

# Semi-Presidentialism-Duverger's Concept — A New Political System Model

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## ABSTRACT

Presidentialism and parliamentarism are the traditional starting points in the analysis of systems of government. *Maurice Duverger*, trying to explain the political structure of the French Fifth Republic, argues that this dichotomy is not adequate for this purpose. This is why he developed the concept of "semi-presidential government", e.g., a president elected by universal suffrage, holding considerable powers, and a prime minister who possesses executive and governmental competences and can stay in office only if parliament does not show opposition toward him.

The word "semi-presidentialism" is now widely, but often controversially used. This article aims at (1) the description and explanation of the concept and (2) its reception by the academic community. Doubts may cause the acceptance of the concept because semi-presidential constitutional constructions differ in practice: The president may be a mere figurehead (Austria, Ireland, Iceland); he can be all powerful (France); he can share his powers with parliament (Weimar Republic, Finland, Portugal). These differences are due to four parameters, namely: actual content of the constitution; combination of tradition and circumstances; composition of the parliamentary majority; position of the president in relation to this majority.

The international academic discussion of the concept is diverse. While in Germany and Austria it is nearly unknown, controversy prevails in France. In Portugal, Finland, and Italy it is accepted nearly

without saying. In the United States it has been recognized as a valuable contribution to institutional research in political science.

**Key Words:** semi-presidentialism, Duverger, French fifth Republic

## 1. Introduction

In 1970 Maurice Duverger introduced the concept of “semi-presidential government” (*régime semi-présidentiel*) in political science to explain the political system of the French Fifth Republic as it was conceived of by the constitution of 1958 and was amended in 1962; it was neither clearly presidential nor parliamentary (Duverger 1970: 277-282). The institutional deviations of the French Fifth Republic compared with parliamentary and presidential systems are found in the following facts: a) that there is a president elected by universal suffrage (as in some presidential systems), b) in whom is vested considerable powers by the constitution (as in the USA), c) and a government that depends on the confidence of parliament (as in a parliamentary system) (Duverger 1970: 28-30). This institutional configuration of the French Fifth Republic was the reason that Duverger rejected the idea to classify it either as parliamentary or presidential. He suggested that such forms of government “intermediary between presidential and parliamentary systems should be called ‘semi-presidential’” (Duverger 1980: 165).

A more comprehensive explanation of the denomination ‘semi-presidential’ was offered by Duverger in 1986. In his contribution in “*Les régimes semi-présidentiels*” he concluded that the denomination could even be ‘*régime semi-parlementaire*’ (semi-parliamentary system) regarding the function of the political institutions in the French Fifth Republic. The decisive factor in the concept of ‘semi-presidential’ is the criterion of a president elected by universal suffrage, although the functions of the political institutions in semi-presidential systems would also admit the term ‘semi-parliamentary.’ But the fundamental difference would be found in the fact that in parliamentary systems only parliament disposes of direct democratic legitimacy, whereas in semi-presidential systems there are two democratically legitimated institutions.

However, Duverger’s suggestion was and is still exposed to many misunderstandings. This is why systems of government that are neither parliamentary nor presidential are frequently called “semi-presidential” in politi-

cal science. In doing so, these authors do not always accept Duverger's concept but use his suggestion merely as an opportunity to call into question the dichotomy of the distinction of parliamentary and presidential systems and to develop their own "semi-presidential" concepts. This is understandable as well as deplorable. It is understandable as there is no copyright on the terms "presidential" and "parliamentary," deplorable, because by this refusal they miss the opportunity to further analyse and systematically scrutinize the usefulness of Duverger's concept, to develop it further or—with arguments—reject it.

## 2. The history of the concept

Duverger elaborated his concept in various and varying ways. As early as 1960, he pointed to the fact that the French constitution of October 4, 1958, incorporated elements of both the parliamentary and the presidential systems (Duverger 1960: 686). He then maintained that the regime of the French Fifth Republic was parliamentary (1960: 633, 679), although at the same time he proposed the popular election of the president if the system of the Fifth French Republic was to be upheld (Duverger 1960: 678). He also pointed to the structural kinship of the French model and the configuration of the Weimar Republic (Duverger 1966: 492). In 1970 he used the word 'semi-presidential' for the first time and solely for France;<sup>1</sup> in 1974, he introduced five other semi-presidential "*monarchies républicaines*" (Duverger 1974: 121-123). The culmination of his concept can be seen in his study (*Echec au roi*) published in 1978. In this book, which comprises 250 pages, Duverger expounded his idea of the concept of semi-presidential government, based on extensive empirical studies on Austria, Finland, France, Iceland, Ireland, Portugal, and the Weimar Republic. But this publication did not receive the attention it deserved in the international scientific community,<sup>2</sup> and until today it is rarely quoted by political scientists. His article "A New Political System Model—Semi-Presidential Government" that was published two years later in *European Journal of Political Research*

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1 Duverger stated (1986: 7) that he used the denomination "semi-presidential government" ("*régime semi-présidentiel*") for the first time in 1970.

