Cabinet formation under semi-presidentialism: European countries in comparison

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Abstract: *The article demonstrates that the rules and practices of cabinet formation and investitures should be taken into account to better grasp the variety of semi-presidentialism in Europe. This is extremely important, since semi-presidentialism as a constitutional system of government (primarily according to a minimalist approach to the definition) is the most common form of inter-institutional and political relations in European countries. The former is most often understood as a constitutional design of inter-institutional relations with a president popularly elected for a fixed term, as well as with a cabinet headed by a prime minister who are collectively responsible to parliament. Thus, not only presidents and parliaments, but cabinets too play a crucial role in the constitutional and political practice of semi-presidentialism, since the latter are collectively responsible to parliaments (or simultaneously to presidents), but are characterised by distinctive parameters of formation. The assumption and hypothesis are that options of cabinet formation and inter-institutional relations in this regard can structure European semi-presidentialism, even without affecting the definition of this constitutional design, but probably depending on the roles and powers of presidents and parliaments in cabinet formation, as well as types of semi-presidentialism regarding the consideration of who can dismiss the cabinet. Based on comparison and systematisation of the cases of European semi-presidentialism, it is justified that cabinet formation (including within various types and consequences of parliamentary votes of investiture in cabinets, as well as their absence) is typically focused on a junction of relations between presidents and parliaments, and are likely to serve as a classification indicator of semi-presidentialism. This is important for constitutional engineering, since detailing the optionality of semi-presidentialism as a constitutional design and system of government, particularly regarding cabinet formation, should extend the horizons, as well as systematise the idea of the options and effects of various institutional designs (in addition to presidentialism and parliamentarism) and political regimes (including democratic, autocratic and hybrid).*

Keywords: ***constitutional system of government, semi-presidentialism, cabinet formation, vote of investiture, parliament, president.***

I. Introduction

Semi-presidentialism as a constitutional system of government is a republican design of inter-institutional relations where the role, status and types of cabinets headed by prime ministers are very important, if not decisive ones in outlining constitutional and political processes. This is especially clear from the most used and cited definition of semi-presidentialism as a constitutional system of government with a president popularly elected for a fixed term (even regardless of the strength of one's powers), as well as with a cabinet headed by a prime minister who are necessarily collectively responsible at least to parliament (or its lower/both chambers in the conditions of bicameralism). Even given that all the definitions of semi-presidentialism available in political science and constitutional law are currently divided into maximalist or relational ones (as by Duverger (1980, 1986: 8) and his followers (Canas 1982: 98; Noguiera Alcala 1986; Shugart – Carey 1992: 23; Bahro – Veser 1995; Sartori 1995; Steffani 1995; Ceccanti – Massari – Pasquino 1996; Pasquino 1997: 129; Pegoraro – Rinella 1997; Bahro – Bayerlein – Veser 1998; Siaroff 2003; Canas 2004; Pasquino 2005; Magni-Berton 2013: 224; Laurent 2016)), as well as into minimalist or dispositional ones (as by Elgie (1999b, 2004, 2005, 2007, 2009, 2011, 2016) and/or his supporters (Shugart 2005; Skach 2005; Amorim Neto – Strøm 2006; Müller 2006; Boban 2007; Cheibub – Chernykh 2009; Schleiter – Morgan-Jones 2009a: 875, 2010; Cheibub – Elkins – Ginsburg 2014; Lytvyn 2018; Anckar – Fredriksson 2019; Feijó 2020: 2–5; Lytvyn – Romanyuk – Osadchuk 2020; Raunio – Sedelius 2020: 3–6; Ganghof 2021: 1–2; Tsai 2021: VII –VIII; Amorim Neto: 123–124; Anckar 2022)). Since these definitions mostly differ respectively in presence or absence of the emphasis on relative indicators of constitutional design of inter-institutional relations under semi-presidentialism, in particular the powers of presidents and prime ministers, as well as the peculiarities of cabinet formation, functioning and responsibility. In addition, the importance and necessity for research focus on cabinets and their formation under semi--presidentialism (even regardless of the approach to determine the latter) is obvious given various essences, manners of popular election and powers of presidents and parliaments, as well as variety and structure of legitimacy and interaction or confrontation between presidents and prime ministers within the executive dualism as an essential characteristic of semi-presidentialism.

Nevertheless, the definition of semi-presidentialism as a constitutional type of inter-institutional relations (regardless of definitional approach (Brunclík –

Kubát 2016, 2018; Lytvyn 2018; Anckar – Fredriksson 2019; Boyron 2020), but basically using a minimalist or dispositional one in this study as the most modern and cited in contemporary political science and constitutional law) does not stipulate any specifics of cabinet formation, but rather the method of election and/or powers of presidents, as well as a mandatory requirement for collective responsibility of prime ministers and cabinets to parliaments or both to parliaments and presidents. Although purely intuitively and if the phenomenon of cabinet responsibility is understood in a broad sense, in particular as 'ex ante' (or anticipatory) and 'ex post' (or resultant) procedures within the constitutionalised inter-institutional relations, then it is obvious that relations between presidents and parliaments under semi-presidentialism do also or primarily take place in the context of formation, functioning and political positioning of prime ministers and their cabinets, especially if the latter oppose presidents within the executive dualism.

In addition, it is important in terms of actual perception, as well as constitutional (institutional) and political (behavioural) classifications of semi-presidentialism. This is because the options of formation and types of cabinets, as well as peculiarities of their functioning and responsibility affect various types of semi-presidentialism. Therefore, the issues of cabinet formation are relevant under semi-presidentialism as a constitutional design at least in applied and comparative contexts, if not definitively. The reason is that constitutional semi-presidentialism (without taking into account formal and actual powers of presidents and parliaments) is definitely characterised by the fact that this institutional design with various possible political practices is marked by the actual ability of presidents and/or parliaments to influence negotiations on cabinet formation and performance, as well as by the obligatory collective responsibility of cabinets and their prime ministers at least to parliaments. In other words, semi-presidentialism is constitutionally determined by the ability of the head of state and/or the legislature to influence the course of cabinet formation and functioning as the highest executive body, partially revealing the executive dualism between president and prime minister/cabinet (Duverger 1980; Sartori 1997; Elgie 2004; Shugart 2005; Amorim Neto – Strøm 2006; Schleiter – Morgan-Jones 2009b). Thus, if a president can select, nominate, remove or retain members of cabinet (even with participation of parliament), then the head of state is the central actor in the negotiation process on cabinet formation (Magni-Berton 2013: 224). Otherwise, the situation is completely different and the logic of semi-presidentialism is distinctive, since the decisive role in cabinet formation is played not by presidents (although they do so constitutionally), but by parliaments.

Consequently, it is important to take into account not only definitional parameters of popular elections of presidents (as well as parliaments) and the collective responsibility of prime ministers heading cabinets at least to

parliaments (required both by maximalist and minimalist definitions of semi-presidentialism (Brunclík – Kubát 2016)), but also peculiarities of cabinet formation, types and functioning when theorising and operationalising semi-presidentialism, mainly in European countries (in the broadest geographical and neutral sense of this part of the world). The article focuses exactly on these issues, particularly on revealing, comparison and systematisation of the options, rules and consequences of cabinet formation under constitutional semi-presidentialism, both theoretically and on the example of European countries, although within the framework of the minimalist (as by Elgie (1999b; 2004; 2007; 2016)) definition of semi-presidentialism as the broadest, most cited and most modern one. The minimalist definition of semi-presidentialism is chosen for its conceptual non-relationality and less subjectivity than the maximalist or Duvergerian one (which additionally appeals to the consideration of powers of political institutions that obviously vary in all systems of government, not just in semi-presidentialism). Instead, the chosen definitive approach is characterised by its formalisation simplicity, dispositionalism, greater objectivity and mainly constitutional, legal and institutional (but not only political) determinism. In addition, semi-presidentialism is better classified within the framework of a minimalist rather than a maximalist view. Therefore, the emphasis is placed on the definition of semi-presidentialism mainly as a type of constitutional and political (but not only political) design. Such a logic suits the research strategy of the article precisely in the context of a comparative analysis of cabinet formation under European constitutional semi-presidentialism. In other words, the study aims to demonstrate that the rules, options and practices of cabinet formation should be taken into account to better grasp the variety and classification of constitutional (which is verified on the basis of indicators that are checked in constitutions) semi-presidentialism in Europe. Accordingly, the article initially focuses on historiographical and theoretical contexts of cabinet formation as possible attributes of structuring and classification of semi-presidentialism as a constitutional design. Thereafter, the research deals with options and effects of cabinet formation under European semi-presidentialism in comparison, particularly in the time period from the beginning of the application of this system of inter-institutional relations in certain countries (according to the minimalist approach verified and confirmed in the texts of national constitutions) and as of the end of 2022 (i.e. in current and even historical cases of European constitutional semi-presidentialism).

Consequently, there are some aims of the study, in particular: to extend, complement and fill with content the essence and classification of semi-presidentialism as a constitutional system of government, in particular due to certain formal trends of 'president–cabinet/prime minister–parliament' relations, as well as mainly options and consequences of cabinet formation; to introduce new and compare the available information regarding semi-presidentialism

as a constitutional design in those countries, which are (typically) not included into the research focused on European democratic countries. This is because semi-presidentialism as a constitutional type can occur not only in democratic countries (as a subtype of a democratic political regime), but also in countries with autocratic or hybrid political regimes, because the former only constitutionalises the positions of a president popularly elected for a fixed term, as well as a cabinet headed by a prime minister and collectively responsible to parliament. Therefore, the definition (in contrast to operationalisation) of constitutional semi-presidentialism does not depend on how democratic and 'real' the elections (of presidents and parliaments) and inter-institutional relations are. Accordingly, structuring the variety of semi-presidentialism as a constitutional type, in particular regarding cabinet formation, should extend the horizons and systematise the idea of options and possible consequences of constitutional engineering in the world. Since when constitutionalists and politicians choose semi-presidentialism (or another system of government) they do not reliably know (though predict) its real consequences and the future vector of political regimes towards democracy or autocracy. However, constitutional engineering itself definitely determines or can determine the patterns of the real political process, as well as the prospects for democratisation or the risks of autocratisation.

