

THE FRAMEWORK, WAY OF ELECTION, LEGITIMACY AND POWERS OF PRESIDENTS AS INSTITUTIONAL, PROCEDURAL, POLITICAL AND BEHAVIOURAL ATTRIBUTES OF THE EUROPEAN SEMI-PRESIDENTIALISM

The article is dedicated to analysing and comparing the president's institution under the European semi-presidentialism, in particular in theoretical and empirical contexts. Based on the methodology of new institutionalism and behaviourism, the author researched the arbitrary nature and framework of the president's institution in the European semi-presidentialism, in particular in historical, theoretical and methodological cuts. Special attention was paid to the problems of ways, features and consequences of presidential elections under the European semi-presidentialism. The study is also devoted to the issues of electoral and institutional specifics and logics of popular presidential legitimacy under the European semi-presidentialism. Finally, the article appeals to institutional, procedural, political and behavioural parameters of formal and actual powers and activism of presidents in the European semi-presidentialism. Generally, the scientist developed a complete and systematic view of the president's institution under the European semi-presidentialism and argued the constant feasibility of the typology of the latter.

Keywords: semi-presidentialism, president, elections, legitimacy, European countries.

Vitaliy Lytvyn

ПРИРОДА, СПОСІБ ОБРАННЯ, ЛЕГІТИМНІСТЬ І ПОВНОВАЖЕННЯ ПРЕЗИДЕНТІВ ЯК ІНСТИТУЦІЙНО-ПРОЦЕСУАЛЬНІ ТА ПОЛІТИЧНО-ПОВЕДІНКОВІ АТРИБУТИ ЄВРОПЕЙСЬКОГО НАПІВПРЕЗИДЕНТАЛІЗМУ

У теоретичному й емпіричному контексті проаналізовано і порівняно інститут президента в умовах європейського напівпрезиденталізму. Ґрунтуючись на методології неінституціоналізму і біхевіоралізму досліджено арбітражну природу та рамки інституту президента в європейському напівпрезиденталізмі, зокрема в історичному, теоретичному і методологічному розрізі. Особливу увагу приділено проблематиці способів, особливостей та наслідків виборів президентів в умовах європейського напівпрезиденталізму. Дослідження також присвячено питанням інституціональної і виборчої специфіки та логіки всенародної легітимності президентів в умовах європейського напівпрезиденталізму. Врешті, стаття

звернута до інституційно-процесуальних і політично-поведінкових параметрів формальних та фактичних повноважень й активізму президентів у європейському напівпрезиденталізмі. Загалом розроблено комплексний та систематичний погляд на інститут президента в рамках напівпрезиденталізму й аргументовано постійну доцільність типологізації останнього.

Ключові слова: напівпрезиденталізм, президент, вибори, легітимність, країни Європи.

Introduction

Different (Duvergerian and post-Duvergerian) variants of defining semi-presidentialism typically give an opportunity to state that the framework, way of election, legitimacy and powers of presidents and the executive, on the one hand, and the peculiarities of the formation and responsibility of cabinets and the possibility of the dissolution of legislatures, on the other hand, are the main patterns, around which the problem of semi-presidentialism turns around formally (i.e. institutionally and procedurally) and actually (i.e. politically and behaviourally). These factors generate a holistic view of semi-presidentialism and give the opportunity to produce a multi-factor typology of this system of government, including the example of European countries. At the same time, following Political Science literature, the determination of the president's institution in the conditions of inter-institutional relations, which outline semi-presidentialism, has a primary significance in this context. It is the institution of president and its positioning often plays a major role in the outline of semi-presidentialism.

Accordingly, the article is devoted to analysing and comparing the framework, legitimacy, way of election and powers of presidents as institutional, procedural, political and behavioural attributes and factors of semi-presidentialism, in particular generally and in the case of European countries. The first part of the article deals with the issues of the arbitrary nature and framework of the president's institution in the conditions of semi-presidentialism. The second part of the article appeals to the questions of the way, features and consequences of elections of presidents in the conditions of the European semi-presidentialism. The third part of the article addresses the issues of the specifics and logics of popular presidential legitimacy under the conditions of the European semi-presidentialism. The fourth part of the research is focused on the problems of formal powers of presidents under the conditions of the European semi-presidentialism, in particular in institutional and procedural cuts. Finally, the fifth part of the article is devoted to the issues of actual powers and activism of presidents under the European semi-presidentialism, in particular in political and behavioural cuts.

The Arbitrary Nature and Framework of the President's Institution in the Conditions of Semi-Presidentialism: Historical, Theoretical and Methodological Cuts

Political theory and practice show that the president's institution in the conditions of semi-presidentialism is a kind of an "arbiter" among the three branches of government, if not the fourth branch

of government. The “arbitrary nature” of the powers of the head of state in the conditions of semi-presidentialism conceptually (within the framework of the idea of the “president-arbiter”) has found a primary and initial reflection in the theory and practice of French constitutionalism, in particular in an attempt to determine the problematic nature of the personalisation of power in political systems (Dobry 1992: 261). The point is that the political arbitration of the head of state has been speculated before and during the formation of the Third Republic in France, that is in the 1970s. At that time, the content of the concept of “the presidential arbitration” was associated with the inadmissibility of the appropriation by a president (“arbiter” or “neutral force”, from French *“pouvoir neutre”*) the role of the leader of parliamentary majority and the head of cabinet (Bahro, Bayerlein and Vesper 1998). The role of the “president-arbiter” was likened to the functions of a sports referee, who should not interfere in the activities of the state mechanism and its separate parts, but instead should do it in the exceptional cases when the crisis situation arose and deepened. Therefore, the “arbitrary nature” of semi-presidentialism was explained by the desire of constitutionalists to limit the power of a strong president under the conditions of presidentialism and to displace the constitutional system of government in the direction of parliamentarism. As a result, semi-presidentialism has become a very widespread constitutional choice and type in many countries of Europe and the world, in particular against the background of acute confrontation between the supporters of various “classical” systems of government (i.e. presidentialism and parliamentarism), actually becoming their “golden mean”.

With the passage of time and as a consequence of various inter-institutional relations, a different understanding of the head of state as an institution, which provides the normal functioning of public authorities, appears as a “mediator” among the branches of state power, the state and society, guarantees the functioning of various political institutions, ensures succession and interaction of public authorities, organises the normal functioning of legislative, executive and judicial powers, realises the coordinated functioning of all spheres of state power and the responsibility of the authorities to the people (regardless of the “strength” of presidents’ powers), became the political and legal consequence and reflection of the concept of “the presidential arbitration” in semi-presidentialism. This was due to the fact that president’s power was based on popular elections, and therefore a president had to have a much higher degree of legitimacy (arranging various controversial social interests) than a parliament and parliamentary parties, on the contrary (Bahro, Bayerlein and Vesper 1998). Therefore, the president, even in spite of the risks of Bonapartism (Bayerlein 1996), had to “counter-balance” and “neutralise” socio-political and inter-institutional contradictions in the conditions of semi-presidentialism (Bahro 1996). At the same time, the understanding of “the presidential arbitration” was initially very categorical and ambiguous, since, on the one hand, it was predetermined by the position of the “strong enough” head of state, although, on the other hand, the institution of a “strong enough” president is not available in all semi-presidential countries. Only in the course of time there were grounds to argue that “the presidential arbitration” is not a measure of the strength of presidential powers, but rather the presidential opportunity to be “over” other institutions and branches of power.

This means that the “arbitrary nature” and attributability of the president’s institution is a systematic feature of semi-presidentialism, even regardless of the approach (classical or Duvergerian and post-classical/modern or post-Duvergerian) of its defining. Although, on the other hand, “the presidential arbitration” is not distinctively a function of only semi-presidentialism, since it is also inherent in other systems of government and does not claim to be an exhaustive indicator of a certain constitutional and political type. However, the feature of “the presidential arbitration” under semi-presidentialism (for example, unlike presidentialism) is that the head of state is not a formalised branch of government or belongs to it (in particular, to the executive vertical) only partially. As a result, the doctrine, according to which president as the head of state is taken out of the classical “legislature – executive – judiciary” triad and instead acts as an “arbiter” that “flouts above” all political institutions and thus ensures the stable implementation of inter-institutional relations in accordance with the law, constitutes the theoretical basis of “the presidential arbitration” in semi-presidentialism (Chernov 2008). In essence, it is about the emergence of a new, that is the fourth, branch of power, i.e. arbitral, presidential or protective one, which is inherent only for semi-presidentialism. Consequently, all countries with semi-presidential system of government have adopted the concept of the arbitration functions of presidents as the head of states in one or another interpretation. However, the definition of semi-presidentialism based on the designs of “the presidential arbitration” is not entirely appropriate, since externally similar cases of semi-presidentialism can fundamentally and critically differ by many specific attributes and characteristics.

In addition, the understanding of a president as an “arbiter” or “neutral force” does not give any grounds to state that semi-presidentialism is a form of parliamentarism (Veser 1997). A president in parliamentarism is often endowed with the so-called “reserve powers”, which can be used in the event of a deadlock or conflict situation between the institutions of parliament and cabinet. Such powers are based on the assumption that political institutions usually operate without the need for intervention of the head of state. Thus “the presidential arbitration” under parliamentarism is conditional, because a president, being elected in parliament and not popularly, to a greater extent serves as a tool for supporting the executive, which is also delegated by parliament. This reveals the main difference between parliamentarism and semi-presidentialism, since presidents in the conditions of semi-presidentialism are independent political actors, and therefore they can play an active role not only in the case of inter-institutional crises, but also in the process of cabinet formation. Moreover, “the arbitration” of presidents in the conditions of semi-presidentialism is manifested in the fact that they are popularly elected, represent the “entire nation”, are empowered to regulate conflicting public interests, and therefore concentrate one of the most important functions of any state.

