait). Finally, they concluded that presidential vs. parliamentary was not as meaningful a distinction as the clustering of sub-types that I enumerated above, largely based upon the interaction between the presidential/parliamentary type and the structure of the party system. Specifically, they found that Westminster single-party governments and single-party-dominant systems (e.g., Japan under LDP rule) “concentrated” power, and therefore shared a number of policy-making capabilities. These contrasted with diffuse-power systems, which included divided presidential government, multi-party coalition governments in parliamentary systems, and minority parliamentary governments. One of the studies in that volume further argued that important features of American government set it apart from the other diffuse-power systems. They pointed out that many of its features were manifestations of what they referred to as “limited-government strategies,” whose objective is to limit majority rule by making some or all government decisions difficult by requiring supermajorities, creating multiple veto points (such as through a bicameral legislature with numerous specialized committees), or precluding some kinds of decision altogether (such as through constitutional provisions precluding church/state ties [Lijphart, Rogowski and Weaver 1993, 306]). As Moe has described the American separation-of-powers, it “makes accomplishing anything through new laws—changing the legal status quo—very difficult. Conversely, when new laws are indeed achieved, the same system that made victory so difficult now works to protect these achievements from subsequent reversal” (1990, 240).

9 For a discussion of “loss imposition” in public policy, see Weaver, 1986.

The first general conclusion to emerge from this and other recent studies is that policy innovation is fostered by institutional arrangements that concentrate power and minimize the number of potential veto points. These same institutional features, however, can also lead to “policy instability”—that is, the substantial if not radical reversal of policies following a change of government. These characteristics, however, are not the exclusive property of parliamentary systems. Tsebelis points out that “presidential systems (with multiple institutional veto players) present characteristics of policy making stability similar to coalition governments in parliamentary systems (with multiple partisan veto players). These characteristics contrast with two-party systems, dominant parties and minority governments (which have single veto players)” (1995, 321). Thus, rather than simplistically attributing one set of these performance characteristics to presidential systems and the opposite to parliamentarism, it is more appropriate to state these propositions more generically: as Rockman has put it, “Systems that concentrate power by minimizing veto points and other potential logjams appear, from the evidence, to increase decisional and steering capacity . . . Alternatively, the comparative advantage of power diffusing systems seems to be their performance on political dimensions, including policy stability . . . The extent to which power is concentrated or diffused, though, appears to be a dimension relatively independent of whether the system is parliamentary or presidential.”¹⁰ Accordingly, the clearest examples of this inherent trade-off between decisiveness or innovation, on the one hand, and policy stability, on the other, can be seen in the U.K. and Fifth Republic France. The shift in Britain from “the collectivist consensus” (Beer 1965) of the previous two decades to radical neoliberalism following the election of the Conservative governments of Margaret Thatcher, as well as French public-policy shifts in 1981 and 1986 (discussed above), are indicative of the relative ease with which concentrated-power systems (either Westminster parliamentarism or “unified-government” semi-presidentialism) can adopt new and innovative policies. In doing so, however, they also reveal how this same tendency can allow for policy instability, which can impede effective policy implementation and contribute to inconsistent or even self-contradictory policies over time. Diffuse-power systems (especially multiparty coalition government in parliamentary sys-

10 Rockman 1997a, 18. Also see Rockman 1997b, 64; Feigenbaum, Samuels and Weaver 1993, 100-1.

tems) reflect the opposite characteristics: while the necessity of establishing a broad interparty consensus in support of a new policy may require a time-consuming process of negotiation, once that consensus has been established it is likely to contribute to policy stability by making radical shifts less likely.

The American “limited-government” variant of power diffusion reveals a more complex pattern with regard to the policy innovation/stability dimension, and it suggests that we simultaneously consider three additional criteria for the assessment of governmental capabilities—public access to the decision-making process, policy coherence, and the ability to aggregate diffuse interests. The American system is consciously pluralistic and provides numerous channels of access on the part of citizens and organized interest groups, not only as a result of its separation of powers and its bicameral legislatures, but also because its federalism has created 50 autonomous arenas for demand articulation. Thus, policy innovation is facilitated insofar as individuals or groups can solicit policy responses from government either at the state or national level. For this reason, state governments are sometimes referred to as the “laboratory” of American democracy. Across the 50 states, any number of policy proposals (good or bad) can be set forth, discussed in public debate, adopted, and implemented, and the results can be studied and emulated by other states or the federal government. This does not imply, however, that adoption of policies at the national level will be easy, or that the policies adopted will be coherent or effective in responding to the various problems facing American society. Indeed, the system is predisposed towards certain kinds of policies, while others are extremely difficult to enact. Specifically, policies advancing or defending particularistic interests, and/or supported by well-organized interest groups are inherently favored over those which require the effective aggregation of diverse interests; piecemeal, incremental policy responses are much more likely to be adopted than “comprehensive, sectorwide policies” (Weaver and Rockman 1993c); and bold initiatives which might impose “losses” on powerful groups are extremely unlikely to be approved. As a detailed comparative study of energy policy argued,

