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PRESIDENTS with PRIME MINISTERS

Do Direct Elections Matter?

MARGIT TAVITS

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Preface

That institutions matter is by now a rather well-rehearsed mantra among social scientists. Just how much, when, and what types of institutions matter, however, is much less clear. This book investigates the consequences of one particular institutional choice—the selection mechanism of a president in parliamentary systems. Discussions on the advantages and consequences of holding a direct popular election versus an indirect selection to choose the head of state are rare within the existing literature. Despite this, researchers blindly accept certain assumptions about direct presidential elections. A common argument is that direct elections enhance presidents' legitimacy thereby increasing their activism and encouraging authoritarian tendencies. Another popular assumption is that direct presidential elections are more heavily contested and partisan, leading to polarization and divisiveness among political elites and within the electorate. Many scholars assume the validity of these theories without providing much empirical support. This book challenges the conventional wisdom by demonstrating that the mode of presidential selection has no significant effect on how a parliamentary regime functions. The book demonstrates that compared to indirect selection methods, direct elections do not yield more active and contentious presidents, do not polarize political elites or society, and do not remedy political apathy. Rather, presidential activism in both "semi-presidential" and "pure parliamentary" systems is shaped by political opportunity framework—the institutional strength and partisan composition of both parliament and government; and the nature of presidential elections depend on the incentives and choices of political parties.

Many people have helped me write this book. First, my husband Taavi Annus has been central to its development since the beginning. He gave me the very impetus for engaging in this project. He was teaching constitutional law in Estonia at the time when heated debates were resurfacing among politicians and in media about whether or not Estonia should switch to direct presidential elections. When preparing a lecture for his

students about the debate, he was surprised and frustrated by not being able to find any systematic research on the consequences of direct elections. His frustration grew with every subsequent invited talk that he had to give at home and abroad on whether the method of election matters. I, as a political scientist, could not be of much help, because it indeed turned out that we, as a discipline, had no clue. The only way to provide an answer was to undertake this project. Since the very beginning, however, it has been a teamwork. I have benefited from Taavi's written work, his insight, his readiness to read and discuss my work, his most frank (and often crushing) criticism, and endless support. Even the title of the book I owe to him.

Many colleagues and friends encouraged me to proceed with this project, read and commented on the manuscript, listened to me, and gave me a lot of advice. In particular, I would like to thank Moisés Arce, David Arter, Jorge Bravo, José Antonio Cheibub, Robert Elgie, Mark Andreas Kayser, Arend Lijphart, Guy Peters, Steven Roper, David Samuels, Petra Schleiter, Alan Siaroff, and Rein Taagepera. Because of their suggestions and criticisms, the book is much better than it otherwise would have been. I am equally indebted to Octavio Amorim Neto and Kaare Strøm, from whom I obtained much of the data used in Chapter 2. Additionally, I am grateful to my research assistants, whose diligence has done great service to the project. Agnes Simon gathered most of the information for the Hungarian case study. Michael Pelz helped with putting together the quantitative datasets. Heather Pierce proofread the entire manuscript.

Completing this project was also made easier by support from Nuffield College, University of Oxford. They provided me with a home and financial support during my research leave in fall of 2006, which allowed me to devote my undivided attention to writing this book. I wish I had that opportunity more often.

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Margit Tavits

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Introduction: Rationale, Questions, Methods

This book is about presidents in parliamentary systems. It investigates whether and how it matters for the functioning of a regime if the president is elected directly by the people, or indirectly by some representative body. The question is of high practical relevance. The method of electing the head of state is a contentious issue in democratizing countries. In a majority of Central and Eastern European countries, when deliberating constitutional issues during the regime transition, the question of whether or not to directly elect presidents received the most attention even when the country had chosen a parliamentary system. Moreover, in many established parliamentary democracies—including Australia, Finland, and Italy, to name a few—the issue of redesigning the selection method of the head of state has been prominent on the political agenda.

Despite the importance of this topic in practical politics, political scientists have devoted very little research to understanding the implications associated with presidential selection methods in parliamentary systems. Much of the academic debate has centered on the crude differences between parliamentary and presidential forms of government. More nuanced studies, especially comparative ones, on the consequences of constitutional choice on the executive–legislative balance are largely missing (see also Baylis 1996; Linz 1997, 1994; Taras 1997 for a similar point). However, it is typically the finer distinctions between possible choices that generate fierce policy debates when designing constitutions. The omission of this topic from scholarly attention stems largely from the misperception that presidents in parliamentary systems are of little relevance. I will give examples below to illustrate that this assumption is simply wrong. Therefore, studying this institution can significantly

contribute to our understanding of the functioning of democratic systems in general.

Analyzing the meaning of popular elections on the functioning of an institution can also contribute to democratic theory more broadly. In democracies, popular elections are seen as legitimizing the regime, that is, conveying power and authority to the democratic rulers. However, whether the holding of elections inherently provides such value has not been empirically established. Studying whether presidents who command popular mandate behave differently from those who do not sheds some light on this fundamental question.

The Practical Relevance of the Topic

As stated, the choice of selection mechanism for heads of state is frequently one of the most contentious issues in policy debates over constitutional design. In most Central and Eastern European democracies, the process of drafting new constitutions was characterized by intense debate over the method of presidential selection, and it remains a contentious issue in many places. For example, in Estonia, the issue remained the key question throughout the work of the constitutional assembly during 1991–92 (Adams 2002). The general public, experts, and media outlets could comment on the original draft constitution and as a result the assembly received more than 500 letters from ordinary people plus a number of suggested amendments from experts and from opinion articles published in newspapers. Most of these suggested amendments were about the paragraph concerning the election mechanism of the head of state (Aaskivi 2001). The resulting constitution devotes about 10 times more space to the procedure of the presidential than to the parliamentary election. Almost annually since the adoption of the constitution that proscribed indirect presidential elections, policymakers have put forward proposals to initiate direct elections. The issue also attracts a considerable amount of public attention, reflected by the number of related opinion articles—about 20 annually—published in major Estonian newspapers. Compare this to about 30 articles a year on the referendum to join the EU—an unprecedented event with profound constitutional consequences! Even in 2003—the year of the Euroreferendum, which was an unresolved issue in Estonia due to divided public opinion on the matter—the debate over direct elections, rather than the referendum, was considered to be the most pressing political issue.

In the Czech Republic, which currently uses indirect presidential elections, politicians also make serious proposals for constitutional change approximately every other year. Observers commented, "judging by the time politicians devote to the debate on whether to introduce a direct election of the president, it seems that the topic is the hottest of all and requires an urgent solution" (CTK National News Wire 2004*a*). Similar urgency characterized political discourse in Slovakia, where proposals to switch to direct elections met heavy resistance by the ruling government, who even sabotaged a referendum on the issue (East European Constitutional Review 1998*c*). The debate escalated to the level of constitutional crisis in 1998 when the parliament was unable to elect a president. It required parliamentary elections and a change of government to finally resolve the issue and implement a constitutional change for direct elections (Fitzmaurice 2001). Hungary is another country where the method of electing the president remains the most debated institutional issue of the postcommunist era. It nearly prevented the agreement at the National Round Table Negotiations in 1989 that established the basis for democratic institutions. Since none of the parties regarded the compromise at the Round Table as completely satisfactory, the question has continuously resurfaced in the past 17 years. During that time, there were at least 11 referendum initiatives proposed to introduce direct elections, and political analysts expect the question to keep occupying political debates in the future (MTV 2005).

Decisions on the selection method for the head of state caused major controversy in many other new democracies while they drafted new constitutions. In Lithuania, a referendum in 1992 initially solved the debate over the nature of the presidency when voters rejected a strong president but maintained direct elections. However, fierce debates resurfaced in 1997 during the presidential election (Protsyk 2005*a*), and again in 2004 in connection with the impeachment of President Rolandas Paksas. In Bulgaria, "the question of the presidency loomed large as an extremely contentious issue" (Ganev 1999, 126) at the Round Table Talks in 1990. Rancorous debates and a series of open and covert negotiations characterized the talks (Ganev 1999). Controversy also surrounded the birth of the Polish constitution, with the method of electing the head of state at the center of the debate. As elsewhere, there were drafts considered by various constitutional committees between 1989 and 1997 that included the indirect election of a figurehead president (van der Meer Krok-Paszkowska 1999). Some countries have implemented changes in selection methods. Similarly to the Slovakian case discussed above and

the Finnish case described later, the Moldovan parliament overwhelmingly approved a constitutional amendment to switch from direct popular elections to parliamentary elections for head of state in July of 2000 (Roper 2002).

The debate is not limited to newly democratized countries, but extends to established democracies as well. In Italy, constitutional reform proposals containing direct elections for the head of state were introduced as early as 1979 (Economist 1979). The issue remained on the agenda throughout the 1980s, and a major constitutional reform effort was launched in 1996. It was the debate and vote on presidential elections that eventually killed the reform process. In a referendum in 1999, Australians refused to abolish the monarchy to become a republic, despite the fact that the majority of the population preferred the latter. The issue of the election method of the (figurehead) president divided the public, and because many "republicans" did not like the proposed system (indirectly elected president), Australia remains a monarchy (Higley and McAllister 2002). The referendum was preceded by more than a year of extensive discussions over the appropriate presidential selection method and the consequences of various methods.

Additional examples exist in a variety of other countries. Although Finland formerly selected presidents through an electoral college, it introduced elements of direct election in 1988 and then completely switched to direct presidential elections in 1994. Arguments have also been made to abolish the presidency altogether (Arter 1999*a*). Political leaders in Turkey proposed a referendum on a constitutional change allowing direct presidential elections in response to large-scale protests leading to the invalidation of the results of the parliamentary elections of the president by the Supreme Court in spring 2007 (Hacaoglu 2007). Even in Germany, with its strong commitment, due to historical reasons, to indirect presidential selection, changes are sometimes proposed. Discussions about changing the method of electing the president resurface almost every time a new president is selected. The previous president of Germany, Johannes Rau, publicly supported the introduction of direct elections (Bahro, Bayerlein, and Veser 1998) and in 1993, the Greens introduced a draft of such elections (Burkiczak 2004; see also Schwarz 1999 on such constitutional debates in Germany).

Furthermore, in many advanced democracies, the current method of election evolved through debates and experience over time, rather than through quick consensus without debate. For example, Austria experimented with both indirect and direct elections before settling on the latter

(Müller 1999). Similarly, Iceland first considered indirect presidential elections, but later responded to public demand for a change (Kristinsson 1999). The Irish constitutional committee devoted lengthy debates to whether or not to retain the office of president, or to alter the method of election or the constitutional powers of the president (Casey 2000).

Elections of essentially symbolic presidents have led to constitutional crises and subsequent changes in the procedures for electing heads of state in Moldova and Slovakia. The elections have led to bitter political disputes in the Czech Republic (2003), Estonia (2001 and 2006), Hungary (2005), and Italy (2006), and many other countries. In spring 2007, the indirect elections of the Turkish figurehead president brought to the streets more than a million protesters, which attracted considerable international attention; this crisis ended in the Constitutional Court annulling the results and the prime minister calling for early parliamentary elections (Hacaoglu 2007). The developments also triggered reactions from international markets, evidenced by fluctuations in the value of the Turkish currency in response to developments in the presidential elections (Connagahn 2007). With a serious impact both on the country's politics and economics, political scientists may be just about the only ones considering the office of this figurehead president inconsequential.

Not only the election of these figurehead presidents but also their behavior in office has triggered political crises, or in some cases, helped to resolve political tensions. In spring 2007, political turmoil was unleashed in Romania because of the president's too active stance in office (Mutler 2007). Like most presidents in parliamentary systems, the president of Romania does not possess many powers but his use of delay tactics in appointing government officials and his foreign policy statements (which were in discord with those of the government) were enough for the parliament to suspend him and call, unsuccessfully, for his popular impeachment. Again, considering the office of president in such a case as inconsequential is a grave misrepresentation of reality. Chapters 3 and 4 provide more examples of similar situations.