At the same time, it cannot be ruled out that a president under semi-presidentialism may not use his or her ability to be a representative of all citizens, and instead acts in disintegrative and polarisation manner primarily for personal political purposes and not

taking into account the social structure of the population of a state. Consequently, the “arbitrary nature” of a popularly elected president theoretically should be, but practically is not a mandatory characteristic of semi-presidentialism: on the one hand, a president must make decisions that are neutral, universal and positive; on the other hand, a president can make decisions that are primarily advantageous to him or her and his or her political party, and therefore that are specific and even negative. This means that the understanding of a president as an “arbiter” or “neutral force” theoretically is not a definitive, but rather an individual one, since it happens that a president for some reason ceases or begins to act as an “arbiter”, but such a function is not inherent for him or her traditionally. All in all, this does not make it possible to contend that “the presidential arbitration” is inherent for semi-presidentialism a priori (Veser 1997). Instead, it is often only an “illusion”, since a president in semi-presidentialism can be a political institution with its own political goals and interests, which are primarily used to protect a personal mandate. Accordingly, “the presidential arbitration” and its presence or absence depend on the directly predetermined factors, in particular the powers of presidents, and the indirectly determined factors, in particular political traditions, political culture, peculiarities of the political regime, institutional design, party and electoral system, etc. In this context, special consideration is given to the nature and way of popular election and the powers and the nature of the legitimacy of presidents, in particular in European countries, since they can additionally testify “the presidential arbitration” in the conditions of semi-presidentialism.

The Way, Features and Consequences of Elections of Presidents in the Conditions of the European Semi-Presidentialism: Empirical Cut in Majority and Minority Systems

Regardless of the approach of explanation, semi-presidentialism is defined and determined by the position of a popularly elected president whose powers are or may be one of the criteria for the typology of semi-presidentialism. However, the fact of popular election of a president does not mean that all presidents in semi-presidential republics are elected identically. There are several varieties and ways of popular election of presidents under semi-presidentialism, but not all of them hypothetically guarantee that the winner of presidential election receives an absolute rather than relative majority of votes (Lytvyn 2015). Consequently, the simplest method of classifying the popular methods of presidential elections under semi-presidentialism is to divide them into the systems of absolute and relative majority and, in turn, to take into account the peculiarities of holding elections and/or counting their results in one, two or more rounds. On the other hand, it is theoretically and methodologically important that any system of absolute majority does not necessarily have to be implemented in two rounds and instead that the system of elections in one round cannot guarantee the victory of a presidential candidate by an absolute majority of votes. This is extremely important in view of the fact that the systems of popular election of presidents under semi-presidentialism have different consequences on how

they implement and interpret the majority principle peculiar to republicanism that obviously determines the legitimacy of presidents (see table 1 for details).

Table 1. The types of electoral systems and the examples of their application for popular election of presidents in the current/ongoing cases of the European semi-presidentialism (as of December 2018)¹

| The electoral systems for popular election of presidents under semi-presidentialism | The examples of the European semi-presidentialism, where the electoral systems are operationalised, verified and institutionalised (the brackets contain the information on the term of office of a president) |
|---|--|
| Two-Round System (TRS) with an absolute majority of votes. Type 1 (more than 50 percent of the valid votes of all registered voters for a candidate in the first round, otherwise the second round) | Macedonia (5), Romania (5) |
| Two-Round System (TRS) with an absolute majority of votes. Type 2 (more than 50 percent of the valid votes of more than 50 percent of all registered voters for a candidate in the first round, otherwise the second round) | Belarus (5), Bulgaria (5) |
| Two-Round System (TRS) with an absolute majority of votes. Type 3 (more than 50 percent of the valid votes of the registered voters who took part in the election for a candidate in the first round, otherwise the second round) | Austria (6), Azerbaijan (7), Croatia (5), Czech Republic (5), Finland (6), France (5), Georgia (5), Moldova (4), Montenegro (5), Poland (5), Portugal (5), Russia (6), Serbia (5), Slovakia (5), Slovenia (5), Ukraine (5) |
| Two-Round System (TRS) with a weakened absolute majority of votes (less than or equal to 50 percent of the valid or all registered voters, but more than any other candidate and a fixed barrier for a candidate in the first round, otherwise the second round) | Lithuania (5) |
| Single-Round/Plurality "First-past-the-post" (FPTP) System with a relative majority of votes (less than 50 percent of the valid votes of the registered voters for a candidate in the first and the only round, but more than any other candidate) | Bosnia and Herzegovina (4) |
| Single-Round/Plurality "First-past-the-post" (FPTP) System with a weakened relative majority of votes (less than 50 percent of the valid votes of the registered voters for a candidate in the first and the only round, but more than any other candidate and taking into account some additional qualification simplifications) | Iceland (4) |
| Preferential/Instant-Runoff Voting (IRV) System (more than 50 percent of the valid preferential votes of the registered voters for a candidate in the last and decisive round of calculations) | Ireland (7) |

Źródło: The table is compiled on the basis of the analysis of national constitutions and laws on presidential elections in the European semi-presidential countries (as of December 2018).

The data in Table 1 demonstrate that the two-round system (TRS) with an absolute majority of votes was used in most cases of the European semi-presidentialism for the elections

¹ As of 2018, Armenia and Turkey should no longer be treated as semi-presidential systems, in particular as a result of changing the structure of inter-institutional relations. In addition, it was known about the regulations of the change of system of government from semi-presidential to parliamentary one and of the change in the way (from popular to unpopular one) of election of a president in Georgia, but this country actually remained semi-presidential one, since the office of unpopularly elected president has not been replaced at the time of the analysis. For more information, see: Lytvyn 2015; Lytvyn 2017.

of presidents, but it has several options and can be implemented with certain complications or simplifications, that is it can acquire the format and system of a strengthened or weakened absolute majority of votes. As of December 2018, the first format of the TRS with an absolute majority of votes was a characteristic of Macedonia and Romania. It predicted that the victory in the first round of presidential elections could be given only to the candidate, who managed to get more than 50 percent of the valid votes of all registered voters. Otherwise, the second round of presidential election would be mandatory. The second format of the TRS with an absolute majority of votes is typical for Belarus and Bulgaria and suggests that the victory in the first round of presidential elections can be given only to the candidate who manages to get more than 50 percent of the valid votes of more than 50 percent of all registered voters (in other words, on condition of an electoral turnout at the level higher than 50 percent). Otherwise, the second round of election would be mandatory. Finally, the third format of the TRS with an absolute majority of votes is typical for Austria, Croatia, Czech Republic, Finland, France, Georgia, Moldova, Montenegro, Poland, Portugal, Russia, Serbia, Slovakia, Slovenia and Ukraine, and suggests that the victory in the first round of presidential elections can be given only to the candidate, who manages to get more than 50 percent of the valid votes of the registered voters. Otherwise, the second round of election would be mandatory. A somewhat complicated TRS with an absolute majority of votes (according to our position, the TRS with a strengthened absolute majority of votes) has been peculiar to Azerbaijan before 2002. In order to win, the candidate had to receive at least $2/3$ of the valid votes of the registered voters who took part in the election in the first round, otherwise the second round of election was mandatory (today the candidate must receive a majority from more than half of the valid votes of the registered voters in the first round of election). On the other hand, a simplified TRS with a weakened absolute majority of votes is typical for Lithuania and it simultaneously provides for two options of determining the winner of presidential election on the results of the first round: first, if at least half of all registered voters in the country take part in election, their winner should receive more than 50 percent of the valid votes; second, if less than half of all registered voters in the country take part in election, the winner should receive more votes than any other candidate, but not less than $1/3$ of all registered voters. Otherwise, the second round of election is foreseen. Another feature of the TRSs in the conditions of the European semi-presidentialism lies in the attributes of conducting and determining the results of the elections following the consequences of the second rounds. The most stringent requirements for determining the winner following the results of the second round of presidential election are in Macedonia: the winner is considered to be the person who is able to receive more than 50 percent of the valid votes of more than 50 percent of all registered voters. Much simpler rules are in Austria, Azerbaijan, Belarus, Croatia, France, Portugal and Slovenia, where the winners of the second rounds of presidential elections must receive more than 50 percent of the valid votes. Finally, the simplest rules are in Bulgaria, Czech Republic, Finland, Georgia, Lithuania,

Moldova, Montenegro, Poland, Romania, Russia, Serbia, Slovakia and Ukraine, where the winners of the second rounds of elections are obliged to get the highest number of valid votes.

Significantly simpler (at the demand of victory, turnout of voters and financially) electoral systems for popular elections of presidents are used in such semi-presidential countries as Bosnia and Herzegovina, Iceland and Ireland. In Bosnia and Herzegovina, there is a collective (triple) institution of presidency, which is due to a specific ethnic situation in the country (there are three large ethnic groups). Each member of the collective presidency is elected popularly on the basis of the plurality / “first-past-the-post” (FPTP) system with a relative majority of votes in the constituency, which corresponds to each ethnic group (Bochsler 2012). In Iceland, the law formally regulates the use of the FPTP system with a relative majority of votes or the so-called plurality voting system (Piolatto 2009), when the winner of presidential election needs the support of a relative majority of valid votes. However, there are several qualifying simplifications that weaken the classical FPTP system with a relative majority of votes (we tend to call it a single-round / plurality system with a weakened relative majority of votes): first, in order to run for a president, a candidate must receive the support of not less than 1,5 thousand and not more than 3 thousand voters; second, if only one candidate takes part in presidential election, then the voting procedure for this candidate is not formally foreseen and this candidate automatically becomes the head of state². This is despite the fact that the President of Iceland formally has the right to dismiss the cabinet. Finally, in Ireland, there is used the system of preferential / alternative (instant-runoff) voting in the form of a single transferable vote for popular election of president (Van der Brug, Van der Eijk and Marsh 2000). This means that voters vote exclusively in one and the only round of election, giving their preferences to different candidates. However, the calculation of the preferences of voters can take place in several stages, not necessarily guaranteeing the victory of the candidate on the basis of the majority of the first preferences for this candidate.

