

The Stages of Installation and Institutional, Procedural, Political and Behavioral Attributes of Semi-Presidentialism in Poland and Ukraine: Comparative Analysis¹

The research is dedicated to conceptualization, systematization and comparing the attributes and stages of installation and development of semi-presidential system of government in Poland and Ukraine. It was argued that semi-presidentialism should be defined the least subjectively or minimally (or in an institutional and procedural way), but should be classified the most broadly or maximally (or in an institutional, procedural, political and behavioral way). Based on this, it was found that we need to classify semi-presidentialism in a versatile way, i.e. institutionally, procedurally, politically, behaviorally and synthetically. Accordingly, it was found that reflection on semi-presidentialism in singular can be only definitive, but such a logic is unacceptable in the classification of semi-presidentialism, because different “adjectives” and attributes of semi-presidentialism refer to different formal and factual types, phases and scenarios of the analyzed system of government. The researcher reasoned that as of 2017 Poland and Ukraine experienced very similar types of semi-presidentialism, which were determined with the unified majority systems within the constructions of balanced premier-presidentialism. At the same time, it was found that the powers of the various political actors within the conditions of semi-presidentialism are determined with formal, constitutional, institutional, procedural, political, behavioral, party, electoral and personal factors.

Keywords: semi-presidentialism, attributes and types of semi-presidentialism, Poland, Ukraine.

Етапи становлення та інституційно-процесуальні і політично-поведінкові атрибути напівпрезиденталізму в Польщі й Україні: порівняльний аналіз

Дослідження присвячено концептуалізації, систематизації і порівнянню атрибутів й етапів розвитку напівпрезидентської системи державного правління в Польщі й Україні. Аргументовано, що напівпрезиденталізм повинен дефініюватись якомога менш суб'єктивно або мінімалістсько (інституційно-процесуально), але має типологізуватись якомога

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ширше або максималістсько (інституційно-процесуально і політично-поведінково). На цій підставі виявлено, що типологізувати напівпрезиденталізм треба різносторонньо – інституційно-процесуально, політично-поведінково і синтетично. Відтак в однині про напівпрезиденталізм можна говорити винятково дефінітивно, але це неприпустимо типологізаційно, бо різні «прикметники» й атрибути напівпрезиденталізму відсилають до різних формальних і фактичних різновидів й фаз/сценаріїв цієї системи правління. Умотивовано, що станом на 2017 р. в Польщі та Україні було здебільшого апробовано дуже схожі різновиди напівпрезиденталізму, які детермінувались системами уніфікованої більшості у межах конструкцій збалансованого прем'єр-президенталізму. Водночас, виявлено, що повноваження різних політичних акторів в умовах напівпрезиденталізму детермінуються формально-конституційно, інституційно-процесуально, політично-поведінково, партологічно, електорально, особистісно тощо.

Ключові слова: *напівпрезиденталізм, атрибути і види напівпрезиденталізму, Польща, Україна.*

Semi-presidential system of government (semi-presidentialism) is one of the most common scenarios of inter-institutional relations in the world and in particular in European countries. At the same time, semi-presidentialism is diversified in contemporary Political Science, especially when it is tangent to various empirical situations of its isolation and operationalization. As a consequence, Political Science usually separates two approaches to the definition of semi-presidentialism. The first one is minimalist approach, which appeals to the institutional and procedural provisions regarding the arrangement of the power institutions and structures, which are contained in constitutions. The second one is maximalist approach, which refers both to the formal institutional and procedural provisions of constitutions and to the actual/real political and behavioral powers of the key institutions of state power in the “president – cabinet – parliament” triangle. It regulates that the maximalist theorizations of semi-presidentialism can be politically or behaviorally oriented. Therefore, they can be based only on the actual powers of political actors, but they also can be both constitutionally (or institutionally) and politically (or behaviorally) oriented or be based on formal (constitutional) and actual (political) nature of the powers of political actors and the system of government itself. Instead, the minimalist theorizations of semi-presidentialism can be exceptionally formally or institutionally oriented, since they are primarily based on the formal (constitutional) nature of the powers of political actors, and their actual or political/behavioral positioning is assessed as auxiliary or indicative.