As this evidence demonstrates, debate over the method of electing a head of state is a crucial political issue across a variety of countries. Vehement debates arise in part because of a lack of knowledge about the consequences the mode of election has for institutional function. This pressing issue clearly warrants scholarly attention. Surprisingly, however, the political science literature has little to contribute to this debate (Baylis 1996; Linz 1997). The current literature has almost disregarded heads of

state in parliamentary systems on the premise that these institutions are inconsequential, but the examples introduced earlier suggest otherwise. If presidents in parliamentary systems were indeed irrelevant, it would be unreasonable for politicians to devote so much effort to defining these positions when designing constitutions. Certainly, when a large number of countries are in the process of constitutional reconstruction, to provide better guidance in political engineering, the research agenda of the academic community should reflect the salience of issues in practical politics.

Another suggested but unfounded justification for ignoring indirectly elected presidents is that parliamentary systems with such presidents are not very common (Siaroff 2003, 308). According to Freedom House rankings, as of 2006, there were 148 democratic, that is, "free" or "partly free," countries in the world. Somewhat less than a third—42—of these countries are parliamentary democracies with either directly or indirectly elected head of state. Of those, 21 countries elected a president indirectly at some time while democratic since World War II. Amorim Neto and Strøm (2006) report that as of 2000, 32 of Europe's 46 independent states are parliamentary systems with elected heads of state, and 12 use indirect methods. Clearly, this type of parliamentary system is more common than is often acknowledged. Furthermore, understanding the implications of holding direct presidential elections in parliamentary democracies is relevant not only in countries that currently have both presidents and prime ministers. It is equally relevant to countries with other types of regimes, such as constitutional monarchies and presidential systems that contemplate constitutional changes. For example, Sweden has continuously debated abolishing the monarchy and establishing a presidency. The Netherlands seriously considered a dual executive in the 1960s and 1970s (Siaroff 2005, 147). Both Brazil and Argentina have discussed adopting a regime type other than presidential (Shugart and Carey 1992, 2).

The Theoretical Void and Possible Contributions

To be sure, the distribution of power among democratic institutions is a major theme in comparative politics literature. A renewed interest in this topic followed the recent democratization progress witnessed in Europe and other parts of the world. However, the scholarship on constitutions is still dominated by the analysis of the dichotomy of presidentialism versus

parliamentarism (Cheibub 2007; Linz and Valenzuela 1994; Przeworski et al. 1996; Shugart and Carey 1992; Stepan and Skach 1993). These studies devote only scant, if any, attention to countries where presidents possess few powers. Duverger's (1980) introduction of the concept of semi-presidentialism has led to the recognition of an intermediate category to the dichotomy of institutional choices. However, because the direct election of the president has traditionally been a determining factor in classifying a system as semi-presidential or parliamentary, the differences in the functioning of the regime resulting from direct elections are assumed rather than tested.

Indeed, it is not clear whether Duverger's concept introduces clarity or confusion to the comparative study of institutions. Duverger (1980, 161) defines semi-presidentialism as a system where (1) the president is elected by popular vote, (2) the president possesses considerable powers, and (3) there also exists a premier and a cabinet, who perform executive functions and are subject to assembly confidence. The obvious vagueness of this definition, especially the second criterion, led subsequent scholars to spend most of their energy clarifying and refining the definition rather than actually establishing the analytical value of such an intermediate category or any of its defining features. Several authors have criticized and attempted to clarify the substance of "considerable powers" (Bahro et al. 1998; Elgie 1999*b*; Linz 1994; Sartori 1997); come up with further classifications such as premier–presidential and president–parliamentary system (Shugart and Carey 1992; see also Roper 2002); or used some additional classification criteria (Baylis 1996; O'Neil 1993; Pennings 2003). Others did not change Duverger's definition, but rather his classification of countries based on their own subjective interpretation of "considerable powers" (see Elgie 1999*b*, 2004).

While refinements based on presidential powers were proposed, authors generally agreed that direct election of the head of state is a necessary condition for classifying a country as semi-presidential. Indeed, given the confusion over defining them, some authors disregarded presidential powers altogether and relied on popular elections as the only criterion for differentiating between parliamentary and semi-presidential regimes (Almeida and Cho 2003; Elgie 1999*a*, 1999*b*, 2004; Elgie and Moestrup 2007, 2008*a*; Linz 1994; Protsyk 2005*a*, 2005*b*, 2006; Roper 2002; Samuels 2007; Schleiter and Morgan-Jones 2005; Siaroff 2003). None of these studies addresses the question of whether and how the method of election actually matters for the functioning of the regime. Indeed, several of them focus exclusively on systems with directly elected presidents: They

attempt to explain differences in the role of directly elected presidents, but not in contrast to those who are indirectly elected (Protsyk 2005*a*, 2005*b*, 2006; Roper 2002; Schleiter and Morgan-Jones 2005). Elgie (1999*a*), Elgie and Moestrup (2007; 2008*a*), and Taras (1997) use collections of case studies to demonstrate how direct presidential elections influence democratic stability and intra-executive conflict. Yet by considering only directly elected presidents, they are not able to show whether the type of election matters in the first place, that is, whether indirectly elected presidents behave differently.

Exclusive focus on regimes with directly elected presidents presumes that the method of election matters for the functioning of the regime. A common argument to justify this belief is that direct elections enhance presidents' legitimacy. This, in turn, increases their activism, and may result in imbalance of power and encourage authoritarian tendencies (Bunce 1997; Linz 1994). Indirectly elected presidents, on the other hand, lacking a direct mandate, are less likely to exercise any powers that they have (Duverger 1980; Metcalf 2002; Protsyk 2005*b*). Based on this premise, indirectly elected presidents are automatically assumed to have the status of a figurehead, similar to that of monarchs (Elgie 1999*b*; Shugart 1993; Siaroff 2003). Indeed, even Duverger's goal (1980) was not to understand how semi-presidential systems are different from the parliamentary ones. He, as most of his followers, simply assumed that they were different and then tried to understand variation *within* the former category.

The assumption that the lack of direct popular mandate renders any powers that indirectly elected presidents possess meaningless is equally explicit in empirical studies measuring the constitutional powers of presidents. Several studies measure the power of the presidents in countries with direct presidential elections only (Metcalf 2000; Roper 2002; Shugart and Carey 1992). Other studies, while considering both directly and indirectly elected presidents, weigh the powers of the former more heavily than those of the latter, thus assuming that indirect elections significantly weaken presidential powers or discourage their use (Frye 1997; Hellman 1996). Still others use the method of election as one of the measures of presidential power (Siaroff 2003), thus making sure that directly elected presidents receive a higher powers score than their indirectly elected counterparts. Again, however, the authors do not provide empirical justification for such decisions.

Examining empirically the functioning of the regimes with directly and indirectly elected presidents provides the basis for evaluating the utility of treating semi-presidential systems as a separate regime type. If

scholars want to understand the effect of presidential powers on the functioning of the regime, then rather than dividing presidents as relevant and irrelevant ex ante, these powers should be studied across all presidents. Such ex ante classification assumes away much of the empirical variance to be studied, especially since there is no systematic empirical evidence that direct election of the head of state conditions the meaning or use of presidential powers. Rather, studies have found that, at least in Eastern Europe, the average nominal powers of the indirectly elected presidents are not necessarily weaker than those of the directly elected ones (Metcalf 2002). The assumption about the use of presidential powers is also not always supported. For example, Shugart and Carey (1992) argue that presidents in president–parliamentary systems have an extensive role in cabinet formation and can dissolve parliament. However, indirectly elected presidents, for example, in Hungary, the Czech Republic, and Slovakia (before 1999), can also dissolve parliaments under certain circumstances. Furthermore, one indirectly elected president—Kovač of Slovakia—was able to get rid of the prime minister that he did not like (Baylis 1996). In Italy, the Dini government was established and maintained by the indirectly elected president Scalfaro (Bahro et al. 1998). In both cases, these presidents probably exercised a more significant influence on cabinet formation and maintenance than most of their directly elected counterparts. Furthermore, studies report enormous variance in the functioning of countries with directly elected presidents (Duverger 1980; Elgie 1999*a*, 2005; Elgie and Moestrup 2008*a*, 2007; Protsyk 2006; Siaroff 2003; Shugart and Carey 1992). Even the prototype of semi-presidentialism—France—is argued to have a "semi-presidential" phase and a "parliamentary" phase (see Elgie 1999*b*). Why then force countries with directly elected presidents that differ vastly from each other under a separate label if it is not clear that they differ significantly from parliamentary regimes with indirectly elected presidents in the way they function?

In sum, a well-established literature is being built around an assumption for which no empirical support has been offered. We simply do not know whether and in what respect systems with directly elected presidents differ from those with indirectly elected ones. The lack of scholarly studies providing the necessary empirical evidence to answer this question has caused policy debates over this issue to be largely ad hoc and conjectural (Mackerras 1998). Filling this troubling void in the literature would significantly contribute to the theory of institutional choice. If parliamentary systems with directly elected presidents really are qualitatively different

from other types of parliamentary systems, then providing supporting empirical evidence to substantiate this widespread assumption is necessary in order to validate much of existing research that has exclusively focused on such systems. If the assumption finds no empirical support, then we may need to reconsider some of the existing conclusions. It is possible that lumping indirectly elected presidents together with constitutional monarchs and concentrating only on directly elected presidents provides an incomplete if not misleading picture of the consequences of institutional choices.

Addressing the meaning and consequences of popular elections of a president also contributes to democratic theory, which emphasizes the importance of popular elections to fill democratic institutions. In democratic regimes, popular elections, by expressing the will of the people, are the source of legitimacy, thus providing the foundation of authority and power to democratic rulers (Dahl 1998; Linz 1994; Schumpeter 1942; Schmitter and Karl 1991). Despite the centrality of this assumption to theories of democratic governance, its empirical relevance has not been evaluated. Several authors see this as a major neglect in social science research and have pointed out that the concept of legitimacy lacks a good definition, and its empirical value has not been established (DiPalma 1990; Taylor 2006). For example, Boulding (1970, 509) argues that "the nature and underpinnings of legitimacy are among the most neglected aspects of the dynamics of society." McEwen and Maiman (1984, 258) note that "the virtual absence of empirical examination of legitimacy leaves us vulnerable to the charge that the concept is a magical one to be invoked when our power of explanation otherwise fails us." There is, thus, a clear need to better understand the meaning of this concept that underlies much of democratic theory.

Although the conceptual definition of legitimacy is abstract, one can derive from the theory concrete and empirically testable research questions. Are rulers with a direct electoral mandate more compelled to exercise political power? Do office holders who are not so legitimated behave differently? A comparison of democracies to nondemocracies cannot answer these questions due to numerous other relevant factors, in addition to sources of legitimacy that separate these systems. Rather, to gain a better understanding of legitimating via popular electoral support, researchers can compare democracies with institutions that perform similar functions, but derive legitimacy differently. The presidency of a parliamentary system is a clear example of such an institution. Observing differences in the behavior of presidents across countries with different

selection mechanisms will reveal any effect direct votes may have on elite behavior, thus empirically testing a core assumption about democratic governance.

Introducing the Debates Over the Method of Election

This book is driven by a real-world puzzle—the differences between directly and indirectly elected presidents in parliamentary systems. Specific questions for investigation are derived from real-world policy debates. Answers are sought both from the existing institutional theories and from these same policy debates. The reasoning is mostly deductive. The emphasis is on testing existing assumptions and combining as well as extending arguments from existing theories to reach an understanding of how parliamentary systems with presidents function.

Policy debates accompanying the writing or rewriting of constitutions usually involve a list of potential consequences of directly electing the head of state. Some are relatively mundane (e.g., direct elections are costlier than indirect elections), but others require a societal value debate (e.g., does an indirectly elected president represent the people and should the president be representing the people). These debates revolve around similar issues in different countries.