2 To my knowledge, this book was translated only into Portuguese, and that twice: in Portugal 1979 (*Xequê mate — análise comparativa dos sistemas políticos semi-presidenciais*), and in Brazil 1993 (*O regime semipresidencialista*).

(Duverger 1980: 165-187), though, has found much more attention in political science than his *opus magnum*. It has given rise to a discussion of forms of government in many countries, promoted by the dissemination of such regimes in the near past.

In 1982 he decomposed his pleiade into six variants, not mentioning Ireland at all (Duverger, 1982: 103-116). As the editor of the collected papers of a colloquy, held on January 20 and 21, 1983, with politicians and scholars from France, Portugal, Finland, and Germany, he supplemented his concept by distinguishing 'apparent' (Austria, Ireland and Iceland) and 'effective' (Weimar, Finland, France, Portugal) semi-presidential regimes;<sup>3</sup> in 1983 he emphasized the differences, which were to be mentioned later, in *Quaderni costituzionali* (Duverger 1983). In his contribution in *Dictionnaire Constitutionnel* he also put new countries in Eastern Europe under the heading of semi-presidentialism (Duverger 1992: 901). In 1993 he stressed a new and topical aspect of semi-presidential government and its effectiveness in processes of transformation (Duverger 1993b: vi-viii).

## 2.1 The concept of semi-presidential government à la Duverger

Duverger's concept of semi-presidential government is defined "by the content of the constitution" (Duverger 1980: 166); his criteria are only formal and are elements of the aforementioned seven constitutions. He sets three exclusive formal elements for semi-presidential regimes:

1. the president of the republic is elected by universal suffrage,
2. he possesses quite considerable powers,
3. he has opposite him, however, a prime minister and ministers who possess executive and governmental powers and can stay in office only if parliament does not show its opposition to them.<sup>4</sup>

3 Duverger 1986: 8, 17. In 1980 he described this difference in the following manner: "The constitutions of Austria, Ireland and Iceland are semi-presidential, political practice is parliamentary" (1980:167).

4 "Le terme de »semi-présidentiel« définit bien un régime où le chef de l'Etat n'a qu'une partie des prérogatives de son homologue américain. Elu comme lui au suffrage universel, il ne possède pas comme lui la totalité du pouvoir gouvernemental, dont l'essentiel reste aux mains du premier ministre et de son équipe, lesquels dirigent normalement la politique de la nation en accord avec un parlement qui peut les renverser" (Duverger, 1978a: 30f.).

These criteria alone form the framework of Duverger's concept of semi-presidential government. Duverger himself explains the choice of these criteria of his analytical model as follows: "It is not usual for political scientist to construct analytical models defined initially by constitutions. However, no one would dream of watching a game of football or a bridge without taking into account the rules of the games. They constitute a fundamental aspect of the players' strategy and tactics, the framework of which they define" (Duverger 1980: 166f.).

The main subject of Duverger's empirical study was to explain why relatively homogeneous constitutions in these seven countries were being applied in radically different ways (Duverger 1980: 177). In other words, why there are powerful or figurehead presidents in spite of similar constitutional prerogatives.

## 2.2 Duverger's analytical model

In an initial approach toward an explanation of the reasons for the varying application of presidential personal power, Duverger distinguishes between three types of semi-presidential government in seven countries.

1. the president can be a mere figurehead (as in Austria, Iceland, and Ireland),
2. the president can be all-powerful (as in France),
3. the president can share his power with parliament (as in the Weimar Republic, Finland and Portugal) (Duverger 1978a: 22-31; 1980: 167-177).

Duverger explains the difference between the president endowed with constitutional powers and their application in political practice by an analytical model. This model has only four parameters which he subdivided into exogenous and endogenous parameters..

- a) the actual content of the constitution (exogenous),
  - b) the combination of tradition and circumstances (exogenous),
  - c) the composition of the parliamentary majority (endogenous),
  - d) the position of the president in relation to this majority (endogenous)
- (Duverger 1980: 166, 177).