The situation is clearly evidenced by the situation around defining and theorizing, selecting and allocating the regional cases of semi-presidentialism, in particular in such countries as Poland and Ukraine. These cases, especially the first one, often contradict or combine the minimalist and maximalist theorizations of semi-presidentialism. This is due to the peculiarities of theoretical and

methodological field of various Political Science schools and traditions, which (in Poland, but especially in Ukraine) have only recently begun to explore and operationalize the concept of semi-presidentialism. As the result, today they are characterized by significant regional (especially regional and linguistic) features of verification and choice of theoretical and methodological approaches to the definition of semi-presidentialism. For example, according to Brunclik and Kubat² and on the basis of the minimalist approach, Poland and Ukraine are verified as semi-presidential systems in English-language Political Science, but the scientific positions are significantly different in non-English Political Science based on the maximalist approach. In particular, Poland is often defined as a parliamentary system on the basis of such clarifications as parliamentary-governmental system, deformed and dysfunctional parliamentary system, parliamentary system with strengthened/reinforced president. Somewhat less often, Poland is called a mixed system or a system that is prone to the French model, a system that is averaged between the model of the Fifth Republic and the parliamentary-governmental model, partly parliamentary and partly non-parliamentary system, which tends to a parliamentary-presidential model, a “hybrid” of rationalized parliamentarism and semi-presidentialism. On the contrary, Ukraine, continues to gravitate to its definition as a semi-presidential system of government. This is due to the fact that both institutionally and procedurally Poland and Ukraine are consistent with semi-presidentialism, but politically and behaviorally (in particular, taking into account the powers of various political institutions in the “president – cabinet – parliament” triangle) they are differently operationalized as semi-presidential ones. Accordingly, the tasks of theoretical and methodological substantiation of the cases of semi-presidentialism in Poland and Ukraine and of empirical assessment and comparison of their institutional, procedural, political and behavioral attributes and stages of installation and development are quite interesting and relevant.

In solving the tasks, we appeal to the conceptualization of the needs of the least subjective (or the most dispositive, i.e. institutional and procedural) definition of semi-presidentialism, but also to the broadest (and therefore, relative – on the basis of institutional, procedural, political and behavioral attributes) typology and taxonomy of semi-presidentialism. This, in turn, means that the selection and defining of semi-presidentialism must be minimalist, and its typology and operationalization should be maximalist. However, this does not mean that semi-presidentialism can be different and can be taxonomied only politically and behaviorally, although, on the other hand, some institutional and procedural attributes are decisive and definitive, while the other attributes are typologizational for semi-presidentialism.

In view of this, we propose to adhere minimalist and the most widespread in Political Science definition of semi-presidential system of government (semi-presidentialism) as a constitutional model of inter-institutional and procedural relations, for which there is a position of popularly elected for a fixed term president (usually as a head of state, but sometimes as a head of state and a head of the executive), as well as positions of prime minister and cabinet, who are necessarily collectively

² M. Brunclik, M. Kubat, *Contradictory Approaches: Discussing Semi-Presidentialism in Central Europe*, „Analele Universității din București. Seria Științe Politice” 2016, vol 18, nr 1, s. 67-79.

responsible to parliament/legislature³. Theoretically, methodologically and operationalizing this definition, we proceed from the assumption that semi-presidentialism can be typified in various ways, i.e. both institutionally and procedurally, on the one hand, and politically and behaviorally, on the other hand, and also on the basis of their synthesis. On the one hand, this is understandable in view of the fact that the method of formation, activity and responsibility of a cabinet and the whole system of executive are the main features of semi-presidentialism, because in the analyzed system of government, an important (albeit differentially distinctive) role in the formation of a cabinet belongs simultaneously to president and parliament, but they are influenced both by institutional and procedural determinants (regulated by law) and by political and behavioral determinants (strongly influenced by the parity of political and party groups in parliament). On the other hand, this is due to the fact that semi-presidentialism is typically characterized by institutionalization and approbation of an inter-institutional model of the so-called “dual executive”, when both president and prime minister/cabinet (which are different in their powers) simultaneously or adjacently (but not almost equally) are endowed with executive powers.

