

THEORY AND TYPOLOGY, CHALLENGES AND CONSEQUENCES OF SEMI-PRESIDENTIALISM WITHIN REPUBLICAN FORM OF GOVERNMENT AND PROSPECTS FOR ITS REFORMATION IN UKRAINE

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Abstract: The article is dedicated to theoretical, methodological and empirical analysis of the essence, nature and types, constitutional and political challenges and consequences of different republican systems of government. Special attention is paid to theoretical and empirical comparative analysis of semi-presidentialism. The author singles out different varieties of semi-presidential system of government and identifies the examples of different types of semi-presidentialism in the world. The researcher uses several approaches to the classification of semi-presidentialism: formal, factual and both formal and factual. The usage of different types of semi-presidentialism is tested within the parameters of their performance, including the indicators of political rights and civil liberties, governance effectiveness and human development. On this basis, the researcher builds a synthetic model of semi-presidentialism, which is the sum of various interinstitutional relations, each of which has a decisive role in assessing the quality and efficiency of semi-presidentialism. This author applies the model on Ukraine in 1991-2015 and stresses that the Ukrainian semi-presidentialism is extremely unstable that is manifested in frequent changes of its designs and types. In addition, the researcher pays special attention to the prospects of semi-presidentialism reforming in Ukraine given the global experience of semi-presidentialism and its various options.

Keywords: form of government, system of government, semi-presidentialism, presidentialism, parliamentarism, president-parliamentarism, premier-presidentialism, Ukraine.

In the course of and because of mass popular demonstrations, which took place in Ukraine during November 2013 – February 2014 (at first on the issue of suspension the European integration processes in Ukraine by its president and governmental cabinet, as the result of systemic people's resistance to the existing political system), the dictatorial political regime (in the form of competitive or electoral authoritarianism) of Ukrainian President V. Yanukovich was overthrown. After that, the Ukrainian system of government turned from president-parliamentarism to premier-presidentialism (or parliament-presidentialism). The Ukraine system of government performed the similar manoeuvre in 2004-2006. Accordingly, the powers of president were significantly limited, at least concerning his participation in the formation and early termination of governmental cabinets and other central bodies of executive. At the same time and in the context of early presidential and parliamentary elections results (which were held

respectively on May 25 and October 26, 2014) and given the unstable domestic and foreign policy situation in Ukraine, a course for an accelerated adoption of amendments to the Ukrainian constitution and consequently obtainment of a new place of political institutions in the Ukrainian system of government was held. In this context, the issue of the adequate outlining of challenges and prospects of the Ukrainian system of government appears to be of vital importance. It is difficult and complex problem, the solution to which is impossible to be found without the knowledge of peculiarities and consequences of the Ukrainian system of government evolution during 1991-2015.

As the Soviet Union has collapsed and Ukraine gained its independence in 1991, this country formally since 1996 and de facto since 1991 applied and tested different variants of mixed or, as it is in Political Science terms, semi-presidential system of government. The same situation is or was with most European and Asian countries (including those that have ceased to exist), that emerged and regained their independence after the Warsaw Pact, the Soviet Union and Yugoslavia collapsed (Amorim Neto & Strøm 2006a, 623). Among such countries are Azerbaijan (since 1995, when the semi-presidential constitution was adopted), Armenia (since 1995), Belarus (since 1996), Bosnia and Herzegovina (since 1995), Bulgaria (since 1991), Croatia (since 1991), Georgia (since 2004), Kazakhstan (since 1993), Kyrgyzstan (since 1993), Lithuania (since 1992), Macedonia (since 1991), Moldova (in 1994-2001), Montenegro (since 2006), Poland (since 1992), Russia (since 1993), Romania (since 1990), Serbia (since 2006), Slovakia (since 1999), Slovenia (since 1992), the Czech Republic (since 2013), Yugoslavia (in 2000-2003). Instead of this, such post-socialist countries as Albania, Estonia, Hungary, Latvia, Moldova (since 2001) and the Czech Republic (until 2012) turned to the classical parliamentarism. Tajikistan, Turkmenistan and Uzbekistan happened to be the only countries that turned to the classical presidentialism.

Types and Conceptual Definitions of Constitutional Systems of Republican Government

While drawing such a conclusion, we rely on the widely used and popular in the Western Political Science taxonomy of constitutional systems of government, proposed by Elgie (1998; 2005) in the late 90s of XX and early 10s of the XXI century. Handling the concept of “form of government” the researcher distinguishes three types of constitutional systems of government, in particular presidentialism, semi-presidentialism and parliamentarism. We slightly narrow the subject of the scientific interest and appeal only to three types of the republican form of government, that must be called the republican systems of government, that is

presidentialism, parliamentarism and semi-presidentialism¹. They can be distinguished on the basis of two indicators: the method and the way of president election and the method and subject of governmental cabinet's responsibility. Accordingly, it is clear that:

1. Presidentialism is a constitutional system of government, where a post of popularly and directly elected for a fixed term president (usually as the head of the state and the head of the executive power) exists, and the members of governmental cabinet (administration of the president) are not collectively responsible to parliament (the USA and most countries of Latin America are the pure and classic cases).
2. Parliamentarism is a constitutional system of government, where the head of the state (it is a president, who is not the head of the executive in case of the republican form of government) gets fixed powers on the ground of the indirect/non-immediate elections (in Parliament), and the prime minister and its governmental cabinet are collectively responsible only to parliament (Germany, Italy, Greece, Malta, Israel etc. are the pure and classic cases).
3. Semi-presidentialism is a constitutional system of government, where a post of popularly and directly elected for a fixed term president (usually only as the head of the state, though sometimes as the head of the state and the head of the executive) exists, but the prime minister and his governmental cabinet are necessarily collectively responsible to parliament (France, Portugal, Taiwan, Finland, Ireland, Iceland, Sri Lanka etc. are the pure and classic cases) (see the Table 1 for more details).

The advantage of such interpretation of the constitutional systems of government is that we do not have to make references to various relational qualities of the political process, but only have to consider the constitutional and legal attributes of the phenomenon of the system of government. In this way we try to avoid the subjectivity in the classification (Lytvyn 2009b). It means that it is necessary to differentiate among various republican constitutional systems of government separately from discussing the powers of presidents, prime-ministers and parliaments, because the powers and authorities of latter can be

¹ There are theoretical and methodological differences between the concepts of "form of government" and "system of government". The form of government is evaluated on the basis of the method and way of formation and replacement of the head of the state and the system of government is evaluated on the basis of formal (constitutional) and factual (political) prerequisites of the interinstitutional relations concerning exercise of power. Since the head of state can be elected and hereditary, one can distinguish among such forms of government as republics and monarchies as well as their combinations and variations. Alternatively, presidential, semi-presidential and parliamentary republics, that inherit the republican and monarchical forms of government, are distinguished as the republican systems of government.

changed depending on constitutional, as well as political preconditions. It is especially important as far as semi-presidential systems of government are concerned, dramatic effect on the factual functioning of which belongs to the results of elections, both presidential and parliamentary, since these are the institution of president (in most cases) and the institution of parliament (always), which can directly influence the formation, activity and probably early termination of the institution of governmental cabinet. Another positive aspect of the aforementioned classification of systems of government is the fact that the system of government does not “constitutionally” depend on the political regime (i.e. democratic or autocratic) of particular country. The suggested scheme to classify the systems of government is based on the constitutional theory only, thus it allows us to take into account other approaches and explanations as far as empirical evaluation of presidential, parliamentary and semi-presidential systems of government are concerned.