In general, it is noted that among all the cases of the European semi-presidentialism, taking into account the specifics of popular election of presidents, the principle of the majority (in particular, in the first round of voting or counting the votes) hypothetically or “ideally” (provided that the minimum requirements of different types of electoral systems are met) can be realised in such formats as: a) real constructions of an absolute majority when there are used electoral systems, which provide the winners of presidential elections the support of more than 50 percent of all registered voters (these usually are some TRSs with an absolute majority of votes); b) simplified constructions of an absolute majority when there are used electoral systems, which provide the winners of presidential elections the support of more than 50 percent of the valid votes, but not necessarily more than 50 percent of all registered voters (these usually are the most of the TRSs with an absolute majority of votes); c) classical constructions of a relative majority, negative majority or absolute minority when there are used electoral systems, which do not necessarily provide the winners of presidential elections the support of more than 50 percent of the valid votes and, accordingly, of more than 50 percent of all registered voters (these usually are single-round and plurality FPTP system with a relative majority of votes) (see table 2 for details).

² A similar practice in the case of nomination of a single presidential candidate is inherent in Finland and Ireland.

Table 2. The majority and minority constructions (in terms of meeting the minimum set of requirements) in the systems of popular presidential elections in the current/ongoing cases of the European semi-presidentialism (as of December 2018)

| The types of constructions | The examples of the European semi-presidentialism, where the types of constructions are operationalised, verified and institutionalised |
|--|--|
| Real constructions of an absolute majority | Macedonia, Romania |
| Simplified constructions of an absolute majority | Austria, Azerbaijan, Belarus, Bulgaria, Croatia, Czech Republic, Finland, France, Georgia, Lithuania, Moldova, Montenegro, Poland, Portugal, Russia, Serbia, Slovakia, Slovenia, Ukraine |
| Classical constructions of a relative majority | Bosnia and Herzegovina, Iceland, Ireland |

Źródło: The table is compiled on the basis of author's own logical considerations.

In empirical terms, semi-presidential states with simplified constructions of an absolute majority are the most represented in Europe. At the same time, there is no a direct correlation between the constructions of majority and minority in the context of popular elections of presidents and the type of political regimes, since various constructions are inherent in democratic, autocratic and hybrid political regimes (Lytvyn 2015). However, it is theoretically clear that electoral systems with the constructions of majority are somewhat more effective in ensuring the democratic principle of the republican majority. Nevertheless, even they are not always able to fully ensure the principle of majority, which is traditional for semi-presidentialism and for republicanism in general. An example of the problems in the constructions of majority was demonstrated in France in the cut of the 2002 popular presidential election, when the eight centre-right parties and presidential candidates together gained over 66 percent of the valid votes in the first round of election, but none of them could get even 20 percent of the valid votes on their own, since the centre-right electorate was very fragmented. As a result, the nationalist and anti-immigrant candidate Le Pen received significant levers of influence (in particular, the right to participate in the second round of election) (Chastain 2006; Laver, Benoit and Sauger 2006), although the centre-right candidate Chirac eventually received more than 82 percent of the valid votes in the second round of election and Le Pen gained the support of less than 18 percent of the valid votes. The other side is reflected by various electoral systems, both with majority and minority constructions, which theoretically are more effective in the parallel provision of such democratic principles of republicanism as majority and consensus, although at the same time they are more problematic in the context of the political representation of voters. The fact is that such electoral systems often lead to the election of presidents who do not have the support of an absolute majority of the valid votes (the phrase “spoiler effect” is used to refer to such cases), and therefore such presidents are extremely limited in their legitimacy and do not reflect, but even violate the will of majority.

The Specifics and Logics of Popular Presidential Legitimacy Under the Conditions of the European Semi-Presidentialism: Electoral and Institutional Cuts

Accordingly, not only popular election of president, but also the way (electoral system) to elect a president are critically important for semi-presidentialism. In sum, they are able to demonstrate the level of presidential legitimacy and the influence of his or her popularly elected mandate on the system of inter-institutional relations under the conditions of semi-presidentialism. There is no doubt that the highest level of presidential legitimacy can be traced in the countries where the head of state is elected not only popularly, but directly, and this contributes to maximising the republican principle of majority (Elgie 2014). A slightly lower level of presidential legitimacy is peculiar to the countries where the head of state is elected on the basis of direct popular suffrage, but the electoral system incorporates to a lesser extent the republican principle of majority, while it appeals at the same time to the principle of consensus. This is especially true in such countries as Iceland and Ireland, where presidents are elected popularly, but political parties often, if not regularly, agree to offer the only one agreed presidential candidate, for which the popular voting procedure is constitutionally unrequired or even unregulated. For example, in Iceland, which uses FPTP system with a weakened relative majority of votes. In this country, in particular from 1944 when the current constitution was adopted (actually since 1945 (Kristjánsson 2004)) and by 2018, 19 presidential elections were held, and 11 of them were consensual and non-alternative. A similar situation arose in Ireland, which uses the system of a single transferable vote for popular election of president. In this country, in particular from 1937 when the current constitution was adopted (Gallagher 2011; Harris 2009) and by 2018, 14 presidential elections were held, and 6 of them were non-alternative or uncontested (Elgie 2011) (see table 3 for details).

Finally, the commensurate or the lowest level of presidential legitimacy hypothetically can be peculiar to semi-presidential countries (as yet, historically only) where the head of state is elected as a result of “direct-like” (“quasi-direct”) popular election, that is through a popularly/directly elected college of electors (electoral college). Previously, but versatilely and therefore with different influence on the legitimacy of the head of state, such practice was used in Finland (Arter and Widfeldt 2010; Nousiainen 2001). Two “direct-like” schemes of popular presidential elections were used in this country throughout 1919–1991 (Paloheimo 2003; Raunio 2011). Initially, in 1919–1987, the head of state was elected by a 300-mandate electoral college that was directly elected by the people (voters). Subsequently, in 1987–1991, voters directly elected the head of state and the representatives of the electoral college, but the functions of the latter were reduced (as in 1988) to the election of a president (conditionally in the second round) only in the event that none of presidential candidates received more than 50 percent of the valid votes on the basis of direct elections (conditionally in the first round). Finally, only since 1991 (and actually since 1994), voters began to elect the president of Finland within the framework of the

TRS with an absolute majority of votes. This gives all grounds to argue that the legitimacy of Finnish president, regardless of his or her powers, has grown historically (see table 3 for details).

Table 3. The institutional and procedural variability of legitimacy and the constitutional and political consequences of popular presidential elections in the current/ongoing cases of the European semi-presidentialism (as of December 2018)³

| Country | The year of the first popular presidential election | The number of popular presidential elections | The average number of candidates in the first/the only round of elections | The average effective number of candidates in the first/the only round of elections | The number of elections with the only one candidate |
|--|---|--|---|---|---|
| Austria (since 1945) | 1951 | 13 | 3,3 | 2,3 | 0 |
| Azerbaijan (since 1995) | 1998 | 5 | 7,8 | 1,5 | 0 |
| Belarus (since 1996) | 2001 | 4 | 5,3 | 1,3 | 0 |
| Bosnia and Herzegovina (since 1995) ⁴ | 1996 | 7 | 6,5 | 2,6 | 0 |
| Bulgaria (since 1991) | 1992 | 6 | 14,1 | 3,5 | 0 |
| Croatia (since 1991) | 1992 | 6 | 8,2 | 3,4 | 0 |
| Czech Republic (since 2012) | 2013 | 2 | 9,0 | 5,7 | 0 |
| Finland (since 1919) | 1925 | 18 | 6,2 | 3,2 | 0 |
| France (since 1962) | 1965 | 10 | 10,2 | 4,8 | 0 |
| Georgia (since 2004) | 2004 | 4 | 15,3 | 2,2 | 0 |
| Iceland (since 1944) | 1945 | 19 | 2,3 | 1,6 | 11 |
| Ireland (since 1937) | 1938 | 14 | 2,4 | 1,9 | 6 |
| Lithuania (since 1992) | 1993 | 6 | 7,5 | 3,5 | 0 |
| Macedonia (since 1991) | 1994 | 5 | 4,4 | 3,3 | 0 |
| Moldova (1994–2000, since 2016) | 1996 | 2 | 9,0 | 3,3 | 0 |
| Montenegro (since 2006) | 2008 | 3 | 4,3 | 2,2 | 0 |
| Poland (since 1990) | 1990 | 6 | 10,7 | 3,5 | 0 |
| Portugal (since 1976) | 1976 | 9 | 5,2 | 2,5 | 0 |
| Romania (since 1991) | 1992 | 6 | 12,0 | 3,7 | 0 |
| Russia (since 1993) | 1996 | 6 | 7,5 | 2,2 | 0 |
| Serbia (since 2006) | 2008 | 3 | 10,7 | 4,1 | 0 |
| Slovakia (since 1999) | 1999 | 4 | 10,8 | 3,7 | 0 |
| Slovenia (since 1991) | 1992 | 6 | 7,3 | 3,0 | 0 |
| Ukraine (since 1996) | 1999 | 4 | 19,0 | 3,5 | 0 |

Źródło: The table is compiled on the basis of own calculations. Also, the table is partially composed on the basis of Elgie's (2014) data.