As a result, semi-presidentialism is institutionally, procedurally and formally divided into premier-presidentialism/parliament-presidentialism and president-parliamentarism (in particular, on the basis of the way of collective responsibility of cabinet)⁴. In the first case, the prime minister and cabinet are collectively responsible exclusively to parliament, and the relations between the institutions in the “president – cabinet – parliament” triangle are traditionally transactional. Instead and in the second case, the prime minister and cabinet are collectively responsible both to president and parliament, and therefore the relations between political institutions are hierarchical and transactional. In turn, semi-presidentialism is politically, behaviorally and actually divided into the unified majority, divided majority, divided minority⁵ and unified minority⁶ systems (in particular, taking into account the influence of the party composition of parliament and cabinet and of the party membership of president on the division of powers of political institutions). In the unified majority system, the head of state is a member or supporter of the course of the party of the prime minister, but the president and the prime minister being the members of a single “cabinet team” (i.e. not being the opponents of each other) are supported by an identical parliamentary majority. In the divided majority system, which is described by the term of “cohabitation”, the head of state, unlike the prime minister, is not endowed with the majority in legislature, is not a member or supporter of the course of the party of the prime minister and does

³ R. Elgie, *Semi-Presidentialism: An Increasingly Common Constitutional Choice*, [w:] R. Elgie, S. Moestrup, Y.-S. Wu (eds.), *Semi-Presidentialism and Democracy*, Wyd. Springer 2011, s. 1-20.; R. Elgie, *Semi-Presidentialism: Concepts, Consequences and Contesting Explanations*, „Political Studies Review” 2004, vol 2, nr 3, s. 314-330.; R. Elgie, *The Politics of Semi-Presidentialism*, [w:] R. Elgie (ed.), *Semi-Presidentialism in Europe*, Wyd. Oxford University Press 1999, s. 1-21.

⁴ M. Shugart, J. Carey, *Presidents and Assemblies: Constitutional Design and Electoral Dynamics*, Wyd. Cambridge University Press 1992.; M. Shugart, *Comparative Executive-Legislative Relations*, [w:] A. W. Rhodes, S. Binder, B. Rockman (eds.), *The Oxford Handbook of Political Institutions*, Wyd. Oxford University Press 2006, s. 344-365.; M. Shugart, *Semi-presidential systems: Dual executive and mixed authority patterns*, „French Politics” 2005, vol 3, nr 3, s. 323-351.

⁵ C. Skach, *The Newest Separation of Powers: Semipresidentialism*, „J-con” 2007, vol 5, nr 1, s. 93-121.

⁶ V. Lytvyn, *Systema unifikovanoi menshosti yak variatyvnyi riznovyd naptivprezydentalizmu: perevirka dotsilnosti vykremlemnia ta kontseptualizatsii*, Tezy zvitnoi naukovoii konferentsii filosofskoho fakultetu LNU im. I. Franka, Liutyi 2017.

not constitute a “cabinet team” (instead of being his opponent). In the divided minority system, neither the president nor the prime minister (and no one in this perspective in general) being opponents of each other does not have the majority support in legislature. In the unified minority system, neither the president nor the prime minister has the support of parliamentary majority, but the president and the prime minister are from the same party or are associated with an identical political party/coalition or are political associates of each other. Finally, semi-presidential systems are synthetically (institutionally, procedurally, politically and behaviorally) and both formally and actually divided (in particular, on the basis of the peculiarities of dual executive, as well as of the strengths of formal and actual powers of presidents and prime ministers) into those, where there are: weak/nominal (or ceremonial/figurehead) heads of state and strong prime ministers/cabinets (i.e. parliamentarized semi-presidentialism); strong (or very strong/all-powerful) heads of state and weak/nominal prime ministers/cabinets (presidentialized semi-presidentialism); balanced/compatible scenarios by the executive powers of heads of state and prime ministers/cabinets (balanced semi-presidentialism)⁷. Or, similarly, on the basis of formal and actual powers of presidents and parliaments regarding the implementation of legislation and actual party composition of legislatures, semi-presidentialism stadially or phasely should be classified for such varieties⁸ as: president-dominant (when president has unilateral powers to issue decrees with the force of laws, veto powers and controls parliamentary majority), premier-dominant (when president does not have significant powers and is a symbolic leader, but prime minister manages a majority in legislature), parliament-dominant (when president does not have significant powers, cabinet is a minority one and opposition manages legislative majority against president and cabinet), cohabitational (when president is given a reserve mandate, head of cabinet controls legislative majority and belongs to the party, which is in opposition to president), balanced (in which mutually oppositional president and parliament have the same actual political powers and therefore compete for power to legislate).