Given this, the article focuses mainly on the constitutional understanding of semi-presidentialism as a specifically formalised institutional design and only one of the prerequisites of the real political process. It is this constitutionally determined conceptualisation of semi-presidentialism that made it possible to cover a wide and long-term sample of European countries whose political regimes are (or were) democratic, hybrid or autocratic ones. One may consider this to be a disregard for the existing methodological guidelines on how to avoid conceptual stretching in comparisons (Sartori 1970, 1991; Collier – Mahon 1993; Collier – Levitsky 1997). However, this is not entirely true, because the article addresses the variety of mainly constitutional prerequisites and attributes of semi-presidentialism as a 'basket' that includes both democracies and non-democracies (current and in the past). This is important because nothing was known about whether the political regimes of countries that once constitutionalised semi-presidentialism would become more or less presidentialised, parliamentarised or balanced, as well as generally democratic (democratised) or autocratic (autocratised) ones as a result of choosing such an institutional design. In turn, these were precisely some constitutional regulations (which allows for singling out formal options of semi-presidentialism), including as regards the specifics of cabinet formation, that influenced only over time the fact that countries became or did not become democracies. That is why the widest possible coverage of these formalised prerequisites of semi-presidentialism from the point of view of real political consequences in the future (which is

actually the subject of constitutional engineering) can be fruitful for the academic community – in particular, in finding an answer to the question of what is appropriate or inappropriate to constitutionalise on the way to choosing and consolidating democracy.

II. Cabinet formation in structuring and classification of semi--presidentialism: Theoretical context

Semi-presidentialism has been for a long time and remains the research issue which has gone through several 'waves' of its development (Elgie 2016). Initially (within the 'first wave'), the emphasis was put on separation, understanding and definition of semi-presidentialism as a political or constitutional system of government and inter-institutional relations, later (within the 'second wave') – on its variable classification in different countries and parts of the world, and now (within the 'third wave') scholars identify, analyse and compare a full range of constitutional/institutional and political features and effects of semi--presidentialism (including extending the first two 'waves'). It was during the 'third wave' of semi-presidential studies that researchers have begun to address the issues of relationship between presidential and parliamentary powers on one hand, and the peculiarities of cabinet formation and responsibility on the other hand, while gradually improving the definition of semi-presidentialism.

This logic is important given that modern and the most cited (especially in political science and comparative law) definitions of semi-presidentialism, which are used as basic ones in this article, are minimalist or dispositional ones, because they are mostly institutionally or constitutionally oriented. Although empirical content and classification of semi-presidentialism can be both institutional or constitutional, as well as political or behavioural. In other words, the constitutional or institutional meaning of semi-presidentialism can be different and changeable in real politics, since the political practice of constitutional semi-presidentialism can be parliamentary or presidential, as well as even a balanced one. There are many examples of each of the options in different countries, which are constitutionally characterised as semi-presidential ones (Elgie 1999b, 2007). Nevertheless, this in no way affects the definition of semi-presidentialism (as a system of government with a president popularly elected for a fixed term, as well as with a cabinet headed by a prime minister who are collectively responsible at least to parliament), which should be constitutional and dispositive (Elgie 2004). In addition, such a constitutional definition of semi-presidentialism is convenient for comparing the options and consequences of cabinet formation, which are also regulated mostly constitutionally. Finally, the main thing is that different lines of filling and classification of semi-presidentialism do not break minimalist definitive logics of the origin and survival of political institutions (including cabinets) within the executive dualism (see table 1).

Table 1: Minimalist definitive logics of the origin and survival of political institutions within the executive dualism under semi-presidentialism

Minimalist indicators of definition and institutions of semi-presidentialism	President	Prime minister / Cabinet
Mandatory logic of the origin (formation) of institutions	Popular (direct or indirect) election	Parliamentary vote of investiture or tacit/silent consent of the legislature
Mandatory logic of the survival (responsibility) of institutions	Time-limited and fixed mandate	Parliamentary vote of confidence and/or no confidence

Based on modification of the existing ideas and elaborations (Müller 2006).

The constitutional specificity of semi-presidentialism is that voters popularly elect two 'agents' whom they delegate with rights and opportunities to act on their behalf, in particular the head of state and parliament. That is why semi-presidentialism (as well as presidentialism) is constitutionally determined by dual legitimacy of the origin of main 'agents'. This is complemented by the fact that these 'agents' are mutually able to structure and put in order cabinet formation, functioning and even responsibility, as a result semi-presidentialism has an attribute of the executive dualism. Simultaneously, semi-presidentialism ambiguously outlines subordination of cabinets to presidents and parliaments, since cabinet survival may depend, on one hand, on a lack of confidence or no confidence of the legislature, as well as, on the other hand, on a popular presidential election as a channel for voters to influence governance. This is especially relevant given that presidents under semi-presidentialism are usually constitutionally endowed with at least one of the following powers – to form a cabinet, dismiss a cabinet or act in the legislative area. Accordingly, a president under constitutional semi-presidentialism, at least given to its minimalist definition (Elgie 1999b: 13, 2007: 2–6), does not necessarily promote cabinet functioning (like in parliamentarism), as well as a cabinet does not necessarily promote and disseminate the legitimised set of presidential goals (like in presidentialism sometimes) (Schleiter – Morgan-Jones 2009c).

At the same time, semi-presidentialism is various in terms of the logics of delegation of powers (authority) and responsibility, as well as according to the scope of powers of various 'principals' and 'agents' (Frye 1997; Metcalf 2000; Siaroff 2003; Schleiter – Morgan-Jones 2009a). In particular, in the context of cabinet formation, constitutional semi-presidentialism is divided into the types where: a president may disagree with a prime minister's candidacy or cabinet option; a president can nominate a candidate for prime minister or cabinet option and expect the consent/investiture of parliament; a president can nominate a prime minister and cabinet without the consent/investiture of parliament. Thus, the balance of inter-institutional ('principal–agent') relations

under semi-presidentialism can change from the prevalence of the legislatures to the prevalence of presidents or to their balance regarding cabinet formation. Even so, the 'core' of the 'chain' of delegation of powers and responsibility constitutionally attributed to semi-presidentialism remains stable. At the same time, it does not matter whether a cabinet formed in this way and headed by a prime minister is positioned as pro-presidential (in the same 'team' with a president) or anti-presidential (in opposition to the 'team' of a president). Since the main determinants of constitutional semi-presidentialism are still institutional and procedural attributes of its definition, categorisation and systematisation as having a dual nature of the executive, rather than the presence or absence and the volume of powers of the president and parliament to form and resign a cabinet. This means that the dual nature of the origin and exercise of the executive, rather than the dual nature of responsibility of the executive is a systemic and permanent feature of constitutional semi-presidentialism. The fact, as mentioned above, is that a cabinet headed by a prime minister under semi-presidentialism is collectively responsible (can be resigned) necessarily to the legislature or the legislature and president. However, the political responsibility of a cabinet and its prime minister under semi-presidentialism is traditionally more extended towards parliament. Since it is the legislature (if it participates in cabinet formation) that must express its consent (the vote of investiture) on cabinet formation (appointment of prime minister, approval of composition and/or programme of cabinet), as well as is constitutionally authorised to check the results of cabinet activities, embodied in the possibility of a cabinet's early resignation (the vote of no confidence).

Considering the definition and constitutional attribution of semi--presidentialism, it is important to take into account the peculiarities of cabinet formation and responsibility. The fact is that the options of formation and termination of cabinets under semi-presidentialism are largely derived from the influence and powers of the heads of state (Kang 2008, 2009). On the other hand, the parameters of cabinet formation and responsibility definitively and necessarily depend on the legislatures, thus specifically determining the analysed constitutional design. The reason is that voters formally (but not always actually) have two channels and mechanisms of control over the cabinet and the executive: the first or initial one – through parliament and the second or alternative one – through a president. As a result, the influence of parliaments and presidents on cabinet formation (but especially responsibility) under semi-presidentialism is important normatively and practically. It can reveal institutional and political attributes of a particular type of constitutional design, which are especially valuable taking into account party determination and composition of presidents, parliaments and cabinets. At the same time, as Schleiter and Morgan-Jones (2005), as well as Amorim Neto and Strøm (2006), point out, the nature of cabinets under semi-presidentialism is or may be con-

flictual, bilateral or dualistic, in particular based on contradictions between the mandates of president and the legislature. Thus, the nature of cabinets under semi-presidentialism can lead to exceptional consequences, in particular to involvement of non-party ministers into party cabinets or to formation of non-party cabinets (Almeida – Cho 2003). This means that cabinet formation and responsibility are dynamic under semi-presidentialism and are based on interaction between presidents and parliaments (parliamentary parties), as well as on the results of their elections (Kang 2008). The latter are capable of causing and intensifying conflicts within the executive and constitutional ambiguity of semi-presidentialism.

This is constitutionally given to the fact that semi-presidentialism is characterised by participation of a president and parliament in an election/formation and/or responsibility of a cabinet. As a result, their decisions to appoint a cabinet can be modelled as a 'two-way game' over arrangements on this (Protsyk 2005: 724). For example, when a hypothetical prime minister (or cabinet formateur) focuses on an unstable majority in the legislature, and a president realises that he or she has no support for a majority in the legislature, then there is a situation when the only way out is to form a type of 'mixed' or non-party cabinet. Accordingly, a political compromise is ensured by nominating some ministers from the presidential/pro-presidential party and some ministers from the party of a hypothetical prime minister (cabinet formateur) or altogether from outside parties in the legislature. Such a form of distribution of cabinet portfolios determines the basis for a president and prime minister, having loyal or apolitical representatives among ministers, to treat them as their 'own' sphere of influence on each other and on the decisions and actions of each of them. Such a conflict over cabinet formation under semi-presidentialism is compounded by the fact that a president and prime minister (along with ministers) can be mutually oppositional figures not only if they belong to different parties, but also if they belong to the same party. Moreover, the clarification of the role of president in cabinet formation can be outlined by the clientelist structure of the party system (characterised by private distribution among members of the ruling group), as well as by structuring of the party system in general (including by its fractionalisation, polarisation, dimensionality, etc.). For example, the more a president's party distances itself from the ideological centre of inter-party competition, the more likely its representative will be a prime minister, and vice versa (Mitchell – Nyblade 2008; Kang 2009).