### **a) The actual content of the constitution**

Some constitutions confer controlling powers only to the head of state, notably by referring laws to constitutional court, the right of dissolution of parliament, the use of the referendum, and to orders in council in exceptional circumstances. For instance, all of these presidential prerogatives are present in the French constitution and some of them in the constitution of Ireland.

Other constitutions add the right to dismiss the prime minister at the discretion of the president alone to the aforementioned powers. The government can therefore remain in office only if it has the confidence of parliament and the head of state. The constitutions of Austria, the Republic of Weimar and Portugal fall into this category, even though they confer diverse powers.

Finally, there are constitutions that make the governing president more than a controlling force. In these cases the president shares the governing of the country in cooperation with the prime minister and the cabinet. Iceland and Finland belong to this category (Duverger 1978: 23-57).

As constitutions lay down the rules of the game to which the players must adhere, it is clear that their content influences the practical application of the form of government thus established. All the constitutions of these seven countries outline more or less the same plan for a president elected by universal suffrage, endowed with personal prerogatives, together with a prime minister and ministers, entrusted with the governmental powers they can exercise only if the parliament leaves them in office. The constitutions are not absolutely identical, however, particularly in the definition of the powers of the president. Here there are great differences among the constitutions of the seven mentioned countries. Duverger names fourteen considerable presidential powers in the seven semi-presidential governed states (Duverger 1978: 22-23), but not all of them are present in all of these constitutions.

This classification results in the following order in personal presidential powers: 1. Finland, 2. Iceland, 3. Weimar Germany, 4. Portugal, 5. Austria, 6. France, 7. Ireland. The political transposition of these powers is illustrated by Duverger in another graph.

The comparison of the two scales is revealing. It shows two aberrant cases, those of France and Iceland. The French president exercises in practice much stronger powers than his equals in the other countries, although

Constitutional Power	Finland	Iceland	Weimar	Portugal	Austria	France	Ireland
Nomination of the prime minister	.	.	.	.	.	.	#
Removal of the prime minister			.	.	.		
Dissolution of parliament	.	#	.	#	.	.	#
Laws on own initiative	#	#					
Veto after constitutional examination			.	.			
Proclamation of referenda				#	#	#	
Appeal to constitutional court				.		.	.
Decree making		#	.			.	
Veto for political reasons		#					
Nomination of government officials	.	#	#	#	#	#	
Control of administration	.	#					
Foreign powers	.	#	#	#	#		
Nomination of constitutional judges				.		.	.
• decision power      # blocking power or co-decision							

very few are granted to him by the constitution, since he appears sixth in order, or second to last. In contrast, the Iceland president appears second with regard to legal and formal powers, just behind the Finnish head of state, but is last with regard to prerogatives actually exercised, just after or on the same level as his Irish colleague. Apart from these aberrant cases, the other countries are classified in the same order on the two scales but not on the same level, except for Portugal because of the initiatives taken by the President of the Republic, Ramalho Eanes in 1978. In Finland and in Weimar Germany, the application of formal presidential powers exceeds the constitutional rules to a small degree. In Austria and Ireland it falls short (Duverger 1978: 23-33).

Although the constitution plays an important role in the application of presidential powers, it remains second compared with the other three parameters. The cases of France and Iceland indubitably demonstrate this fact. In both cases—and this is very important—the constitutions are not

<b>Power of the President</b>	
<b>In the constitution</b>	<b>In practice</b>
1. Finland	1. France (more power)
2. Iceland	2. Finland (more power)
3. Weimar	3. Weimar (more power)
4. Portugal	4. Portugal (same level until 1987)
5. Austria	5. Austria (less power)
6. France	6. Ireland (less power)
7. Ireland	7. Iceland (less power)

being infringed upon, despite the rather remarkable differences that separate what is written in the constitution and empirical practice. Whenever practice does not exhaust the written norms, the president does not exercise the powers with which the constitution has endowed him. As he has the right to make use of his prerogatives or abstain from them, he remains within the framework of the law if he lets them fall into a state of temporary disuse. When the application of presidential prerogatives exceeds the written norms, then government in fact agrees to submit to the presidential injunctions that it could disregard by right, as it could make free use of its own powers. Of course, if the head of state or the prime minister do not exercise all their prerogatives, they may do so because they think to profit by it, due to the political situation and power in their mutual relationship (Duverger 1980: 179f.).