Theoretically and methodologically, this means that by imposing on the minimalist definition of semi-presidentialism its versatile and diffused typologies we obtain the maximalist concept of a semi-presidential system of government with “adjectives”. This argues that semi-presidentialism in the singular can only be said to be definitive, but this is unacceptable in the context of typologies. The fact is that various “adjectives” and attributes of semi-presidentialism send us to various formal and actual varieties and phases/scenarios of this system of governance, which are indicated in the cut of relationships between constitutional or legislative norms and political or behavioral practice. This empirically and operationally determines that as of 2017 Poland (only actually – in 1990/1992–1997, but constitutionally and actually – since 1997) and Ukraine (only actually – in 1991–1995, but constitutionally and actually – since 1996) were positioned as semi-presidential countries according to their systems of government (as shown in Tables 1–5).

⁷ O. Amorim Neto, K. Ström, *Breaking the Parliamentary Chain of Delegation: Presidents and Non-partisan Cabinet Members in European Democracies*, „British Journal of Political Science“ 2006, vol 36, s. 619-643.; R. Elgie, *What is Semi-presidentialism and Where is it Found*, [w:] R. Elgie, S. Moestrup (eds.), *Semi-presidentialism Outside Europe: A Comparative Study*, Wyd. Routledge 2007, s. 1-13.

⁸ T. Jung-Hsiang, *Sub-types of Semi-presidentialism and Political Deadlock*, „French Politics“ 2008, vol 6, nr 1, s. 63-84.; C. Skach, *Constitutional origins of dictatorship and democracy*, „Constitutional Political Economy“ 2005, vol 16, s. 347-368.

Table 1. The minimalist defining attributes of semi-presidentialism and their descriptors in Poland and Ukraine (as of 2017)⁹

Country (the years of the introduction of semi-presidentialism)	Popular election of the president for a fixed term	Fixed term of presidential powers, years	The maximum number of presidential terms	Collective responsibility of prime minister/ cabinet to legislature	Regulation of the parliamentary vote of no confidence in prime minister/ cabinet	The subjects of the election of prime minister of cabinet	The dualization of executive by president and prime minister/ cabinet	Presidential status as head of state	The status of prime minister as head of cabinet
Poland (1990/1992)	Yes (29)	5 (29.4)	Not > than 2 in total (29.4)	Yes + individual (66, 67.1)	Yes (64)	President (and parliament) (57)	Yes (28, 53)	Yes	Yes
Poland (1997)	Yes (127.1)	5 (127.2)	Not > than 2 in total (127.2)	Yes + individual (157)	Yes (158)	President (and parliament) (154)	Yes (126.1, 148.1)	Yes	Yes
Ukraine (1996/2006/2010/2014)	Yes (103)	5 (103)	Not > than 2 in total + ∞ cycles (with pauses) (103)	Yes (not specified)	Yes (115)	President (and parliament) (114)	Yes (102, 114)	Yes	Yes

Źródło: Z. Elkins, T. Ginsburg, J. Melton, *The Endurance of National Constitutions*, Wyd. Cambridge University Press 2009, s. V. Lytvyn, *Napiwprezydentski systemy v krainakh Tsentralnoi Yevropy: determinanty definiuvannya*, [w:] Z. Baloblockiy, A. Romanyuk (eds.), *Transformacje ustrojowe w Europie Srodkowej i Wschodniej*, Kutno 2012, s. 207-225.

⁹ The brackets contain the articles of the constitutions regulating the distinct attributes and descriptors of semi-presidentialism in Poland and Ukraine. No appeal to special laws has been made.