In general, as Schleiter and Morgan-Jones (2005) point out, there are at least two basic approaches to systematising the influence of presidents on cabinet formation under semi-presidentialism. The first approach, represented by Amorim Neto and Strøm (2006), models cabinet formation in semi-presidential countries as a result of bargaining and negotiations between president and prime minister (including a hypothetical one), taking into account the strength

of a president's powers, a prime minister's electoral prospects and values for each of them to consider non-party cabinet appointments. Instead, the second approach, proposed by Almeida and Cho (2003), calls for negotiations between a president and parliamentary parties, taking into account presidential authority to nominate a prime minister, the number of seats controlled by a minimum winning coalition in parliament, as well as a president's preferences to involve non-party cabinet ministers. These approaches are synthesised by the idea that increasing de jure and de facto powers of presidents intensifies their influence on cabinet formation under semi-presidentialism (Amorim Neto 2003; Morgan-Jones – Schleiter 2004; Protsyk 2005: 724). At the same time, these approaches do not exclude the possibility that presidents may be dominant in relation to some cabinets and their formation, and the legislatures in relation to other cabinets. As a result, there may be both president-oriented and parliament-oriented cabinets under semi-presidentialism (Nousiainen 1988; Pasquino 1997; Sartori 1997; Protsyk 2005: 724; Schleiter – Morgan-Jones 2005, 2009c, 2010; Shugart 2005), which vary according to the number of party and non-party ministers (Almeida – Cho 2003; Amorim Neto – Strøm 2006).

On the other hand, this does not mean that even president-oriented cabinets under semi-presidentialism are not completely independent of parliaments, but instead that parliament-oriented cabinets are not completely independent of presidents. The fact is that potentially divergent electoral mandates of a president and parliament can bring about significant inter-institutional tensions over cabinet formation and even 'break the chain' of delegating powers from popular representation (president and parliament) to a cabinet. Thus, semi-presidentialism can pose serious risks to 'agency', as a result of which cabinets may make it difficult to ensure effective voter representation (Raunio – Wiberg 2003: 321; Strøm 2003; Schleiter – Morgan-Jones 2005). In contrast, constitutional semi-presidentialism, especially in difficult political contexts and conditions, is flexible in creating a wide range of governance decisions, even if they are made by president-oriented or parliament-oriented cabinets (Amorim Neto 2003: 554; Thiebault 2003). This reasons the ability of both presidents and parliaments to institutionally or politically affect cabinet formation, functioning and responsibility under semi-presidentialism (Schleiter – Morgan-Jones 2005). Thus, the president with the parliamentary support of the ruling/cabinet party or coalition can significantly influence cabinet formation and functioning, but instead cannot do so in the absence of parliamentary support (although not in all cases of semi-presidentialism).

However, semi-presidentialism as a constitutional design can be characterised by formation of non-party cabinets, which are often positioned as a president-oriented one, since their parliamentary support is clientelist or patrimonial, if not a situational one (Leston-Bandeira 1998; Paloheimo 2003: 223). Due to the nature of presidential power legitimacy under semi-presidentialism, it is

especially true when popularly elected presidents are apolitical ones. While trying to go beyond party politics, such presidents often seek to construct their cabinets based on the principles of horizontal party proportionality or vertical non-partisanship (Amorim Neto – Strøm 2006). Accordingly, the order of presidential preferences regarding the profile of cabinets (party or non-party ones) depends on the ratio of political preferences of presidents, as well as their parties or parties associated and non-associated with them (Almeida – Cho 2003). Thus, cabinet formation under semi-presidentialism is the 'game', the 'players' of which are parties in parliament (as in parliamentarism), as well as a president (as in presidentialism). On one hand, this is the prerequisite for coalition cabinets' formation (Saalfeld 2008; Bergman – Ersson – Hellström 2015). On the other hand, a president under semi-presidentialism may prefer to involve non-party ministers into the cabinet, for which there are at least two reasons: the desire of a president to increase the effectiveness of national policy, which corresponds to one's electoral mandate and legitimacy; a president's sense of less controversy and problems in delegating powers based on the roles of non-party ministers rather than the representatives of the presidential and other parties (Almeida – Cho 2003). Instead, parliamentary parties under semi-presidentialism are more interested in delegating the executive powers to party ministers and party cabinets, explaining this by the nature of the 'chain' of delegating powers and responsibilities as a principle of popular representation.

Combining two approaches to understanding the influence of presidents on cabinet formation under constitutional semi-presidentialism, Schleiter and Morgan-Jones (2005; 2010) note that the ability of presidents to bargain for the desired structure and composition of cabinets varies depending on a full range of cabinet-oriented (related to cabinets' formation and resignation), parliament--oriented (related to activities of parliaments) and legislative-oriented powers of presidents. For example, a president's knowledge of one's powers to dismiss a cabinet and/or dissolve a parliament can help the former to choose when to negotiate with the legislature on formation of a new cabinet. By analogy, the president with significant legislative powers (including veto and legislative initiative or the power to issue decrees with the force of law) may be in a more promising position to negotiate his or her influence on cabinet formation, since the former has significant leverage to influence a cabinet's legislative success and efficiency. This stipulates that the disregard for the president's role in cabinet formation, even a constitutionally and politically weak one, can be a serious mistake in trying to understand this process.

The peculiarities of division and distribution of mandates, as well as the ways a president and parliament are popularly elected under semi-presidentialism play a complementary role in this context. This is evident given the variability of governing powers of the legislature, which (by the definition of constitutional semi-presidentialism) can dismiss a cabinet, and therefore indicate its

rejection of any hypothetical cabinet, significantly influencing the negotiating behaviour of president and parliament (Bergman 1993b; Huber 1996). This is especially clear when a well-structured, slightly fractionalised and polarised legislature may form a parliamentary majority, which is not inferior to a president in cabinet formation, while guaranteeing support for a hypothetical cabinet, and therefore is a counter-weight to president-oriented cabinet formation. The founding conditions and historical traditions of inter-institutional relations, as well as the experience of previously formed cabinets are also important for cabinet formation under semi-presidentialism.

Thus, there is a correlation between the context, when a country chooses and constitutionalises semi-presidentialism, and the patterns of leadership, which are formed immediately after such an institutional choice (Elgie 1999a: 286–287). Accordingly, a synthetic conclusion that outlines the political nature of cabinet formation under semi-presidentialism, as well as the influence of various political institutions on this process, is the position that a cabinet is a consequence of bargaining and the negotiation process. The latter reflects not only the influence of a president's powers, but also the level of cohesion in the legislature, fractionalisation and polarisation of party system, electoral preferences and historical experience (Elgie 1999b: 13). Moreover, the conclusion is understanding a prime minister under constitutional semi-presidentialism exclusively as an 'agent' of party/coalition, president and parliament (Schleiter – Morgan-Jones), as well as part of the process of cabinet formation in general, but not as a person, whose 'prime ministerial potential' is known in advance. That is why the information on division and distribution of powers between president and parliament and their behaviours under semi-presidentialism is used to generate theoretical expectations about 'location' of a cabinet and its prime minister within a continuum of 'ideal' positions of president and parliament (Protsyk 2005).

The specifics of cabinet formation under semi-presidentialism are supplemented by consideration of the factor of who can dismiss a cabinet – either only parliament as in premier-presidentialism or both parliament and president as in president-parliamentarism (as types of semi-presidentialism). When the right to terminate a cabinet belongs only to the legislature, then a president is faced with an inter-institutional choice: to appoint a prime minister who reflects the preferences of the legislature or to nominate a close candidate for prime minister and be prepared that the legislature will be able to dismiss one at any time and change the president-oriented cabinet. Different strategies emerge when a president and parliament can unilaterally dismiss a prime minister and cabinet, since: a) when a president has the right to dismiss a cabinet, this gives the head of state an advantage in cabinet formation; b) ensuring selection of a more parliament-acceptable prime minister and cabinet does not necessarily guarantee long tenure/duration of the latter, because parliamentary loyalty

to them may be jeopardised by the need to live up to the expectations of the president (Protsyk 2005: 726–727). These situations, regardless of the scenario of cabinet formation, are complicated by the threat of permanent revision and redistribution of powers of prime ministers and presidents, especially when a country has only recently become a semi-presidential one (Elgie 1999a; 1999b).

Contributing to classification of semi-presidentialism, Protsyk (2005: 742) argues that cabinet formation is more predictable in premier-presidential than in president-parliamentary semi-presidential systems, since the former are characterised by the fact that a prime minister's selection more consistently reflects the benefits of a parliamentary majority. A similar conclusion is reached by Amorim Neto and Strøm (2006), as well as by Schleiter and Morgan-Jones (2010), who note that variety of constitutional powers of presidents and parliaments affects the results of cabinet formation under semi-presidentialism. In addition, the greater the power of presidents, the more control they have over cabinet formation, composition and resignation. Correspondingly, the higher the fractionalisation of parties and groups in the legislatures, the more the president controls the results of cabinet formation. Although if cabinet formation begins immediately after parliamentary election, then the influence of the head of state is significantly limited. Likewise, Sedelius and Ekman (2010) note that intra-executive conflict over cabinet formation is an extremely destabilising one under president-parliamentarism, but not premier-presidentialism. Instead, Schleiter and Morgan-Jones (2010) argue that the link between the type of semi-presidentialism and cabinet formation or mainly cabinet survival is an insignificant one. Although if a president has the right to dissolve parliament, then the likelihood of cabinet/ministers reshuffles between elections increases. At the same time, the scholars compare the effects of cabinet formation under semi-presidentialism and parliamentarism (presidentialism is irrelevant here) and conclude that the share of non-party ministers is higher under semi-presidentialism than parliamentarism (Schleiter – Morgan-Jones 2009c). In addition, Cheibub and Chernykh (2009) argue that variability in cabinet formation and stability under semi-presidentialism and parliamentarism depends more on electoral system than on how (popularly or unpopularly) a president is elected and what one's powers are.