The most common topic in both policy debates and the academic literature, with potentially the most profound consequences, is the level of presidential activism. Exploring the relationship between election method and presidential activism is the primary goal of this book. However, there are at least two other potential consequences of direct elections frequently pointed out in policy debates. One of them has to do with the nature of these elections: policymakers fear that direct elections introduce too much controversy, polarization, and divisiveness into society. Alternatively, a positive argument is that direct elections actually strengthen democratic practices and decrease political apathy and disillusionment. The book analyzes these arguments to provide a fuller account of the effect of direct presidential elections in parliamentary systems. As such, the study takes the first step in gaining an understanding about the role of presidents in parliamentary systems—an important aspect of institutional engineering that researchers are only beginning to explore. The conclusion reached here is that the effect of direct elections (i.e., the popular legitimization of the office of president) is overrated. Parliamentary

systems with presidents appear to be functioning in a very similar manner, regardless of how the presidents came to power.

Debate I: Are Directly Elected Presidents More Active?

The key question of theoretical as well as practical interest is the consequence of the mode of selecting the head of state on the interaction of different branches of government and the governability of the regime. As stated above, the advantages and disadvantages, or even simple consequences, of having direct elections for head of state are rarely discussed in the existing literature, whereas certain conclusions are made without much discussion at all. Lijphart (1999, 141), for example, in *Patterns of Democracy*, argues that the danger with parliamentary systems having directly elected presidents is "popular election may provide the head of state with a democratically legitimate justification to encroach upon or take over leadership of the government, thereby changing the nature of the parliamentary systems" (see also Lijphart 2004). Other studies echo this assumption or "common belief" that the popular mandate per se provides justification for presidential demands for a greater involvement in executive matters (Amorim Neto and Strøm 2006; Baylis 1996; Duverger 1980; Metcalf 2002). Researchers present the argument as self-evident—direct elections *inevitably* lead to more activism and conflict between branches because presidents feel that their constitutional powers do not correspond to their direct popular mandate (Baylis 1996; Elster 1997; Lijphart 1999; Protsyk 2005*b*).

Authors combining presidential power indices have also simply assumed that directly elected presidents are more powerful, without much evidence to support this assumption (Frye 1997; Hellman 1996). Some recent studies have acknowledged that direct elections do not necessarily define regime type (Beliaev 2006; Cheibub 2007). Yet their assertion is similarly simply an assumption.[1] Thus, a basic conclusion in the limited existing literature is that direct elections alone profoundly change the type of the regime; have significant negative consequences on the efficiency of governing; and even pose a potential threat of authoritarianism.

As I elaborate in Chapter 2, recent studies have applied the principal–agent framework to understand differences in the organization and behavior of parties in parliamentary, presidential, and semi-presidential

[1] To be fair, none of these studies is designed to address the issue of directly vs. indirectly elected presidents; rather, they generate and use presidential power indices and classify countries for other purposes.

regimes (Samuels and Shugart 2006). These studies are not directly concerned with presidential activism. However, the logic of this argument provides a way to substantiate the conventional wisdom about the effect of direct elections on presidential activism. Since the principals of directly elected presidents are different than those of indirectly elected presidents, we should see behavioral differences between these presidents. Specifically, indirectly elected presidents need to please legislators (or members of an electoral college) and are therefore less likely to disagree with other branches of government. Directly elected presidents, however, are independent from the assembly and therefore also less likely to desire to always please the legislature or the cabinet rising from it.

To support this argument, there are indeed several examples where directly elected presidents have alluded to the popular vote when conflicts with other branches of government occurred. Mary Robinson, the Irish president, mentioned during an election campaign that she had the most democratic job in the country, that she had the power to look into the eyes of Prime Minister Charlie Haughey and tell him to restrain himself as she was directly elected and he was not (Ward 1994, 316). Her term in office was admittedly more active than what had traditionally been the case in Ireland. The directly elected presidents in new democracies in Eastern Europe have also been relatively active and conflictual (Baylis 1996; Protsyk 2005*b*). Many recognize directly elected president of Poland Lech Wałęsa as being very active in office (Jasiewicz 1997*a*). The same is said about Lithuanian president Valdas Adamkus (Urbanavicius 1999) and Romanian presidents Ion Iliescu (Verheijen 1996) and Traian Basescu (Mutler 2007). A striking example of not just policy activism but interference in the cabinet formation process is the case of the directly elected Bulgarian president Zhelev who in January 1997 refused to offer the ruling Bulgarian Socialist Party a mandate to form a new government after their leader and the sitting prime minister resigned. Instead, the president insisted on forcing early parliamentary elections (Schleiter and Morgan-Jones 2005). President Wałęsa of Poland also actively interfered in cabinet formation by picking candidates from outside the governing coalition for the positions of ministers of foreign affairs, national defense, and internal affairs (Jasiewicz 1996).

Yet examples can also be found suggesting that direct election does not necessarily matter when predicting the behavior of a particular president. There are several directly elected presidents who play almost no role in national politics. Generally, the Irish, Austrian, and especially Icelandic presidents are known for their inactivity. Directly elected president of

Iceland Vigdis Finnbogadottir refused to even give interviews on political topics, although she was always eager to discuss Icelandic sagas or French literature. Her staff consisted of only one person advising her on substantive matters (Arter 1999*b*, 224–6). Although she received 94.6 percent of the popular vote, and she had a constitutional right to veto laws, she refused to veto the controversial act on joining the European Free Trade Association as many expected her to, because she felt that she lacked sufficient legitimacy (Kristinsson 1999, 92). Similarly, in Austria, directly elected presidents possess considerable formal powers, but analysts have always considered their role in national politics minuscule (Müller 1999).

Furthermore, examples can also be found suggesting that indirectly elected presidents are active. Several indirectly elected presidents have been successful in blocking government initiatives, in some cases thereby causing inefficiencies or in other cases avoiding failures. Czechoslovakian president Václav Havel significantly influenced the country's economic policies during the initial years of transition. Havel also frequently exercised his ability to initiate legislation for parliament's consideration (Wolchik 1997). The activism of many indirectly elected Italian presidents is well known and documented. The prime example of presidential activism in Italy is Luigi Scalfaro, who, despite his figurehead status, effectively dominated cabinet formation and controlled the timing of elections (Pasquino and Vasallo 1995). Furthermore, even indirectly elected presidents have referred to their mandate to justify their actions: Estonian president Lennart Meri at least once addressed the people by referring to himself as "the president elected by you" (Kaalep 1998). Similarly, after Arnold Rüütel was elected as the president of Estonia, his party kept stating that the result was "the expression of popular will" (Ideon 2001*e*).

Indirectly elected presidents often interfere in military and foreign policy—areas where a typical constitution seemingly gives them the most power. Many constitutions designate the president as the supreme commander of the armed forces, and give him or her the right to represent the country abroad. For example, indirectly elected Estonian president Lennart Meri interfered on several occasions in foreign policy negotiations and military affairs (Annus 2004). In most of these cases, the government accused him of overstepping the bounds of his power. Czech president Havel regularly made statements concerning the country's foreign policy that contradicted the views of the government (Wolchik 1997).

As these examples show, the conventional wisdom about the profound consequences of direct elections may be mistaken. Of course, these examples serve as illustrations, rather than systematic evidence, but by undermining the assumption, they call for critical evaluation of directly elected presidents. Indeed, the generally accepted argument about increased activism originates mostly from the literature on presidential regimes rather than from studies focusing specifically on the role of presidents in parliamentary systems. This literature highlights the dual legitimacy of the president and the assembly, and the potential conflict arising from these two unique mandates (Shugart and Carey 1992). The conflict is, in turn, associated with decreased efficiency in governing and even political instability (Elster 1997; Lijphart 1992; Linz 1990; Linz and Valenzuela 1994; Stepan and Skach 1993; Shugart and Carey 1992). However, the extent to which legitimacy from direct elections accounts for levels of activism and institutional conflict is unclear. Indeed, scholars of semi-presidentialism have observed a high level of variance in presidential activism which cannot be attributed to the type of election (Baylis 1996; Duverger 1980; Elgie 1997; Protsyk 2005*b*). These findings contradict the conventional wisdom, and thus, the debate over the effect of direct elections on government performance remains unresolved.

Chapter 2 elaborates on this debate and outlines an alternative to the legitimacy-based argument. I surmise that even if direct elections provide presidents in parliamentary systems with enhanced legitimacy, this may not translate into enhanced activism and powers. Presidents, directly or indirectly elected, operate within the constraints of existing institutional structures and constellation of partisan forces. Semi-presidentialism scholars have recognized that these constraints condition the leadership style of presidents, but only the directly elected ones (Amorim Neto and Strøm 2006; Duverger 1980; Linz 1994; Shugart and Carey 1992).

Filling this research gap, the central conclusion of this book concerning presidential activism is that institutional and partisan constraints play a greater role than electoral method in determining the ability of presidents to be politically active. The basic premise of the theory is that presidents, like other officeholders, are motivated to accumulate power and to influence policy according to their preferences. However, institutional constraints and opportunities, which include the strength and partisan composition of other institutions, shape the political environment and affect the extent to which they are able to materialize these goals. Regardless of election procedure, partisan and institutional conditions either

reinforce or hinder presidents' incentives and opportunities to engage in conflict with other branches of government.

Specifically, political opposition in government and parliament—a phenomenon known as divided government or cohabitation—reinforce presidents' incentives for increased activism. Unified partisan control of the presidency and the government reduces incentives for presidential activism because policy preferences are likely to be compatible across these branches of government. When the governing coalition excludes the president's party, ideological divergence potentially intensifies policy conflict and increases the incentive for presidents to actively pursue their preferences.

The strength of other institutions in the system shapes the effects of partisan opposition. If the primary policymaking institutions—the government and the parliament—are strong and stable, they can easily restrict political interference from even the most motivated presidents. Alternatively, if these institutions are fragmented, polarized, and unstable, the collective action required to counter presidential activism is much more difficult to achieve, and so ambitious presidents are in a better position to influence policymaking.

According to this theory of political opportunity framework, legitimacy derived from direct elections is irrelevant—both directly and indirectly elected presidents face similar institutional constraints that shape their behavior in office. This theory, thus, offers a clear alternative to the argument about the role of direct mandate in shaping presidents' behavior in office. Using a wide variety of methods and comprehensive data, Chapters 2–4 explore the empirical validity of these rival alternative arguments. The findings confirm that the political opportunity framework influences the level of political activism regardless of how the head of state is elected, while activism is largely independent of the mode of election. Presidents selected through different processes may either be active or passive depending on whether other institutions provide certain incentives and opportunities.

Debate II: Are Direct Elections More Confrontational and Divisive?

While institutional designers are most concerned with presidential activism, direct elections of the head of state may have other consequences for the functioning of a polity. One existing assumption is that the type of election has a significant and sometimes undesirable impact on the nature of the elections themselves. A common argument in policy

debates is that direct elections may become overly partisan and divisive. Two main concerns have emerged regarding the effect of a popular vote on the nature of elections. The first is that direct elections require lengthy and public campaigning, which increases confrontation and divisiveness. The second is that direct elections are more partisan, which similarly results in a higher level of conflict.

Direct elections are more likely to involve lengthy campaigning, which may necessitate policy promises to voters, but these are likely to remain empty since symbolic heads of state do not possess much policymaking power. For example, in the 1990 campaign in Ireland, the winner promised to address poverty and the environmental problems and to extend a helping hand to Northern Ireland while possessing at most symbolic powers to address any of these issues (Ward 1994, 316). Similarly, Lithuanian president Valdas Adamkus declared during the 1997 election that he wanted to change the tax system (Urbanavicius 1999, 166) despite the fact that he had no real power in this policy area.

Indirect elections, on the other hand, are considered more consensus-oriented. Presidents elected by parliaments or electoral colleges do not need to engage in long-term campaigns involving empty promises. Since the public cannot elect these presidents, there is no need for public relations work. Even if candidates propose a program or reveal their policy positions, they are less likely to publicly promise something that they have no constitutional authorization to deliver. The mode of election may therefore determine the salience of the election and the intensity of the campaign.