This is primarily apparent in a definitive way, since there were the positions of popularly elected for a fixed term president as well as prime minister and cabinet, which were collectively responsible to parliaments/legislatures both in Poland and Ukraine (see Table 1). However, semi-presidentialism in Poland and Ukraine has been and remains highly diversified. Firstly, the reasons for choosing a semi-presidential system of government are significantly different. For example, in Poland and Ukraine in the early 90's of the XX century, there primarily were attempts to reach a compromise by political elites between the supporters of presidentialism and parliamentarism, in particular regarding the introduction of the institution of a popularly elected head of state. At the same time, Poland was determined by the fact that the rational appeal to the constitutional model of inter-institutional relations as an objective and instrument for the regulation of executive in the conditions of political instability played an important role in choosing the "option" of semi-presidentialism. Secondly, the key constitutional powers of political institutions in the "president – cabinet – parliament" triangle also vary and differ greatly. This mainly concerns the powers of popularly elected presidents, which, although they allow to interpret Poland and Ukraine as semi-presidential systems, essentially differentiate them institutionally, procedurally, politically and behaviorally (see Table 2). Thirdly, the evolution and cross-taxonomic logic of semi-presidentialism in Poland and Ukraine also differ markedly (see Tables 3 and 4). The explanation is that: a) in Poland, unlike Ukraine in the period of 1995–1996 (when the presidentialism was tested), there was no experience of any other system of government, except semi-presidentialism; b) in Poland, there was exclusively premier-presidentialism, and in Ukraine, there were both premier-presidentialism (in 2006–2010 and since 2014) and president-parliamentarism (in 1996–2006 and 2010–2014); c) in Poland, semi-presidentialism actually (or politically and behaviorally) and traditionally manifests itself in all possible variations, but both formally and actually it turns out as balanced semi-presidentialism. In contrast, in Ukraine, semi-presidentialism actually functions primarily as the unified majority system or the divided majority system, but both formally and actually it mostly turns out as presidentialized or balanced semi-presidentialism. This is accompanied by institutional, procedural, political and behavioral attributes, peculiarities and differences of formation, functioning and responsibility of cabinets and prime ministers, which are incorporated into parliamentary procedures of investiture votes for new cabinets and parliamentary procedures of votes of confidence or no confidence for current cabinets, as well as by the parameters of party and electoral systems' influence on semi-presidentialism in Poland and Ukraine. At the same time, it is noteworthy that Poland and Ukraine (institutionally and procedurally and to a lesser extent politically and behaviorally) used mostly similar types of semi-presidentialism as of 2017: these types were determined by the unified majority systems within the frameworks of balanced premier-presidentialism. This means that semi-presidentialism outlined the parameters of inter-institutional relations that maximally led to the scenarios of equalization and balancing of the powers of presidents and prime ministers/cabinets.

Table 2. The list of key constitutional (institutional and procedural) powers of popularly elected presidents and their descriptors in semi-presidential Poland and Ukraine (as of 2017)¹⁰

Country	The requirement of official nomination of the head of cabinet by president	The possibility of initiation / confirmation of the resignation of the head of cabinet by president	The possibility of nomination / approval of cabinet by president	The ability of president to dismiss any member of cabinet	The ability of president to dismiss the entire cabinet	The ability of president to dissolve parliament and appoint its election	The ability of president to convene extraordinary sessions of parliament	The power of legislative initiative by president	The way to overcome the presidential veto by legislature	The ability of president to issue decrees with the force of law	The ability of president to initiate a referendum
Poland (1990/1992)	Yes (57)	No/no (64, 66)	Yes/no (57)	No (66, 67)	No	Yes (62)	Not specified	No (15)	2/3 (18.3)	Yes (45)	Yes (19)
Poland (1997)	Yes (154)	No/yes (158.1)	Yes/no (154.1)	No (156.2, 159)	No	Yes (98.4, 98.5, 144.3.3, 225)	Not specified	Yes (118.1, 118.2)	3/5 (122.5, 121.3)	No	Yes (125.2)
Ukraine (1996)	Yes (114)	No/no (115)	No/yes (114)	No (87, 115)	Yes	Yes (90, 106.8)	Yes (83)	Yes (93)	2/3 (94)	Yes (15.4)	Yes (72)
Ukraine (2006)	Yes (114)	No/no (115)	No/no (114)	No (87, 115)	No	Yes (90, 106.8)	Yes (83)	Yes (93)	2/3 (94)	No	Yes (72)
Ukraine (2010)	Yes (114)	No/no (115)	No/no (114)	No (87, 115)	Yes	Yes (90, 106.8)	Yes (83)	Yes (93)	2/3 (94)	No	Yes (72)
Ukraine (2014)	Yes (114)	No/no (115)	No/no (114)	No (87, 115)	No	Yes (90, 106.8)	Yes (83)	Yes (93)	2/3 (94)	No	Yes (72)

Źródło: Z. Elkins, T. Ginsburg, J. Melton, *The Endurance of National Constitutions*, Wyd. Cambridge University Press 2009.

¹⁰ The brackets contain the articles of the constitutions regulating the distinct attributes and descriptors of semi-presidentialism in Poland and Ukraine. No appeal to special laws has been made.