Thus, it is proposed to consider and systematise these and other theoretical assumptions on cabinet formation as a factor of structuring and probable classification of semi-presidentialism based on the elucidation of empirical options and consequences of cabinet formation under constitutional semi-presidentialism in European countries. At the same time, the main hypothesis, which is verified in the study, states that options of cabinet formation can structure semi-presidentialism, even without affecting the definition of this constitutional design, but probably depending on the roles and powers of presidents and parliaments in cabinet formation, as well as types of semi-presidentialism

regarding the consideration of who can dismiss a cabinet. That is why the next part of the article is focused on the parameters and effects of cabinet formation in the context of European constitutional semi-presidentialism (mainly cross--comparatively), particularly in the timeline from the constitutional choice and the 'beginning' of semi-presidentialism in certain countries and as of the end of 2022 (mainly currently, but also historically). The up-to-date European countries with semi-presidential constitutions that will be included in comparative research are Austria (since 1945), Azerbaijan (since 1995), Belarus (since 1996), Bosnia and Herzegovina (since 1995), Bulgaria (since 1991), Croatia (since 1991), Czechia (since 2012), Finland (since 1919), France (since 1962), Georgia (since 2004), Iceland (since 1944), Ireland (since 1937), Lithuania (since 1992), Macedonia (since 1991), Moldova (since 2016), Montenegro (since 2006), Poland (since 1990), Portugal (since 1976), Romania (since 1991), Russia (since 1993), Serbia (since 2006), Slovakia (since 1999), Slovenia (since 1991) and Ukraine (since 1996). In addition, the article focuses on historical or interrupted cases of European constitutional semi-presidentialism, particularly in Armenia (1995–2018), Austria (1929–1934), Moldova (1994–2001), Turkey (2007–2018), the Weimar Republic in Germany (1919–1933) and Yugoslavia (2000–2003). These are the countries with different (democratic, hybrid and autocratic) political regimes, and their placement into the same 'basket' of constitutional semi-presidentialism was justified in the Introduction.

III. Options and parameters of cabinet formation under semi--presidentialism in European countries: Cross-country and regional comparison

Along with outlined and theorised determinants or features of cabinet formation in semi-presidential countries, it is important to take into account institutional/constitutional and political/behavioural rules and factors, which can structure and typify semi-presidentialism based on various roles of the institutions of president and parliament in cabinet formation. This is especially important in the example of European countries, since this part of the world (in its broadest and neutral sense) is the most represented by up-to-date and historical cases of semi-presidentialism as a constitutional type (see the end of the previous section). However, European semi-presidentialism, which is constitutionalised in democratic, hybrid and autocratic political regimes, is characterised by different options, procedures, parameters, as well as institutional and political conditions of cabinet formation. This is manifested by the fact that various options and procedures for cabinet formation in semi-presidential systems (in contrast to presidential and parliamentary systems), as well as different roles of presidents (in particular, in the continuum from 'observer' to 'creator') and parliaments in this regard, can be structured by considering exclusively formal

or constitutional provisions, as well as additionally constitutional practices and political traditions in a particular semi-presidential country (Kopeček – Brunclík 2019: 109, 110–115).

On one hand, constitutions may formally regulate (as in almost all current and historical cases of European semi-presidentialism) or not regulate (as currently in Austria, France, Iceland and historically in Austria, Finland, the Weimar Republic) the participation of parliament (through the so-called parliamentary vote of investiture) in confirming the candidacy of prime minister and cabinet proposed/nominated by a president. However, this is by no means a definitive characteristic of semi-presidentialism, as the latter necessarily (in all semi-presidential countries) requires collective responsibility (the possibility of resignation) of a cabinet to parliament (through the so-called vote of no confidence), which in turn limits the powers of the head of state (even in the case of appointing 'his' or 'her' prime minister and cabinet). On the other hand, constitutional practice, political tradition and even the type of political regime (but less frequently constitutional provisions) of a particular semi-presidential country influence the extent to which the parliament is more (as traditionally in Azerbaijan, Belarus and Russia, as well as historically in Armenia, Georgia, Ukraine and so on) or less (as in Austria, Bulgaria, Croatia, Czechia, Iceland, Poland, Portugal, Romania, Slovakia, etc.) loyal to the presidential candidacy for prime minister or cabinet, especially if the head of state does not enjoy the support of a stable majority in the legislature. Sometimes (as in Azerbaijan, Belarus, France, Russia, Ukraine, etc.), this is a result of institutionalised practices and logics of cabinet formation, as well as the significant role of presidents in this process. Other times (once again in Azerbaijan, Belarus, Russia, as well as currently in Bulgaria, Croatia and historically in Armenia, Georgia), it stems from the parliament's fear of being dissolved in the event of failure to form/approve a cabinet proposed by a president, as well as from the president's 'final say' in favour of (interim) cabinet formation (such conclusions were made based on table 2).

Accordingly, the intersection of constitutional provisions, constitutional practices and political traditions allows for the identification of at least two conditional groups of countries. The first group includes countries (Azerbaijan, Belarus and Russia, as well as historically Armenia, Georgia, Ukraine, the Weimar Republic, etc.), where presidents can formally nominate prime ministers and form cabinets independently or traditionally without political coercion from parliaments, which are at risk of being dissolved in the case of disagreement. This is because the 'sole' or 'final' authority regarding cabinet formation lies with the president, and the parliament shows a loyal and institutionalised attitude towards such a state of affairs. The second group of countries (for example, Austria, Bulgaria, Croatia, Czechia, Finland, France, Iceland, Ireland, Lithuania, Macedonia, Moldova, Montenegro, Poland, Portugal, Romania, Slovakia, Slove-

nia, etc.) includes those where presidents formally (during cabinet formations or due to the fear of cabinet resignations caused by parliaments) and primarily actually should take into account the positions of parliaments regarding prime ministers and cabinets. In other words, it refers to countries where parliaments have a greater formal and informal role in prime ministers' and cabinets' confirmation (and resignation), even despite the fear of being dissolved, while presidents mainly play a formal role in this process. Similarly, presidents are empowered to dismiss cabinets in some semi-presidential countries of Europe (the cases of president-parliamentarism are currently represented by Azerbaijan, Belarus and Russia, as well as earlier were represented by Armenia, Croatia, Georgia, Portugal, Ukraine and the Weimar Republic), but cannot do so in other countries (the cases of premier-presidentialism are or were represented by all other semi-presidential countries in Europe).

Accordingly, it is argued that constitutional powers of presidents under semi--presidentialism are strong predictors of their influence on cabinet formation and composition, and therefore the former can eliminate the assumption about irrelevance of their allocation based on actual powers and the behaviour of presidents (Amorim Neto 2003). By analogy, almost all European semi-presidential constitutions regulate the right of parliaments to approve or reject president--nominated prime ministers and/or cabinets, thus ending cabinet formation. In turn, the parliament of each semi-presidential country is obligatorily authorised for early termination/resignation of a cabinet. In addition, almost all cases of semi-presidentialism in Europe regulate the possibility or even requirement of presidents to dissolve parliaments alongside their inability to confirm and complete cabinet formation.

Thus, the procedures of cabinet formation under European semi--presidentialism outlined above are highly variable. This confirms the notions by Amorim Neto and Strøm (2006), as well as by Almeida and Cho (2003) that cabinet formation under semi-presidentialism is a manifestation and consequence of institutionally structured bargaining and negotiations, which take place given to certain schemes and rules. Their average logics and sequences are as follows: president initiates cabinet formation and appoints or nominates prime minister/formateur[1] who receives the mandate to conduct (independently

1 The position or role of a formateur in the case of European semi-presidentialism refers exclusively to an individual who is formally appointed by a president to lead, conduct and finalise negotiations regarding a (coalition) cabinet formation. Therefore, the formateur traditionally assumes the position of prime minister after the success of this process and cabinet formation. Thus, the role of the formateur is typically not defined as an informal one, but is equated to a formal candidate for the position of prime minister in European semi-presidential countries. On the other hand, the formateur may even play an informal role in the cabinet formation process in several parliamentary monarchies and republics in Europe. Additionally, the experience of certain European countries provides sufficient grounds to distinguish between formal and informal roles of the so-called informateur, who typically informs (including the formateur or officials responsible for appointing the formateur) about the prospects for cabinet formation, but does not assume the position of prime minister in the future (although they often hold

or with other institutions) negotiations on composition and programme of a cabinet; parliament formally approves/supports some or all the actions listed above or the consent of parliament is optional in this regard (it depends on constitutional regulations); a cabinet formed in this way may be dismissed by parliament (or both by parliament and president). Instead, non-formation of a cabinet (with various clarifications and reasons) is the basis for the dissolution and early election of parliament, on the average.

On one hand, this argues that a president's powers to form a cabinet are positive ones, since it is the head of state who selects and nominates a prime minister or cabinet formateur (with or without taking into account party/inter-party structuring of parliament). Instead, parliament's powers to form a cabinet are negative ones, since the legislature either agrees or rejects a president's alternative of cabinet. In turn, only parliament is obliged to terminate powers of cabinet and its prime minister in all cases of (European) semi-presidentialism, that summarises the bilateral nature of bargaining/negotiations and conflict of interest over cabinet formation and responsibility within the executive dualism. Thus, a cabinet's positioning under semi-presidentialism is its disposition within the continuum between the rights to nominate/appoint a prime minister and dismiss a cabinet or its prime minister (Protsyk 2005). On the other hand, these averaged logics of cabinet formation under semi-presidentialism does not mean that this constitutional system of government is an unambiguous one. The reason is that procedural stages and patterns of cabinet formation differ significantly, thus generating various manifestations and even types (at least depending on the formal and/or actual powers and relative primacy of presidents compared to parliaments (or vice versa) regarding cabinet formation, as mentioned above) of European semi-presidentialism.