Such a variation in the understanding of the legitimacy of popularly elected presidents is important, firstly, in the context of the choice of a particular institution of president and the way

³ As of 2018, it was known about the regulations of the change of system of government from semi-presidential to parliamentary one and of the change in the way (from popular to unpopular one) of election of a president in Georgia, but this country actually remained semi-presidential one, since the office of unpopularly elected president has not been replaced at the time of the analysis.

⁴ In the case of Bosnia and Herzegovina, the data are analysed on the average for the three presidents at the same time, since there is the office of collegiate president, i.e. from the Bosnian, Croatian and Serbian ethnic groups.

of its election and powers, and, secondly, in the context of choosing the system of government in general in one or another country. For example, there were lively and passionate discussions about the nature of the institution of the head of state and the model of inter-institutional relations in most of the post-communist countries of Europe. In particular, this was true for Bulgaria (Ganev 1999) and Poland (van der Meer Krok-Paszkowska 1999) during the “round-table” talks and the debates on the nature of new constitutions, for Lithuania in the form of a referendum in 1992, during the presidential election in 1997 and during the procedure of impeachment of the president Paksas in 2004 (Protsyk 2005), for Moldova (in 2000 and 2016), Slovakia (in 1999) and Czechia (2012) when changing the way of electing a president (from popular to parliamentary and vice versa) (Roper 2002), for Romania as a result of excessive duties of the president, the use of the tactics of delay in the appointment of civil servants and the declaration of foreign policy statements that went against the interests of the cabinet in 2007, etc. Similar processes occurred in the countries of Western Europe. For example: in Finland, which gradually changed the ways of popular elections of presidents and led to lengthy discussions about the complete abolition of this office (Arter 1999); in Austria, which experimented with the institutions of popularly and parliamentary elected presidents (Müller 1999); in Iceland, which initially introduced the institution of indirect presidential elections, but subsequently and under pressure from the public changed it to the institution of direct elections of the head of state (Kristinsson 1999); in Ireland, which was characterised by lengthy discussions about determining the nature of presidential elections (Casey 2000). Moreover, such a variation in the dependence of the method of election and legitimacy of president politically, empirically and actually shows that the institution of popularly elected head of state necessarily is a feature of semi-presidentialism, which is able to distinguish it from presidentialism and parliamentarism (Almeida and Cho 2003; Schleiter and Morgan-Jones 2005). Even in the conditions of the executive dualism, that is provided that there are institutions of prime minister and cabinet (in line or in opposition to president) who are necessarily collectively responsible to legislature.

At the same time, the constitutional and political legitimisation of presidents by their popular elections in the conditions of semi-presidentialism sets an agenda of the impact of popular elections of the heads of state on political and institutional stability and the prospects for the development of democracy under the conditions of a semi-presidentialism. From the theoretical point of view, the institution of popular (especially direct) presidential elections promotes democracy and democratic institutions, since it is broadcasted through the will of the people, which is the source of legitimacy and authority of various centres of power (Schmitter and Karl ¹⁹⁹¹). But from the empirical point of view, the importance of popular elections of the heads of state is not always high, since it is operationalised within the framework of the theory of the legitimacy of power, which is not finalised by social factors (DiPalma 1990). As a result, the researchers note that the nature and framework of legitimacy are one of the least studied aspects of the dynamics of society, and therefore the actual lack of empirical studies of

legitimacy makes the institutional theory extremely vulnerable (McEwen and Maiman 1984: 258). That is why popularly (directly) elected, but officially not very powerful president can actually be much more influential on the basis of the fact that his or her powers are justified by democratic legitimacy (Lijphart 1999: 141). Moreover, a popularly elected president may significantly (actually or politically) change the formal or constitutional system of government (Tavits 2009b) and substantiate the requirements for more active participation in the issues of political process and the executive (Amorim Neto and Strøm 2006; Baylis 1996; Metcalf 2002).

In total, this means that the institution of popularly (especially directly) elected president, specifically in the case of semi-presidentialism, inevitably leads to an increase in its political activity or presidentialisation, and the number and strength of the conflicts between the institutions and branches of government in the triangle “the head of state – cabinet / prime minister – parliament”. This is due to the fact that popularly elected heads of state are used to believe that their constitutional powers do not correspond to their nationwide mandate (Frye 1997; Hellman 1996). This fact, in turn, represents a significant danger of challenging the powers of other institutions of government (as in the cases of Ireland during the presidency of Robinson and the premiership of Haughey (Ward 1994: 316), and Bulgaria during the presidency of Zhelev who declined to nominate a candidate for prime minister from the ruling Bulgarian Socialist Party, but insisted on holding an early parliamentary election in 1997 (Schleiter and Morgan-Jones 2005)), reducing the effectiveness of governance (as in the cases of Poland during the presidency of Walesa (Jasiewicz 1997), Lithuania during the presidency of Adamkus (Urbanavicius 1999), Romania during the presidencies of Iliescu and Băsescu (Verheijen 1999)) and/or authoritarianisation of political regime (as in the cases of Tudjman presidency in Croatia, Yanukovych presidency in Ukraine, Lukashenko presidency in Belarus, Putin presidency in Russia, Aliyev presidency in Azerbaijan, etc.). On the other hand, sometimes there are the cases of almost completely “inactive”, but popularly elected presidents in semi-presidential countries, especially in Austria, Iceland and Ireland. For example, the president of Iceland Finnbogadóttir at one time even refused to give interviews on political topics, but was almost always ready to discuss Icelandic saga or French literature (Kristinsson 1999: 92). This is despite the fact that she was elected by almost 95 per cent of the valid votes of the Icelandic voters and was also empowered to veto the controversial acts of the parliament, largely due to the fact that presidential elections in Iceland from 1952 are usually outside of the field of interests and support of major political parties, but are the sphere of competition of situational (ad hoc) interest groups (Kristinsson 1999: 99). A similar situation of presidential under-legitimisation is often traced in Austria, even though its head of state formally has rather significant constitutional powers (Müller 1999).

Accordingly, the analytical result is the fact that popularly elected president in the conditions of semi-presidentialism is a priori endowed with considerable formal legitimacy, but it can actually be embodied in a very different way. Moreover, the popular type of the president’s mandate quite often creates additional advantages and disadvantages of the political process

under semi-presidentialism. Firstly, a presidential candidate during the popular election can resort to a populist rhetoric and violate the established patterns of inter-party competition. In addition, direct presidential election often leads to the choice of a non-party person as the head of state (Amorim Neto and Strøm 2006). Secondly, popular presidential election is an instrument to increase the visibility and popularity of parties and generally to increase the importance of party system. Thirdly, the fact of popular presidential election can lead to an increase in the level of confrontation and generally of political or inter-institutional conflicts (Tavits 2009b: 33). Fourthly, the popular nature of presidential election, especially such an attribute as competition, can undermine the role of a president as a symbol of national unity and the leader of the nation. Fifthly, the nation-wide character of the election of president, even not a very influential one, is an additional lever for strengthening democratic practices and increasing the voters' involvement and confidence in politics (Anderson and Guillory 1997; Newton and Norris 2000), although it does not overcome the problems of majoritarianism, that is the presence of winners and losers, and is not a game with a "zero sum" (Van der Eijk, Franklin and Marsh 1996).

Therefore, one can confirm the scientific position (Fruhstorfer 2016; Samuels and Shugart 2010; Tavits 2009b: 31) that the institution of popularly elected president in the conditions of the European semi-presidentialism (as of 2018, it is exclusively the institution of directly elected president) always generates the perception of the head of state as a legitimate representative of the civic will, which is reinforced by the non-collegial nature of the presidency. This, though sometimes unreasonably, forces one group of scientists (Linz 1994; Linz and Stepan 1996; Skach 2007) to notice the deadlock, riskiness and ineffectiveness of the law-making process in the conditions of semi-presidentialism, explaining this by the fact that direct presidential election is an important indicator of the dysfunctionality of political system. The second group of scholars (Tavits 2009a; Tavits 2009b) appeals to the opposite view and notes that it is difficult to find the evidence that the way of presidential election (including a popular and unpopular ones in different systems of government) systematically influences the distension of presidential activism and presidentialisation under semi-presidentialism, at least from the point of view of initiating or blocking (by the heads of the states) the legislative process, the exercise of the appointment powers, participation in external and defence policies and stimulating a "symbolic policy". Finally, the third group of researchers (Amorim Neto and Strøm 2006: 643; Cheibub and Chernykh 2009: 214) points out that the phenomenon of a popularly determined presidential legitimacy under semi-presidentialism can affect only some political institutions and some inter-institutional relations, in particular the stability of cabinets and the increase in the proportion of non-party ministers in cabinets, as well as generally the number and frequency of non-party/technocratic cabinets, which contribute primarily to the implementation of political and electoral goals of the heads of states (this is especially true in the cases of semi-presidentialism with very strong presidents (Amorim Neto and Strøm 2006)). However, even such

a limited sample of political institutions that are subjected to the legitimacy of popularly elected presidents is quite critical under the conditions of semi-presidentialism. Since the system of government can begin to critically influence the political process and socio-political life, especially when such a situation concerns the revision or rejection of the principles of mainly party cabinets' parliamentary accountability. The scientists who agree that the proximity of presidential election does not have any independent influence on the parliamentary and party system, nor the influence that depends on other institutional variables, adhere to this conclusion (Elgie et al. 2014: 475). Instead, it is crucial to take into account the strength and list of powers of popularly elected presidents in the conditions of semi-presidentialism. Since, these are the presidential powers that structurally determines the presidential elections' campaigns and the risks of losing mandates by the heads of states (Fruhstorfer 2016), and which are crucial for structuring the inter-institutional relations in the triangle "the head of state – cabinet / prime minister – parliament".