Table 3. Institutional, procedural, political and behavioral evolution and typology of semi-presidentialism in Poland (1990–2017)

Period	System of government	Formal type	Formal and actual type		Phase/Scenario	Presidents	Prime ministers	Conflict of executive dualism
			Actual type	Semi-Presidentialism				
December 1990 – October 1992	Semi-Presidentialism	Premier-Presidentialism	Unified majority	Balanced Semi-Presidentialism	President-dominant Semi-Presidentialism	L. Wałęsa (1990–1995)	T. Mazowiecki	Weak
			Divided minority		Parliament-dominant Semi-Presidentialism		J. Bielecki	Medium
			Divided minority		Parliament-dominant Semi-Presidentialism		J. Olszewski	Medium
October 1992 – April 1997	Semi-Presidentialism	Premier-Presidentialism	Divided majority	Balanced Semi-Presidentialism	Cohabitation Semi-Presidentialism	L. Wałęsa (1990–1995)	W. Pawlak 1	Strong
			Divided majority				H. Suchocka 1	Strong
			Divided majority				H. Suchocka 2	Strong
			Divided majority				W. Pawlak 2	Strong
			Unified majority				J. Oleksy	Strong
			Unified majority				W. Cimoszewicz	Weak
April 1997 – and still	Semi-Presidentialism	Premier-Presidentialism	Divided majority		Cohabitation Semi-Presidentialism	A. Kwaśniewski (1995–2000, 2000–2005)	J. Buzek 1	Strong
			Divided minority		Balanced Semi-Presidentialism		J. Buzek 2	Strong
			Unified majority		President-dominant Semi-Presidentialism		L. Miller 1	Weak
			Unified minority		Balanced Semi-Presidentialism		L. Miller 2	Weak
			Unified majority		President-dominant Semi-Presidentialism		M. Belka	Weak
			Unified minority		Balanced Semi-Presidentialism		K. Marcinkiewicz 1	Weak
			Unified majority		President-dominant Semi-Presidentialism		K. Marcinkiewicz 2	Weak
			Unified majority		Balanced Semi-Presidentialism		J. Kaczyński	Weak
			Divided majority		Cohabitation Semi-Presidentialism		D. Tusk 1	Strong
			Unified majority		Premier-dominant Semi-Presidentialism		D. Tusk 2	Weak
			Unified majority				E. Kopacz	Weak
			Unified majority				B. Szydło	Weak

Źródło: Döring H., Manow P., *Parliament and government composition database (ParlGov): An infrastructure for empirical information on parties, elections and governments in modern democracies*, źródło: <http://www.parl.gov.org/> [odczyt: 01.11.2017].;

L. Sonntag, *Politica*, źródło: <http://www.kolumbus.fi/raajlaasson/> [odczyt: 01.11.2017].

Table 4. Institutional, procedural, political and behavioral evolution and typology of semi-presidentialism in Ukraine (1991–2017)

Period	System of government	Formal type		Formal and actual type		Phase/Scenario		Presidents	Prime ministers	Conflict of executive dualism
		Formal type	Actual type	Formal and actual type	Semi-Presidentialism	Formal and actual type	Semi-Presidentialism			
August 1991 – June 1995	Semi-Presidentialism	President-parliamentarism	Divided majority	Balanced Semi-Presidentialism	Parliament-dominant Semi-Presidentialism			L. Kravchuk (1991–1994)	V. Fokin L. Kuchma Y. Zviagil'skiy V. Masol Y. Marchuk P. Lazarenko 1 P. Lazarenko 2 V. Pustovoitenko V. Yushchenko A. Kinakh V. Yanukovich 1 Y. Tymoshenko 1 Y. Yekhanurov	Weak Strong Medium Weak Medium Medium Strong Weak Strong Weak Weak Strong Weak
June 1995 – June 1996	Presidentialism	–	–	–	–			L. Kuchma (1994–1999, 1999–2004)	V. Yanukovich 2 V. Yanukovich 3 Y. Tymoshenko 2	Weak Medium Medium Strong Weak Strong
June 1996 – January 2006	Semi-Presidentialism	President-parliamentarism	Unified majority	Presidentialized Semi-Presidentialism	President-dominant Semi-Presidentialism			V. Yushchenko (2005–2010)	V. Yanukovich 2 V. Yanukovich 3 Y. Tymoshenko 2	Weak Weak Strong Weak Medium Strong Strong
January 2006 – October 2010	Semi-Presidentialism	Premier-Presidentialism	Unified majority Divided majority Unified majority	Balanced Semi-Presidentialism	Cohabitation Semi-Presidentialism			V. Yanukovich (2010–2014)	M. Azarov 1 M. Azarov 2 M. Azarov 3	Weak Weak Weak Weak Weak Weak
October 2010 – February 2014	Semi-Presidentialism	President-parliamentarism	Unified majority	Presidentialized Semi-Presidentialism	Premier-dominant Semi-Presidentialism			O. Turchynov (acting) (2014)	A. Yatsenyuk 1	Weak
February 2014 – and still	Semi-Presidentialism	Premier-Presidentialism	Unified majority	Balanced Semi-Presidentialism	President-dominant Semi-Presidentialism			P. Poroshenko (2014 – and still)	A. Yatsenyuk 2 V. Groysman	Medium Weak