#### **b) The combination of tradition and circumstances**

The graph on page 79 only reflects the real situation observed by Duverger. Without further explanation this would have no meaning. The application of the constitutional powers merely serves to be understood in connection with the other three parameters: tradition and circumstances, composition of the parliamentary majority, and position of the president in relation to this majority.

The second exogenous parameter that influences the application of personal constitutional powers is, according to Duverger, the combination of tradition and circumstances. Juridically the practice of a regime does not really create statute law unless a general consensus is established in this



respect in the course of history. For example: If a modern English sovereign decided one day to use the immense power granted to the crown by the ancient texts that have never been repealed and the antiquated formulae still in use, there would be a restoration of an absolute monarchy that has not been formally abolished. The rules of the British Crown have become petrified. Their flesh is dead with respect to the world that surrounds them. No one can bring them to life again. But legal rules that are not being applied are not dead. They hibernate and only a person who has the necessary skill can bring them to life again (Duverger 1980: 180).

This takes us to the aspect of tradition. The political practice of a regime, however, creates a factual tradition that renders it increasingly difficult to restore dormant legal rules as the years pass by. In Austria, for example, an opinion poll, organized by the People's Party (*Österreichische Volkspartei*) in 1971 demonstrated that the majority of citizens thought that the president had only symbolic representative powers and that this position was analogous to that of the German (*Bundespräsident*) rather than to that of the French president. In France, there is a similar situation. In the middle of the 1970s, various opinion polls in France showed that the presidential image of the Fifth Republic was superimposed on another, formed during three quarters of a century during the Third and Fourth Republics. The active head of the new regime, the supreme head of the government and of the majority, who embodies their aims and controls their policies, has not superseded the easy-going president of the old regime, freed of the contingencies of power, an impotent but impartial arbiter, a decoration at official ceremonies and the symbol of the whole nation. This superimposition could help the regime adapt itself were there to be a realignment of political forces (Duverger 1980: 181).

### **c) and d) Endogenous parameters**

The composition of the parliamentary majority is the third and the position of the president in relation of the majority the fourth parameter. Both are very important in explaining the difference between what is written in the constitution and political practice.

In countries without a parliamentary majority the greatest coincidence between the constitution and political practice exists, the latter putting the president in an intermediary position, neither figurehead nor all-powerful; the situations of Weimar Germany, Finland, and Portugal correspond to this hypothesis.

d) In countries where coherent and stable majorities normally continue, there is a disparity between constitution and practice, the latter either placing the president in a dominant position or creating the situation where the parliamentary head of state is reduced to a symbolic status. Weimar Germany, Finland and Portugal (since 1976) correspond to the first hypothesis, France, Austria, Ireland, and Iceland to the second. In the latter countries with a majority or quasi-majority, the president can act, in general, remote from constitutional rules. This distance, however, can be wielded in the opposite direction. In France, a very powerful president plays a much more important role than that provided for by the written constitution. In Austria, Ireland and Iceland, figurehead presidents play a far smaller role than that allowed by their constitutional prerogatives. The difference depends on the position of the head of state in relation to the parliamentary majority. If he is its leader, he becomes all-powerful like the French president. If he is its member, but not its leader, he becomes a figurehead like the present Austrian president or the majority of the Irish presidents. If he is outside the majority, whether as an opponent or as a neutral figure, he is in a regulatory position, and his actual powers correspond to the outline of the constitution.

The explanation of these phenomena seems to be relatively simple. In a parliament with a clear and disciplined majority, the president controls the executive and legislature at the same time. If the president is in this position, he can reduce the prime minister to the position of a chief of staff. This is the case in France, where the majority is originally formed by the head of state, and where the presidential candidates have been the party leaders (Duverger 1980: 184).

If the president is not the leader of the majority party, although he is its member, then the party has decided to confer the office of the prime minister to its leader to whom the real power belongs. In this case it is the prime minister as the leader of the majority party who controls parliament. He will reduce the president to a subordinate position. This has been the case in Austria since 1971 and in Ireland most of the time where the parties take care to nominate only those holding a subsidiary positions as candidates for the presidency but not their leader.

### **3. The reception of the concept by the academic community**

Duverger's concept of semi-presidentialism was not welcomed as the

foundation of a comprehensive and systematic debate on fundamental problems of political institutions and political systems. In 1983 Duverger himself pointed to the varying use and interpretation of his concept of semi-presidential government (Duverger 1983: 259).