The Formal Powers of Presidents Under the Conditions of the European Semi-Presidentialism: Institutional and Procedural Cuts

The scientists (Elgie 1999b; Elgie 2004; Elgie 2016) note that a set of presidential powers (in particular, their variability) can have a significant effect on the formal and actual perception and positioning of semi-presidential system of government, including in the countries of Europe. Accordingly, the variability and dispersion of presidential powers and activities can certify the variability and typology of semi-presidential system of government (Cheibub, Elkins and Ginsburg 2014: 539; Fruhstorfer 2016). The proposed analytical logics corresponds to a theoretical and methodological observation that it is more appropriate to know about inter-institutional relations on the basis of information about the century and the region when the constitution is written rather than on the basis of the fact that certain countries have the same type of system (Cheibub, Elkins and Ginsburg 2014: 537). In addition, such logics is justified in view of the observation that the presidentialisation of political system under the conditions of semi-presidentialism is not a static one, but rather changes over time, in particular due to the variability in the powers of the heads of states placed in the plane between the types of hegemonic and limited presidents (Duverger 1996).

This conclusion led most scholars to take into account the three main variables of the powers of the heads of states in the conditions of semi-presidentialism, that is the constitutional powers of presidents, the constitutional context of the systems of government, the relations of presidents with parliamentary majority, and to allocate the two sets of presidential powers, i.e. constitutional (formal, institutional and procedural) and political (actual, political and behavioural) ones (Cheibub 2009a; Cheibub 2009b; Choudhry and Stacey 2013; Elgie 2009; Elgie and Passarelli 2018). However, these sets of presidential powers often are subjective and relational, because researchers are different in their categorisation, operationalisation and distinguishing between the more or less important presidential powers. Accordingly, it is important to distinguish the relevant set of constitutional and

political powers of presidents, their filling and systematisation with real content in the conditions of semi-presidentialism.

Speaking about the constitutional powers of presidents under semi-presidentialism, we are guided by the remark that they are traditionally divided into several groups, in particular the allocative/nominating, terminating/discretionary, rule-making, political, defensive, foreign, symbolic, etc. However, some powers of presidents in the conditions of semi-presidentialism are the main ones, since they, being at the intersection of inter-institutional relations in the triangle “the head of state – cabinet / prime minister – parliament”, can reflect the dynamics and even the nature of the system of government, and may theoretically/hypothetically lead to the typology of semi-presidentialism. Among them are the powers that verify the president’s possibility or impossibility to: officially nominate the head of cabinet/prime minister; officially initiate or confirm the resignation of the head of cabinet/prime minister; officially nominate or approve the composition of cabinet; dismiss certain members of cabinet; independently dismiss the entire composition of cabinet; dissolve parliament (its chamber) and appoint early parliamentary elections; independently convene extraordinary sessions of parliament; have the right of legislative initiative; issue decrees with the force of law; promulgate, veto and verify the constitutionality of parliamentary acts; independently initiate a referendum; to represent state in foreign policy; be commander in chief of the armed forces; be subjected to the procedure of impeachment from the parliament side.

As evidenced by the legal documents (primarily by the constitutions) of the European semi-presidential countries (in particular, as of December 2018, see table 4 for details), the requirement of official nomination of the head of cabinet/prime minister by a president is peculiar to all countries with the exception of Finland. Instead, the president’s ability to officially initiate the resignation of the head of cabinet is inherent in such semi-presidential countries as Belarus, Finland, Czechia, Iceland, Lithuania, Portugal, and the president’s ability to confirm the resignation of the head of cabinet is peculiar to Austria, Azerbaijan, Ireland, Poland and Russia. The presidents of Azerbaijan, Belarus, Croatia, Iceland, Poland and Portugal are authorised to nominate the composition of cabinets, and the presidents of Austria, Czechia, Finland, France, Lithuania, Romania, Russia and Slovakia have the right to approve the composition of cabinets. Thus, the presidents of almost half of the European semi-presidential countries, in particular of Austria, Azerbaijan, Belarus, Czechia, Finland, Iceland, Lithuania, Moldova, Portugal, Romania, Russia and Slovakia, may unilaterally dismiss certain members of cabinet offices. Regarding the presidential possibility to resign the entire composition of cabinets, these powers are currently peculiar to such European semi-presidential countries as Austria, Azerbaijan, Belarus, Iceland and Russia, although historically they were typical for other ongoing cases of semi-presidentialism in the region, in particular for Croatia (until 2000), Georgia (until 2013), Portugal (until 1982), Ukraine (in 1996–2006 and 2010–2014) and partially for Finland (until 1999). The possibility of the head of state to dissolve parliament and appoint early parliamentary elections is unlikely

only for the cases of semi-presidentialism in Macedonia and Finland. Instead, the possibility of the head of state to independently convene extraordinary parliamentary sessions is not specific only to Bosnia and Herzegovina, Finland, France, Georgia, Macedonia, Poland, Serbia and Slovakia. Presidents have no the right of legislative initiative in all the European cases of semi-presidentialism with the exception of Azerbaijan, Belarus, Lithuania, Moldova, Poland, Russia and Ukraine. Instead, presidents are obliged to promulgate laws and have the right to veto parliamentary acts in all cases of the European semi-presidentialism with the exception of Austria, Bosnia and Herzegovina, Slovenia, and partly Bulgaria and Macedonia. In the Czech Republic, such procedures are carried out simultaneously by the president and the head of cabinet. In turn, presidents can initiate the verification of the constitutionality of parliamentary acts in all semi-presidential countries of Europe with the exception of Austria, Croatia, Czechia, Finland, Iceland, Lithuania, Macedonia, Moldova, Montenegro and Serbia.

However, it is noteworthy that the way of overcoming the presidential veto of the acts of parliament is quite different. The rule “1/2 of the legislature + 1 MP” is currently used in Bulgaria, Czechia, Finland, Georgia, Lithuania, Macedonia, Portugal (along with the rule “2/3 of the legislature”), Serbia and Slovakia. The rule “3/5 of the legislature” is currently operated exclusively in Poland (by 2013 this rule was also used in Georgia). The rule “2/3 of the legislature” is used in Azerbaijan, Belarus, Russia and Ukraine (until 1997 the rule was also acted in Poland). The specificity of Montenegro is that the presidential veto generates the need for the adoption of a parliamentary act repeatedly. Finally, the presidential veto cannot be overcome in Croatia, France and Ireland. Regarding the presidents’ possibility to issue decrees with the force of law, these powers are not specific to Austria, Bosnia and Herzegovina, Czechia, Ireland, Macedonia, Montenegro, Poland, Serbia, Slovakia and Ukraine. Instead, there is no opportunity for the presidents of Bosnia and Herzegovina, Bulgaria, Finland, France, Georgia, Iceland, Ireland, Lithuania, Macedonia, Serbia, Slovakia and Slovenia to initiate referendums on their own. Presidents are the representatives of foreign policy actually in all cases of the European semi-presidentialism with the exception of Ireland, where these functions are given exclusively for cabinet, and Finland and Georgia, where these functions are simultaneously assigned to presidents and the heads of cabinets or cabinets in general. Almost identically, presidents are the commanders-in-chief of the armed forces in all semi-presidential countries of Europe with the exception of Iceland. Presidents are not authorised to sign international treaties in such semi-presidential countries of Europe as Ireland, Macedonia, Montenegro, Poland, Portugal, Serbia and Slovenia. On the other hand, the international treaties signed by the presidents do not require ratification in Czechia, France, Macedonia and Poland. Finally, the presidential impeachment is not regulated only in Bosnia and Herzegovina, although in general this procedure is highly differentiated (it may require 1/3, 1/2, 3/5, 2/3 or 3/4 of the parliament, the leading chamber of parliament, two chambers of parliament, referendum or just a court decision) (Choudhry and Stacey 2013).