Consequences and Challenges of Constitutional Systems of Republican Government

The analysis of empirical instances of presidential, parliamentary and semi-presidential systems of government in the world (as of 2013-2014) has shown that parliamentary systems are the freest one in terms of world's indicators on political rights and freedoms (according to the project “Freedom in the World” by Freedom House); less free are semi-presidential systems, least free are presidential ones. The most effective governance (according to the project “The Worldwide Governance Indicators (WGI)” by the World Bank) is performed by parliamentary systems, less effective is performed by semi-presidential systems and least effectiveness is shown by presidential systems of government. Almost equal are the peculiarities of correlation of republican systems of government and the indicators of human development index according to “The UN development program”: the most effective in this aspect are parliamentary systems, a bit less effective are presidential and semi-presidential ones. Interestingly, the abovementioned conclusions tend to work both on the universal (or global) and specific (regional) level of analysis, which is seen from the example of European and Asian post-socialist countries in particular. On the one hand, it implies that the choice of optimal and promising republican system of government (particularly in the terms of creating constitutional projects), considering the world's experience, should be made in favour of parliamentary systems of government (see the Table 1 for more details). On the other hand, it is necessary to take into consideration theoretical and methodological challenges or risks and prospects of every republican systems of government.

Table 1

Republican Constitutional Systems of Government (Elgie Methodology) in the World and Their Consequences (as of 2014)

Presidentialism ²	Parliamentarism	Semi-presidentialism ³	
		President-parliamentarism	Premier-presidentialism (parliament-presidentialism)
Afghanistan, Angola, Argentina, Benin, Bolivia, Brazil, Burundi, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cyprus, Djibouti, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Ghana, Guatemala, Guinea, Guyana, Honduras, Indonesia, Kenya, Liberia, Malawi, Maldives, Mexico, Nicaragua, Nigeria, Palau, Panama, Paraguay, Philippines, Qatar, Republic of Korea, Seychelles, Singapore, Sudan, Sierra Leone, Tajikistan, the United States, Turkmenistan, Uganda, Uzbekistan, Uruguay, Venezuela	Albania, Bangladesh, Dominica, Estonia, Ethiopia, Germany, Greece, Hungary, India, Iraq, Israel, Italy, Laos, Latvia, Lebanon, Malta, Mauritius, Moldova, Pakistan, Samoa, Trinidad and Tobago	Austria, Azerbaijan, Belarus, Burkina Faso, Cameroon, Egypt, Gabon, Iceland, Kazakhstan, Kyrgyzstan, Madagascar, Mauritania, Mozambique, Namibia, Peru, Russia, Rwanda, Senegal, Sri Lanka, Syria, Taiwan, Tanzania, Togo, Tunisia	Algeria, Armenia, Bulgaria, Bosnia and Herzegovina, Cape Verde, Chad, Croatia, Czech Republic, DR Congo, East Timor, Finland, France, Georgia, Haiti, Ireland, Lithuania, Macedonia, Mali, Mongolia, Montenegro, Niger, Poland, Portugal, Romania, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Turkey, Ukraine
The number of countries in the group			
48	21	24	30

² The exceptional cases (where the system of government is difficult to determine, transitional states, military dictatorships, juntas etc.) are Botswana, China, Cuba, Eritrea, Fiji, Gambia, Iran, Kiribati, Korea, Libya, the Marshall Islands, Micronesia, Myanmar, Nauru, Nepal, the Republic of South Africa, San Marino, Somalia, South Sudan, Suriname, Switzerland, Zambia and Zimbabwe.

³ The list of the European semi-presidential republics that formerly were president-parliamentary republics and now are premier-presidential ones: Armenia (1995-2005), Croatia (1991-2000), Georgia (2004-2013), Portugal (1976-1982), Ukraine (1996-2006, 2010-2014). The list of the European republics that formerly were semi-presidential (president-parliamentary or premier-presidential) republics and now are parliamentary ones: Weimar Republic (Germany), Moldova (1994-2001). The list of the European semi-presidential republics that formerly were premier-presidential republics and later became president-parliamentary ones: Ukraine (2010-2014).

The average level of political rights/civil freedoms in the group under the “Freedom in the World” project by “Freedom House”: 1 – max, 7 – min, 2014			
3,52/3,63	2,57/2,81	3,39/3,20	
		4,38/3,96	2,60/2,60
The average level of governance efficiency in the group under “The Worldwide Governance Indicators (WGI)” project by the World Bank: + 2,50 – max, – 2,50 – min, 2013			
– 0,41	+ 0,19	– 0,14	
		– 0,37	+ 0,04
The average level of indicators of human development in the group under “The United Nations Development Programme”: 0 – min, 1 – max, 2012			
0,624	0,720	0,663	
		0,618	0,698

The tradition of defining the best or the most optimal constitutional system of government is quite old. In late XIX century Bagehot (1964) and Wilson (1956) have substantiated the positive institutional advantages of parliamentary republic. During the World War II, Price (1943) was justifying the ideas of parliamentarism, but Laski (1944) claimed that we are not able to precisely define the best form of republican government. After the socialistic model of development failed and a variety of new republics was formed, the problem of defining the best type of republican form of government (at least in terms of establishment and consolidation of democracy) was revived in the works of Linz (1990a; 1990b), Linz and Valenzuela (1994, 3-87), Stepan and Skach (1993), Power and Gasirowski (1997) and others, which contained the ideas concerning hypothetical risks of presidential system of republican government and positive moments of parliamentary one on their way to install and consolidate democracy. Together with this it was also stated that semi-presidential system of government is institutionally more favourable for democratization and political development than presidential one.