It should be noted that the presence or absence and therefore options of parliamentary votes of investiture in new/hypothetical cabinets, their prime ministers, compositions and/or programmes (i.e. requirements or procedures for confirming presidential nominations of cabinets and prime ministers by parliaments) are different under semi-presidentialism. Firstly, all cases of European semi-presidentialism should be divided at least into two groups of situations, particularly when: a) a cabinet should be endowed with the support of the legislature until its majority objects (through the vote of no confidence) to a cabinet; b) parliamentary confidence in a cabinet is maintained only when a majority in the legislature expresses its support for a cabinet based on parliamentary votes for various initiatives proposed by a cabinet (Louwerse 2014: 1–2). In other words, the first group of situations is determined by the fact that a cabinet should avoid having an active majority in parliament that op-

a ministerial position). However, such informal practices and positions/roles are not characteristic of semi-presidential systems in Europe, where the position of formateur typically plays a formal role.

poses the cabinet in order to be formed and function, and the second group of situations is characterised by the fact that a cabinet should receive direct and unambiguous support of a majority in the legislature, which allows a cabinet to take up its functions. According to Cheibub, Martin and Rasch (2013, 2021), the absence of a majority against a cabinet under semi-presidentialism is an institutionally weaker situation, and therefore it strengthens a president's powers to form a cabinet rather than having a parliamentary majority for a cabinet. In addition, it is easier to avoid the situations when a cabinet is opposed by a parliamentary majority than the situations when a cabinet must receive support of a parliamentary majority. The first situations are often called 'negative rules for cabinet formation' (or even negative parliamentarism), and the second situations – 'positive rules for cabinet formation' (or positive parliamentarism; however, the term 'parliamentarism' does not refer to a parliamentary system of government here) (Bergman 1993b; Russo – Verzichelli 2014). The distinction between positive and negative rules for cabinet formation is about the way parliamentary votes of investiture are implemented for new cabinets, their prime ministers, compositions and/or programmes. The demand for a parliamentary vote of investiture in a new cabinet is a type of 'barrier' that expected a cabinet and, consequently, the person nominating it to overcome before being confirmed by the legislature and beginning to perform its duties. A parliamentary vote of investiture in a new cabinet can be implemented (or not implemented) in different ways and at different stages of negotiations on cabinet formation, and therefore can be characterised by varying degrees of rigors and difficulties (for details on European semi-presidentialism see table 2).

For example, cabinet formation by means of positive rules directly depends on a positive (supported by qualified, absolute or simple majority in the legislature) vote of investiture in a new cabinet by parliament or its leading chamber. Given this, a cabinet starts its work only after it (its prime minister, composition and/or programme) is given the investiture vote by a qualified, absolute or simple majority (depending on a specific case) of MPs in the legislature. Accordingly, a cabinet is considered a valid and functioning one as long as it enjoys the confidence of the legislature or until it is given a parliamentary vote of no confidence. Therefore, the investiture in a cabinet in this case is a permanent one and is provided both at the stage of its initiation/formation, as well as during its functioning.

In turn, cabinet formation by means of negative rules does not directly depend on a positive vote of investiture in a new cabinet by parliament (its leading chamber) or it depends only on a negative vote of investiture in a new cabinet by the legislature. Thus, a negative vote of investiture in a cabinet means that an absolute majority of MPs in the legislature should not vote against a prime minister, composition and/or programme of a cabinet in order for the latter to be formed and start its functioning (Rasch – Martin – Cheibub 2015). In other

words, a president's PM candidates can be considered nominated and thus cabinets can be formed even without the visible and explicit support of a majority of MPs in the legislature. Therefore, a cabinet under negative formation rules starts functioning immediately after it or its prime minister is nominated or appointed without available support (the vote of investiture) of the legislature or provided that a majority of MPs in the legislature do not vote against a cabinet or its prime minister. Consequently, a cabinet is considered a valid and functioning one until it is given a positive vote of no confidence or until it is denied in 'silent' or 'negative' confidence. This actually means that negative rules for cabinet formation are scenarios based on constant 'silent' confidence of the legislatures (when the latter do not express the vote of no confidence in cabinets) or on constant negative investiture in cabinets (which is not opposed by an absolute majority of MPs) (Russo – Verzichelli 2014).

The performed analysis demonstrates that various investiture rules for cabinet formation under semi-presidentialism in Europe show that parliament is less important in determining the type and composition of a cabinet in those countries where there are negative rules for cabinet formation. However, this does not necessarily indicate weakness of presidents regarding cabinet formation in those semi-presidential countries, where positive rules for cabinet formation are applied. Especially if the latter (in the case of ineffective votes of investiture in cabinets) still enable cabinet formation even without the confidence of the legislatures. On the other hand, the powers of the legislatures within negative rules for cabinet formation under semi-presidentialism increase during functioning of the latter. The reason is that refusal of parliaments to 'silently' 'trust' cabinets or failure to secure negative confidence in cabinets by the legislatures (on any issue of cabinet competence) is a direct motive for cabinet resignation. In turn, this is complicated by the use of positive rules for cabinets' formation, since their resignation is accustomed to positive parliamentary votes of no confidence (Bergman 1993a).

In total, this proves that cabinets must constantly and actively depend on the support of a majority in the legislatures in European semi-presidential countries, which enjoy positive rules for cabinet formation. According to table 2, these are almost all semi-presidential countries in Europe, with the exception of Austria (in 1929–1934 and since 1945), Finland (in 1919–1999), France (since 1962), Iceland (since 1944), Portugal (since 1976) and the Weimar Republic (in 1919–1933). Instead, a majority in the legislatures should not constantly and actively act against cabinets in the European semi-presidential countries, which apply negative rules for cabinet formation. In other words, cabinets and their nominees must feel constant support and loyalty from the legislatures in those semi-presidential countries where positive rules for cabinet formation are used. In contrast, this is not typical for countries which use negative rules for cabinet formation, since cabinets/their nominees enjoy the 'silent' confidence

Table 2: The options of parliamentary votes of investiture in new cabinets in up-to-date and historical cases of European semi-presidentialism (as of December 2022)

Semi-presidential country: constitutional context (approbation period)	Participation of parliament in the vote of investiture in cabinet	Permissible simultaneous number of formateurs or cabinet alternatives during the vote of investiture	Actors entitled to nominate prime ministers, formateurs or cabinet alternatives
POSITIVE RULES FOR CABINET FORMATION OR RECEIVING...			
Armenia (1995–2005)	Yes	1	President
Armenia (2005–2018)	Yes	1	President
Azerbaijan (since 1995)	Yes	1	President
Belarus (since 1996)	Yes	1	President
Bosnia and Herzegovina (since 1995)	Yes	1	President
Bulgaria (since 1991)	Yes	1	President + The largest faction
Croatia (1991–2000)	Yes	1	President
Croatia (since 2000)	Yes	1	President + Speaker of parliament
Czechia (since 2012)	Yes	1	President + Speaker of parliament
Finland (since 1999)	Yes	1/>1	Speaker of parliament + Parliamentary factions + President
Georgia (2004–2013)	Yes	1	President + Parliamentary factions
Georgia (since 2013)	Yes	1	President + The largest faction
Ireland (since 1937)	Yes	1	President + Parliamentary factions
Lithuania (since 1992)	Yes	1	President + Parliament
Macedonia (since 1991)	Yes	1	President + The largest faction

	The number of attempts or days to obtain parliamentary vote of investiture in cabinet	Type of parliamentary vote of investiture in cabinet	Decision rule on parliamentary vote of investiture in cabinet	The consequence of the failure of the last attempt of parliamentary vote of investiture in cabinet
... PARLIAMENTARY VOTES OF INVESTITURE BY CABINETS				
	2 attempts	Ex post	Absolute majority	Interim cabinet formation + Dissolution of parliament
	2 attempts	Ex post	Absolute majority	Interim cabinet formation + Dissolution of parliament
	3 attempts	Ex ante	Absolute majority	Cabinet formation
	2 attempts	Ex ante	Absolute majority (Lower chamber only)	Interim cabinet formation + Dissolution of parliament
	Not provided	Ex ante + Ex post	Simple majority / Negative majority	Not provided
	3 attempts	Ex ante + Ex post	Simple majority	Interim cabinet formation + Dissolution of parliament
	15 days	Ex post	Absolute majority (Lower chamber only)	New attempt of the vote of investiture in cabinet
	60 days	Ex post	Absolute majority	Interim cabinet formation + Dissolution of parliament
	3 attempts	Ex post	Simple majority (Lower chamber only)	Dissolution of parliament
	3 attempts	Ex ante (Partially Ex post)	Simple majority	The vote of investiture in cabinet is always successful
	3 attempts	Ex post	Absolute majority	Cabinet formation + Dissolution of parliament
	3 attempts	Ex post	Absolute majority	Dissolution of parliament + Previous cabinet functioning
	Not provided	Ex ante + Ex post	Simple majority (Lower chamber only)	New attempt of the vote of investiture in cabinet
	30/60 days	Ex post	Simple majority	Dissolution of parliament
	Not provided	Ex post	Absolute majority	Not provided

Semi-presidential country: constitutional context (approbation period)	Participation of parliament in the vote of investiture in cabinet	Permissible simultaneous number of formateurs or cabinet alternatives during the vote of investiture	Actors entitled to nominate prime ministers, formateurs or cabinet alternatives
POSITIVE RULES FOR CABINET FORMATION OR RECEIVING...			
Moldova (1994–2001)	Yes	1	President + Parliamentary factions
Moldova (since 2016)	Yes	1	President + Parliamentary factions
Montenegro (2006–2007)	Yes	1	President
Montenegro (since 2007)	Yes	1	President
Poland (1990–1992)	Yes	1	President + Parliament
Poland (1992–1997)	Yes	1	President, Parliament
Poland (since 1997)	Yes	1	President, Parliament, 10% of MPs
Romania (since 1991)	Yes	1	President
Russia (since 1993)	Yes	1	President
Serbia (since 2006)	Yes	1	President + Parliamentary factions
Slovakia (since 1999)	Yes	1	President
Slovenia (since 1991)	Yes	1/>1	President + Parliamentary factions, 10 MPS
Ukraine (1996–2006)	Yes	1	President
Ukraine (2006–2010)	Yes	1	President + Parliamentary majority
Ukraine (2010–2014)	Yes	1	President
Ukraine (since 2014)	Yes	1	President + Parliamentary majority