Table 4. A set of main constitutional powers of popularly elected presidents and their descriptors in the current/ongoing cases of the European semi-presidentialism (as of December 2018)⁵

| Country (the year of introduction of semi-presidentialism) | The requirement for the official nomination of the head of cabinet by the president | The possibility of initiation / confirmation of the resignation of the head of cabinet by the president | The possibility of official nomination / approval of the composition of the cabinet by the president | The ability of the president to dismiss certain members of cabinet | The ability of the president to independently dismiss the entire cabinet | The president's ability to dissolve the parliament and appoint its election | The possibility of the president to convene extraordinary parliamentary sessions independently | Authorisation of the president by the law of legislative initiative | The way and the part of the legislature to overcome the legislative veto of the president | The president's ability to issue decrees with the force of law | The president's ability to initiate a referendum independently | The possibility of impeachment of the president |
|--|---|---|--|--|--|---|--|---|---|--|--|---|
| Austria (1945) | Yes (70) | No / Yes (70.1) | No / Yes (70.1) | Yes (70.1, 74.1) | Yes | Yes (29) | Yes (28.2) | No (41) | There is no veto | No | Yes (46, 49) | Yes (60, 6) |
| Azerbaijan (1995) | Yes (118.1) | No / Yes (95.114, 109.4, 109.5) | Yes / No (95.114, 109.5, 114.1) | Yes (109.5) | Yes | Yes (98.1) | Yes (88.2) | Yes (96.1) | 2/3 (110.2, 94.2) | Yes (113, 120) | Yes (95.1.18, 109.18) | Yes (107) |
| Belarus (1996) | Yes (106) | Yes / No (84, 106) | Yes / No (84.7) | Yes (106) | Yes | Yes (94, 106) | Yes (95) | Yes (99) | 2/3 (100) | Yes (85) | Yes (74) | Yes (88) |
| Bosnia and Herzegovina (1995) | Yes (5.4) | No / No (5.4.C) | No / No (5.4) | No (5.4.C) | No | Yes (29) | Not specified | Not specified | There is no veto | No | No | No |
| Bulgaria (1991) | Yes (84.6, 99.1) | No / No (89.1, 112) | No / No (84, 99, 108) | No (84, 89, 111, 112) | No | Yes (99.5, 99.7) | Yes (78) | No (87.1) | 1/2 + 1 MP (101) | Yes (102, 114) | No (84.5, 98.1) | Yes (97, 103, 149) |
| Croatia (1991) | Yes (109) | No / No (115) | Yes / No (109) | No | No | Yes (77, 103) | Yes (78) | No (84) | Cannot be overcome | Yes (87, 102) | Yes (80, 86, 97) | Yes (104) |
| Czech Republic (2012) | Yes (68.2) | Yes / No (62.A, 72, 73) | No / Yes (62.A, 68.2) | Yes (62, 72, 74) | No | Yes (35.1) | Yes (34, 62.B) | No (41.2) | 1/2 + 1 MP (50.2) | No (78) | Yes (10A, 62.1) | Yes (65.2) |
| Finland (1919) | No (61) | Yes / No (64, 43, 44) | No / Yes (61) | Yes (64) | No | No | No (33) | No (70) | 1/2 + 1 MP (78) | Yes (80) | No (53) | Yes (55, 113) |
| France (1962) | Yes (8) | No / No (49) | No / Yes (8) | No | No | Yes (12) | No (29) | No (39) | Cannot be overcome | Yes (16, 38) | No (11) | Yes (68) |
| Georgia (2004) | Yes (73.1, 80.2) | No / No | No / No (78.3, 79.5, 80.8) | No (79.5, 81) | No | Yes (50.3, 51, 73.4) | No (61) | No (67) | 1/2 + 1 MP (68.4) | Yes (73) | No (74) | Yes (63, 75) |
| Iceland (1944) | Yes (17) | Yes / No | Yes / No (14, 15) | Yes (14, 15) | Yes | Yes (24) | Yes (23) | No (38) | Not specified | Yes (28) | No | Yes (11) |

⁵ The brackets contain the articles of the constitutions regulating the designated powers of popularly elected presidents in semi-presidential countries of Europe.

| | | | | | | | | | | | | |
|--------------------|------------------------|-------------------------------|--------------------------|--------------------------|-----|--------------------------------|--------------------|--------------------|---|---------------------------------------|-------------------------|-----------------|
| Ireland (1937) | Yes (13.1.1) | No / Yes (28.10) | No / No | No | No | Yes (13.2.1) | Yes (13.2.3) | No (20) | Cannot be overcome | No | No (27.1) | Yes (12.10) |
| Lithuania (1992) | Yes (92, 84.4) | Yes / No (67.9, 84.5, 101) | No / Yes (92) | Yes (84.9, 101) | No | Yes (58, 84.20, 87) | Yes (64, 84.19) | Yes (68) | 1/2 + 1 MP (72) | Yes (85, 142, 144) | No (9, 67, 69) | Yes (74, 86-88) |
| Macedonia (1991) | Yes (90) | No / No (92) | No / No (90) | No (92, 94) | No | No (63) | Not specified | No (71) | 1/2 + 1 MP (75) | No (126) | No (68, 73) | Yes (87) |
| Moldova (2016) | Yes (98.1) | No / No (106) | No / No (98.2, 98.3) | Yes (98.6, 103.2, 106.1) | No | Yes (85) | Yes (67.2) | Yes (73) | Not specified | Yes (94, 106.2) | Yes (66, 72, 88) | Yes (81.3, 89) |
| Montenegro (2006) | Yes (82.12, 95.5, 103) | No / No (82.12, 91, 106, 107) | No / No (82.12, 91, 103) | No (82.12, 91, 105, 107) | No | Yes (92) | Yes (90) | No (93) | The adoption of an act retroactively (94) | No (101) | Yes (93) | Yes (98) |
| Poland (1990/1997) | 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) | Yes (145) |
| Portugal (1976) | Yes (187.1) | Yes / No (186.4, 192-195) | Yes / No | Yes (133H, 133G, 195.2G) | No | Yes (133.E) | Yes (174.2, 174.3) | No (167.1) | 1/2 + 1 MP and 2/3 (136.2, 136.3) | Yes (122.4, 136.4, 169, 198.1, 200.1) | Yes (115.1, 156.2, 240) | Yes (130) |
| Romania (1991) | Yes (103) | No / No (113) | No / Yes (85) | Yes (85, 113) | No | Yes (89) | Yes (66.2) | No (74) | Not specified | Yes (100) | Yes (90) | Yes (95) |
| Russia (1993) | Yes (111.1) | No / Yes (117.3) | No / Yes (112.2) | Yes (83.E, 117) | Yes | Yes (84.B, 109) | Yes (99.2) | Yes (104.1) | 2/3 (107.3) | Yes (90.1) | Yes (84.3, 135.3) | Yes (93.1) |
| Serbia (2006) | Yes (112.3, 127) | No / No (130, 131) | No / No (127) | No (130) | No | Yes (109) | No (106, 200) | No (107, 123.4) | 1/2 + 1 MP (113) | No | No (108) | Yes (118) |
| Slovakia (1999) | Yes (102.1.G, 110.1) | No / No (114.1, 115, 116) | No / Yes (109, 111) | Yes (102.1.G, 116) | No | Yes (102.1.E) | No (82) | No (87) | 1/2 + 1 MP (84.3, 87) | No (120) | No (96) | Yes (106) |
| Slovenia (1991) | Yes (111) | No / No (116, 119) | No / No (112) | No (112) | No | Yes (111, 117) | Yes (85) | No (88) | There is no veto | Yes (108) | No (90) | Yes (109) |
| Ukraine (1996) | 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) | Yes (111) |

Źródło: The table is composed on the basis of constitutions and own considerations.

However, the mere separation and comparison of the constitutional powers of the heads of states in the European semi-presidential countries is not informative in the context of a systematic and comprehensive explanation of presidential powers as an attribute and feature of semi-presidentialism. In particular, some semi-presidential countries in Europe are characterised by an institution of a formally weak, strong or intermediate head of state, and therefore their systems of inter-institutional relations intuitively tend to shift to parliamentarism (when the main role is played not by the executive headed by president, but by the parliament, which election defines the “face” of the system of government) or presidentialism (when the election and powers of parliament, according to their legitimacy, are not compared with the election and powers of president, which actually concentrates the entire political process), or are positioned as semi-presidential ones (when the balance and dualism of the executive and the institutions of president, parliament and prime minister are common) (Zaznaev 2007: 160–161; Zaznaev 2014a). However, these features of the intuitive perception of semi-presidentialism are hard to formulate in a finalised and reasoned way. In order to remedy the situation, Political Science uses an index (quantitative) analysis of the powers of presidents (Zaznaev 2014b; Zaznaev 2015), which we systematically extrapolate exclusively to semi-presidential countries of Europe. The need to systematise the quantitative calculations of the powers of presidents is due to the fact that there are lots of methods for this (Armingeon and Careja 2008; Baylis 1996; Duverger 1980; Fortin 2013; Fruhstorfer 2016; Frye 1997; Johannsen and Norgaard 2003; Krouwel 2003; McGregor 1994; Metcalf 2000; Shugart and Carey 1992; Siaroff 2003; Taghiyev 2006; Zaznaev 2007), but all of them are characterised by diverse theoretical, methodological and empirical “drawbacks” in counting and comparability, as well as by unsystematic and incomplete empirical results (partly see table 5 for details).

Even though some of these methods analyse institutional and procedural attributes, and some of them are focused on political and behavioural attributes of the constitutional powers of presidents (Magni-Berton 2013), they are subjected to such a disadvantage as too weak correlation (Elgie 2009), resulting in being over-subjective. The situation is complicated by the intuitive perception of the powers of popularly elected heads of states in specific semi-presidential countries. Since it often happens, especially during the periods of political crises and inter-institutional contradictions, that presidents or prime ministers (depending on the case) are positioned as being more responsible for the socio-economic situation, and therefore their election and appointment are economically determined (Lewis-Beck and Nadeau 2000; Magalhaes and Fortes 2005). In order to correct the above-mentioned defects (Fortin 2013) and to complement existing approaches to comparative analysis of presidential powers, it is proposed to use the synthetic methodology by Doyle and Elgie (2016), which represents two normalised methods of averaged measure of presidential powers based on the techniques of other scholars (see table 5 for details).