Among primary institutional challenges or risks of presidentialism are the following: a separated type of legitimacy of executive and legislative powers, which derive from a popular vote and election for a fixed term; conflict of executive and legislative branches of power with judiciary one; the usage of fixed duration term of public authorities, which makes presidentialism less flexible in comparison with parliamentarism; a tendency to generate governance and management crisis without an implemented method of handling it; the usage of relative majority ("first past the post") or plurality voting (electoral) system; presidential disregard towards political opposition; promotion of the development of populism (as the result of populist candidates' participation in presidential elections) (Mainwaring & Shugart 1997b). It made Riggs (1988) to state that a presumptive failure of presidentialism is traditionally preconditioned by imperfection and defectiveness of political formula, peculiar to presidential countries. Stepan and Skach (1993) have specified that the problem of presidential system of government lies in a mutual independence of the branches of power, which causes the formation of divided system, where the executive branch of power (president) and the legislative branch of power (parliament) appear to be in the circumstances of political lose-lose situation, when there are no constitutionally and institutionally preconditioned ways of overcoming the latter. Along with this, up-to-date conclusions were made by Horowitz who stated the following: a powerful president in the circumstances of presidentialism can often be a considerable mediator of the development of separated societies; the quality of presidentialism grows with the application of a proportional electoral systems (Horowitz 1990). A similar position was taken by Mainwaring, Shugart and Carey who argued that presidentialism can be the most effective system of government, provided that it is constructed and

engineered in a right and logical way (Mainwaring & Shugart 1997a; Mainwaring 1993; Shugart & Carey 1992). In return, presidentialism, which is characterized by the almighty president with constantly growing powers (especially with legislative powers), leads to the problems of establishment and consolidation of democracy (Shugart & Carey 1992, 156).

The easiest (or institutionally “closest”) formal and constitutional means to overcome challenges and risks of presidentialism is considered to be the implementation of semi-presidential system of government. However, even the latter is rather problematic. It is true that primary institutional challenges of semi-presidential system of government are, in particular, the following: the probability of emergence and dissemination of tensions between political institutions in the system of executive branch of power (first of all between the president and the prime-minister who are supported by different political parties in the parliament); as a result, the decline in the democracy levels of political process and legitimacy of political power in countries, which are being transformed (Stepan & Suleiman 1995; Linz & Stepan 1996, 286); difficulty of removing from the power the president who has lost legitimacy and breaks the principles of democracy (Lijphart (2004, 102) claims that in some semi-presidential systems of government presidents as the matter of fact can be more influential than in the majority of pure presidential systems of government, even if it is not regulated by constitution); the possibility of development of institutional situations when neither president, nor prime-minister or any party/coalition have no necessary majority in parliament (Skach 2005a, 17-18), which leads to the change in coalitions and governmental cabinets and president is constantly intruding in actions of governmental cabinet, as well as uses “reserve” powers (according to Yu-Shan (2007) it means that semi-presidentialism is easy to establish and institutionalize, but difficult to operate and approve).

Most scientists consider that semi-presidentialism (as a collective specimen of republican systems of government) results in the slight institutional improvement in comparison with “pure”/classical presidentialism. At the same time, the only directive of the constitutions of transitional societies is the parliamentary system of government. However, even parliamentarism is determined by some challenges and risks, such as the following: this republican system of government is mostly peculiar to already developed countries with small territories; hypothetical transformation of governmental (political) crisis in circumstances of parliamentarism into the crisis of political regime; effectiveness in case of mostly consolidated national political leadership or strong national party system with the production of the legislative majority; the absence of built-in mechanisms of governmental cabinets’ stabilization (except for the terms of parliamentary tenure), which allows the use of unconstitutional means to solve governmental (political) crises (in particular, military coup or pressure on

political opponents). In this regard the conclusion by Linz and Lijphart is true: parliamentarism is not necessarily the best republican system of government in terms of democratization, but it is more adjusted to the circumstances of democratic stability than presidentialism and semi-presidentialism (Linz 1990b; Lijphart 1994; Lijphart 1995; Lijphart 1999; Lijphart 2004). For instance, stable parliamentarism has less risks of failure than stable presidentialism and semi-presidentialism. However, in countries, which historically have experienced the collapse of democracy, parliamentary republic is exactly more at risk of collapse (*Hiroi & Omori 2009*). This is because political elites in this case tend not to distinguish between governmental (political) crisis and crisis of democracy.

Nonetheless, this does not necessarily mean that the direct choice between presidentialism, semi-presidentialism and parliamentarism as republican systems of government is a self-sufficient problem of comparative analysis and constitutional engineering. These systems of government (especially semi-presidentialism) are different and this manifests itself in the specificity of understanding of democracy and democratization, in the peculiarities of party and electoral systems, in the system of institutional checks and balances, in the features political structuring, in the stability and effectiveness of public authorities (especially of governmental cabinet and parliament), in the determinants of political system (Eaton 2002; Weaver & Rockman 1993a; Weaver & Rockman 1993b). Accordingly, there are many examples of democratization within presidentialism or of authoritarianisation within parliamentarism. In addition, a semi-presidential system of government also can lead to democratization or authoritarianisation. However, postulating such a theoretical conclusion about semi-presidentialism, it's not taken into account that semi-presidentialism, unlike classical parliamentarism and presidentialism, is a very heterogeneous republican system of government, which is able to be differentiated into distinctive types given the formal and factual impact of diverse institutional and political actors. On this basis, it is advisable to offer a coherent and wide-ranging typology of semi-presidentialism, to consider its probable consequences and to test the results the example of Ukraine (in times when this country was characterized by semi-presidential system of government).

Semi-Presidential System of Republican Government: State of Research, Classifications and Phases

The problem of republican systems of government (including semi-presidential one), their theory, typologies and application in the world, particularly in post-socialist European countries (including Ukraine), is reflected, especially in the context of democratization and democratic transformation, in scientific works of such scholars (alphabetically) as Amorim

Neto and Strøm (2006a; 2006b), Arato (1994), Bahro (1999), Bahro, Bayerlein and Vesper (1998), Bahro and Vesper (1995), Boban (2007), Cheibub (1999; 2007; 2009), Cheibub and Limongi (2002), Colton (1995), Colton and Skach (2005), Di Palma (1990), Duverger (1980; 1986), Elgie (1997; 1998; 1999; 2004; 2005; 2007; 2008a; 2008b; 2010), Elgie and McMnamin (2006; 2008; 2010), Elgie and Moestrup (2007), Elster (1993a; 1993b; 1996; 1997), Frison-Roche (2005; 2007), Greenberg (1993), Haggard and Kaufman (1995), Hellman (1998), Helms (1998), Karl and Schmitter (1991), Kasapovic (1996), Krouwel (2003), Linz (1990a; 1994; 1996; 1998), Linz and Stepan (1996), Lijphart (1992; 1994; 1997; 2004), Lytvyn (2009a; 2009b; 2011; 2013; 2015a; 2015b), Matsuzato (2005; 2006), Matsuzato and Gudžinskas (2006), Moe and Caldwell (1994), Moestrup (2007), *Pasquino (1997)*, Preuss (1994), Protsyk (2000; 2003; 2004; 2005a; 2005b; 2006), Roper (2002), Samuels (2002), Samuels and Shugart (2010), Sartori (1994; 1997; 2003), Schleiter (2003), Schleiter and Morgan-Jones (2009), Schwartz (2002), Shugart (2005; 2006), Shugart and Carey (1992), Siaroff (2003), Skach (2005a; 2005b; 2007), Stepan and Skach (1993), Zaznaev (2008), and a number of other researchers.