Campaigning may also make elections more confrontational and divisive. Indeed, concerns have surfaced in constitutional debates that direct elections undermine the role of the president as the symbol of national unity because campaigns divide the people (Tölgyessy 1990; Simon 2006*a*). When a president is elected by popular vote, campaigns tend to be highly personalized, media driven, and conflictual (Panagopoulos and Dayanand 2005). Such confrontational and competitive elections, as opposed to consensual ones, are more polarizing and reiterate the conflict in politics.

Another related issue of concern is the role of parties in either type of election. Amorim Neto and Strøm (2006) argue that direct rather than indirect elections produce nonpartisan presidents because the majoritarian electoral system forces candidates to appeal across party lines. This argument has been echoed in some policy debates stating that only directly elected presidents can truly represent the whole nation and stand

above parties (Babus 1995, 9–12). On the other hand, however, a more common argument is that direct elections are necessarily about a choice between parties because most candidates need party support to launch their campaigns. Furthermore, parties may see direct presidential elections as an opportunity to increase their visibility. Winning the presidential office may bring along presidential coattails: it may have a positive effect on party performance in other elections as is common in presidential systems (Cox 1997; Mozzafar, Scarritt, and Galaich 2003; Samuels 2003). Given the potential partisan benefits of holding office, direct elections are less likely to produce a compromise candidate (Shugart and Carey 1992, 33). Furthermore, some argue that a neutral president, one not strongly affiliated with any party, can emerge only from compromise and consensus between different parties (Linz 1994). Such "gentlemen's agreements" are more difficult to strike in the context of unpredictable popular elections. In indirect elections, on the other hand, parties presumably have less at stake and, consequently, candidates' wide appeal and prestige become more important than partisanship. Thus, presidents emerging from indirect elections are more likely to have attained the office from negotiation between parties rather than from fierce partisan competition.

It is possible that the nature of candidates contesting the different types of elections itself makes the contests more or less competitive. The positions of indirectly elected presidents are often treated as a reward to experienced statesmen. Unlike candidates for a directly elected presidency, those competing for an indirectly elected position are likely to be senior political figures capable of putting aside narrow partisanship (Baylis 1996). Elections contested by elder statesmen at the end of their political careers are less likely to be conflictual and polarizing contests than those elections that are contested by active politicians at the prime of their careers. If direct elections attract active, populist, noncompromising candidates (Bahro et al. 1998), these elections themselves turn out to be conflictual.

Assuming that lower reelection rates of incumbent presidents indicate more contestation in elections, some direct elections indeed appear more contentious. In Central and Eastern Europe, the reelection of directly elected presidents is far from guaranteed. For example, Wałęsa in Poland, Iliescu in Romania, Zhelev and Stoyanov in Bulgaria, and Schuster in Slovakia all lost elections while in office. However, counterexamples are not difficult to identify. Consider the highly contested indirect elections in the Czech Republic in 1998 and Estonia in 2006. In the first case, incumbent president Havel secured his reappointment only by one vote,

while in the second case, Estonian president Rüütel was not reappointed. At the same time, in several countries with directly elected presidents, such as Austria, Iceland, and Ireland, the elections are often very consensual and have high incumbent reelection rates. In Ireland, the presidential candidate may actually face no opposition whatsoever, and effectively no elections will then take place. Altogether, there have been six instances where elections did not occur, after all major parties agreed on a common candidate. Before 1990, Ireland had not held a presidential election since 1973. Again, in 2004, no election took place, as the incumbent Mary McAleese was the sole nominee.[2] Likewise, Icelandic presidential elections have never been partisan contests and do not typically involve debates over political issues. Since 1952, no political party has supported particular candidates, and instead ad hoc groups organize the campaigns (Kristinsson 1999, 99).

With examples of both direct and indirect elections being either heavily contested or consensual, it is unclear whether the mode of election matters for the nature of election. The office of president may be equally important to parties under different electoral processes. The high visibility and prestige of the office, along with the typically high approval ratings, make the partisan "fight" worthwhile. Holding presidential office is potentially beneficial to a party's level of popularity, and winning an indirectly elected presidency may bring with it similar presidential coattails as winning a directly elected presidency. This would certainly explain the lengthy and bitter fights for this position in many countries with indirect elections, such as the Czech Republic, Estonia, and Hungary, and partisan strategizing in Germany.

A more exhaustive exploration of the nature of presidential elections is presented in Chapter 5. Using a variety of methodological approaches, I establish that variation in the level of confrontation in presidential elections is unrelated to the mode of election. It is rather the incentives of political parties that determine the nature of these elections. Holding the presidential office, regardless of whether the president is directly or indirectly elected, boosts parties' vote shares in parliamentary elections. Therefore, the level of contention characterizing presidential elections

[2] Certainly, not all elections are uncontested. Both the 1990 and the 1997 elections were close and heated contests. During the 1990 campaign, Mary Robinson even promised to become a more active president than her predecessors and the role of the president and her relations with the parliament became one of the campaign issues (Gallagher and Marsh 1993, 65; Ward 1994, 316). In 1997, the candidate pool had also become much younger and more active: all major parties nominated a female candidate, none of whom was about to retire from the political life (Gallagher 1999, 112).

does not necessarily vary among countries with directly and indirectly elected presidents because parties have an incentive to compete for the office in both situations. The findings indicate that the presence or absence of a popular incumbent president significantly conditions how heated and polarizing presidential campaigns become. Parties find it beneficial to refrain from a lengthy and costly campaign for a symbolic office when a popular incumbent president is seeking reelection and his or her chances of winning are not very high. The presence of a popular incumbent produces relatively calm and consensual elections, regardless of the mode of election.

Debate III: Do Direct Elections Decrease Political Disillusionment and Apathy?

Finally, direct elections are sometimes advocated for their intrinsic value. That is, allowing people to participate in the election of one additional office may strengthen democratic practices. In a similar vein, Lindberg (2006), for example, proposed that simply holding elections helps countries democratize. One could argue that people will be more involved in politics if they are able to elect their head of state, and that this will increase their trust and participation in the political system. Presidential elections may be an event that triggers general interest in politics, as the debates between candidates include discussions over broad political issues.

These arguments figure prominently in the constitutional debates about the head of state. For example, the first postcommunist Estonian president, Lennart Meri, when calling for direct elections, contended that there was an unquestionable need to give people opportunities to directly participate in governing, especially in the context of the general disillusionment with the state (Annus 2004). The constitutional debates in Hungary have incorporated a similar argument ever since the Roundtable Talks. The pro-direct election camp has always stressed that the strong legitimacy that the president gains though a direct election is useful for overcoming the mistrust that the public has toward anything political (Bozóki et al. 1999).

Similarly, the inability of the people to elect the president may trigger popular discontent; the people on the "losing side" of the presidential indirect selection will always blame the elites for selecting the wrong person to head the country. Furthermore, as indirect presidential elections in several countries have demonstrated, these can be contentious

decisions leading to political mudslinging and horse-trading, or to a political deadlock. Political disputes of different magnitudes, some bordering on crisis, resulting from recent indirect presidential elections in the Czech Republic (2003), Estonia (2001 and 2006), Hungary (2005), Italy (2006), and Slovakia (1998) illustrate this point. Such political bickering is bound to undermine the people's confidence in government.

Furthermore, the message from public opinion polls is that people want direct elections. For example, in the Czech Republic, where the president is indirectly elected, polls conducted between 1998 and 2005 have consistently shown that between 73 and 88 percent of the population favor switching to direct elections (CTK National News Wire 1998*e*, 1999*b*, 2000*a*, 2001, 2002, 2003, 2004*b*, 2005). Changing the mode of election of the president to a direct popular contest is a campaign promise that parties commonly make in countries with indirect elections (CTK National News Wire 2000*b*; Kalamees 2003; Simon 2006*a*, 2006*b*). Thus, one could make the argument that people's level of satisfaction and feeling of accomplishment would increase if they had the opportunity to elect their heads of state directly. Of course, one could also criticize this argument by referring to the general level of ignorance that people are likely to have about the substantive meaning of this desire for direct elections (see Sniderman 1993). However, from the perspective of democratic theory, such an argument is justified.

An outcome contrary to the enthusiasm about direct elections is that people may be overwhelmed with another political contest and become apathetic to the political process altogether. Indeed, studies of voter turnout, for example, have argued that too many elections generate voter fatigue and actually depress turnout, as well as interest in politics (Norris 2004). The low turnout rate in the United States and Switzerland—countries with extensive sets of opportunities for the people to elect representatives or have a direct say in policymaking—is a powerful testament to this argument. Those studying second order elections, which the direct elections of the head of state necessarily become, reach a similar conclusion (Norris and Reif 1997; Reif and Schmitt 1980; van der Brug, van der Eijk, and Marsh 2000). Because these elections are not directly influencing the nature of the governing coalition and are therefore perceived to be less important, turnout in such elections is for the most part lower than for national parliamentary elections (Reif 1984, 1985).

Furthermore, if the problem is political disillusionment, it is not clear whether and how direct elections serve as a tool to overcome this. Disillusionment is usually understood in terms of distrust (Pharr and Putnam

2000). The reasons for disillusionment lie primarily in the economic and social conditions of a country (Lipset and Schneider 1987; Mishler and Rose 2001), while institutional structure may or may not play a role (Anderson and Guillory 1997). Even if institutions do matter, people tend to lose confidence in institutions other than the presidency, most notably the parliament (Newton and Norris 2000). Especially compared to other institutions, most symbolic presidents enjoy overwhelming public support throughout their tenure in office (see, e.g., O'Neil 1997; Scholz and Süskind 2003; Ward 1994; Wolchik 1997).

Contrary to the arguments above, direct elections themselves may decrease the level of trust people have in the office and lower their personal satisfaction with the democratic process. Elections always generate losers and whatever the exact electoral formula used, due to their zero-sum nature, presidential elections are always majoritarian. This may cause a candidate with less than majority support to win (Linz 1994). Jasiewicz (1997*a*), for example, points out that the Polish president Wałęsa was elected to office with the support of only 39 percent of eligible voters. Even if the winning candidate has more than a 50 percent majority support, large parts of the electorate—the supporters of the losing candidate—will be dissatisfied with the outcome. This dissatisfaction may translate into disillusionment with government institutions and the political process (Anderson et al. 2005; Brunell 2005). The level of disappointment is likely to be stronger if a citizen has personally participated in the decision-making, rather than merely observed it.

Additionally, direct elections require an electoral campaign. Yet the job of head of state in a parliamentary system is more about being than about doing (van der Brug, van der Eijk, and Marsh 2000) and presidents cannot really put forward a sensible policy program. Even if a program is proposed, the president will have no power to make good his or her campaign promises. The people may then be disappointed in the election, after which nothing really happens. They may feel betrayed by the political process and disillusionment may actually increase.

The above discussion demonstrates that there is no theoretical clarity about the effect of direct elections on public disillusionment and apathy. Existing arguments serve to justify a negative and a positive relationship between these variables. Without a systematic empirical analysis, however, no solid conclusions can be reached. Chapter 6 will look more closely into the debate about any positive effects of direct elections on reducing apathy and strengthening democratic practices of the citizenry. Empirical analyses demonstrate that citizens' satisfaction with

government, their political disillusionment, their commitment to democratic values, and their level of political involvement are not significantly affected by introducing direct presidential elections. In fact, the additional election increases voter fatigue and decreases turnout in parliamentary elections by about 7 percentage points. This noticeable effect certainly merits the attention of institutional designers.