Table 5. Comparative analysis of constitutional powers of presidents in the current/ongoing cases of the European semi-presidentialism (as of December 2018)

| Country | Technique by Frye (1997). Max = 27 points | Technique by Siaroff (2003). Max = 9 points | Technique by Zaznaev (2007). Max = 10 points | Technique by Armingeon and Careja (2008). Max = 29 points | Synthetic technique by Doyle and Elgie (2015). Method 1. Max = 1 point | Synthetic technique by Doyle and Elgie (2015). Method 2. Max = 1 point | Own technique (2018). Max = 18 points |
|------------------------|--|--|---|--|--|--|--|
| Austria | Not analysed | 1 | 3,0 | Not analysed | 0,092 | 0,346 | 9,5 |
| Azerbaijan | Not analysed | Not analysed | 8,0 | 20,0 | 0,699 | 0,882 | 15,5 |
| Belarus | 15,0 | 7 | 8,5 | 22,5 | 0,615 | 1,000 | 15,5 |
| Bosnia and Herzegovina | Not analysed | Not analysed | Not analysed | Not analysed | 0,284 | 0,375 | 6,5 |
| Bulgaria | 10,0 | 3 | 3,5 | 12,0 | 0,183 | 0,293 | 9,5 |
| Croatia | 14,5 | 4 | 2,5 | 10,5 | 0,291 | 0,372 | 10,5 |
| Czech Republic | 4,75 | 1 | Not analysed | 11,0 | 0,257 | 0,270 | 10 |
| Finland | Not analysed | 2 | 2,0 | Not analysed | 0,050 | 0,269 | 7,5 |
| France | Not analysed | 7 | 5,0 | Not analysed | 0,131 | 0,465 | 10,5 |
| Georgia | 16,0 | 7 | 7,5 | 17,0 | 0,557 | 0,366 | 8,5 |
| Iceland | Not analysed | 1 | 1,5 | Not analysed | 0,325 | 0,846 | 10,5 |
| Ireland | Not analysed | 3 | 1,5 | Not analysed | 0,062 | 0,293 | 7,5 |
| Lithuania | 12,0 | 4 | 4,0 | 13,5 | 0,282 | 0,380 | 11,5 |
| Macedonia | 6,5 | 4 | 2,5 | 8,0 | 0,116 | 0,156 | 5 |
| Moldova | 13,0 | 2 | Not analysed | 12,5 | 0,288 | 0,341 | 11 |
| Montenegro | Not analysed | Not analysed | Not analysed | Not analysed | Not analysed | Not analysed | 8 |
| Poland | 13,0 | 3 | 4,5 | 13,5 | 0,241 | 0,443 | 11 |
| Portugal | Not analysed | 3 | 3,5 | Not analysed | 0,197 | 0,543 | 12,5 |
| Romania | 14,0 | 5 | 2,5 | 13,0 | 0,250 | 0,463 | 12 |
| Russia | 18,0 | 7 | 9,0 | 20,5 | 0,561 | 0,784 | 15,5 |
| Serbia | Not analysed | Not analysed | Not analysed | Not analysed | Not analysed | Not analysed | 6 |
| Slovakia | 5,0 | 2 | 3,0 | 12,0 | 0,189 | 0,314 | 9,5 |
| Slovenia | 5,5 | 1 | 2,0 | 4,5 | 0,118 | 0,169 | 7,5 |
| Ukraine | 15,0 | 7 | 5,0 | 16,5 | 0,329 | 0,350 | 11,5 |

Źródło: The table is compiled on the basis of existing data from several studies and own calculations. For more details see: Armingeon and Careja 2008; Doyle and Elgie 2016; Frye 1997; Siaroff 2003.

Applying several methods of systematic and comprehensive study of the powers of presidents in the cases of the European semi-presidentialism (see table 5 for details), as well as appealing to principal and systematic powers of the heads of states in the sample of countries (see table 4 for details), it was found (as of December 2018) that the strongest presidents were a characteristic of Azerbaijan, Belarus and Russia, and somewhat weaker president was inherent to Ukraine. In turn, constitutionally the weakest presidents were typical for Finland, Ireland, Macedonia, Montenegro, Serbia and Slovenia, and somewhat stronger (but generally weak) presidents were the norm for Austria, Bosnia and Herzegovina, Bulgaria, Czechia, Iceland and Slovakia. Finally, the presidents of Croatia, France, Georgia, Lithuania, Moldova, Poland, Portugal and Romania were endowed with interim constitutional powers. On the basis of the results obtained from the terms of presidential offices in the European semi-presidential countries (see table 1 for details), it is quite obvious that the constitutional powers of presidents are improving (i.e. the constitutional powers of the heads of states increase due to their prolongation) in Austria, Finland, Russia (elections for six years), Azerbaijan and Ireland (elections for seven years), but are worsening (i.e. the constitutional powers of the heads of states decrease due to their terminal reduction) in Bosnia and Herzegovina, Iceland and Moldova (elections for four years). In sum, this allows to argue that even with a set of purely constitutional powers of presidents, the European semi-presidentialism is extremely heterogeneous and variational, ranging from the situations of similarity to parliamentarism to the situations of similarity to presidentialism (Elgie 2009), etc.

The Actual Powers and Activism of Presidents Under the Conditions of the European Semi-Presidentialism: Political and Behavioural Cuts

However, the comparative analysis of the formal (constitutional) powers of the heads of states in the conditions of the European semi-presidentialism and the imposition of this analysis's consequences on the peculiarities of political practice in different parts of the region certify that constitutional features of semi-presidentialism are not sufficient for outlining inter-institutional relations in the triangle "the head of state – cabinet / prime minister – parliament" and for explanation of the real political and behavioural state of affairs (Cheibub 2009a). A similar conclusion is observed by researchers (Rogov and Snegovaya 2009) who point out that the analysis of the real political weight of party and parliamentary systems, which can be evaluated both by formal and informal criteria (among which the presence or absence of counter-balances in the form of a parliament is more important than a set of formal and informal powers of presidents), is more productive in determining the real powers of presidents in the conditions of semi-presidentialism than taking account the volume of presidential constitutional prerogatives (since the latter are often supplemented by personal and informal institutions and practices). This is especially true when constitutions and laws (in particular, the provisions that regulate inter-institutional relations) of some countries are very similar if not identical ones, but political

practice is not the same if not controversial one. The reverse situation (however, occasionally) occurs when constitutional norms refer to one particular set of powers of heads of states or other political institutions, but political practice testifies to a completely different set of powers. All this gives rise to the need to supplement and compare the constitutional (formal) powers of presidents with their political (actual) powers under the conditions of semi-presidentialism.

It is noteworthy that the political powers of presidents under semi-presidentialism are more determined “from the outside”, because they depend on the constitutional powers of the heads of states, constituent context and historical traditions of the systems of government, as well as on the relations between presidents and parliaments (parliamentary majority or minority). If the first two are more or less clear and unambiguous, then the inter-institutional relations between presidents and legislatures are not so clear and unified (Duverger 1996: 511). Since inter-institutional relations in political process are determined primarily by political means, that is on the basis of party and political configuration of relations between the heads of states, prime ministers and parliaments/the leading chambers of parliaments, thus determining the political influences and powers of each of these institutions. In this regard, the political powers of president in the conditions of semi-presidentialism depend on the synthesis, on the one hand, of presidential formal powers and historical traditions of rule, and, on the other hand, on the relations between the head of state and political parties, which combine or do not combine the parliamentary majority while guaranteeing or not guaranteeing the support to cabinet. Such logics forces scientists to distinguish among three basic scenarios of presidential political behaviour in the conditions of semi-presidentialism: 1) when president is the leader of parliamentary majority; 2) when president acts against the parliamentary majority headed by prime minister; 3) when president is a disciplined member of parliamentary majority and combine his or her leadership potential with the potential of prime minister. These three baseline scenarios are outlined by three indicative angles of inter-institutional relations (Elgie 2009): 1) president and prime minister (with cabinet) are supported by an identical majority or minority in legislature; 2) president and prime minister belong to different parties, but the representatives of the president’s party are not the part of the composition of cabinet; 3) president and prime minister belong to different parties that are partners of the cabinet coalition.

Consequently, the political structuring of the powers of presidents and other political actors in the framework of semi-presidentialism is a function of party system and inter-party competition. That is why the degree of political influence of the head of state on political system/system of government and political power of president are variational, since they depend on the presence or absence and the design/composition of parliamentary majority. This means that political powers of the heads of states and the peculiarities and constructions of their relations with other institutions under semi-presidentialism may also be determined by the absence of parliamentary majority, but rather by the formation of minority cabinets and their situational or formal support in legislatures. The fact is that the situations of parliamentary

minority substantially change the formats and variants of inter-institutional relations and the potential for leadership of certain political institutions. In particular, there is a possible option when the head of state, given the formation of a minority cabinet, is endowed with the largest leadership potential among other political institutions (albeit with smaller leadership potential than in the case of majority cabinets) (Skach 2005: 17). Since the head of state is able to receive large dividends from a situation where neither a president, nor a prime minister, nor any party or coalition has a significant majority in legislature, because the probability of political and institutional destabilisation and the intervention of the head of state or any other actor into political process increases on the basis of these institutions' reserve powers (Skach 2005: 17–18) (as in Georgia in the early 1990s). Instead, political powers of presidents in the conditions of absence of parliamentary majority and presence of minority cabinets are more often weaker than their constitutional prerogatives, since the heads of states are under pressure to find themselves beyond the framework of constitutionality (Duverger 1996: 515) (as in Ukraine in the late 1990s and in the mid-2000s).