These and other researchers mostly argue that the main feature of semi-presidentialism is reduced to the way of the formation, functioning and responsibility of governmental cabinet and system of executive power as whole. The fact is that semi-presidentialism as a system of government gives important role in governmental cabinet's formation both to president and parliament. This is reflected in the fact that the president can be free to determine the governmental cabinet and its composition, but still cannot ignore the value of political parties in parliament, since appointing the prime minister or some key ministers (forming the governmental cabinet), the president requires the consent of parliament. Moreover, the competence of the president in semi-presidential system of government always includes distinctive (minor or major) powers in executive that can be implemented on its own or through the governmental cabinet. This, according to Blondel (1984) and Bogdanor (1987, 561-562), means that a president in semi-presidential system of government is the head of state that has no shortage of political power, However, a president is not the sole leader of a state due to the presence of an influential post of prime minister, who is not "strictly" subordinated only to president, as prime minister may be responsible to the president and parliament or only to the parliament. Accordingly, the relationship between the president and the governmental cabinet in semi-presidentialism are defined as a model of "executive dualism". This is a characteristic feature of exactly this system of government (O'Neil 1993).

The Formal Classification of Semi-Presidentialism

The method of collective responsibility of governmental cabinet (both to head of state and parliament or only to parliament) is the cause of the first/formal classification of semi-presidential systems of government onto president-parliamentary and premier-presidential⁴ ones (i.e. president-parliamentarism and premier-presidentialism). Shugart and Carey, who had justified the essence of president-parliamentarism and premier-presidentialism, noted that these systems of government and these constructions of semi-presidentialism should be indicated as the independent variables (Shugart 2005; 2006; Shugart & Carey 1992). In premier-presidentialism, prime minister and his cabinet are collectively responsible only to parliament. If the parliament appoints the prime minister, whose ideology and party is opposite to the president, the latter has to accept this appointment. The result is the formation of a governmental cabinet, which has a parliamentary support. Consequently, there are business relations between the president and the governmental cabinet. The president has powers in foreign and defence policy and national security, but presidential solutions require countersigning by the governmental cabinet (including prime minister or appropriate ministers). Instead in president-parliamentarism, prime minister and his cabinet are collectively responsible to president and parliament. The president can dismiss the prime minister and governmental cabinet at whole. Consequently, there are hierarchical relations between the president and the prime minister. If parliament is trying to assign the opponent of the president as prime minister, the latter risks to be dismissed by the president. If the president, when he opposes to the parliament, is trying to assign his ally as prime minister, the parliament can dismiss the prime minister. However, it also happens that the parliament because of disagreement with the president can also be dismissed (Lijphart 1999, 90-115). Among the post-socialist countries of Europe and Asia, there were the following examples of premier-presidentialism (as of 2015): Armenia, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Georgia, Ireland, Lithuania, Macedonia, Montenegro, Poland, Romania, Serbia, Slovakia, Slovenia and Ukraine. The examples of president-parliamentarism were (as of 2015) the following countries: Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan and Russia⁵. It's obvious that premier-presidentialism is more

⁴ The post-soviet Political Science often names the last ones not as premier-presidential, but as parliament-presidential semi-presidential systems of government.

⁵ Shugart added this classification of semi-presidentialism with the test whether the president can dissolve the parliament. As a result, there are four subtypes of semi-presidentialism: 1) president like ("clear") president-parliamentarism, where the president can dismiss the prime minister and governmental cabinet, but cannot dissolve the parliament; 2) president-parliamentarism, where the president can dismiss the prime minister and governmental cabinet and also can dissolve the parliament; 3) premier-presidentialism, where the president cannot dismiss the prime minister and governmental cabinet, but can

free/democratic and effective in governance and human development than president-parliamentarism (see more details in the Table 1).

The Factual Classification of Semi-Presidentialism

The second/factual classification of semi-presidentialism, developed by Skach (2005a), is reasoned by the method of distribution of powers in the executive branch of power between the president and the prime minister in the context of their legitimacy and responsibility. The prime minister (governmental cabinet) depends on delegation of powers from the president and/or the parliament and is responsible to them (or just to parliament) and the president is autonomous to the parliament and can operate without its support. With this in mind and in terms of semi-presidentialism, the president may form and propose his or her own course of action, even when it involves interference with the powers of the prime minister. Instead, the mutually supportive relations among the president, prime minister and parliament (parliamentary majority) reduce the probability of tense relations' escalation into difficult interinstitutional conflicts (Lytvyn 2009; 2011). Consequently, Skach (2005a) identifies three options for the coexistence of the main political institutions and power centers in semi-presidentialism or three varieties of semi-presidentialism: the unified majority, systems, the divided majority systems and the divided minority systems.

In the unified majority system, the head of the state is a supporter of the course and even a member of prime minister party or vice versa, provided that a similar parliamentary majority supports the president and the prime minister. Correspondingly, under these conditions the president or the prime minister, depending on the roles and responsibilities they are formally assigned to (the realization of presidential-parliamentary or premier-presidential semi-presidentialism) and the historical experience of the prevalence of somebody among them in the political (including power-executive) process, is an undisputed leader of the nation. The dynamics of semi-presidentialism in terms of the unified majority system is significantly influenced by the position of president and prime minister in the system of party hierarchy. As a rule, when the party leader becomes the head of the state, he or she takes control of the executive branch of power. If the president is not the leader of the political party, and it is led by the head of the governmental cabinet, then the format of their relationships depends on the parameters of inter-party relations. It also often happens that in the above mentioned scheme of semi-presidentialism the head of the state is not the one who rules and dominates, but the head of the governmental cabinet is (for

dissolve the parliament; 4) parliament like premier-presidentialism, where the president cannot dismiss the prime minister and governmental cabinet and also cannot dissolve the parliament (Shugart 2005; 2006).

example, in Poland during the presidency of Bronisław Komorowski and premiership of Donald Tusk). That is the reason why in the unified majority systems predominantly presidentialism or parliamentarism logic takes place, however systems of government are formally semi-presidential (Gschwend & Leuffen 2003).

Unlike the unified majority systems, in the divided majority system the president is not a member and supporter of the programme of the prime minister political party and unlike the latter doesn't have the support of the parliamentary majority. Therefore, usually the prime minister makes the most important power-executive decisions, making the political system vastly shift towards parliamentarism. At the same time, in the divided majority system, there might be a case when the factual presidential powers increase. It often happens in periods when the parliament cannot create a governmental cabinet on a party basis. So to avoid the political crisis, the president (who has no parliamentary majority support) nominates the candidature of subordinated to him and nonparty prime minister who gets a vote of confidence in a parliament. Traditionally, the scenarios of the divided majority system indicate the systems which are specified by the term "cohabitation"⁶.