	The number of attempts or days to obtain parliamentary vote of investiture in cabinet	Type of parliamentary vote of investiture in cabinet	Decision rule on parliamentary vote of investiture in cabinet	The consequence of the failure of the last attempt of parliamentary vote of investiture in cabinet
... PARLIAMENTARY VOTES OF INVESTITURE BY CABINETS				
	3 attempts (45 days)	Ex post	Absolute majority	Dissolution of parliament
	3 attempts (45 days)	Ex post	Absolute majority	Dissolution of parliament
	90 days	Ex post	Absolute majority	Dissolution of parliament
	90 days	Ex post	Absolute majority	Dissolution of parliament
	Not provided	Ex ante	Absolute majority	Not provided
	4 attempts	Ex post	Absolute majority / Simple majority (Lower chamber only)	Dissolution of parliament or Interim cabinet formation
	3 attempts	Ex post	Simple majority (Lower chamber only)	Dissolution of parliament
	2 attempts	Ex post	Simple majority (Two chambers both)	Dissolution of parliament
	3 attempts	Ex ante	Absolute majority (Lower chamber only)	Cabinet formation + Dissolution of parliament
	Not provided	Ex post	Absolute majority	Dissolution of parliament
	3 attempts	Ex post	Simple majority	Dissolution of parliament
	3 attempts	Ex ante	Absolute majority / Simple majority (Lower chamber only)	Dissolution of parliament or additional attempt to obtain the vote of investiture in cabinet
	Not provided	Ex ante	Absolute majority	New attempt of the vote of investiture in cabinet
	30/60 days	Ex ante + Ex post	Absolute majority	Dissolution of parliament
	Not provided	Ex ante	Absolute majority	New attempt of the vote of investiture in cabinet
	30/60 days	Ex ante + Ex post	Absolute majority	Dissolution of parliament

Semi-presidential country: constitutional context (approbation period)	Participation of parliament in the vote of investiture in cabinet	Permissible simultaneous number of formateurs or cabinet alternatives during the vote of investiture	Actors entitled to nominate prime ministers, formateurs or cabinet alternatives
POSITIVE RULES FOR CABINET FORMATION OR RECEIVING...			
Yugoslavia (2000–2003)	Yes	1	President + Parliamentary factions
NEGATIVE RULES FOR CABINET FORMATION OR RECEIVING...			
Austria (1929–1934)	No	–	President
Austria (since 1945)	No	–	President
Finland (1919–1999)	No	–	President
France (since 1962)	No	–	President
Iceland (since 1944)	No	–	President
Portugal (1976–1982)	Yes	1	President
Portugal (since 1982)	Yes	1	President + Parliamentary factions
The Weimar Republic (1919–1933)	No	–	President
Turkey (2007–2018)	Yes	1	President

Democracies are marked in white, hybrid political regimes in light grey and autocracies in dark grey. The estimation of political regimes is carried out based on averaging data from various comparative projects (as of 2022 or the last year of the semi-presidentialism's operationalisation). For details see national constitutions and the sources (Cheibub – Martin – Rasch 2013, 2021; Sieberer 2015; Armingeon – Engler – Leemann 2022; Elkins – Ginsburg 2022).

of parliaments, as a result the latter must prove they no longer tolerate a cabinet (Bergman 1993b: 57; Lytvyn 2021).

Secondly, clarifying the actors who have the right to nominate prime ministers or alternatives to compositions and programmes of new cabinets is extremely important in cabinet formation under semi-presidentialism, particularly within the distinction between the powers of presidents and parliaments over cabinet formation. Constitutions of almost all European semi-presidential countries vest such powers in presidents (sometimes with participation or consultation of other institutions), but with the exception of Croatia (since 2000) and Finland (since 1999), where both the speaker of parliament and the president (given the positioning of parliamentary parties in the second case) are authorised to nominate prime ministers. A similar option existed in Poland

	The number of attempts or days to obtain parliamentary vote of investiture in cabinet	Type of parliamentary vote of investiture in cabinet	Decision rule on parliamentary vote of investiture in cabinet	The consequence of the failure of the last attempt of parliamentary vote of investiture in cabinet
	... PARLIAMENTARY VOTES OF INVESTITURE BY CABINETS			
	Not provided	Ex ante (Partially Ex post)	Absolute majority (Two chambers both)	New attempt of the vote of investiture in cabinet
	... PARLIAMENTARY VOTES OF INVESTITURE BY CABINETS			
	–	–	–	–
	–	–	–	–
	–	–	–	–
	–	–	–	–
	–	–	–	–
	3 attempts	Ex post	Negative majority	Dissolution of parliament
	Not provided	Ex post	Negative majority	New attempt of the vote of investiture in cabinet
	–	–	–	–
	Not provided	Ex post	Negative majority	Dissolution of parliament or Interim cabinet formation

in 1990–1992, where candidates for prime ministers were nominated by the legislature along with president, as well as in Poland in 1992–1997, when the candidacy of a prime minister could be initially (in the first and third attempts to nominate the prime minister) offered by the president and later (after its no support, i.e. in the third and fourth attempts) by parliament, yet according to different decision rules within the same sequence. Finally, a specific case is presented by Czechia (since 2012), where a president nominates the candidacy of a prime minister during the first two attempts to form a cabinet, but instead it is the president from the submission of the speaker of the lower chamber of parliament after the failure of these two attempts (in the third attempt). However, the president's participation in the nomination of the head or formateur of cabinet is not entirely a unilateral and standardised one, since up-to-date

and historical cases of European constitutional semi-presidentialism (except Poland in 1990–1992 and 1992–1997, Croatia since 2000, Czechia since 2012 and Finland since 1999) should be divided into the following groups, where: a) presidents nominate prime ministers or cabinet formateurs themselves (Armenia in 1995–2018, Austria in 1929–1934 and since 1945, Azerbaijan since 1995, Belarus since 1996, Bosnia and Herzegovina since 1995, Croatia in 1991–2000, Finland in 1919–1999, France since 1962, Iceland since 1944, Montenegro since 2006, Portugal in 1976–1982, Romania since 1991, Russia since 1993, Slovakia since 1999, Turkey in 2007–2018, Ukraine in 1996–2006 and 2010–2014 and the Weimar Republic in 1919–1933); b) presidents nominate prime ministers or cabinet formateurs with the consent/submission of parliaments, the largest/different parliamentary groups and factions, parliamentary coalitions, etc. (Bulgaria since 1991, Georgia since 2004, Ireland since 1937, Lithuania since 1992, Macedonia since 1991, Moldova in 1994–2001 and since 2016, Poland since 1997, Portugal since 1982, Serbia since 2006, Slovenia since 1991, Ukraine in 2006–2010 and since 2014, Yugoslavia in 2000–2003) (see table 2 for details).

Thirdly, it is important to consider 'what' and 'when' is a subject of parliamentary vote of investiture in a new cabinet, in particular a candidacy of prime minister, composition of cabinet, programme of cabinet, as well as their compatibility or incompatibility with each other. The votes of investiture in new cabinets or the investiture rules for cabinet formation can be both 'ex ante' (anticipatory) and 'ex post' (resultant) ones (Lupia 2003; Strøm 2003; Cheibub – Martin – Rasch 2013, 2021). The first ones come when parliament 'elects'/confirms the nomination of a prime minister by a president and/or other actors, but the negotiation process for structuring a cabinet political platform and allocating ministerial portfolios takes place afterwards (after cabinet/formateur receives the investiture). Instead, the second ones occur when parliament verifies the composition and/or programme of a new cabinet for the status quo and its support, regardless of whether parliament checks the investiture in a nominee for prime minister. As for European constitutional semi-presidentialism, then its distinction of 'ex ante' and 'ex post' votes of investiture in cabinets is as follows: the first ones were or have been used in Azerbaijan since 1995, Belarus since 1996, Poland in 1990–1992, Russia since 1993, Slovenia since 1991, Ukraine in 1996–2006 and 2010–2014; the second ones were habitual or have been used in Armenia in 1995–2018, Croatia since 1991, Czechia since 2012, Georgia since 2004, Lithuania since 1992, Macedonia since 1991, Moldova in 1994–2001 and since 2016, Montenegro since 2006, Poland since 1992, Portugal since 1976, Romania since 1991, Serbia since 2006, Slovakia since 1999 and Turkey in 2007–2018. At the same time, there are the situations of combining or a sequence of two types of the votes of investiture in cabinets among some cases of European semi-presidentialism. For example, Finland since 1999 (as well as Yugoslavia

in 2000–2003) mainly uses 'ex ante' votes of investiture in new cabinets, but partially with the elements of 'ex post' votes of investiture, since the compositions and programmes of cabinets are discussed, although not voted on before the investiture ('elections' or approvals) in prime ministers. Instead, 'ex ante' and 'ex post' votes of investiture in new cabinets have been or were combined in Bosnia and Herzegovina since 1995, Bulgaria since 1991, Ireland since 1937, Ukraine in 2006–2010 and since 2014, because it is/was constitutionalised that parliament initially confirms candidacies for prime ministers, followed by confirmation of cabinets compositions and/or programmes. Finally, there are no votes of investiture in new cabinets in Austria (since 1945), France (since 1962) and Iceland (since 1944), as well as historically in Austria (1929–1934), Finland (1919–1999) and the Weimar Republic (1919–1933).