Similarly, the opposition of popularly elected president to the parliamentary majority commonly headed by prime minister does not mean that the head of state is always weaker than the head of cabinet. In addition, the combination of the leadership potential of the head of state and prime minister in a situation, when the head of state is a disciplined member of parliamentary majority, does not mean that president cannot act against the will of prime minister and cabinet as a whole (Elgie 2009). Moreover, the powers of presidents may be weaker than the powers of prime ministers, even when the former relies on parliamentary majority, which guarantees the support of the latter and its cabinet from the same party. The fact is that a prime minister but not a president from the same party can be the leader of the party of parliamentary majority and vice versa (as in Russia during the presidency of Medvedev and the premiership of Putin). All this regulates that taking into account the positions of presidents and other institutions in party (intraparty) hierarchy is essential in determining their political powers in the conditions of semi-presidentialism. Moreover, the hypothetical consideration of the possibility that neither president nor prime minister is the head of parliamentary majority's party is also a significant factor in the structuring of inter-institutional relations in this regard (as in Poland during the presidency of Duda and the premiership of Szydło who were the representatives of PiS). Since political leadership in such system of government is informalised "from the outside", in particular by the first person in the party hierarchy, even though this person does not necessarily have to be endowed with any official position (as Kaczyński as the leader of PiS at the same time). The situation is diversified by the fact that not all presidents and not all prime ministers are affiliated or related to certain political (especially parliamentary) parties.

In sum, this argues that the contours of political powers of presidents under the conditions of semi-presidentialism are located at the inter-section of formal and informal inter-institutional relations of political actors, which are conditioned by the attributes of inter-party,

intra-party and non-party competition within legislatures and which need to be imposed on the formal powers of political actors and the historical traditions of the rule of each of them. In other words, political powers of the heads of states and other political actors in the conditions of semi-presidentialism are simultaneously determined formally (constitutionally), institutionally, procedurally, politically (actually), behaviourally, partyly, electorally, personally and so on, and cannot be defined as statically established and exclusively normatively determined (Cheibub 2009a; Cheibub 2009b). Such a conclusion is particularly relevant in the case when constitutional powers of president and other political institutions in semi-presidentialism are maximally balanced and even dualised or when certain powers of political institutions are very weakly constitutionally and legally regulated. Although it is also the case that the actual problem may be manifested even in the case of clearly and constitutionally structured powers of political institutions, which in practice, taking into account political tradition and multi-directional personalisation of power (not only in non-democratic regimes), function completely inappropriately to legislative norms. As a result, the real powers of political institutions are often established and operationalised exclusively or mainly in political practice, which is the reason for raising the question of presidential activism or presidentialisation (as a difference of practice from the norm) under the conditions of semi-presidentialism.

As scientists point out (Hlousek 2013: 252–255; Poguntke and Webb 2005; Tavits 2009b), presidential activism can acquire different forms, but it is generally understood as the intensive use by a president of his or her discretionary powers. These powers vary according to national legislation and political practice, but often focus on the authorities of presidents to approve or veto parliamentary acts, to discuss political issues with the executive or foreign leaders, to interfere in the process of cabinet formation, etc. The specificity of semi-presidential countries is also that their constitutions and other normative acts often leave a room for interpretation in the regulation of powers of the heads of states (Poguntke and Webb 2005). As a result, presidents often try to exercise their discretionary powers in situations that are not directly regulated by law. Presidential activism is complemented by the fact that the heads of states can influence the system of inter-institutional relations on the basis of informal ability to stand out in politics, in particular through certain statements and positions on various socio-political processes that draw attention to certain problems in society and thus establish a political agenda. Moreover, presidential activism is multifaceted, since the heads of states can influence both internal public opinion and international impressions of the country. It is supplemented by the fact that the heads of states often use greater (or popular) legitimacy in the structure of the executive dualism compared to prime ministers, and therefore presidents try to substantiate their demands for active participation in political process. On the other hand, this does not necessarily imply an increase in the effectiveness of political process, since the popularly determined mandate of the head of state is only a guarantee of a specific constitutional mandate and tasks of president and presidential independence from legislature, rather than a guarantee of free governance and

reducing the conflict in the system of the executive dualism (Samuels and Shugart 2006). This suggests that the degree of consensus between president and other institutions takes into account the significant differences between the nominal and actual powers of the former (Tavits 2009a; Tavits 2009b). This is important, because the presidential ability to intensify in the conditions of semi-presidentialism depends on the limits of political process, which are the direct result of structuring the political capacities of different institutions. Depending on the change in the latter, the scope of political process can be compressed or expanded, influencing changes in the incentives of presidential activism.

In total, the active use of constitutional powers with support in legislatures and informal influence by presidents can significantly change the dynamics of political process (Stepan and Suleiman 1995). However, presidents are completely free “agents” in pursuing personal interests and political preferences under the conditions of semi-presidentialism. Therefore, the heads of states in semi-presidentialism are more likely to act within the existing realities of institutional and party structures (especially with regard to formation, support and types of cabinets), which restrict or extend the behaviour and choice of the former (Hlousek 2013: 252–255). For example, presidential activism increases when other political institutions (primarily cabinets) are relatively weak (and their relations are weakly interconnected) or when they have relatively weak party and parliamentary support. It is mainly about the situations of the formation and functioning of minority cabinets, which are oppositional to the heads of states, and the situations of excessively fragmented legislatures, which help presidents to effectively use their discretionary and reserve powers. In particular, when presidents feel “hostility” to other political institutions and their party and parliamentary support, and thus firstly try to pursue their political goals. Instead, if a president who does not have the support of parliamentary majority (regardless of its fragmentation) is opposed by a prime minister and cabinet who have consistent support of the majority of deputies of legislature, then the former (even with significant constitutional powers) remains a significantly weaker figure in political process and inter-institutional relations (Movchan and Rabotyagova 2010). Finally, even such a position is not perfect, since presidential (not necessarily reserve, but rather stationary) powers are often activated within the conditions of single-party or coalition majority cabinets loyal to the heads of states. These conditions are the resources for autocratisation, personalisation and presidentialisation of political regimes (Lukavenko 2003: 45–46). Accordingly, taking into account the popular nature of powers of the heads of states who can use it extremely versatile and even situationally is the main thing in presidential activism in the conditions of semi-presidentialism.

Nonetheless, popular presidential election in semi-presidentialism does not necessarily mean that the head of state must presidentialise political process and the system of inter-institutional relations. Since the head of state, especially when his or her constitutional powers are extremely insignificant, can act in full compliance with the rules of law and the mandate or even can actually be “weaker”. This corresponds to the observation of the researchers (Almeida and

Cho 2003; Elgie 1999a; Elgie 1999b) that there can be the with a significant or insignificant relationship between *de jure* and *de facto* powers of presidents in the conditions of semi-presidentialism. The point is that informal institutions in some systems of government impede or enhance the real influence of the heads of states, but formal institutions in other systems of government unilaterally indicate a certain dynamic of relations between political actors, thus defining the place of the president's institution. Therefore, the comparison of political institutions in the conditions of semi-presidentialism should be not only formal (or legal), but also actual (or political), since political institutions acquire the perfect form under the influence of the "political game", in which they are co-opted, and under the influence of those actors (individuals), which operationalise the duties, powers, tasks and goals of the former (Frison-Roche 2005: 383). Although it is clear that any political system actually has an attribute of executive domination and personification in the person of one (individual or collective/collegial) leader, which is mostly the centre of political life (Farrell 1971: 10). However, with the difference that such a leader may be a president and a prime minister or anyone else in this sense. Accordingly, semi-presidentialism can be characterised by the institution of decision-making, regulatory or symbolic president (Frison-Roche 2007), and therefore may or may not be determined by the pattern of presidentialisation of political system. This argues that the analysed system of government is heterogeneous and variable institutionally, procedurally, politically and behaviourally (Movchan and Rabotyagova 2010). Instead, the fact that president is not an "agent" of parliament in the structure of the executive dualism is determinative and systemic feature of semi-presidentialism (Amorim Neto and Strøm 2006; Magni-Berton 2013; Samuels and Shugart 2010; Schleiter and Morgan-Jones 2009a; Schleiter and Morgan-Jones 2009b; Schleiter and Morgan-Jones 2009c). Since president is elected directly by voters and is determined by distinctive legitimacy.

Conclusion

In general, the article demonstrated that the way of election, legitimacy and powers of presidents are one of the main attributes, which outline the problem of semi-presidentialism. It is revealed that president under semi-presidentialist is usually positioned or at least theorised as a peculiar ("true" or "illusory") "referee", "neutral force" and "mediator" between or over the branches of power, state and society, but is not or only partly is a formalised branch of government. At the same time, it is recorded that the ways of popular elections and the nature of legitimacy of presidents within the framework of the European semi-presidentialism are variational, since not all rules and conditions guarantee that the winners of presidential election receive an absolute rather than relative majority of votes. Therefore, it is substantiated that not only the fact that president is elected popularly, but also the way of presidential election are important for semi-presidentialism, since they are able to certify the level of presidential legitimacy and the influence of presidential mandate on the system of inter-institutional relations. Accordingly, it is analytically stated that popularly elected president is *a priori* endowed with formal

legitimacy under semi-presidentialism, but the latter actually can be incorporated in different ways. On this basis, it is discovered that presidential powers in the framework of the European semi-presidentialism are variational. As a result, it is argued that semi-presidentialism is a diverse and heterogeneous system of government, and should be subjected to comprehensive typologies and taxonomies. This is important because different types of semi-presidentialism, having advantages and disadvantages and generating various risks and prospects, may differently affect inter-institutional relations, political process, dynamics of political regime change, political stability and socio-economic efficiency, etc.

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