In the divided minority system neither a president nor a prime minister do not have a support of parliamentary majority. This case combines the features of the most problematic version of presidential system of government (the divided system) and the most problematic version of parliamentary system of government (the minority system) and it often leads to authoritarianism, personalization of power (mostly by presidents). The main reasons for this are the following: the president stays apart and distanced from the parliament and the prime minister; fragmentation of the parliament and frequent changes of governmental cabinets and coalitions or their compositions; continuous intervention of the president in governmental cabinet activity and the usage of standby/reserved powers by the president; president's desire resulted from the "nationwide legitimacy" to establish personal control over the political system (Elgie 2008b; Elgie & McMenamin 2006; Skach 2007). The specificity of the

⁶ All semi-presidential systems of government should be distributed into three groups according to how their constitutions outline the procedure of cohabitation. The first group of constitutions obliges a president to have consultations with the parliamentary majority or the largest parliamentary party when a president nominates a candidate for premiership. Therefore, cohabitation implicitly takes place when a party (or coalition) is opposed to a president and is a dominant (leading) one in parliament. The second group of constitutions does not cover any conditions to resolve the differences between the president and parliament concerning a candidacy of premiership (cohabitation might either occur or not). In the third group of constitutions, cohabitation is institutionally impossible, a president can dissolve a parliament if the latter rejects the presidential candidacy of a prime minister (but it is still formally impossible to avoid cohabitation if the president agrees with its scenario).

isolation of the unified majority, divided majority and divided minority systems is the cause of the fact that semi-presidential system of government can switch from one variety to another, depending on the results of the presidential and parliamentary elections and the party-political composition of the parliament.

The Formal and Factual Classification of Semi-Presidentialism

The third formal and factual classification of semi-presidentialism, taking into consideration the features of dual executive (or executive dualism), is based on the peculiarities and powers of presidents and prime ministers. Among semi-presidential systems of government, there are those systems, where heads of state are weak or nominal (respectively, prime ministers and governmental cabinets are significantly stronger), and also those systems, where the political process is more oriented on presidents, which means that the latter are very strong or even omnipotent (correspondingly, the powers of prime ministers and governmental cabinets are weak) (Amorim Neto & Strøm 2006a). It is also possible a case when the powers of presidents and prime ministers (governmental cabinets) are almost identical or comparable. The first group of semi-presidential countries are, for example, Austria, Bulgaria, Finland, Iceland, Ireland, Slovenia, Slovakia, the Czech Republic etc.; the second group – Azerbaijan, Belarus, Kazakhstan, Russia etc.; the third group – Croatia, Georgia, Lithuania, Poland, Portugal, Romania, Ukraine etc. (as of 2015). The conclusion is made on the basis of the most common methods of evaluating the presidential powers, *i.e.* methods by Siaroff (2003), Frye (1997), Shugart and Carey (1992). Let us consider in details the constitutional, legal and political challenges and prospects, which single out these three groups of semi-presidential systems of government.

The semi-presidential systems of government, where the heads of state are weak or nominal, are identified as the cases of semi-presidentialism with nominal presidents. They are characterized by the following political and legal features: they act according to the logic of parliamentarism, although their initial nature (and the nature of the main political institutions) is semi-presidential; they usually (except for the periods of institutional crises) determine the president as “the symbolic leader of the nation”, who practically has no constitutional and political powers and is considered to be the nominal head of state, rather than the active initiator and creator of the political decisions; the real (executive) power belongs to the prime minister, who is responsible for all aspects of the political programme of the country to the parliament. Very occasionally the fact concerning the “popular presidential elections” (because of his or her nominal authority) means that the legitimacy of the presidency is directed against the legitimacy of the prime minister. However, this does not mean that institutionally and politically the president cannot be a direct competitor to the

prime minister (in particular in times of institutional crises) (Elgie 2007). It especially takes place in times of cohabitations, *i.e.* the scenarios of institutional development of semi-presidential systems of government, according to which the president and the prime minister represent opposing parliamentary parties (or president does not represent any parliamentary party at all and does not position himself with the party of the prime minister in parliament), and presidential party (or party associated with the president) is not included into the governmental cabinet (Lytvyn 2011). In conditions of cohabitation in such systems of government, the presidential powers may grow politically. The reason is that the constitutional power of the president is a very important indicator of analysis, however its more precise implementation requires a clear consideration of the relationship between formal and factual political powers of the president and other political institutions. The president with weak formal and constitutional powers can have much stronger political and factual powers, if in terms of activities he depends more on the parliamentary majority. In this case, the head of state intervenes in law-making easier and there is the possibility to influence the prime minister to initiate and carry out laws that reflect the course of the president. Apparently, the semi-presidentialism with nominal president can function with the logic of parliamentarism or semi-presidentialism. Nevertheless, the previously defined systems of government should not be interpreted as unusual parliamentary republics with elective, but weak presidents that often occurs in Political and Legal Sciences (Ozsoy 2011). The evidence are the periods of factual increasing the presidential powers in some European semi-presidential systems of governments with nominal presidents in times of cohabitation, for example, in Austria, Bulgaria, Finland, Iceland, Ireland, Slovenia, the Czech Republic etc.

The semi-presidential systems of government, where the heads of state are strong or powerful, are identified as the cases of presidentialised semi-presidentialism or semi-presidentialism with strong presidents. Such systems of government are often formed in unconsolidated democracies, autocracies and hybrid political regimes or lead to their formation (Croissant 2004). As an example, there were and are most post-socialist countries of Europe and Asia during the approbation of the presidentialised semi-presidential systems of government, for example, Armenia, Croatia, Georgia and Ukraine back in time and Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan and Russia today. Furthermore, none of modern post-socialist presidentialised semi-presidential countries are considered to be democratic. Unlike the semi-presidentialism with a nominal president, in the systems with powerful presidents, a cohabitation (if it is institutionally possible) is the reason for the factual increase of the powers of prime ministers (earlier in France and Georgia).

A rather specific variety of the presidentialised semi-presidential systems of government are semi-presidential republics with super-presidents, *i.e.* very

powerful or omnipotent presidents (Holmes 1993; Fish 2005) (super-semi-presidential systems of government (Arato 2000; Lytvyn 2015b)). In this context it is significant that such systems of government formally remain semi-presidential (rather than presidential), since their governmental cabinets technically depend on the parliament as the latter can take part in the formation of any governmental cabinet, approving any governmental cabinet's program, giving the vote of confidence to any governmental cabinet, as well as dismissing any governmental cabinet based on the non-confidence vote. On the other hand, such systems of republican government hypothetically restrict the parliament's role in the formation and provision of support to governmental cabinets. For instance, in Azerbaijan, Belarus or Russia with their offices of strong presidents ("super-presidents"), the role of parliaments in ensuring the votes of confidence to governmental cabinets, headed by prime ministers suggested by presidents, is institutionalized. However, if a candidate to the above position is not approved for three times, a president can dissolve a parliament and create a governmental cabinet of his/her own. Another characteristic of semi-presidential systems of government with super-presidents, in particular in Belarus, Russia, Kazakhstan and Kirgizstan, consists in the fact that the parliament has the right to vote no confidence or condemn the government, however the motion comes into effect only after the presidential approval. Such self-evident "anomalies" of semi-presidentialism in reality often result in determining systems, where semi-presidentialism is practiced, as presidential ones. Moreover, these semi-presidential system of government at some point of time may begin to function as presidential ones. However, the presidential systems of government with super-presidents differ significantly from semi-presidential systems of government with super-presidents. The presidentialism with the post of super-president is a presidential system of government with the position of the omnipotent head of state, who directly heads the governmental cabinet or presidential administration, i.e. the hierarchy of executive branch of power, can have (but not necessarily does) next to him or her the position of the subordinated prime minister non-accountable to the parliament in any way. On the other hand, the semi-presidentialism with the post of the super-president is a semi-presidential system of government (first of all, that of president-parliamentary type) with the position of the omnipotent head of state, who directly heads or doesn't head (more often does) the governmental cabinet and the hierarchy of executive branch of power, inevitably has next to him or her the position of the subordinated or non-subordinated prime minister formally accountable to the parliament (Lytvyn 2015b). The key divergence of the semi-presidentialism (from that of presidentialism) with the super-president post consists in the fact that it demonstrates different levels (low/high) of dependence of the executive hierarchy as represented by the prime minister or the prime minister and the head of state on the balance of party and