In Germany, Duverger's concept is more ignored than discussed (Bahro & Vesper 1995: 471-476). First attempts can be found only since the middle of the 1990s (Schmidt 1995: 860-861). A scientific approach toward the concept in Germany would have been advisable for three reasons:

1. Duverger insists that the Weimar Republic would have continued to be stable and effective during the world economic crisis between 1930 and 1932,
2. he states that the Weimar Republic would have collapsed earlier if it had been a parliamentary or a presidential system,
3. there is no generally accepted term for the governmental system of the Weimar Republic in political science and historiography until today (Bahro & Vesper 1995: 472f.).

The term 'semi-presidentialism' was gradually accepted in France, while it was used earlier in some other countries. At the beginning of the 1990s, Duverger reports that this term is being used more often in political science and dictionaries (Duverger 1993b: I). The French discussion is somewhat ambiguous. For instance, Colliard (1978: 280f.) emphasizes the differences of France and Finland on one, and Austria, Ireland and Iceland on the other hand. He states that the popular election is a necessary but not a sufficient prerequisite for the strong position of the president and it would be more appropriate to use the words '*correctif présidentiel*' instead of '*semi-présidentiel*'. It is clear, therefore, that his critique concentrates mainly on denomination (Duhamel 1988: 584; Lovecy 1992: 389). The same is true of Gicquel's position which correctly perceives the popular election of the president as the special quality of the French 1958 constitution but holds that the president's powers merit naming the regime 'presidential' (1989: 142f.).

Duhamel sharply criticizes the fact that Duverger's concept has deliberately not been used or put aside in France by constitutional legal thought. According to his exposition, there are five excuses for doing so. The French regime is either seen as 'dualist parliamentarism,' a 'system of different phases,' as 'mixed,' adorned with special epithets, like 'consular republic' or

‘plebiscitary monarchy,’ and, finally simply ‘parliamentary with presidential corrective.’ Duhamel goes on to point out that at least some of these authors do not offer a substantial deviation from Duverger’s concept, but that the differences are only of terminological character (1988: 581–586).

Duhamel also criticizes Duverger for introducing a difference between real and apparent semi-presidential regimes, thereby substituting a concept based on constitutional structure by one based on the behaviour of the governing (1988: 581–586). Rather than using ‘*régime*’ and ‘*système*’ indiscriminately, the former should be reserved for the constitutional classification, thus creating a third type besides the traditional ones. Duhamel has developed the approach further: He stresses that the French construction does not correspond to either the parliamentary or the presidential form of government, and then develops the distinction of ‘*système politique*’ and ‘*régime constitutionnel*.’ While the former comprises the exercise of power that results from the dominant institutional practice, the latter is the totality of the rules for the exercise of the power. In this way, France appears as a ‘presidentialist system’ endowed with a ‘semi-presidential regime’ (1983: 587). By this standard, he recognizes Duverger’s *pléiade* as semi-presidential regimes, as well as Poland, Romania, Bulgaria, and Lithuania (1993: 87).

Quermonne & Chagnollaude accept Duverger’s term ‘semi-presidentialism,’ but only as a partial explanation of the French regime as he based it on the party system; they stress its singularity and state—rightly so—that it does not make a difference whether it is called either ‘semi-presidentialism’ or ‘unnamed’ (1991: 592, 605).

I may speculate about why Duverger’s denomination has not found general acceptance in the French discussion. One of the main reasons is perhaps a certain conservative tendency in political science (and even more so of constitutional legal thought), especially in the field of institutional analysis and institutional change. Moulin offers the hypothesis that the constitutionalists could not but stick to the classical dichotomy. The perseverance of the traditional dichotomy of presidentialism and parliamentarism in firmly established opinions renders it difficult or even impossible to approach the understanding and analysis of the democratic functioning of institutions and societies—even of democracy itself—when new realities emerge (1978: 39).

Duverger’s concept has not been left unnoticed in countries outside of France. His article in *European Journal of Political Research* was quoted

by many foreign authors who are dealing particularly with the political system of the French Fifth Republic. Following Duverger, it has also been applied to such other regimes as Weimar, Portugal and Finland. In Portugal (Gonçalves Pereira 1984; Braga da Cruz 1994) and Finland, hardly any doubts have been raised about the usefulness of the term to describe the respective political regime. Especially in the Portuguese case, supported by Duverger himself,<sup>5</sup> the term has been firmly accepted, giving rise to a political and academic discussion, especially in connection with the 1982 revision of the constitution.