Methods of Inquiry

The empirical investigation in this book employs a mixture of methods. First, I use statistical techniques to uncover the general effect of the mode of elections on presidential activism, the nature of elections, and citizen satisfaction. The quantitative analyses draw on a global sample of democratic regimes, excluding constitutional monarchies and presidential democracies. In order to determine suitable cases for empirical analysis, the first task is to identify democracies. This is far from an easy task given the disagreement between various measures created for classifying democracies. Here, I combine the wisdom of the three most commonly used classifications of regimes: the list of democracies provided by Przeworski et al. (2000) and updated through 2002 by Cheibub (2007); countries with an average Freedom House score of 4 on political rights and civil liberties; and countries scoring higher than 5 on the Polity IV combined polity score (Marshall and Jaggres 2005). Given some disagreements across these measures, a country is classified as a democracy for a given year if at least two of the above sources agree. While classification purists may disagree with such a decision, the differences between the three sources are not great, and selecting countries and years based on any one of the three classification schemes alone does not affect the empirical relationships presented in subsequent chapters.

The next challenge is to classify democracies into parliamentary and presidential ones. Defining and classifying regime types is one of the most confusing enterprises in the discipline, a topic on which authors rarely agree. Thus, some elaboration on case selection is warranted. A variety of definitions of parliamentary systems have been put forward in the existing literature. Lijphart (1992, 1999) argues that there are three crucial differences between parliamentary and presidential systems: (1) unlike presidential systems, in parliamentary ones the head of government and the cabinet depend on the confidence of the legislature and can be dismissed by a legislative vote of no confidence; (2) the head of

government in parliamentary systems is selected by the legislature, while in presidential systems he or she is elected by popular vote; (3) parliamentary systems have a collective executive while presidential systems have a noncollective one. Elgie (1998) argues that Lijphart's second criterion is sufficient for defining parliamentary systems: according to him, in parliamentary systems, there is a separate head of government and a head of state and the latter is not popularly elected. Siaroff (2003), however, questions the usefulness of identifying regimes on the basis of whether the head of government and the head of state are separate, because according to such a criterion, South Korea would be a parliamentary system even though it functions as a presidential system. Rather, Siaroff stresses the importance of (1) direct versus indirect election of the head of government and (2) the head of government's accountability to or independence from the legislature. For identifying empirical cases, however, the first criterion becomes redundant as there are no cases where the head of government who is accountable to parliament was not appointed by it. Several authors have agreed and proposed a single defining feature, which allows an unambiguous classification of regimes as presidential or parliamentary. According to this definition, a parliamentary system is one where the government needs the support of a parliamentary majority to stay in office (Cheibub 2007; Sartori 1997). The reader can find an extensive discussion on this classification criterion in Cheibub (2007, 33–48). With the few exceptions detailed below, I have relied on the classification of democracies provided in that study for identifying parliamentary systems.

It is worth pointing out that, while authors may agree on the definition of the parliamentary system, they do not always agree on classifying actual cases. For example, both Cheibub (2007) and Siaroff (2003) agree that government responsibility to the assembly is the defining feature of parliamentarism. Yet Siaroff classifies Peru between 1979 and 1992 as a country with a popularly elected head of state and a separate head of government, with the latter accountable to the legislature, while Cheibub classifies the same case as a presidential democracy. According to the Peruvian constitution, the president is the head of government, who chooses the prime minister and the other ministers independently. The prime minister and the ministers themselves are individually and collectively subject to assembly confidence, but the president is not. The same is true, for example, in Mozambique and Sri Lanka. Since the definition of parliamentarism prescribes government's (including its head's) responsibility to the assembly, Cheibub's classification seems more accurate. The purpose

here is not to take an authoritative stance on classifying countries. For current purposes, following Cheibub seems more reasonable as his more restrictive classification scheme avoids including potentially irrelevant cases, which may lead to false inference about the relevant ones. Another case on which Cheibub and Siaroff disagree is Guinea-Bissau (1994–97 and 2000–02). The former classifies it as a presidential regime while the latter as a semi-presidential regime. The constitution of Guinea-Bissau outlines a system with a head of state, who is directly elected by the people, independent of the legislature, and called the president, and a prime minister, who is the head of government and accountable to the legislature. This suggests that classifying Guinea-Bissau as a parliamentary system rather than a presidential system is more accurate. Cheibub (2007) provides no information on Georgia, while both Freedom House and Polity IV identify it as a democracy for 1996–2006 and the country has a directly elected president along with a prime minister and cabinet. According to Article 81 of Georgia's constitution, the assembly has the right to initiate a vote of no confidence in the existing government. Georgia, thus, meets my case selection criteria.

However, not all parliamentary systems are relevant for testing the research question. Since the goal is to understand the effect of the method of electing the head of state, only those parliamentary systems where a head of state, separate from a head of government, exists and is nonhereditary (i.e., not a monarch) become relevant cases for the empirical study. In addition to constitutional monarchies, this criterion also disqualifies those countries that function like parliamentary democracies but do not have a separate head of state. For example, in South Africa the head of state and government are the same person, called the president. This president needs the support of a parliamentary majority to stay in office. Other countries with a similar constitution include the Marshall Islands and Nauru. To be sure, parliamentary systems with nonhereditary heads of state are often further classified into different types of systems usually on the basis of the election method of the head of state and his or her powers (Duverger 1980; Elgie 1999; Shugart and Carey 1992, to name a few). For current purposes, any such further differentiation is not justified. The latter criterion would only restrict the generalizability of the results while the former is the research question to be studied and thus cannot be the basis of case selection.

Table 1.1 lists all countries and years that fit the case selection criteria. The exact number of countries and years included in any given analysis depends on data availability, but the intention is to include a universe

Table 1.1. Parliamentary democracies with nonhereditary heads of state

Country	Years	Country	Years
Albania	1992–2006	Lithuania	1991–2006
Armenia	1992–2006	Macedonia	1991–2006
Austria	1945–2006	Madagascar	1992–2006
Bangladesh	1991–2004	Mali	1992–2006
Brazil	1961–62	Malta	1964–2006
Bulgaria	1990–2006	Mauritius	1968–2006
Cape Verde	1991–2006	Moldova	1994–2006
Central African Republic	1993–2002	Mongolia	1992–2006
Comoros	1991–94, 2005–06	Myanmar (Burma)	1960–61
Croatia	1992–2006	Niger	1993–95, 2000–02
Czechoslovakia	1990–92	Nigeria	1960–65
Czech Republic	1993–2006	Pakistan	1988–90, 1993–95
Dominica	1979–2006	Poland	1989–2006
Estonia	1991–2006	Portugal	1976–2006
Finland	1945–2006	Republic of Congo	1992–96
France	1945–2006	Romania	1990–2006
Georgia	1996–2006	Russia	1991–2002
Germany	1949–2006	Sao Tome and Principe	1991–2006
Greece	1975–2006	Senegal	2000–06
Guinea-Bissau	1994–2002	Slovakia	1993–2006
Haiti	1994–98	Slovenia	1991–2006
Hungary	1990–2006	Somalia	1960–68
Iceland	1945–2006	Sudan	1965–68, 1986–88
India	1950–2006	Suriname	1975–79
Ireland	1948–2006	Taiwan	1992–2006
Israel	1948–2006	Trinidad and Tobago	1962–2006
Italy	1946–2006	Turkey	1961–2006
Latvia	1992–2006	Ukraine	1991–2006
Lebanon	1970–74	Vanuatu	1980–2006

of relevant countries across all years that they have been democratic since World War II. This strategy maximizes the generalizability of the findings—a desirable quality given the relevance of the issue in a variety of contexts.

The quantitative analysis, while maximizing generalizability, necessarily remains crude in its measures and broad in terms of the relationships that can be tested. Furthermore, statistical techniques are only informative about associations between variables, but remain silent about causal mechanisms at play. That is why the quantitative analyses are supplemented by a closer examination of specific cases. The purpose of these case studies is thus manifold, ranging from illustrating to testing and in some cases building theoretical arguments. A careful selection of cases and their systematic analysis allows using the case studies for all of these purposes (King, Keohane, and Verba 1997; Lieberman 2005). The case studies are especially central to the analysis of the process and causes

of presidential activism—the main topic of this study—and also to the analysis of the nature of presidential elections. The additional overview of the potential effect of direct elections on strengthening democratic practices and decreasing political apathy and disillusionment uses mostly quantitative methods and only illustrative case material.

The case studies employ both a natural experiment and a comparative design. Slovakia serves a valuable natural experiment for testing the effect of the mode of election because this country changed the way presidents are selected from indirect elections in the 1990s to direct elections after 1999. Observing presidential activism and the nature of elections before and after the change provides a unique opportunity to isolate any effects of the electoral method on these variables. The rest of the cases analyzed in detail were selected in a manner that not only helps to illustrate any causal mechanisms but also allows for inferences about the hypothesized relationships. Altogether, I select six countries for further study, three of which employ direct presidential elections, while the rest use indirect elections. To control for any confounding factors, the six cases were selected to allow for a focused comparison of pairs of countries with different electoral systems but similar constitutional powers of the president. This follows the logic of the most similar systems design for conducting comparative research, a technique that allows minimizing extraneous variance (Peters 1998; Przeworski and Teune 1979). The three country pairs are the following: Austria (indirect) and Germany (direct), Estonia (indirect) and Ireland (direct), Hungary (indirect) and Poland (direct). The cases contain a balanced mix of older and newer democracies with different levels of institutional development. This diversity enhances the generalizability of the findings by introducing an element of the most different systems design into the qualitative analysis (Przeworski and Teune 1979).

2

Direct Elections or Political Opportunities? Explaining Presidential Activism

The Role and Powers of Presidents in Parliamentary Systems

In presidential systems, presidents are typically both heads of government and heads of state. In parliamentary systems, however, the latter is seen as a separate function carried out by a noble figurehead for the country and its citizens. Indeed, in many cases, presidents who coexist with prime ministers are seen as little more than monarchs in constitutional monarchies. They are typically experienced and established pubic figures, standing above daily politics and committed to more elevated tasks. These include symbolic functions such as embodiment of national unity, ceremonial tasks such as presiding over major state occasions and signing laws, and diplomatic functions such as conducting official state visits and receiving similar ones from other states.

As Table 1.1 in the previous chapter indicated, since World War II, there have been 58 parliamentary democracies across the world where prime ministers and presidents have coexisted for at least some time. Some of these presidents are directly elected and such cases are often classified as a separate regime type—semi-presidential democracies (Duverger 1980; Elgie 1999*a*; Samuels and Shugart 2006; Sartori 1997; Shugart and Carey 1992). Even if in some cases the definition of semi-presidentialism also includes other criteria, such as presidential powers, direct elections are still often considered a necessary criterion. Following this tradition, whenever using the term "semi-presidential," I refer to

only the pool of countries with directly elected presidents. A generic concept referring to all relevant cases is "parliamentary system with a president."

The presidents that coexist with prime ministers in parliamentary systems all perform the above-mentioned ceremonial tasks. However, to assume that they represent the limits of their role is a serious mistake. Indeed, all presidents possess additional clearly defined powers in the governing process. Presidents can have legislative powers such as the right to veto or delay legislation, propose legislation, or issue decrees. They can also have non-legislative powers including a function in the process of government formation and/or dismissal. Additionally, most constitutions give presidents the role of the commander-in-chief of armed forces and certain prerogatives in foreign relations.

The description of specific powers can become very detailed and contain several specific functions. Consider, for example, the president of the Czech Republic. According to the constitution, the president receives foreign visitors, represents the state abroad, and is also the commander-in-chief. The president names the prime minister and, on the suggestion of the latter, the cabinet. He or she appoints the judges of the Constitutional Court, chair and deputy chair of the Supreme Court, the president and the vice president of the Supreme Control Office, and members of the council of the National Bank, although many of these appointments require consent of other political actors. The president can convene the lower house of the parliament, and dissolve it under certain circumstances. He or she has the right to veto legislation, which the lower house can readopt with a simple majority. The president can participate and speak in the meetings of parliament and government.

Most other presidents share the general powers of the Czech presidents listed above, although the specific details of powers vary considerably across constitutions. Several authors have tried to systematize these constitutional provisions into presidential power indexes, based on some broad categories of legislative and non-legislative powers that would allow cross-country comparisons (Baylis 1996; Frye 1997; Metcalf 2000; Shugart and Carey 1992; Siaroff 2003). I will describe these in more detail below. Let it suffice to state here that even the least powerful presidents score above zero on most of these indexes, indicating that they all possess powers beyond the ceremonial level. Given that these powers exist, understanding whether, when, and how presidents choose to use them is an intriguing puzzle to policymakers.