political powers in the parliament. This means that the constitutionally omnipotent president (or super-president) can practically reinforce his or her powers by dissolving the parliament following the disapproval (usually for three times) of the candidate to the office of the prime minister (in case if the parliament refuses to give the vote of confidence to the governmental cabinet) suggested by the head of state or following the president's unwillingness to act upon the parliament's decision of non-confidence vote to the governmental cabinet⁷.

The semi-presidential systems of government, where the powers of presidents and prime-ministers (governmental cabinets) are almost commensurable, are referred to balanced semi-presidentialism or semi-presidentialism of balanced power. By examining such countries as Georgia, Lithuania, Poland, Romania or Ukraine (as of 2014 and 2015), we can see that balanced semi-presidentialism does not imply the determinative domination of the president's or the prime minister's powers, for instance pertaining to the exercise of the executive power. As a result, the domination of presidents and prime-ministers shifts towards increased personalisation of the systems of government by presidential or prime-ministerial powers and correspondingly the dual executive (i.e. executive dualism) becomes more complicated under the conditions of semi-presidentialism. This is why out of the three types of semi-presidentialism singled out on the basis of specific features of the dualism of the executive power, scholars usually criticize the balanced (by the president's and the prime minister's powers) semi-presidential system of government that provides basis for realisation of different scenarios of blocked constitutional and interinstitutional conflicts. Especially if voters do not provide the parliamentary majority for any of the executive centres: it is the most manifested in the periods of cohabitations when, according to Linz and Stepan (1996, 286), the controllability of the political process and the level of state and political power's legitimacy diminish (Lytvyn 2011; 2013).

Phases/Scenarios of Semi-Presidentialism

A similar typology of phases/scenarios of semi-presidentialism, based on the powers of the president and the parliament in implementing legislation and

⁷ This is why in semi-presidential systems of government with super-presidents, prime ministers are very weak regardless of the fact if the prime minister is or is not politically and party subordinated to the president in the context of political parties' composition in the parliament. This is why in such systems of government, majoritarian or mixed electoral (voting) systems are common: they ensure the representation of non-party MPs. The factual reinforcement of powers of super-presidents is likely when parliaments are significantly fractionalized/fragmented and due to their weak structuring are not always able to perform the functions of a political institution that has to stabilise the presidential powers on the exercise of executive power.

on the party composition of the parliament, was suggested by Jung-Hsiang (2008). The researcher singled out balanced, cohabitational, president dominated, prime-minister dominated and parliament dominated phases/scenarios of semi-presidentialism. These phases/scenarios of semi-presidentialism outline the situations when any political institution (president, governmental cabinet or parliament) plays the key role and has the decisive opinion as to the content of the legislation (Bahro 1999). The thing is that despite the fact that technically the parliament is the highest legislative body, in practice it is not always an institution administering the legislative power: in semi-presidential systems of government the legislative power may depend on the parliament, president, governmental cabinet (Skach 2005b) etc.

President dominated semi-presidentialism is a semi-presidential system of government, where the president has significant unilateral powers to issue decrees tantamount to laws and the right to veto laws, controls over the parliamentary majority and thus can implement legislation. Prime-minister dominated semi-presidentialism is a semi-presidential system of government, where the president has no significant powers, acts as a symbolic leader, while the prime minister has control over the parliamentary majority and the power to implement legislation. Parliament dominated semi-presidentialism is a semi-presidential system of government, where the president has no significant power, the governmental cabinet is the cabinet of minority and the opposition controls the legislative majority against the president and the governmental cabinet: as a result, it is only the parliament that can implement legislation. Cohabital semi-presidentialism is a semi-presidential system of government, where the president has “reserve” powers, the head of the governmental cabinet controls the legislative majority and comes from a party in opposition to the president: this is why the president and the prime minister share the power to implement legislation. Balanced semi-presidentialism is a semi-presidential system of government, where the president and the parliament in opposition to each other have the same factual political powers and thus compete for the power to implement legislation. The empirical analysis proves that balanced semi-presidentialism is more prone to generating political and interinstitutional conflicts in the systems with executive dualism compared to other phases/scenarios of semi-presidentialism. All in all, this typology of semi-presidential systems of government testifies that semi-presidentialism should be described with “adjectives”: they refer us to its certain formal and factual types and phases/scenarios, which signify the system of government in the context of inter-relations between constitutional regulations and political practice (Lytvyn 2009a).

Semi-Presidentialism in Ukraine: Evolution, Types and Prospects for Reformation

Taking into consideration the experience of the constitutional systems of government in Ukraine in 1991-2015, among which heterogeneous types of semi-presidentialism have played a special role, we suggest the following stepwise structuring of them (see the Table 2 for more details): 1991-1995 – president-parliamentary semi-presidentialism; 1995-1996 – presidentialism; 1996-2006 – president-parliamentary semi-presidentialism; 2006-2010 – premier-presidential semi-presidentialism; 2010-2014 – president-parliamentary semi-presidentialism; since 2014 – premier-presidential semi-presidentialism. The suggested structuring applies only conditionally to the constitutional systems of government in Ukraine as the Constitution of Ukraine was adopted only in 1996 and in 1991-1996 Ukraine still had the old soviet Constitution of 1978, which was successively amended with fifteen laws and numerous amendments and was considered the legal basis for the development and functioning of political institutions. The peculiarity of the Ukrainian semi-presidentialism lies in the cyclic alternation of the models of “president-parliamentarism” and “premier-presidentialism”: the former contributes more to authoritarianisation (in the period from 1996 to 2004 and from 2010 to 2014, when Presidents L. Kuchma and V. Yanukovych were respectfully in office, Ukraine’s political regime tended towards electoral authoritarianism), the latter contributes more to democratization (in the period from 2006 to 2009 and since 2014, when Presidents V. Yushchenko and P. Poroshenko were respectfully in office and when president-parliamentarism collapsed, Ukraine’s political regime tended towards electoral democracy). It should be noted that the experience of cohabitation (the divided majority system) in transitional/hybrid political regimes does not always have negative trends and consequences. This emphasizes the priority of a system of government, where the legislative branch predominates.