Although not directly concerned, Italian academics have remarkably contributed discussions of the problem. As early as 1983 a special issue of the Italian Review of Constitutional Law *Quaderni costituzionali* has systematically treated semi-presidential government in various articles (Editoriale 1983: 255). Bartolini also deals with problems of semi-presidential government in his article on direct election of the head of state (1984: 224f.). The outstanding book by Ceccanti, Massari & Pasquino is presently the final result of Italian research on the topic, where Pasquino emphasizes that the election of the president by universal suffrage is a necessary modality of semi-presidentialism (1996: 105).

In the Anglo-American context, where originally there seemed to be less interest in this discussion, Bogdanor (1987: 561f.), Linz (1991a: 90-104), Lijphart (1991: 121-137), Shugart & Carey (1992: 23-54), Weaver & Rockman (1993: 4) and Sartori (1994) have entered the debate. Although their analyses and evaluations vary, they seem to be more enthusiastic about the concept than their French colleagues. While Linz and Bogdanor agree that semi-presidentialism is a scheme of alternative phases between parliamentarism and presidentialism, they differ as to its function and its capability to guarantee political stability. Weaver & Rockman do not show any doubt about the semi-presidential character of the Fifth French Republic. Lijphart seems to be undecided on the problem of semi-presidential regimes: He calls the existing ones parliamentary and assumes that a semi-presidential regime would only exist where there is a distinct equilibrium of president and prime minister. But such a system nowhere exists in reality (Lijphart 1991: 128).

There are also attempts on having 'semi-presidentialism' generally accepted as a category of its own. For instance, Shugart & Carey acknowl-

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5 Interview given to *Expresso* December 3, 1976, Lisbon.

edge that there is still quite some controversy about the traditional concepts of parliamentarism and presidentialism, despite the fact that many systems do not fit these schemes. Starting from systems that possess a popularly elected president, they introduce 'premier-presidential' and 'president-parliamentary' regimes, where in the latter the president wields more power than in the former (1992: 23f.).

A position similar to Lijphart's is presented by Sartori, who states: "The one characteristic that any semi-presidentialism *must* have (by virtue of its very name) is a dual authority structure, a two-headed configuration. Thus any semi-presidential constitution must establish, in some manner, a diarchy between a president, the head of state, and a prime minister who heads the government" (1994: 122).

#### 4. Misinterpretations of Duverger's concept

The conventional analysis of government in democratic countries by political science and constitutional law starts traditionally with the types of presidentialism and parliamentarism. This is why Duverger's concept was also explained and interpreted within this traditional dichotomy. Behind this widespread misunderstanding of Duverger's concept lurks the idea that 'semi-presidentialism' is an 'alternating system' between parliamentarism and presidentialism. Instead of excepting Duverger's concept as a suggestive innovation, there is an attempt to understand and interpret the semi-presidential system as a parliamentary subsystem. There is no doubt as to the analytical dimension of the classical systems—the presidential and parliamentary ones. But the dichotomous categorization has already been called into question by many political scientists because of the discrepancy between existing government systems and their differing institutional configurations.

The opinion that semi-presidential systems consist of alternating phases can basically be traced back to Georges Vedel. In 1978 he presented arguments in a newspaper article on the political system of France. In this article, which Duverger himself considered brilliant, Vedel decides that the semi-presidential system of France is by no means a synthesis of a parliamentary and presidential system, but a system of alternating phases between both of them. Duverger supports Vedel's opinion to some extent in that in the French system there is no synthesis between a parliamentary and presidential system. But he does not take a clear stand on interpreta-

tions of his model as a phase model that has been largely ignored by quite a number of political scientists. Sartori offers a particularly strange variant of this misunderstanding. He insists that Duverger has interpreted semi-presidentialism as a phase model; Sartori himself supposes that it is by no means an alternation between a parliamentary and a presidential system.<sup>6</sup>

It does not make much sense to define semi-presidential systems on the basis of formal criteria as they do not belong to the ideal types (in the Weberian sense) of either presidentialism or parliamentarism. It seems to be much more effective to find reasons that could have caused the misinterpretation toward the above mentioned phase model. The following arguments have—in my opinion—contributed to these misunderstandings:

1. the identification of a powerful president with the word 'presidential;'
2. the dependence of government on parliament as the only criterion to distinguish parliamentary and presidential systems,
3. the president is often seen as a "*pouvoir neutre*" in semi-presidential systems.