Fourthly, the principles of cabinet formation under European semi--presidentialism differ due to decision and procedural rules for obtaining the votes of investiture in cabinets by the legislatures, in particular by a qualified, absolute, relative or negative majority of MPs. The first three rules (qualified, absolute and relative majority systems) outline positive votes of investiture or positive rules for cabinet formation, meanwhile the fourth rule (negative majority system) and the absence of the investiture in cabinets by the legislatures apply to negative votes of investiture or negative rules for cabinet formation. Since there are no cases where qualified majority systems are provided for receiving the votes of investiture in cabinets among European semi-presidential countries (see table 3), then absolute majority rule (that requires support from more than 50 percent of the total number of MPs) is the strictest decision rule for cabinet formation. It is currently used or were used in semi-presidential countries such as Armenia in 1995–2018, Azerbaijan since 1995, Belarus since 1996, Croatia since 1991, Georgia since 2004, Macedonia since 1991, Moldova in 1994–2001 and since 2016, Montenegro since 2006, Poland in 1990–1992, Russia since 1993, Serbia since 2006, Ukraine since 1996 and Yugoslavia in 2000–2003. A less strict one is simple majority rule (which requires support from more than 50 percent of the MPs present in the legislature or participating in voting), which has been used in Bulgaria since 1991, Czechia since 2012, Finland since 1999, Ireland since 1937, Lithuania since 1992, Poland since 1997, Romania since 1991 and Slovakia since 1999. In particular, such a separate subtype as plurality rule (when the investiture in a cabinet is a support of a certain alternative of cabinet by a relative higher number of MPs than for any other alternative) has been used in Finland since 1999. A candidate for the position of prime minister in this country should receive a majority of votes of the MPs present in parliament initially (during the first and second attempts to form a cabinet). If this is not the case, the prime minister is the candidate who receives the most votes (over all other candidates) of the MPs present, which means that the cabinet in Finland is always formed. Finally, the least strict one

Table 3: Decision rules on parliamentary votes of investiture in new cabinets in up-to-date and historical cases of European semi-presidentialism (as of December 2022)

Decision rule on parliamentary vote of investiture in cabinet	Mathematical form of the decision rule on parliamentary vote of investiture in cabinet	Type of rule of cabinet formation	Examples among up-to-date and historical cases of European semi-presidentialism
1. Absolute majority rule	$Y > (N + A)$	Positive	Azerbaijan (since 1995), Belarus (since 1996), Armenia (1995–2005), Armenia (2005–2018), Croatia (1991–2000), Croatia (since 2000), Georgia (2004–2013), Georgia (since 2013), Macedonia (since 1991), Moldova (1994–2001), Moldova (since 2016), Montenegro (2006–2007), Montenegro (since 2007), Poland (1990–1992), Poland (1992–1997, the first and second attempts to form cabinet), Russia (since 1993), Serbia (since 2006), Slovenia (since 1991, the first and second attempts to form cabinet), Ukraine (1996–2006), Ukraine (2006–2010), Ukraine (2010–2014), Ukraine (since 2014), Yugoslavia (2000–2003)
2. Simple majority rule	$Y > N$	Positive	Bosnia and Herzegovina (since 1995, the first attempt to form cabinet), Bulgaria (since 1991), Czechia (since 2012), Finland (since 1999, the first and second attempts to form cabinet), Ireland (since 1937), Lithuania (since 1992), Poland (1992–1997, the third and fourth attempts to form cabinet), Poland (since 1997), Romania (since 1991), Slovakia (since 1999), Slovenia (since 1991, the third/last attempt to form cabinet)
2.1. Plurality rule	$Y_1 > Y_n$ for each n	Positive	Finland (since 1999, the third/last attempt to form cabinet)
3. Negative majority rule	$(Y + A) > N$	Negative	Bosnia and Herzegovina (since 1995, the second attempt to form cabinet), Portugal (1976–1982), Portugal (since 1982), Turkey (2007–2018)
4. Non-existence of the vote of investiture in cabinet	–	Negative	Austria (1929–1934), Austria (since 1945), Finland (1919–1999), France (since 1962), Iceland (since 1944), the Weimar Republic (1919–1933)

Table 3 is partly based on Louwerse 2014. Legend: Y – voices for the support of the investiture vote in cabinet; Y_n – voices for the support of the investiture vote in alternative cabinet n; N – voices against the investiture vote in cabinet; A – absent MPs and/or voices of those MPs who abstained from the voting for the investiture in cabinet.

is negative majority rule, which requires parliamentary support at the level when an alternative of prime minister or a cabinet should not be opposed by an absolute majority of MPs from the composition of parliament (Louwerse 2014: 3; Rasch 2014; Rasch – Martin – Cheibub 2015). This rule has been used in Portugal since 1976 and was used in Turkey in 2007–2018.

At the same time, special attention is paid to clarifying the decision rules on parliamentary votes of investiture in new cabinets in European semi-presidential countries such as Bosnia and Herzegovina since 1995, Poland in 1992–1997 and Slovenia since 1991. In Bosnia and Herzegovina, the vote of investiture in a new cabinet must be approved by a relative majority of the MPs of the lower chamber of parliament present, however, not by less than 1/3 of the MPs from each ethnic group (taking into account multi-ethnic population and a specific electoral system). If this is not possible, then the vote of investiture in a cabinet must be approved within negative majority rule, i.e. by a majority of the MPs present, provided that the MPs who vote against the cabinet do not make up 2/3 or more of all the members of each ethnic group in the legislature. In turn, the specificity of Poland in 1992–1997 was the design when absolute majority rule was applied initially (during the first and second attempts to form a cabinet within the nomination of candidates for prime ministers initially by president and then by the legislature), but in the case of failure, the rule shifted to relative majority (during the third and fourth attempts to form a cabinet according to the same sequence of nominations of prime ministers' candidates). Finally, the first and second attempts to form a cabinet in Slovenia require the support of an absolute majority of MPs in the lower chamber of parliament, and the third attempt requires the support of a relative majority of MPs in the legislature.

Thus, it is worth concluding that reducing the complexity of decision rules on the votes of investiture in new cabinets and their impact on inter-institutional relations under European semi-presidentialism are bimodal ones. On one hand, this means increasing the influence of presidents on cabinet formation. On the other hand, this reflects the simplification of cabinet formation by prime ministers who are opposed to presidents. This is especially true when the votes of investiture in cabinets require support of two chambers of parliaments under bicameralism (as presently in Romania and historically in Yugoslavia), because such institutional rule strengthens parliaments, as well as prime ministers and their cabinets. However, such an institutional design is extremely rare, since only the lower chambers of bicameral parliaments are almost always involved in the votes of investiture in new cabinets.

Fifthly, clarifying unsuccessful parliamentary votes of investiture in cabinets is also important in determining the rules for cabinet formation under European semi-presidentialism. In one group of countries (Czechia since 2012, Lithuania since 1992, Moldova in 1994–2001 and since 2016, Montenegro since 2006, Poland since 1997, Portugal in 1976–1982, Romania since 1991, Serbia since

2006, Slovakia since 1999, Slovenia since 1991, Ukraine in 2006–2010 and since 2014), they are or were the basis for the dissolution of the legislatures and early parliamentary elections. A similar situation is common for Georgia since 2013, since an unsuccessful vote of investiture in a cabinet leads to the dissolution of parliament and authorisation of the previous cabinet. Instead, in another group of countries (Armenia in 1995–2018, Belarus since 1996, Bulgaria since 1991, Croatia since 2000, Georgia in 2004–2013, Russia since 1993), unsuccessful votes of investiture in cabinets still lead or previously led to formation of permanent or interim cabinets, dissolution of the legislatures and their early elections. In contrast, the choice between dissolution and early elections of parliaments or interim cabinets' formation was previously common in Poland (1992–1997) and Turkey (2007–2018). In Azerbaijan, a new cabinet proposed by a president is considered formed even after failure of the vote of investiture, however, without dissolution of parliament. In turn, the votes of investiture in cabinets finally (in their last attempts) are always successful only in Finland, since they always end with cabinet formation. A similar consequence of the failure of the last attempt of the investiture in a cabinet manifest itself in a new cycle of the vote of investiture, like in European semi-presidential countries such as Croatia in 1991–2000, Ireland since 1937, Portugal since 1982, Ukraine in 1996–2006 and 2010–2014, Yugoslavia in 2000–2003, as well as actually (without constitutional regulations) in Bosnia and Herzegovina since 1995, Macedonia since 1991 and Poland in 1990–1992. This mostly means that all necessary conditions are created for compulsory cabinet formation, regardless of the number of the investiture attempts and without the threat of parliaments' dissolution.

In summarising the outlined cross-country and regional comparisons, it is necessary to state that the options and parameters of cabinet formation under semi-presidentialism in European countries are quite heterogeneous. Accordingly, the next section of the article focuses on systematising the differences in options and parameters of cabinet formation within the framework of European semi-presidentialism, but mainly with the aim of identifying and structuring their effects and outcomes. Additionally, its purpose is to verify whether these differences can indeed serve as analytical patterns and criteria for classification of semi-presidentialism, including within its division into president-parliamentarism and premier-presidentialism, as well as within democratic, hybrid and autocratic political regimes.

IV. Effects and outcomes of cabinet formation under European semi-presidentialism: Analytical patterns

One could argue that the cabinet formation process in semi-presidential countries, at least within the framework of a minimalist approach primarily used in the article, is not central to the understanding of semi-presidentialism as such,

since there are no principal differences from cabinet formation process under parliamentarism. In other words, most researchers believe that the options and parameters of cabinet formation in semi-presidentialism and parliamentarism are mostly more similar than different, including in terms of delineating several variations of formal and actual/informal powers of the heads of state and parliaments in this process. Therefore, deriving, justifying and verifying a truly new classification logic of semi-presidentialism based on the unique specificity and regulations of cabinet formation, which would be a highly focused and cohesive one, is quite challenging. Accordingly, semi-presidentialism (as well as parliamentarism) in terms of cabinet formation can be structured based on well-known differences, such as the particular competencies of the head of state and parliament, negative or positive rules for cabinet formation or absolute, relative or negative majority rules for parliamentary votes of investiture, etc.