Źródło: H. Döring, P. Manow, *Parliament and government composition database (ParGov): An infrastructure for empirical information on parties, elections and governments in modern democracies*, Źródło: <http://www.parlgov.org/> [odczyt: 01.11.2017]. ; F. Casal Bértoa, *Database on Who Governs in Europe and Beyond*, Wyd. PSGo 2017, Źródło: <http://www.whogovems.eu> [odczyt: 01.11.2017]. ; L. Sonntag, *Politica*, Źródło: <http://www.kolumbus.fi/taqilaesson/> [odczyt: 01.11.2017].

It is noteworthy that the premier-presidential nature of Polish and Ukrainian semi-presidentialism (see Table 5), at least as of 2017, gave all bases to argue that premier-presidentialism contributed to inter-institutional balance and compromise between presidents and parliaments with regard to formation, functioning and responsibility of cabinets, as well as to national governance, political system and political process. The explanation is that the heads of states traditionally (to a greater extent in Poland and to a lesser extent in Ukraine) had no unilateral power neither over cabinets nor over legislatures, and therefore their influence on the systems of government hypothetically could be complicated in the case of opposition to majority in parliaments¹¹. In this section, the definition of the relationship between presidents and legislatures on the basis of verifying and taking into account whether heads of states control parliamentary majority and its structure was a determinant factor of inter-institutional relations in premier-presidentialism. In this context, the traditions and peculiarities of governance, inter-institutional relations and constitutional culture, patterns of party and electoral systems, as well as unconstitutional factors, in particular personal characteristics of presidents, prime ministers, speakers of parliaments, peculiarities of the concrete historical context and specifics of political traditions in every premier-presidential state (both at the level of separate political actors and of the whole society) had a supplementary value.

More specifically and typologically, it was noticed that as of 2017 the systems of balanced semi-presidentialism used in Poland and Ukraine were not theoretically characterized by the decisive dominance of the powers of president or prime minister/cabinets, in particular regarding the exercise of executive. Instead, this type of systems was characterized by the shift in the supremacy of presidents and prime ministers to a stronger personalization of the systems of government (in particular, by the powers of presidents or prime ministers) and accordingly by complication of executive dualism. According to some scholars, this logic theoretically and methodologically is able to generate different scenarios of “blocked” constitutional and inter-institutional conflicts, especially when voters do not provide a parliamentary majority to any of the centers/actors of the executive¹² (which was not a characteristic of neither Poland nor Ukraine at the time of the analysis). At the same time, neither president nor prime minister in this version of semi-presidentialism are not symbolic national leaders as they are entrusted with significant powers to influence the adoption and implementation of political and executive decisions. But the paradox is that this causes or at least may cause intensifying the conflicts between president and prime minister in the system of dual executive, since their constitutional and legal powers are compatible or almost compatible, but prime minister actually prevails on most issues.

¹¹ P. Schleiter, *Mixed Constitutions and Political Instability: Russia 1991-1993*, „Democratization“ 2003, vol 10, nr 1, s. 1-26.; R. Elgie, *Variation Within Semi-Presidentialism*, [w:] R. Elgie (ed.), *Semi-Presidentialism: Sub-Types and Democratic Performance*, Wyd. Oxford University Press 2011, s. 19-42.

¹² J. Linz, A. Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post-Communist Europe*, Wyd. Johns Hopkins University Press 1996, s. 286.; V. Lyrvyn, *Teoriia ta praktyka kohabitatsii v napyvprezidentskykh systemakh Yevropy*, „Osvita rehionu: politolohiia, psykholohiia, komunikatsii“ 2011, vol 4, s. 140-149.