Presidential Activism and Its Possible Negative Consequences

Presidential activism can take several different forms. Most commonly, it is understood as intense use of presidential discretionary powers. These vary by constitution, but the main target areas of presidential influence include approving or vetoing legislation (Protsyk 2005*b*), engaging in policy discussions with the executive or foreign leaders (Müller 1999), or interfering with cabinet-building (Amorim Neto and Strøm 2006; Schleiter and Morgan-Jones 2005). The constitutional provisions designating authority to the head of state usually leave room for interpretation. Presidents can then try to exercise discretionary power in situations not explicitly regulated by law (Baylis 1996; Protsyk 2006). For example, quite a large number of constitutions provide that the president is the "commander-in-chief" or the "supreme commander" of the armed forces. In reality, the actual powers over the military may differ significantly between the presidents of different countries according to the way officeholders have chosen to interpret them (Gallagher 1999, 109; Müller 1999, 35). The events surrounding the 2005 early parliamentary election in Germany offer another example of constitutional ambiguity: It was not clear whether the president had the right to call early elections, and it is quite possible that a different officeholder might not have acquiesced to the wishes of Chancellor Schröder. Different presidents choose to exercise similar discretionary powers more frequently and thereby may be more active.

In addition to making use of formal powers, presidents can also exercise activism through their informal capacity to affect politics and policy. Given their high status in society, they can exercise influence by making statements and taking sides. Even without legislative powers, presidents can draw attention to certain problems in society and thereby set the policy agenda. Because of their high visibility at home and abroad, presidents may be able to influence domestic public opinion and also international impressions of the country.

Both the active use of constitutional powers and informal influence may significantly alter the dynamics of policymaking. It is this concern that makes studying the causes of activism especially crucial. Constitutional debates often center on the danger of increased conflict between the president and government, along with the potential for authoritarian tendencies (see Simon 2006*a*; Toomla 2002; and the country studies in Elgie 1999*a* and Taras 1997). Veto powers allow presidents to cause delay and deadlock in policymaking. Presidents can also interrupt policy

processes by initiating policies that are discordant with the government's agenda, or simply by issuing statements contradicting official government policy positions. They can obstruct or delay cabinet formation, which obviously delays policymaking. Almost universally accepted is the belief that multiple actors with different agendas are detrimental to some policy fields. Classic examples of these include foreign and military policy—areas where a country is expected to act with one voice, and incidentally, also the areas where constitutions usually give presidents some notable authority. An active president in discord with the government can cause significant damage to the government's program and reputation.

In policy debates, presidential activism is almost invariably associated with such negative consequences. Furthermore, the concern over activism enters the debate only in relation to directly elected presidents. Both of these biases are also present in the existing literature on regime types from which policy debates derive most of their arguments. In this literature, directly elected presidents are treated as additional institutional veto players (Tsebelis 2002). The presence of such a veto player is automatically assumed to translate into a president's actual use of a veto, or in more general terms, into activism, which in turn leads to conflict between branches and inefficiencies in governing. Systems with directly elected presidents are thus, almost by definition, prone to more institutional conflict. The presence of a president who is not directly elected, on the other hand, is treated as equal to no president at all. Activism in such systems is thereby assumed away—it becomes a nonissue.

Consider the scholarly literature on presidentialism versus parliamentarism. Here the primary focus is on political conflict between branches and the resulting effects on stability and regime survival (Cheibub 2007; Elster 1997; Lijphart 1992; Linz 1997; Linz and Valenzuela 1994; Shugart and Carey 1992; Stepan and Skach 1993; Taras 1997). Presidential systems, given the additional veto player compared to parliamentary systems, allegedly increase the likelihood of deadlock and conflict, which then threatens political stability and the efficiency of governing. The primary reason for the hypothesized inefficiency is the dual legitimacy present in presidential systems and the absence of a democratic mechanism to resolve disagreements between the executive and the legislature over who represents the will of the people (Frye 1997; Linz 1990). Additional factors, such as the autonomy of presidents (derived from direct elections), their fixed (and usually limited) number of terms in office, and their noncollegial nature exacerbate the negative effects of dual legitimacy on performance and threaten regime survival (Jones 1995; Mainwaring

1993; Stepan and Skach 1993; but see Cheibub 2007 for an opposing argument).

These arguments are echoed in studies comparing semi-presidential (those with directly elected presidents) and parliamentary regimes (those with indirectly elected presidents). The two separately elected executives in semi-presidential systems also create the problem of dual legitimacy, the same focal point as the argument about the weaknesses of the presidential system (Linz 1994; Stepan and Suleiman 1995). The difference is that the locus of potential conflict shifts from between branches to within the executive (Elgie and Moestrup 2008*b*). A dual executive implies the presence of an additional player in policymaking and, thus, increases the probability of policy stability and undermines efficient government. Studies of semi-presidentialism have noted a higher level of legislative deadlock and inefficiency compared to parliamentary systems with indirectly elected presidents (Baylis 1996; Elgie and Moestrup 2008*a*, 2007; Protsyk 2005*b*).

Why should Direct Elections Matter for Presidential Activism?

Why is it, then, that a directly elected president becomes a veto player and an indirectly elected one does not? The basic assumption in the scholarly literature and real-world policy debates is that direct elections confer more power and legitimacy to the president. This direct legitimacy, that the prime minister and government in parliamentary systems lack, provides justification for presidential demands for greater involvement in policymaking (Amorim Neto and Strøm 2006; Baylis 1996; Duverger 1980; Krouwel 2000; Metcalf 2002; Protsyk 2005*b*; Shugart and Carey 1992). As Elster (1997, 226) asserts, there is an "important power difference between directly and indirectly elected presidents." Similarly, Metcalf (2002, 2) states that it is traditionally assumed, for various reasons, that directly elected presidents "are more powerful and more dangerous for democratic consolidation than those elected by the assembly." In accordance with this assumption, the introduction of popular elections for the French president in 1962 was perceived by many authors as a complete overthrow of executive powers (Bahro et al. 1998).

Although widely accepted, this argument has hardly been tested (see also Metcalf 2002). Furthermore, it remains theoretically rather shallow, as no clear mechanism has been elaborated for the argument. Some studies have recognized this deficiency and the authors have called for

a more explicit rationale for equating legitimacy with effective power (Metcalf 2002; Siaroff 2003). However, to date, the argument remains largely a recurring assumption rather than an elaborated theory. How does legitimacy derived from direct elections lead to more activism? Why would a directly elected president feel more compelled to interfere in policymaking than an indirectly elected one? The argument that they see a discrepancy between their mandate and their powers, and therefore try to reduce this discrepancy by extending their powers (Baylis 1996), is not satisfactory. A direct mandate is still tied to the specific constitutionally prescribed tasks of the president, rather than a guarantee for a free reign.[1]

It is sometimes argued that direct elections make presidents more independent of the assembly, while indirectly elected presidents crucially depend on the latter for reappointment (see Samuels and Shugart 2006). This gives the assembly a powerful instrument for disciplining the head of state. Given that directly elected presidents are more independent, they can be more active (Elster 1997; Linz 1994). Although never clearly articulated in the context of directly versus indirectly elected presidents in parliamentary systems, this argument echoes the logic of principal-agent theory (Lupia and McCubbins 2000; Strøm 2000). Samuels and Shugart (2006) use this theory to understand differences in party organization and behavior across the broad regime types of parliamentarism, presidentialism, and semi-presidentialism. The logic can be applied to understand differences in the behavior of presidents as well.

According to principal-agent theory, an agent acts on behalf of the principal and is accountable to it. That is, the principal is empowered to punish or reward the agent for the latter's performance in acting on the principal's behalf. The principals of directly and indirectly elected presidents are different: indirectly elected presidents are agents of the assembly (or an electoral college) while directly elected presidents are agents of the people. One might argue that different principals cause presidents to behave differently in office. Assuming presidents desire to be reelected, if one's reappointment depends on the parliament or some other representative body, it is in the interest of the president to remain loyal to the body that elects him or her. Such a president may

[1] Indeed, more recent literature has recognized this: a study of postcommunist presidents proposed a fourfold typology of regimes where presidents and prime ministers coexist (Beliaev 2006). The typology is based on a two-dimensional conceptualization of presidential power rather than on the mode of election. This allows classifying some countries with indirectly elected presidents, such as Hungary and the Czech Republic, also as semi-presidential.

therefore indeed choose to be inactive and defer to the governing party. Directly elected presidents, on the other hand, are not constrained by the assembly and, consequently, there is no obvious added benefit from deferring to the governing party. Rather, activism in office may increase the president's public appeal and popularity. Furthermore, Samuels (2007, 706) argues that in presidential systems, due to the separate origin and survival of the president and the legislature, "cross-branch coordination is neither encouraged nor guaranteed, even given preference overlap between the president and his legislative majority." By analogy, one might argue a similar mechanism for the lack of coordination and hence enhanced potential for conflict within the executive (i.e., between the prime minister and president) when presidents in parliamentary systems are directly elected. Thus, direct presidential elections should inherently, regardless of other system features, increase presidential activism and intra-executive conflict. In sum, the principal-agent argument predicts that directly elected presidents are more active.

While this argument has merits, presidents in both systems enjoy relative security in office (Baylis 1996). Most presidents are chosen for fixed terms and deposing them requires extraordinary circumstances and/or majorities. As stated above, Samuels and Shugart (2006) apply the principal-agent framework primarily to understand differences between presidential and parliamentary regimes. The difference in the origin and survival of the chief executive in a parliamentary regime compared to a presidential regime may indeed make a difference. In parliamentary systems, the legislature can remove the prime minister (the sole executive), who originates from the assembly, when deadlock occurs, while in presidential systems, the assembly has no power to remove the executive. However, in parliamentary systems with dual executive (i.e., with both a president and a prime minister), parliament has no easy tool to remove the president, whether directly or indirectly elected. There is also no tool for either of the executives to get rid of the other. This makes the principal-agent framework less applicable to understanding differences between directly and indirectly elected presidents in parliamentary system.

Furthermore, the accountability of the indirectly elected presidents to the assembly may be more elusive than it seems. The majority coalitions in parliament may shift frequently between elections, and early elections leading to changes in the composition of parliament are not uncommon. Thus, very often the assembly that puts an indirectly elected president into power is not the same assembly that decides on his or

her reappointment. Moreover, to the extent that presidential candidates and incumbents in both systems depend on parties for nomination and support, they necessarily remain constrained by these ties, directly elected or not.

An alternative avenue for establishing a micro-logic for presidential activism is to turn the question around: rather than looking for the consequences of direct elections, one should look for the causes of presidential activism. Presidents are likely to be dependent on incentives and opportunities for activism, which are constrained by the institutional and political realities within which the president operates. The role of the mode of election in this context becomes much less straightforward. Indeed, these realities are present for both directly and indirectly elected presidents and can eclipse any potential effects of activism stemming from the differences in the mode of election.

Alternative Explanation: Political Opportunity Framework and Presidential Activism

Political opportunity framework can explain presidential activism. The former is here understood as structures of relationships that influence social and political behavior. More specifically, this political opportunity framework—the strength of other political institutions and the constellation of political forces in government and parliament—influences the extent to which presidents choose to interfere in executive and legislative decision-making, thereby generating political tensions and inefficiencies in governing. The explanation accounts for both the incentives and constraints of the behavior of presidents. Importantly, the explanation does not depend on the mode of electing the president, and thus serves as a rival for the commonly accepted assumption about the pivotal role of election type.