Nevertheless, semi-presidentialism differs from parliamentarism in the popular election of a president, as well as in the significantly greater formal and/or actual powers of the head of state within the executive. This undoubtedly influences the president's interest in participating in cabinet formation, particularly with the aim of having a real role in the executive dualism. Given this background, it is indeed appropriate to identify conditional types of semi-presidentialism, at least depending on the formal and/or actual powers, as well as relative primacy of presidents compared to parliaments (or vice versa) regarding cabinet formation. Specifically, the previous section of the article revealed that presidents (and parliaments) can have relatively strong/stronger or weak/weaker formal and/or actual roles in cabinet formation. Thus, it is empirically important in this context to separate, correlate and systematise the political effects and outcomes of the constitutionalised procedures and options of cabinet formation (primarily the investiture votes) under European semi-presidentialism, particularly in relation to its types (president-parliamentarism and premier-presidentialism) and types of political regimes (democratic, hybrid and autocratic). This allows for the identification of certain more systematic and additional analytical patterns that relate to the existing and common classifications of semi-presidentialism within the attempt to taxonomy semi-presidentialism based on comparing the formal and/or actual roles of presidents and parliaments regarding various parameters of cabinet formation in different types of political regimes.

On one hand, there is a partial correlation between the types of semi-presidentialism, particularly based on the subject of collective responsibility (the possibility of early resignation) of cabinets solely to parliaments (premier-presidentialism) or both to parliaments and presidents (president-parliamentarism), and the relative strength of presidents and parliaments in the process of cabinet formation. Relatively strong or stronger formal (and actual) powers of presidents regarding cabinet formation are predominantly

determined and occur in the overwhelming majority of the cases of president-parliamentarism, although they are additionally intensified, when parliamentary investiture procedures for cabinets are nominally absent. Nevertheless, strong or stronger roles of presidents in cabinet formation statistically occur almost equally frequently, whether parliamentary votes of investiture are present or absent. Instead, relatively weak or weaker formal (and actual) powers of presidents in cabinet formation are statistically almost always associated with and occur in the cases of premier-presidentialism and even in some cases of president-parliamentarism. Furthermore, the weakening of presidents' roles in this context typically occurs due to nominal regulation of parliamentary votes of investiture in cabinets. In summary, this means that formal and actual strengthening of presidents (and weakening of parliaments) regarding cabinet formation is facilitated by president-parliamentary option of semi-presidentialism, as well as by the scenarios when parliamentary votes of investiture in cabinets are absent (at least compared to premier-presidential option and situations when votes of investiture are present).

In addition (to the aforementioned patterns), presidents strengthen their positions while parliaments weaken their influence in cabinet formation depending on: 1) which actors are entitled to nominate prime ministers, formateurs or cabinet alternatives (if it is only presidents, it often strengthens the heads of state, whereas if it is presidents along with parliamentary factions and speakers, it almost always strengthens the legislatures); 2) which are the consequences of the last failed attempt of a parliamentary vote of investiture in a cabinet (if the consequence is the nominal dissolution of parliament and/or the formation of an (interim) cabinet by president, it often strengthens the head of state; however, if there are other consequences, even the exceptional dissolution of parliament, it more frequently strengthens the legislature, surprisingly). Instead, factors such as the following do not have a direct impact on strengthening presidents in the context of cabinet formation (although they may have an influence on strengthening parliaments): 1) the permissible simultaneous number of formateurs or cabinet alternatives, more than 1; 2) the number of attempts or days to obtain a parliamentary vote of investiture in a cabinet or to form a cabinet in general; 3) the type of parliamentary vote of investiture in a cabinet (although the ex post options of parliamentary votes of investiture more frequently and likely strengthen the role of parliaments in cabinet formation); 4) the decision rule on a parliamentary vote of investiture in a cabinet (it is interesting that the strengthening of presidents in cabinet formation statistically occurs more frequently within an absolute majority system rather than a relative majority system, which contributes to nominal and actual strengthening of parliaments); 5) positive or negative rules for cabinet formation (which is broader than the mere presence or absence of parliamentary votes of investiture in cabinets). Overall, even though president-parliamentarism compared to premier-presidentialism does not always nominally strengthen

presidents in cabinet formation, the former tends to do so actually with greater probability. This is particularly evident considering the nominal feature that president-parliamentarism entails dual collective responsibility of cabinets to both presidents and parliaments, rather than solely to parliaments as in the case of premier-presidentialism.

On the other hand, the type of political regime (as of 2022 or the last year of operationalisation of constitutional semi-presidentialism, particularly as one of its consequences; see table 2 for details) indirectly affects the complexity or ease of cabinet formation in terms of a president's and parliament's political roles, and vice versa. The rules for cabinet formation (the votes of investiture) are, on average, procedurally more beneficial to presidents in autocratic and hybrid regimes, but to parliaments in democracies. This is manifested in indicators and components of the investitures in cabinets such as: 1) the actors entitled to nominate prime minister or cabinet alternatives (solely presidents in autocratic and half of hybrid regimes or presidents and members (leadership or parties) of parliaments in half of hybrid and almost all democratic regimes); 2) the number of attempts to obtain the investiture (on average, less in autocratic and half of hybrid regimes, but more in half of hybrid and most of democratic regimes); 3) the type of the investiture vote (mainly 'ex ante' (only regarding prime minister) in more autocratic regimes, but 'ex post' or both 'ex ante' and 'ex post' (regarding cabinet composition and even programme) in more democratic regimes); 4) the decision rule on the investiture vote (mainly absolute majority rule in autocratic and hybrid regimes, but relative majority rule in democracies); 5) the consequence of the investiture vote failure (still cabinet formation (even in parallel with parliament's dissolution) in more autocratic countries, but cabinet non-formation (often in parallel with parliament's dissolution) in more democratic countries). The exceptions are semi-presidential countries where presidents can form cabinets without the investiture votes or under negative investiture votes, which most often happens in non-autocratic (primarily more democratic) regimes where there is a proper political culture. In other words, negative rules for cabinet formation are currently inherent only to democratic countries, but have never determined autocratic cases of constitutional semi-presidentialism in Europe. Instead, positive rules for cabinet formation occur in semi-presidential countries with all possible types of political regimes.

In addition to this, an inverse relationship is also observed, since the simplification of the rules for cabinet formation (according to the investitures' indicators listed above) in favour of presidents contributes to the autocratisation, but in favour of parliaments (with the exception of rules without the investiture votes) – to the democratisation of constitutional semi-presidentialism, on average. The revealed correlation is strengthened by the distinction of semi-presidentialism into president-parliamentary and premier-presidential options. Thus, the up-to-date cases of president-parliamentarianism (where a cabinet can

be dismissed not only by parliament, but by a president) definitely strengthen presidents in cabinet formation, but also increase the risk and level of autocracy of constitutional semi-presidentialism. In contrast, no up-to-date case of premier-presidentialism in Europe is autocratic, since this institutional design additionally contributes to the strengthening of parliaments in cabinet formation. Accordingly, the constitutional choice of semi-presidentialism and options of cabinet formation can influence the future type of political regime in a certain country, and therefore must be taken into account by scholars, politicians and constitutional engineers.

V. Conclusion

Cabinet formation is certainly an attribute of semi-presidentialism, including in European countries, since the former is typically focused on the junction of relations between presidents and parliaments, as well as results of their elections. Even though cabinet formation is not traditionally seen as part of the existing definitions of semi-presidentialism. Nevertheless, constitutional rules and real practices, which structure and categorise European semi-presidentialism based on distinctive roles of presidents and parliaments, as well as options of parliamentary votes of investiture, are important in cabinet formation. This is especially relevant considering that the abilities of parliaments to approve or reject candidacies for prime ministers or alternatives of cabinets nominated by presidents are almost absolute, although very different under European semi-presidentialism (though with exceptions). The same applies to the almost ubiquitous abilities of presidents to dissolve parliaments when the latter are incapable of supporting cabinet formation, as well as the completely absolute abilities of parliaments to terminate prime ministers or cabinets under semi--presidentialism in Europe, regardless of its type (president-parliamentarism and premier-presidentialism) and type of political regime (democratic, hybrid or autocratic) within it. At the same time, the article systematises that European constitutional semi-presidentialism is characterised by various options of cabinet formation and investitures, in particular by different rules (positive or negative) and types ('ex ante', 'ex post' or both) of cabinet formation and the investiture votes, actors (solely presidents or presidents and parliaments) entitled to nominate prime minister or cabinet alternatives, as well as by different decision rules (by absolute, simple or negative majority), duration and number of attempts to obtain the investiture.

Nevertheless, deriving, justifying and verifying a new classification logic for semi-presidentialism based on cabinet formation is challenging due to its unique specificity and regulations. However, it is important to identify conditional types and patterns of semi-presidentialism based on formal and/or actual powers of presidents and parliaments in cabinet formation, as well as

their relative primacy. The comparative analysis allows for the identification of systematic patterns and additional insights into the constitutional and political effects and outcomes of cabinet formation procedures in different types of political regimes under different types of European semi-presidentialism. In other words, the options and rules for cabinet formation have different political effects under European semi-presidentialism, particularly in relation to its types (president-parliamentarism and premier-presidentialism) and types of political regimes (democratic, hybrid or autocratic). On one hand, the type of semi-presidentialism, as well as presence or absence of parliamentary votes of investiture play a significant role in determining the relative strength of presidents and parliaments in cabinet formation. President-parliamentarism, where cabinets are collectively responsible to both presidents and parliaments, tends to strengthen presidents in practice. Conversely, premier-presidentialism, where cabinets are solely responsible to parliaments, typically results in weaker presidential influence. Factors such as the nomination process for prime ministers and the consequences of failed parliamentary votes of investiture also contribute to the balance of power between presidents and parliaments. On the other hand, the type of political regime also affects the complexity of cabinet formation and vice versa, with autocratic (and partly hybrid) regimes favouring presidents, but democratic (and partly hybrid) regimes favouring parliaments. Additionally, the simplification of rules in favour of presidents contributes to autocratisation, while rules in favour of parliaments tend to promote democratisation, but with the distinction between president-parliamentary and premier-presidential options of semi-presidentialism.

Therefore, the patterns of cabinet formation under semi-presidentialism are inevitably constructed based on the patterns of cabinet responsibility, and this should be duly considered in constitutional engineering. Additionally, understanding these patterns highlights the importance of considering the constitutional choice of semi-presidentialism and cabinet formation options in shaping the future political regime of a country. However, it should be noted that cabinet formation does not directly determine the type of semi-presidentialism, although it does significantly structure and refine the types of semi-presidentialism based on the options and parameters of cabinet responsibility.

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