### **1) The identification of a powerful president with the word 'presidential'**

The idea that there is a presidential phase in semi-presidential governments is obviously based on the configuration that the parliamentary majority and the president be members of the same party. The president in such a configuration could actually become a hyperpresident<sup>7</sup> who then would have more power than the president in presidential systems, since to his considerable personal power would also be added his direct influence on the government's party in parliament and government itself.

It can, however, be imagined that the interpretation of the one phase as a 'presidential' one is not strongly based on a systematic analysis. An analysis that presupposes that the term 'presidential' merely indicates that the president belongs to that party that holds the majority in parliament. In other words, the power of the president grows with the weakening of the

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6 "I was saying that I do not concur with this view of Duverger (and others) that the French semi-presidentialism adds up to being an alternation between presidentialism (when presidential and parliamentary majorities coincide) and parliamentarism (when they do not)" (Sartori 1994: 124).

7 According to the denomination "hyper-president" by Bahro & Veser (1995: 471).

opposition in parliament. If the assumption is correct that authors very often do not refer to the category 'presidential,' an assumption that can unfortunately not be established in all instances, one cannot at all speak of a presidential system, because there is a different structure in the separations of power. A good example for the accuracy of this assumption is offered by the Portuguese authors Rebelo de Sousa and Braga da Cruz. Rebelo de Sousa suggests that in periods of minority governments, the system rather tends toward a presidential system, as these governments depend more on the president's confidence in parliamentary and governmental performance (1991: 16). In Braga da Cruz' understanding, the system is a presidential one if a weak parliament is incapable of forming a government (1994: 243).

The constitutional powers of a president in a semi-presidential system are very different and since do not have much in common with the constitutional powers of a president in a presidential one. Thus, the President of the United States cannot dissolve Congress; nor can he appoint or dismiss the head of government as he holds this office himself; he alone forms the executive. But it is just these powers that are the truly salient ones of a president in a semi-presidential system. Therefore, the considerable powers of a president in a semi-presidential system should be seen as the positive chance of a president to interfere with politics through his powerful political decisions.

## **2) The dependence of the government on the parliament as the only criterion to distinguish parliamentary from presidential systems.**

The reduced chances of the president to influence political decisions is considered an important factor by the interpreters of the phase model, since it is this reduction that makes the system act as a parliamentary one. But this is of no use in proving that it is a phase model; it can only be stated that parliament is in the position to support government. In these cases, the president has less room to interfere with politics.

In parliamentary systems, parliament as a body plays a relatively minor role as it is not a homogeneous institution, but is divided in parties of the opposition and of the government, whereby the latter parties as a rule support the government. The really significant role of a parliamentary opposition is its function as "government-in-being" in cases of an overthrow of the acting government. Only for this reason it is an important institutional pillar of political legitimation in democratic societies. And this is



also the principal reason for the claim of a strong opposition. If the parliamentary opposition is weak, however, the president can play an important role.

The widespread subordination of semi-presidential systems as special forms of the parliamentary ones (von Beyme 1994: 225; Colliard 1978: 280) leads inevitably to an increase in the diversification of 'parliamentarism;' it becomes an inaccurate generic term that covers nearly everything which is not clearly presidential.

### **3) The president is often seen as a '*pouvoir neutre*' in semi-presidential systems.**

The idea that the president is a '*pouvoir neutre*' cannot furnish reasons for the argument that semi-presidential governments are not a special form of parliamentarism. In parliamentary systems, presidents are often endowed with so-called 'reserve powers' that can and definitely ought to be used in cases of deadlock between parliament and government. This function is based on the assumption that political institutions normally act without the necessity of an interfering president. In most of the constitutions, the president's duties are not defined as reserve powers. There is solely a normative mechanism that the president is obliged to utilize his competences. In the scientific and political evaluation of the competences of the president lies a fundamental difference that distinguishes semi-presidential systems from parliamentary ones.

Presidents in semi-presidential governments are then independent political institutions if they play an important role in cases of governmental crises. Particularly when the parties are not capable of forming stable coalitions or finding parliamentary majorities for political solutions. The frequent opinion, that the president represents the whole nation, suggests that it is part of their duty to act as an arbitrator to settle contrary social interests. If the idea that the popularly elected president could act as described above, he would assume one of the principal functions of the state.