The reason for this pattern is that the US system provides multiple points of influence or access for interest groups and politicians as well as veto points. This allows many legislators to press their own pet ideas or regional interests onto the policy agenda, but makes it difficult

to enact coherent, multifaceted proposals in the absence of a policy consensus—which seldom exists. Putting together a winning coalition often requires both forgoing the most controversial changes and including projects that appeal to some set of legislators without threatening the interests of any. Logrolling and incrementalism displace broad and coordinated major policy change.¹¹

These problems are complicated when the legislature and the executive are controlled by different parties (as has been the case for all but two of the past 28 years). Under those circumstances, each side is tempted to blame the other for policy failure, and to avoid antagonizing powerful interests by attempting to impose “losses.” Stalemate and/or irresponsible “outbidding” for the support of individual groups is likely to result (Schick 1993, 228). Concentrated-power systems, in contrast, may generate and deliberate over a smaller number of distinct policy proposals, but the capacity of single-party parliamentary governments and “unified” semi-presidential governments to resist pressures from particularistic interest groups (due to the absence of veto points in the policy process) makes it much more likely that the policies they do adopt are coherent and responsive to the wishes of the majority.

Indeed, it is this latter characteristic that had led the founders of the United States of America to set down the foundations of the system which exists today. Concern over the protection of the interests of the minority led to the creation of institutions containing numerous veto points, to preclude the emergence of a “tyranny of the majority.” It is important to note, however, that not all minorities benefit equally from this protection. Those that are well organized and in control of resources which might be mobilized in support of candidates for public office are inherently advantaged over those which are unorganized (often because they involve the defense or advancement of “collective goods”) or are resource poor. Hence, the National Rifle Association has been successful for decades in resisting efforts (supported by huge majorities of the American public, as indicated by numerous public opinion polls) to impose stricter controls on firearms, while sweeping, revolutionary changes in welfare policies were

11 Feigenbaum, Samuels and Weaver 1993, 101. Also see Schick 1993, 227, on budget policy; Pierson and Weaver 1993, 143, on pension policy; and Weaver and Rockman 1993c, 450-5, summarizing findings from studies of a number of issue areas.

enacted in 1997 with little opposition. A detailed case study by David Vogel (1993) also indicated that interests that are served through the defense of the status quo have an inherent advantage over those which require the enactment of bold new policies. This is because the wide distribution of veto points throughout the system provides multiple opportunities for affected groups to block legislation they regard as detrimental to their interests, while the overcoming of multiple veto points (required for the enactment of new legislation) is much more difficult. Finally, the decentralization of power through federalism, in interaction with these limited-government mechanisms, further complicates this assessment of the defense of minorities in the American system. The delegation of governmental authority to the states may make it possible for regional minorities (e.g., southern, traditionalist conservatives) to set policies in accord with their own values and preferences. But it also, as Lijphart, Rogowski and Weaver have pointed out, "may allow regional majorities to take especially oppressive steps against regional minorities," such as black southerners, who were socially, politically and economically subordinated, and denied basic civil rights for nearly a century after the civil war (1993, 315).

While the American system is certainly one characterized by a diffusion of power, it is decidedly different in many respects from other diffusion-of-power systems, such as those characterized by multiparty coalition governments in parliamentary systems. The latter are almost invariably the product of proportional representation electoral laws which discourage if not preclude majoritarian winner-take-all competition among parties. The enactment of legislation in such systems invariably requires inter-party negotiations and compromise, at least among those parties included in the coalition. Such systems are strongly oriented toward consensus-building, and some have adopted consociational practices. The American diffusion-of-power system is quite different. It includes strongly majoritarian elements (especially in its first-past-the-post electoral system, and the zero-sum competition for the presidency), and "there are almost no consociational elements at all. Instead of measures to promote elite consensus and cooperation, majorities are constrained primarily by mechanisms that make any change from the status quo difficult" (Lijphart, Rogowski and Weaver 1993, 315). Whether multiparty governments in parliamentary systems are also inherently prone towards the defense of the status quo, or are significantly less effective than concentrated-power systems in terms of their decision-

making capabilities is still a subject of some debate.¹²

This multi-dimensional assessment of the performance of governmental institutions in presidential and parliamentary systems has revealed that any such effort must be sensitive to their implications for achieving the differing (and sometimes competing) goals of democratic governance. Not only are there trade-offs among the various dimensions of policy-making capabilities, but an institutional arrangement that is best suited for the achievement of policy objectives in one issue area may not be advantageous in efforts to solve different kinds of social, economic or political problems. In the end, I am led to agree with the conclusion reached by Weaver and Rockman:

There is no single optimal set of institutions that can be applied to all countries at all times. Effective institutional reform necessarily involves a careful matching of an individual country's policy problems, the societal conditions that influence how institutions will function, and the institutions themselves. Where a country is torn by severe ethnic, religious or linguistic divisions, top priority must be given to devising an institutional design for managing these cleavages. Under these circumstances, capabilities such as innovation and priority setting are likely to seem less important . . . Whether a newly democratizing country should adopt such institutional arrangements as the separation of powers or federalism depends on the nature of its problems (1993d, 466).

Some Concluding Observations on Constitutional Reform

The current debate over revision of the Taiwanese constitution is clearly one that would be strengthened by a careful and empirically based assessment of the relative strengths of each of these systems. At the same time, several words of caution are in order. The most important is that substan-

12 Most of the studies in the Weaver and Rockman volume concluded that they have more channels of access, and benefit from higher levels of policy stability, but are less innovative and decisive than concentrated-power systems. Lijphart, on the other hand, argues that the perception of multiparty coalitions as being "messy, quarrelsome and inefficient" in policy making is not consistent with evidence he derived from a survey of several such political systems (1991, 83).

tially altering the constitution should only be attempted if the shortcomings of the existing institutional arrangement are clearly understood, and if it is reasonably clear that the proposed alternative would correct these inadequacies without introducing new problems. The available literature clearly indicates that no single institutional form can simultaneously maximize the achievement of desired objectives across all of the dimensions noted above—let alone emerge as a panacea. Indeed, there are almost invariably trade-offs among these objectives, which should give pause to those proposing significant change.

Even greater caution must be exercised in relatively new democracies that have not yet become fully consolidated. This is because the very concept of democratic consolidation is closely linked to the central political institutions of that democracy. As defined elsewhere, “we consider a democratic regime to be consolidated when all politically significant groups regard its key political institutions as the only legitimate framework for political contestation, and adhere to democratic rules of the game” (Gunther, Puhle and Diamandouros 1995, 7). Frequent alterations of those institutions or changes in the rules of the game can transform them into objects of intense controversy and preclude their acceptance as legitimate by all politically significant groups. This is particularly true if the motivations behind the constitutional reforms are perceived by important actors or groups as rooted in calculations of self-interest, rather than concern with the well-being of the polity as a whole. (Indeed, one of the most consistent conclusions to be drawn from recent “rational choice” studies of constitutional reform [e.g., Bawn 1993, Geddes 1995, and Frye 1997] has been that changes are most commonly the product of efforts by incumbent elites to maximize their partisan self-interests.) In addition, changes in the rules of the game can create confusion about proper norms of conduct and lead to behavioral departures from those norms.

In short, the development of consensual support for a political regime is greatly facilitated by consistent conformity with a single, widely understood set of behavioral norms, and by institutional continuity. If, on the other hand, constitutional change disrupts institutional continuity, contributes to a breakdown of consensus in conformity with crucial behavioral norms, or is perceived as motivated by calculations of partisan gain, then the process of democratic consolidation can be retarded, halted or reversed. For these reasons, constitutional reforms should only be considered in new and unconsolidated democracies and only with the greatest of caution.

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總統制、內閣制及半總統制的相對優劣： 憲政改革之背景

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摘 要

就總統制、半總統制及內閣制的比較研究顯示，無一制度可以同時完全滿足制度運作的多重目標：衝突管理與體系維持、政策革新與果斷、政策一致性、社群的代表性、少數者權利的保障及參與決策。集權制（不管是內閣制中的一黨組閣或是總統制中的合一政府）有政策易成之利，但是可能導致多數者任意而為，政策急劇改變，侵害少數者的權利，從而加深衝突並危及政治體的穩定。分權制（多黨聯合內閣及分裂的總統制政府）無政策易成之利，但是有利於共識的形成、長期政策的一致性、減少衝突及代表較廣大的利益群。半總統制並非如預想的，是內閣制及總統制的折衷。其在重要成員的表現上，往往相當不穩定而不可預測。總統制與內閣制的實際運作成效，受到第一階結構與某些第二階制度間互動影響極大——最重要的是，選舉法（從而其政黨的結構）、聯邦或單一國家結構、紛爭解決機構的獨立性（法院及重要的管制機關）——另外就是民主制度在當地深化的程度。

關鍵詞：半總統制，總統制，內閣制，比較政治制度