Table 2

**The Evolution of Semi-Presidential System of Government
in the Context of the Development of Republican Form of Government in Ukraine (1991-2015)**

Period of time	System of government	Formal type of system	Factual type of system	Formal and factual type of system	Phase/scenario of system	President	Prime-minister	Level of conflict in executive dualism	
Semi-presidentialism									
August 1991– June 1995	Semi-presidentialism ⁸	President like president-parliamentarism	Divided majority	Balanced semi-presidentialism	Parliament dominated semi-presidentialism	L. Kravchuk (1991-1994)	V. Fokin	Low	
							L. Kuchma	High	
							Y. Zviagilskiy	Medium	
June 1995 – June 1996	Presidentialism	–	–	–	–	L. Kuchma (1994-1999, 1999-2004)	V. Masol	Low	
							Y. Marchuk	Medium	
							P. Lazarenko 1	Medium	
June 1996 – January 2006	Semi-presidentialism	President like president-parliamentarism	Unified majority	Presidentialised semi-presidentialism	President dominated semi-presidentialism	L. Kuchma (1994-1999, 1999-2004)	P. Lazarenko 2	High	
							V. Pustovoitenko	Low	
							V. Yushchenko	High	
							A. Kinakh	Low	
							V. Yanukovych 1	Low	
							Y. Tymoshenko 1	High	
							Y. Yekhanurov	Low	
January 2006 – October 2010	Semi-presidentialism	Premier-presidentialism	Unified majority	Balanced semi-presidentialism	Cohabitation semi-presidentialism	V. Yushchenko (2005-2010)	V. Yanukovych 2	Medium	
			Divided majority				V. Yanukovych 3	High	
			Unified majority				Y. Tymoshenko 2	High	
January 2010 – February 2014	Semi-presidentialism	President like president-parliamentarism	Unified majority	Presidentialised semi-presidentialism	President dominated semi-presidentialism	V. Yanukovych (2010-2014)	M. Azarov 1	Low	
							M. Azarov 2	Low	
							M. Azarov 3	Low	
February 2014 – hitherto	Semi-presidentialism	Premier-presidentialism ⁹	Unified majority	Balanced semi-presidentialism	Prime-minister dominated semi-presidentialism	O. Turchynov (acting) (2014)	A. Yatsenyuk 1	Low	
			Divided majority		Cohabitation semi-presidentialism			P. Poroshenko (2014 – in force)	Medium
			Unified majority		Cohabitation semi-presidentialism				A. Yatsenyuk 2

⁸ The distribution of powers between political institutions demonstrated the “blurred” president-parliamentary semi-presidentialism without president’s ability to dissolve parliament.

⁹ The president (as in 2006-2010) cannot dismiss the prime minister and his governmental cabinet, but can dissolve the parliament.

We believe that at present Ukraine's choice of a constitutional system of government should be made in favour of premier-presidential (by no means balanced or presidentialised but with purely nominal presidents) semi-presidentialism or parliamentarism. These systems minimize, in different ways, as much as possible interinstitutional conflicts between the branches of power (in particular in relation to executive power and the law-making process). Even if such conflicts occur, they are usually eliminated by the way of the parliament's vote of no confidence in the governmental cabinet. Besides, the said republican systems of government outline the preventive institutional mechanisms of solving governmental (political) crises before they grow into crises of the political system (crises of political regime and system of government). That's why these systems of government are more flexible and can better adapt to variable institutional and political/electoral circumstances.

It is especially relevant for parliamentary systems of government, where the governmental cabinet is powered to announce pre-term parliamentary elections to solve the problems of "blocked legislation" ("legislative deadlock"). In this way the governmental cabinet compels itself (in the context of those deputies who ensure parliamentary support for the governmental cabinet) and all the members of the parliament to pass popular and necessary decisions.

As for the peculiarities and prospects for the systems of premier-presidential semi-presidentialism with purely nominal presidents (in comparison to other types of semi-presidentialism), one should single out the following: the possibilities of interinstitutional conflicts in the dualistic system of executive power are limited only to periods of cohabitation and to certain spheres of common terms of reference of presidents and prime-ministers (usually, they are the issues of defence, foreign policy and foreign affairs); unidirectional nature of interinstitutional conflicts in the dualistic system of executive power, which manifests itself in the president's limited ability to confront the governmental cabinet; no diffuse responsibility between the president and the prime-minister, as a result of which the political process hardly has any ambiguous or controversial nature (even in periods of cohabitation); real and constant awareness of the fact that the prime-minister/governmental cabinet is the predominant actor of executive power (and of political process as a whole).

Another argument in favour of parliamentary and premier-presidential (not balanced and not presidentialised) semi-presidential systems of government is the fact that among the existing republican systems of government they are the most democratic and stand for the highest governance efficiency and quality of human development. These systems are characterized by a relatively low risk of coup d'état. However, successful implementation of any of the above mentioned systems of government in Ukraine requires an effective electoral system (that would proportionally translate people's votes into mandates), a solid (not factionalised and not undisciplined) party system producing a

legislative majority as well as a reform of parliamentarism (as a procedural dimension of the legislative body's activity/structure). Otherwise, the formation of stable parliamentary and governmental coalitions will remain a problem as well as narrowness of interests of the political elite. Yet, in the conditions of crisis that started to unfold in Ukraine in late 2013 and early 2014, if one of the above mentioned systems of government is to be implemented, one should envisage transitional/temporary constitutional provisions to regulate the reserve powers of the president (in case of premier-presidential semi-presidentialism with a purely nominal president) or of the prime-minister (in case of parliamentarism), which would make it possible for them to issue decrees or regulations having the effect of laws in certain spheres of economy and social life that are in urgent need of reforms.

In case of prolonged approbation of the current system of balanced (with influential president and prime-minister) premier-presidential (parliament-presidential) semi-presidentialism, it is reasonable (as was the case in France and Romania) to resort to the procedure of simultaneous (both in one year) presidential and parliamentary elections (Lytvyn 2011). Thus, the responsibility for the defining of a leading actor in the dualism of the executive power system (a president or a prime-minister) will be re-imposed on a voter, enabled to determine the leading/dominant one within a certain period of time. The simultaneity of the presidential and parliamentary elections in a balanced semi-presidentialism, as theory and practice show, in most cases positively affect the factual reinforcement of the presidential powers, as the presidential elections winner's party usually gains a victory in parliamentary elections too. Concurrently with the establishment of the simultaneous elections procedure, the cohabitation will be disabled to the highest possible degree, which has adversely influenced the political processes (in particular, executive one) in Ukraine before. Alongside, the peculiarity of the system will remain the fact, that a politically/factually strong president will not be legally or formally able to unilaterally submit the governmental cabinet's resignation, hence in premier-presidential semi-presidential systems of governmental the right of a prescheduled cabinet's resignation is reserved exclusively for the parliament. Consequently, aiming to change the composition or management of governmental cabinet, the president will be bound to deal with the parliament about this issue, which is not always easy and unimpeded, because the presidential/pro-presidential party is not sure to be supported by the absolute majority of MPs on its own or in coalition with some other parties. It is of great relevance to Ukraine, where in 1991-2015 there has been no governmental cabinet mainly supported by a single-party parliamentary majority. In a whole, with the help of the simultaneous elections the formally balanced premier-

presidential semi-presidential system of government can be transformed into factually presidentialised premier-presidential system of government¹⁰.