It is possible that the president uses his opportunity to be the president of all citizens, or to act in a desintegrant or in a polarizing way; this depends not only on the social structure but also on the political objectives of the head of state. This implies that the interpretation of the office of a popularly elected president in semi-presidential systems as a '*pouvoir neutre*' cannot be maintained under all circumstances. The decisions of presidents can be declared as neutral, when the consequences of the actions have brought

positive results; but they can likewise be of advantage for representatives of a political party or other social interests. Whether presidents act as '*pouvoir neutre*' cannot be established definitely but has to be considered from an individual view. A president can, for whatever reason, act as a '*pouvoir neutre*.' Although he represents the whole nation, his decisions can polarize the society intentionally or unintentionally. Presidents in semi-presidential systems are political institutions with their own political interests that are often used to safeguard their office. The idea that they would act as a '*pouvoir neutre*' is an illusion.

Semi-presidential systems include political institutions and political processes that are also existing in parliamentary and presidential systems. All three formal criteria of Duverger's concept—the popular election, constitutional personal powers, and government that depends on the confidence of the parliament—are also involved in parliamentary and presidential systems as central functions. But they are nothing else than political institutions and institutionalized processes for government in democratic societies that have developed in the course of the last three centuries. They are not reserved for parliamentary and presidential systems only. Neither do they have institutional exclusiveness for parliamentary and presidential systems. The above mentioned formal criteria would only be useful for defining political systems if they functioned according to the same principles in presidential systems as they do in parliamentary ones, and thus they are liable to have almost identical significance for the legitimation of political power.

## 5. Conclusions

Duverger's concept leads to irritations and misunderstandings mainly because of two reasons:

1. Duverger's main subject is very clearly explained by himself. He states: "The proposed model has the merit of explaining fairly well the differences in practical application of an identical constitutional mechanism; neither more, nor less". He motivates his concept with differences that have developed culturally and historically: "Those who drew up the constitution at Philadelphia did not think of creating a presidential government, nor did all the Englishmen who, brick by brick, built up a parliamentary government in London over the centuries know they were creating it—no more than General de

Gaulle thought of setting up a semi-presidential regime in France. (..). The reading of this book [*Échec au Roi*, Veser] was certainly not the sole factor that drove the President of the Portuguese Republic to apply the 1976 constitution". He explicitly did not create a new governmental system. He neither—maybe consequentially—did not give a systematic explanation of the weakness of the traditional dichotomic categorization. Duverger stirred the water but did not consider the outcome.

2. With his four parameters he softened the dimension of his constitutional formal criteria. Apart from that, his parameters gave room for the interpretation that one deals with a system of alternating phases. His list of 14 considerable powers is only based on seven countries; this is why we are dealing with a problem of somewhat empirically accidental nature.

In spite of legitimate and illegitimate criticism of Duverger's concept, it is an important step toward a better understanding in the research of political regimes. It demonstrates a type of regime that differs from both presidentialism and parliamentarism. In a presidential system, the president is in full command of the executive; in a parliamentary regime, it is the prime minister and neither the president (nor the monarch) can interfere. This is why semi-presidentialism shows at least one characteristic that cannot appear in the traditional ones: cohabitation. The concept of semi-presidentialism does need more interpretation and clarification in order to be useful in empirical political science and comparative government. Yet, in my opinion, it already opens the way to and renders necessary the discussion of other concepts and hypotheses of political research.

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# 杜瓦傑論半總統制： 一個新的政體模型

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## 摘 要

內閣制與總統制是傳統上分析政府制度的起點。杜瓦傑認為此一區分，就說明法國第五共和的政治結構，並無助益。此所以他發展出半總統制的概念，也就是總統由全民選出，具相當的權力，同時有一總理，具行政及管理的能力，只要國會不反對他，可在位到底。

現在半總統制此詞已廣為使用，但是卻甚具爭議。本文的目的有二：(1)描述及說明此一概念，(2)學界對此一概念的接受度。由於半總統制的實務不一，有者總統是虛位（奧地利、愛爾蘭、冰島），有者甚具實力（法國），有者與國會分享權力（威瑪共和、芬蘭、葡萄牙），於是可能影響此一概念的接受度。這些差異是源於以下四因素：憲法的實際內容、傳統與當時情境的結合、國會多數黨派之組成以及總統與國會多數黨派的關係。

國際學界對此一概念的討論是頗為分歧。此一概念在德國及奧地利是幾乎不存在的，在法國仍具爭議，在葡萄牙、芬蘭及義大利則毫無疑義被接受，在美國亦被認為對於政治制度的研究具貢獻。

**關鍵詞：**半總統制，杜瓦傑，法國第五共和