Table 5. The attributes and parameters of premier-presidentialism in Poland and Ukraine (as of 2017)¹³

Country	President's ability to dismiss cabinet	Parliament's ability to dismiss cabinet (vote of no confidence in cabinet)	The requirement for an official nomination of prime minister by president	The possibility of official nomination of cabinet by president	The requirement for parliament to participate in the vote of investiture in prime minister (composition of cabinet)	The possibility of official confirmation of the composition of cabinet by president	The requirement for official confirmation of the resignation of prime minister by president	The ability of president to dismiss any members of cabinet	The ability of president to dissolve parliament and appoint its election	The ability of president to issue decrees with the force of law	The ability of president to initiate a referendum on his own
Poland (1990–1997)	No	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes
Poland (since 1997)	No	Yes	Yes	Yes	Yes	No	Yes	No	Yes	No	Yes
Ukraine (2006–2010)	No	Yes	Yes	No	Yes	No	No	No	Yes	No	Yes
Ukraine (since 2014)	No	Yes	Yes	No	Yes	No	No	No	Yes	No	Yes

Źródło: Z. Elkins, T. Ginsburg, J. Melton, *The Endurance of National Constitutions*, Wyd. Cambridge University Press 2009.

¹³ Gray highlights indicate the periods of semi-presidentialism, when premier-presidentialism had been tested earlier, but was not relevant at the time of the analysis.

At the same time, the models of balanced semi-presidentialism in Poland and Ukraine, being the unified majority systems in 2017, were further determined by the way they were influenced by the positions of presidents and prime ministers in the structure of their parties' hierarchy. It is theoretically known that when a party leader becomes a head of state he dominates the executive system. Instead, if head of state is not a leader of a political party and a party is headed by head of cabinet, the format of their relations depends on the internal party parameters. However, it often happens that head of cabinet and not head of state dominates the balanced construction of semi-presidentialism (for example, in Poland during the presidency of B. Komorowski and the premiership of D. Tusk or in Ukraine during the period of O. Turchynov's interim presidency and the premiership A. Yatsenyuk). Similarly, the opposition of a popularly elected president to a parliamentary majority, whose leader is prime minister, or the combination of the leadership potential of president and prime minister in a situation, when head of state is a disciplined member of the majority in legislature, does not mean that head of state is weaker than head of cabinet and cannot act against his or her will¹⁴. In addition, the powers of presidents may be weaker than the powers of prime ministers, even if the former relies on his (his party) parliamentary majority, which guarantees the support of prime minister and cabinet from the same political party. Finally, a rather significant factor in structuring inter-institutional relations within the framework of balanced semi-presidentialism is the possibility when neither president nor prime minister is the head of the party of parliamentary majority (as in Poland during the presidency of A. Duda and the premiership B. Szydlo who were the representatives of "Law and Justice"), but instead political leadership in the system of government is informed "from the outside". For example, by the first person in the party hierarchy, even though such a person does not necessarily have to be endowed with an official position (as Y. Kaczynski in the role of the leader of "Law and Justice"). This situation is also theoretically and methodologically diversified by the fact that not all presidents and not all prime ministers are affiliated or related to certain political/parliamentary parties.

In sum, all this argues that the "contours" of the powers of presidents and other political institutions in a balanced semi-presidentialism are at the "crossing" of formal and informal inter-institutional relations of political actors. Political actors, in turn, are characterized by the attributes of inter-party, intra-party and non-party competition within legislatures, which, as stated above, are imposed on the formal powers of political actors and on the historical traditions of the rule of each of them. In other words, the political powers of heads of states and other political actors in the conditions of semi-presidentialism are determined formally, constitutionally, institutionally, procedurally, politically, behaviorally, electorally, personally etc. and cannot be defined as statically established and exclusively normatively determined¹⁵. Such a conclusion is particularly relevant in the case when the constitutional powers of presidents

¹⁴ R. Elgie, *Diverger, Semi-presidentialism and the Supposed French Archetype*, „West European Politics“ 2009, vol 32, nr 2, s. 248-267.

¹⁵ J. Cheibub, *Making Presidential and Semi-Presidential Constitutions Work*, „Texas Law Review“ 2009, vol 87, nr 7, s. 1375-1407.

and other political institutions within semi-presidentialism are balanced and even dualized/ paired as much as possible or when the powers of political institutions/actors are very weakly (constitutionally and legally) clarified/regulated.

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