

NOMINATIONS AND REFLECTIONS

A new political system model

A new political system model: Semi-presidential government by Maurice Duverger, EJPR 8 (1980): 165-187.

Abstract. This article aims at defining the concept of “semi-presidential government” and detailing the diversity of its practices. There are in fact three types of semi-presidential regimes: the president can be a mere figurehead, or he may be all-powerful or again he can share his power with parliament. Using four parameters - the content of the constitution, tradition and circumstances, the composition of the parliamentary majority and the position of the president in relation to the majority – the author seeks to explain why similar constitutions are applied in a radically different manner.

Nomination: Arguments in favour of ‘A new political system model’

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‘A new political systems model’ is an important and interesting article for several reasons in my mind. First, it introduced the concept of a semi-presidential government into the lexicon of political science (although arguably it was introduced by Duverger in an earlier work in 1978). Second, it offers an astute analysis of the interaction between political institutions and political contexts. Third, it has spurred considerable amount of research, not only on semi-presidentialism but on the importance and functioning of constitutions.

Duverger defines semi-presidential regimes solely in terms of institutions. Some other contributors to the literature have defined, instead, semi-presidential regimes in terms of the observed role of the president. While the definition has been a source of debate, it has arguably been unproductive. The appropriate definition of semi-presidentialism depends on the topic under study. In Duverger's case, the goal was to explain why some presidents are stronger than others. Adopting a behavioral definition would then amount to tautology. If the goal was to explain particular policy choices, adopting a reduced form theory that employs a behavioral definition might work just fine.

Duverger's formulation should, however, be particularly appealing to those that find rational choice approaches to political science a useful tool for analysing politics. Most of us are familiar with the refrain ‘institutions + preferences = behavior’ and Duverger's analysis fits nicely into that mould. Arguably, Duverger does not talk about preferences but rather about political context. Political context in his theory, however, largely comes down to the president's relationship with the legislative majority (or whether a majority exist), which essentially is a function of the preferences of the legislators and the president.

Duverger clearly considered constitutions important but the core of his argument is that they are not all that matters. Indeed, while Duverger has been recognised for bringing the constitutional configuration of semi-presidentialism to our attention, the central theoretical question he sought to answer has garnered less attention: Duverger was interested in explaining why, in some instances, practices largely reflected constitutional rules while in other cases (France and Iceland) those diverged considerably. While Duverger acknowledges that norms and tradition may circumscribe the extent to which presidents apply their powers, he also notes that norms and tradition are not set in stone. "Legal rules which are unapplied, are not dead. They hibernate, and the person who has the necessary skill, can always bring them to life again." (p.180) The Icelandic president's decision in 2004 to use his legislative veto, which triggered a referendum for the first time on a controversial legislation about the ownership of media companies, transformed the role of the president, which largely had functioned as a figurehead since the founding of the republic in 1944. Duverger, of course, also proved to be right in his prediction about presidential power under cohabitation in France, as Lijphart (1997) pointed out.

In explaining the divergence between constitutional rules and the role of the president, Duverger focused on the partisan composition of the legislature and, in particular, the existence of a stable parliamentary majority. The absence of a stable parliamentary majority leaves the president with some room for maneuver while still being constrained by the legislature. Thus, in such situations we ought to find the president in an intermediate position that largely reflects the constitutional prescriptions. Where stable and coherent legislative majorities exist, however, Duverger expected the difference between constitutional rules and actual practices to be the largest, i.e., political majorities in effect trump constitutional rules - or rather, the constitutional rules grant majorities privileges and when the majorities are stable, there is little room for bargaining between the president and legislature.

The interesting aspect of Duverger's theory is that it predicts differences between constitutional rules and practice in the case of stable majorities but they can favor either the president (France, at the time) or the legislature (Austria, Iceland, Ireland). Which pattern emerges depends, according to Duverger, on whether the president heads the parliamentary majority. This is, in a sense, a weakness in Duverger's theory - it does not offer an explanation of why the president, in some semi-presidential systems, is seen as the leader of the party (e.g., France) whereas in others (e.g., Ireland) that role falls to the prime minister. In some sense, who becomes the leader of the party is determined by the parties themselves. However, the role of a country's president is typically not seen to vary with his or her party identity. That then leaves open the question whether the particulars of the constitutional rules affect the relationship between the president and the legislative majority.

While the Icelandic case certainly supports Duverger's claim that legal rules do not die, the case also poses a challenge to Duverger's theory. Though support for presidential candidates in Iceland has sometimes had a partisan basis, they clearly play no role for leaders of the parliamentary parties and this did not change prior to the first use of the veto. Neither is it possible to argue that there was a change in the stability of the parliamentary, or governmental, majority - the government of the Independence and the Progressive parties had been in office since 1995 and it lasted until 2007. Instead it simply appears that President Grímsson, a former professor of political science, eyed an opportunity to strengthen the presidency when the government attempted to push an unpopular legislative bill through parliament without much debate. While the opposition parties were undoubtedly opposed to the legislation, Grímsson's ability to successfully wield the veto stemmed more from a public perception that the legislation, and the government's conduct in forcing it through, were unfair. In this case, the fact that the president's refusal to sign a bill into law triggered a referendum is likely to have been important. In effect it means that the president can act

independently from the forces that Duverger identified as being important in determining the role of the president, i.e., the president is not constrained by parliamentary majorities if he expects the public to side with him.

In the end, Duverger's 'discovery' of semi-presidentialism as a constitutional form distinct from parliamentary and presidential systems strikes me as less important and less interesting than the fact that he identifies a fascinating puzzle concerning the effects of political institutions. Indeed, in my mind, the label of semi-presidentialism (much as presidentialism and parliamentarism) masks a considerable amount of institutional variation within the system and, as such, it is not necessarily all that helpful. This is, in part, reflected in the fact that some semi-presidential systems function as if they were parliamentary systems and others as presidential ones. In recent years, scholars have also begun to emphasise the similarities, rather than the differences, between presidential and parliamentary systems to a greater degree, for example, by recognising that coalition building is necessary in both systems. This emphasis strikes me as being quite close in spirit to Duverger's theory of presidential power in semi-presidential systems. Thus, Duverger's contribution did more than offer a refined typology of constitutional forms of government, it proposed a way for comparativists to theorise about how political institutions function and how their effects can vary across different contexts.

References

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