In case the simultaneous presidential and parliamentary elections do not provide the president with the parliamentary majority's support of his candidate

¹⁰ The difference of Ukraine (and Romania) from France also lies in the fact that the former is an example of a system of positive parliamentarism and the latter is an example of a system of negative parliamentarism. In systems of positive parliamentarism, the formation of the governmental cabinet directly depends on a positive (supported by absolute or relative majority of the members of parliament) vote of confidence in the governmental cabinet on the part of the parliament. The governmental cabinet starts working only after absolute or relative majority of the members of parliament (depending upon a particular case) have given their vote of confidence/investiture to the expected governmental cabinet (its prime-minister, membership or program). The governmental cabinet remains in office as long as it enjoys the parliament's confidence or until it receives a positive (supported by absolute or relative majority of the members of parliament) vote of no confidence. It means that in systems of positive parliamentarism the governmental cabinet enjoys constant confidence/investiture both at the moment of its formation and in the process of its functioning. In systems of negative parliamentarism, the formation of governmental cabinet does not directly depend on a positive (supported by absolute or relative majority of the members of parliament) vote of confidence or it depends on a negative vote of confidence in the governmental cabinet on the part of the parliament. A negative vote of confidence in the governmental cabinet means that, for the expected governmental cabinet to start working, it has to receive a vote of confidence/investiture, which presupposes that the number of members of parliament voting against the prime-minister, the governmental membership or program does not constitute (is lower than) absolute parliamentary majority. It means that the governmental cabinet starts working after its prime-minister has been appointed by the head of state or the parliament, with no need of support (vote of confidence/investiture) for the prime-minister, the governmental membership or program from absolute or relative majority of the members of parliament, unless absolute parliamentary majority votes against the prime-minister, the governmental membership or program. The governmental cabinet receives the parliament's vote of confidence simply by the fact of appointment of its prime-minister or membership or by the fact that absolute parliamentary majority is not opposed to the candidature of the prime-minister or the governmental membership. The governmental cabinet remains in office until it receives a positive (supported by absolute or relative majority of the members of parliament – depending upon a particular case) vote of no confidence or as long as it enjoys silent or negative confidence. In systems of negative parliamentarism, confidence/investiture for the governmental cabinet is not always based on parliamentary majority as it may be not available or negatively available in the process of the governmental cabinet formation. Instead, in the process of the governmental cabinet functioning, denial of positive confidence or failure to meet the requirements for negative confidence causes pre-term dismissal of the governmental cabinet. Thus a system of negative parliamentarism is an institutional and constitutional scenario based on constant silent confidence in the governmental cabinet supported by the majority of the members of parliament (when the parliament does not deny confidence or does not pass a vote of no confidence in the governmental cabinet) or on constant negative confidence in the governmental cabinet, when the number of MPs opposed to the governmental cabinet is lower than absolute majority (Bergman 1993; Cheibub, Martin & Rasch 2013; Louwerse 2014; Molder 2014; Russo & Verzichelli 2014).

on the post of a prime-minister (the unified majority system), the formally balanced premier-presidential semi-presidential system of government is activated, in fact, through the cohabitation (the divided majority system), but absolutely circumscribed institutionally. Suchwise, the balanced dualism of executive power is manifested. The peculiarity lies in the fact that it gives a way to limit severely the conflicts of executive dualism and to diminish the hypothetical amount of cohabitation cases.

As for the voters, it will become obvious that there are two formally significant political posts in the state – a president and a prime-minister. In fact, the president will be stronger in case the prime-minister is a representative of his (the same) political party, even if such construction will be supported not only by the presidential/pro-presidential party (on its own), but several parties forming a coalition in the parliament as well. In return, the prime-minister will have more powers if he or she relates to an oppositional party in relevance to a president, which belongs to the governmental cabinet forming parliamentary majority either on its own or in coalition.

In this case, the situation will be clear within the circles of political/party elite representatives, competing at the presidential and parliamentary elections as well. It is also an evident fact that every candidate for the post of a president will count for becoming the most powerful person in a country. It is possible only with a prime-minister subordinated to a president through the support of the parliamentary majority (or the unified majority system). For this reason, in the context of simultaneous presidential and parliamentary elections a president has to count for a specific candidate for a prime-minister. The easiest way to do it is when both ones belong to the same political party. This is why in a party hierarchy it is traditionally a leader of the party to be a candidate for the post of a president, and the second leading member of the party – for the post of a prime-minister. If the president is not supported by the majority of the parliament, he will not be obviously and factually positioned as the most influential person in a state. Even if there is a valuable historical experience of the president's superiority in the system of government. Instead, the leading role will belong to a prime-minister (who would, traditionally, be a candidate for the post of a president) opposed to a president.

Nonetheless, even in such a case there still remains a significant problem in Ukraine – the unstructured electorate. Therefore, even despite the simultaneity of presidential and parliamentary elections still the cases of cohabitation may take place, as presidents will not always have the support of the parliamentary majority. An effective way to overcome such a drawback is establishment of an electoral system, that would promote large and strong parties. Traditionally, among such systems there are mainly distinguished two-round and relative/plurality majority systems (systems of absolute or relative majority), but they have brought themselves into discredit throughout Ukraine.

Hereat, it may result in either establishment of an open list's proportional voting system (following the formula promoting large and strong parties) or a non-parallel/dependent mixed voting system (a proportional or majoritarian mixed member system, such as in Germany, Hungary or Romania).

Two perspectives of lucrative republican systems of governmental in Ukraine display that we deal not only with a system of government as such (per se), but with a constitutional engineering of a system of government, as the last one depends not only on formal/legal powers of the leading political institutions and their interrelations, but also on the factual/political reasons and consequences of these powers and interrelations manifested in an inspection of voting systems and formulas, party systems and party competition, socio-political cleavages etc. Outstanding is also the following: both variants to reform systems of government in Ukraine, irrespective of the presidents', prime-ministers' and parliaments' powers, will direct the political process in Ukraine to the principles of parliamentary democracy – to such a format of a democratic political regime, where a governmental cabinet is the main executive body, but only on the condition that a prime-minister and a governmental cabinet are always responsible to the parliament, which is popularly elected. Instead, from 1991 to 2015 the governmental cabinet of Ukraine was always positioned as the one subjected to the influence of interinstitutional conflicts between the parliament and the president at different stages of the constitutional process.

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