The argument is built from a simple, rather well-established, proposition. Presidents, as any political officeholders, are motivated by a desire for power and influence in accordance with their policy preferences. Unlike the principal-agent framework, which saw presidents as office-seeking, here presidents are seen as policy-seeking.[2] These policy preferences are most easily fulfilled in a noncompetitive environment with like-minded actors in policymaking positions. This proposition thus

[2] This assumption is probably more realistic in the current context given presidential term-limits.

suggests that presidential activism can be viewed in terms of consensus building politics. The lower the consensus, the greater the incentive and opportunity for presidents to assert their influence, with visible and potentially negative consequences for the efficiency of governing.

The theory builds on insights from studies of semi-presidentialism, which argue that the extent of consensus between the semi-president and other institutions, mostly the parliament and government, account for important differences between the nominal and actual powers of the former (Duverger 1980; Shugart and Carey 1992). Party systems and divided government, in turn, significantly influence the extent of consensus and thereby the governability of the regime (Amorim Neto and Strøm 2006; Linz 1994). The theory of political opportunity framework brings these various institutional arguments under a unified framework and extends the framework to cover also indirectly elected presidents.

Why does this political opportunity framework matter? It matters because the ability of presidents to exercise activism, regardless of their incentives to do so, will depend on the boundaries of the arena in which policymaking takes place, and these boundaries are products of political opportunity framework. As the opportunity framework changes, the boundaries of the political arena will expand or contract, changing the availability of incentives and opportunities for presidents to act. That is, presidents are not free agents in pursuit of their self-interest or policy preferences. Rather, they are operating within the realities of existing institutional and partisan structures, which constrain their behavior and choices in important ways. Political opportunity framework is here understood as consisting of: (a) the constellation of partisan preferences in those institutions; and (b) the strength of other political institutions in the system, most notably the parliament and the government.

First, consider the effect of the partisan constellation of preferences. Incentives for the president to exercise activism should be greater in situations of cohabitation or divided government, in which the president and the prime minister represent different parties or coalitions (Shugart and Carey 1992). Presidential activism may then stem from the fact that the president disagrees with the policy position of the government. Partisan opposition can also make it more difficult for prime ministers and presidents to reach tacit agreement about the ability to exercise discretionary power in situations not explicitly regulated by legislation (Protsyk 2006). Alternatively, if the president is supported by the governing coalition, presidential activism may decrease simply because there is less reason for ideological conflict. In addition to policy activism, Amorim Neto and

Strøm (2006) argue that cohabitation also influences presidential activism in cabinet formation. During times of unified government, cabinet formation bargaining between the prime minister and the president is relatively easy because both prefer to appoint co-partisans. However, during cohabitation, presidents prefer their co-partisans to the ones in the prime minister's party, or favor nonpartisan ministers as a second best option. Consensual circumstances, thus, give less incentive and opportunity for the president to exercise activism simply because there is less reason to do so—presidential policy preferences are likely to correspond with those of other institutions, and are therefore more likely to be implemented. When political structures are nonconsensual, however, presidents need to assert their powers to pursue their own policy preferences. Partisan constellation thus shapes the extent to which presidents are likely to become active.[3]

Duverger (1980) provides an example of Irish president O'Dalaigh, who deviated significantly from the norm of a figurehead of state otherwise common in Ireland. His unprecedented activism and conflict with the government (culminating in his resignation) was attributed to the fact that the president and the government were politically opposed to each other. Cohabitation has often characterized the relationships between presidents and prime ministers in Lithuania and Poland, and more often than not, it has led to presidents challenging the prime ministerial leadership (Urbanavicius 1999; van der Meer Krok-Paszkowska 1999). For example, President Kwasniewski's relations with the consecutive Buzek cabinets in Poland were characterized by the extensive use of presidential vetoes due to political rivalry between the two offices (Jasiewicz 1997*a*). Protsyk (2005*a*) further argued that in Lithuania, partisan differences between the prime minister and president led not only to the frequent use of veto powers but also to undermining cabinet support in parliament. In a more systematic analysis of semi-presidential systems in Eastern Europe, Protsyk (2005*b*) finds that relations between the president and cabinet were significantly more often characterized by intense competition when the presidential party was not represented in parliament.

The argument holds even when the conflict with other institutions is not strictly partisan in nature. Some constitutional rules may prevent the president from actively associating him-or herself with any political party after the election. In that case, reelection campaigning under a particular

[3] This part of the argument bears resemblance to Tsebelis' veto players theory (2002) according to which potential veto players become absorbed if they share policy preferences with other players in the system.

party may not be an option for the president. The desire and obligation of some presidents to stand above parties may also escalate activism, both in terms of policy and appointments (Amorim Neto and Strøm 2006). Nonpartisan presidents may view themselves as a counterweight to the majoritarian tendencies of cabinet governments (Shugart and Carey 1992), and this may motivate their involvement in governing. There are several examples of serious consequences of inter-branch conflict arising when presidents identify themselves with a broader public discontent. The governments of Peter Roman in Romania, Filip Dimitrov in Bulgaria, Jan Olszewski and Waldemar Pawlak in Poland, and Vladimír Meciar in Slovakia fell due to conflicts with presidents who saw themselves as protecting broader public interests (Baylis 1996).

Presidential activism resulting from partisan conflict may be further reinforced by the strength of other institutions in the system. Given the presidential incentive to exercise policy activism, he or she has a better opportunity to do so when other policymaking institutions are relatively weak. The strength of other institutions can be understood in terms of their internal cohesiveness. Thus, coalition governments are generally weaker than single party majority governments because the former are more diverse in preferences, making it more difficult to reach and maintain consensus. Potential disagreements and infighting within governments give presidents an opportunity to interfere in policymaking because a fragmented government is less able to counter such presidential activism (see also Lijphart 1992; Linz 1994; Sartori 1997). For example, disagreements between coalition partners have led to presidential engagement in (mostly budgetary) policymaking in Austria (Müller 1999). Similarly, Finnish presidential activism in the domestic arena, especially in government formation, has been tied to the fragmented and unstable nature of Finnish cabinets (Arter 1999*b*). A lack of a strong majority also makes it easier for presidents to find allies within parliament to undermine cabinet policies (Baylis 1996). For example, Slovakia's president Kovač, who wanted Prime Minister Mečiar's resignation, was able to find support for this cause within Mečiar's own party where a group of dissatisfied MPs helped to hasten the prime minister's fall (Baylis 1996). Similarly, in 1992, Bulgarian president Zhelev also cooperated with members of parliament to bring down the coalition government of the United Democratic Forces (UDF) and their coalition partner, the Movement for Rights and Freedom (MRF).

Even more than coalitions, minority governments allow presidents to become more active and to escalate conflict with the prime minister.

Protsyk (2005*a*, 2005*b*) argues, based on his analysis of Eastern European presidents, that minority status significantly weakened the prime minister's claim of exclusive control of the executive and escalated presidents' willingness to engage in conflict, over both policy and cabinet formation. This was true even if the minority government was not ideologically opposed to the president. Minority governments simply have no clear means to override presidential vetoes or counter their activism in other spheres. The minority status of the cabinet is a sign of political weakness that presidents recognize and are likely to capitalize on. In the absence of strong and coherent majority governments, the president's ambitions for political power become more easily realized. Consider, for example, President Adamkus of Lithuania, who chose to challenge Prime Minister Paksas's leadership only after the breakup of the majority coalition backing the prime minister and the formation of a new, but this time minority, government in 2000 (Protsyk 2005*b*).

Fragmented and minority governments usually stem from weak and polarized assemblies, which are not able to uphold strong and decisive governments. Assembly fragmentation is also in itself beneficial for presidential activism. Specifically, an assembly majority in systems with relatively weak presidents has the power to overrule presidential vetoes and formateurs, thereby blocking opportunities for presidential activism. In the case of extreme fragmentation, such a majority is more difficult to manufacture, so presidential decisions have a greater chance to prevail. Consensus is simply more difficult when the number of actors is large. An extremely fragmented parliament faces more acutely the problem of collective action and is therefore less able to counter presidential activism. For example, Polish president Wałęsa was considerably more active in the early 1990s when the Sejm contained 30 different political groups, with the strongest controlling only 13.5 percent of the seats. Jasiewicz (1999, 138) concludes, "[a] weak parliament, unable to generate and support a stable coalition government, and vulnerable to the criticism of public opinion, would have to yield to the president." On the other hand, when assemblies contain coherent and stable majorities, presidential initiatives are easily blocked. Even the most active president is therefore constrained by the strength of the other institutions whose agreement is essential for making policy.

The argument about the importance of party systems and parliamentary constellation of preferences for presidential activism has mostly been made in the context of directly elected presidents. It is easy to understand, however, how the argument applies also to presidential activism within

the pool of indirectly elected presidents. That is, depending on whether the president is from a different party than those in the governing coalition, or sees him-or herself as transcending parties, a president's willingness to more actively engage in governing may increase. Notably in the above examples, in Slovakia, the president was not directly elected, yet still was able to force the prime minister out of office by identifying with a broader public discontent and considering himself above parties. Similarly, the relationship between Hungarian prime minister Jozsef Antall and president Arpád Göncz was characterized by bitter conflicts (Baylis 1996), which were potentially escalated by their different party affiliations, and this was despite the fact that the president did not have a direct popular mandate. Indeed, the level of Göncz's activism decreased considerably after his original party entered the governing coalition (O'Neil 1997). Czech president Vaclav Havel's influence and activism correspond also to the fluctuation in the strength of parties and consequently the parliament. Havel had much greater influence in determining the composition of government, setting the policy agenda, and influencing policy debate immediately after the fall of communism than later when parliament had strengthened and became better organized (Wolchik 1997).

To summarize, a president who faces hostile political forces in government and parliament has a greater incentive to become active in order to pursue his or her policy objectives. However, even such a highly motivated president remains constrained by the institutional limits of the regime. Presidential ambitions are more likely to facilitate activism and conflict when other policymaking institutions are weak and unable to counter presidential independence. Importantly, this argument applies regardless of the mechanism used for selecting the president, and thus effectively undermines the validity of the argument that popular legitimacy maps directly into presidential activism. Empirical tests provided here and in subsequent chapters contrast the alternative explanations—a technique that is more rigorous than simply rejecting the null hypothesis of either proposition.

Empirical Analysis of Presidential Activism: Government Formation

Having presented two rival arguments explaining presidential activism, the obvious question is which of these explanations is empirically valid.

There are several different ways that the empirical validity of these theoretical claims can be evaluated. None of the methods alone is perfect, but the combination of different methods will give a more complete picture of presidents in parliamentary and semi-presidential systems. I begin to analyze the question of presidential activism by conducting relevant statistical tests, and continue with more in-depth analysis in subsequent chapters.

The first problem confronting quantitative analysis is determining how to measure presidential activism (i.e., the "actual" as opposed to constitutional power of the president). First, not all presidents possess similar powers. Consider the veto power. In theory, comparing the frequency of presidential vetoes would be a valid indicator of presidential activism since some presidents almost never veto laws, even if they have the formal power to do so, while others use vetoes frequently. However, this measurement does not capture presidential activism where the president has no formal veto power. Not only would excluding presidents without veto powers bias the sample but also within the remaining sample, the meaning of a veto can differ across countries. For example, a veto that is difficult to override because it requires mustering parliamentary supermajorities is a more powerful tool for activism than those that can be overridden by a simple majority. Practical problems with this measure should also not be overlooked; the required information on presidential vetoes is simply not available.

Moreover, concentrating on a single aspect of power, such as the presidential veto, runs into other difficulties. For example, a president may choose to be active in one specific policy area even though he or she possesses more powers. Finnish presidents, especially Urho Kaleva Kekkonen, have been very active in foreign policy, while in internal politics, the power of the president has been negligible. Still, Kekkonen has been considered an active president by most accounts. Considering only presidents' involvement in domestic politics would result in the misleading conclusion that the president has been inactive, while overall, he actually has exercised considerable influence. The measurement problem is thus nontrivial and can only be overcome by combining methods that allow for a consideration of various different kinds of powers. Lack of a research tradition and established measures requires one to be rather creative in developing appropriate indicators for quantitative analyses.

While the use of veto powers or informal influence over policymaking are difficult to quantify and compare, presidents' role in government formation processes is easier to standardize. The formation of government

including the appointment of cabinet ministers is also one of the most important personnel decisions in parliamentary systems (Amorim Neto and Strøm 2006). Furthermore, this is one area where most presidents possess at least some powers and where case studies have documented the interference of even the least powerful presidents (Elgie 1999*a*; Taras 1997). Actively exercising these appointment powers can easily lead to a conflict between the president and the prime minister.

Recent studies have argued that presidential power in the cabinet formation process is manifested in the extent of nonpartisan cabinet members (Almeida and Cho 2003; Amorim Neto and Strøm 2006; Schleiter and Morgan-Jones 2005; see also Protsyk 2006). The assumption is that the prime minister (and his or her parliamentary coalition partners) always prefers partisan members of government. However, presidents, as the argument goes, often see their role as being above party politics, to function as the representative of the nation and of a coalition of preferences. Since presidents want to extend their appeal beyond their party (if they are partisan at all), they may be inclined to promote cabinet members who are independent of party politics (see also Amorim Neto and Strøm 2006). The constitutional nomination powers of presidents can, of course, vary. But it is not only the actual nominal institutional tools that presidents can use, such as a veto, to exercise their power. Indeed, the share of nonpartisan cabinet members would also capture more subtle powers of presidents—those that account for their actual powers, which may include persuasion or the influence of cabinet formation via public opinion. In essence, since prime ministers always prefer partisans, the share of nonpartisan cabinet members is a possible indicator of presidential informal or "actual" powers. This intuition is supported by the evidence that technical cabinet members are rare in pure parliamentary systems (Almeida and Cho 2003),[4] but presidential cabinets, on the other hand, frequently include nonpartisan ministers (Amorim Neto 1998).

Cases and Measures

Using the share of nonpartisan cabinet appointments as the dependent variable, the analysis will compare the explanatory power of the mode of election and political opportunity framework in accounting for differences in presidential activism. The analysis relies on Amorim Neto and Strøm (2006), that studies the effect of presidential constitutional powers

[4] There are a couple of exceptions to this: Italy in the 1990s and Sweden until the 1960s had a large share of nonpartisan cabinet members.

Table 2.1. Descriptive statistics by country for the analysis of presidential activism in cabinet formation

Country	Share of nonpartisans[a]	Direct election[b]	Partisan opposition[c]	Cabinet fragmentation[d]	Legislative fragmentation[e]	Minority government[f]
Albania	0.08	0	0.2	4.53	2.28	0
Bulgaria < 1992	0.14	0	0.5	2.5	2.41	0.5
Czech Republic	0.07	0	0.43	2.86	3.97	0.33
Estonia	0.04	0	0.56	2.44	4.74	0.11
Germany	0.02	0	0.17	2	3.15	0
Greece	0	0	0.8	1	2.25	0
Hungary	0.1	0	0.85	3	3.26	0
Italy	0.18	0	0.58	4.72	6.52	0
Latvia	0.06	0	0.25	3.75	6.42	0.25
Malta	0	0	0.33	1	1.99	0
Slovakia < 1999	0.15	0	0.5	4.25	3.49	0.5
Turkey	0.07	0	0.5	2.13	4.35	0.38
Austria	0.06	1	0.57	2	3.35	0
Bulgaria > 1992	0.29	1	0.67	2.42	2.56	0
Finland	0.02	1	0.67	3.83	5.24	0
France	0.09	1	0.33	2.22	3.02	0.22
Iceland	0	1	0	2.14	3.94	0
Ireland	0	1	0.28	2.14	3.24	0.14
Lithuania	0.14	1	0.71	2.86	4.01	0.14
Macedonia	0.04	1	0.33	3.33	3.46	0
Poland	0.26	1	0.64	3.72	5.72	0.45
Portugal	0.12	1	0.75	1.25	2.51	0.25
Romania	0.19	1	0.43	4	5.26	0.43
Slovakia > 1992	0	1	0	4	5.48	0
Slovenia	0.09	1	0.67	3.5	5.4	0

[a] The average share of nonpartisan cabinet members as a percent of total cabinet seats. *Sources*: Amorim Neto and Strøm (2006), Blondel and Müller-Rommel (2001), Müller and Strøm (2000), Müller-Rommel et al. (2004), the dataset on World Political Leaders at http://www.terra.es/personal2/monolith/00index.htm, and the *Keesing's Archive of World Events*.

[b] 0, indirectly elected president; 1, directly elected president. *Source*: Siaroff (2003).

[c] The share of cabinets that do not include president's party. *Sources*: Blondel and Müller-Rommel (2001), Müller and Strøm (2000), Müller-Rommel et al. (2004), the database on World Political Leaders, and case studies of presidencies provided in Elgie (1999*a*), Elgie and Moestrup (2008*a*), and Taras (1997).

[d] The average number of parties in the cabinet. *Sources*: Blondel and Müller-Rommel (2001), Müller and Strøm (2000), Müller-Rommel et al. (2004), and various issues of the *Political Data Yearbook*.

[e] The average effective number of parties in the legislature. *Source*: Golder (2005).

[f] The share of minority cabinets. *Sources*: Blondel and Müller-Rommel (2001), Müller and Strøm (2000), Müller-Rommel et al. (2004), and various issues of the *Political Data Yearbook*.

on the incidents of nonpartisan cabinet appointments. Unfortunately, the limited availability of information on key variables included in this analysis restricts the tests to 24 countries listed in the first column of Table 2.1. The sample used in this chapter includes countries from both Eastern and Western Europe—regions containing most of the relevant countries. Combining countries from two regions allows for variance in the level of democratic and economic development and increases the heterogeneity of the sample. Still, these cases do not constitute a random

sample of the universe and certain cultural similarity between the European cases may still bias the results.

The unit of analysis is a cabinet and the data include every cabinet formed between 1990 and 2006. This extends the Amorim Neto and Strøm (2006) dataset by six years and includes a total of 173 cabinets. A new cabinet was counted whenever one of the following conditions was met: (1) the prime minister changed, (2) parliamentary elections were held, and (3) party membership of the cabinet changed (Amorim Neto and Strøm 2006). For each cabinet, I recorded the total number of cabinet members and the number of those members who did not belong to any political party. Technical caretaker cabinets were not included because these represent temporary arrangements and their formation is less likely to involve political bargaining.[5]

The measurement of the mode of election—one of the main explanatory variables—is straightforward. It is coded "1" if the president is elected directly by the people and "0" otherwise. Table 2.1 classifies the countries included in this analysis according to whether they use direct or indirect presidential elections. About half the countries included use popular elections for the head of state. Two countries have switched their mode of election. In Bulgaria the first president was elected indirectly, but they have held direct elections since 1992. Slovakia switched from indirect elections to direct elections in 1999. The same table also reports the averages of the dependent variable: the share of nonpartisan cabinet members per country. The relationship between this variable and the mode of election is not immediately clear. On the one hand, the two countries with the highest average share of nonpartisan ministers—Bulgaria and Poland—use direct elections. On the other hand, three of the five countries with no instances of technical cabinet members—Iceland, Ireland, and Slovakia—also use direct elections.

Political opportunity framework consists of several different factors including partisan opposition between the president and the government, and the strength of the government and the parliament. The former is measured by a dummy variable coded "1" if a given cabinet did not

[5] Including such cases would also bias the results. Consider, for example, the effect of cabinet fragmentation on the share of nonpartisan cabinet members. In the case of a technical caretaker cabinet, this share is going to be very high—most likely 100%. At the same time, cabinet fragmentation will be zero, because there are no parties in cabinet. Having several such cabinets in the dataset would lead to the erroneous conclusion that low levels of cabinet fragmentation are associated with a high share of nonpartisans in cabinet, that is, a high level of presidential activism.

include the presidential party and "0" otherwise. If the president was nonpartisan while the cabinet was partisan, then there is also partisan opposition. This follows the theoretical argument above that nonpartisan presidents acting upon their self-interest or a broader public interest are likely to come into conflict with the premier of any partisan affiliation. The fourth column in Table 2.1 provides information about the average frequency of partisan opposition between the cabinet and the president. On average, it seems that cohabitation is more common in the case of directly elected presidents: about 49 percent of all cabinets in systems with directly elected presidents do not include president's party, while in the case of indirectly elected presidents this share is only 37 percent. At the same time, the two cases with no instances of opposition use direct elections while the country with the highest frequency of cohabitation as defined here—Hungary—uses indirect presidential elections. Overall, these cases exhibit considerable variance on the frequency of partisan opposition.

The strength of other institutions is measured by several indicators. As previously discussed, the strength of the parliament and cabinet is reflected by their level of fragmentation. I have included both a measure of legislative and cabinet fragmentation in the analysis. The former is captured by the effective number of parliamentary parties, which is a standard indicator of legislative fragmentation (Cox 1997; Laakso and Taagepera 1979; Lijphart 1999; Taagepera and Shugart 1989). Cabinet fragmentation is measured by the number of parties in government (Amorim Neto and Strøm 2006). Additionally, I have included a separate dummy variable for minority governments (i.e., those controlling less than 50 percent of the seats in the lower house). Prime ministers heading such cabinets are in the weakest bargaining position in the government formation process compared to any other type of cabinet.

Country averages of all of these variables are reported in the last columns of Table 2.1. On average, Italian cabinets tend to be the most fragmented, but many of the East European countries come close. Albania, Romania, and Slovakia have had an average of at least four parties in government. The least fragmented cabinets are in countries with smaller party systems and more disproportional electoral systems. For example, Malta and Greece have only had single-party cabinets throughout the time considered here, and Portuguese cabinets included two parties only once. There is also considerable cross-country variation in the effective number of legislative parties. Finally, minority governments are not typically

frequent, although important exceptions exist. The share is high for Bulgaria and Slovakia during the time when these countries had indirect presidential elections. In the case of Bulgaria, the share appears inflated because there were only two cabinets during that time and one of them happened to have minority status. Slovakia had four different cabinets during the time when presidential elections were indirect, and two of these cabinets were minority governments. Other Eastern European countries, such as Romania and Poland, have minority cabinets frequently, but such cabinets are also frequent outside the postcommunist region, such as in Turkey and Portugal. Thus, minority government is not peculiar to postcommunist democracies.

The extent to which presidents can exercise activism depends on their constitutional prerogatives. Some presidents are simply afforded more constitutional power than others and that may have an important impact on the extent of their influence over the government formation process. Several researchers have tried to construct cross-national indices of presidential power by noting the existence of various possible powers of the heads of state. These lists of potential powers, because they attempt to be comprehensive, can become very long and redundant. For example, Duverger (1978) lists 14 presidential powers, Lucky (1993/1994) measures 28, and Hellman (1996) and Frye (1997) identify 27 different powers. Many of the individually listed prerogatives are simply appointment powers to different offices and counting them separately may unnecessarily overstate the extent of presidential power.

Others have attempted to follow a more parsimonious coding scheme. For example, Siaroff (2003) lists nine different powers of presidents. These include (1) popular election, (2) concurrent election of president and legislature, (3) discretionary appointment powers, (4) chairing of cabinet meetings, (5) veto, (6) long-term emergency and/or decree powers, (7) central role in foreign policy, (8) central role in government formation, and (9) ability to dissolve the legislature. Each of these indicators is coded as a dummy variable and an additive index with a maximum of "9" and minimum of "0" is composed. The data are also available for each indicator separately, which makes it possible to exclude indicators. For the purposes of the current study, the first indicator should be excluded because the concept of direct elections is independently relevant to my analysis, and therefore cannot be conflated with presidential power. Because of its broad geographic coverage, Siaroff's index is gaining popularity in cross-national studies (Samuels 2004; Tavits 2007*b*).

Another common indicator of presidential powers is the index originally provided by Shugart and Carey (1992) and modified by Metcalf (2000). This index classifies presidential prerogatives into legislative and non-legislative powers. The former refers to presidential power in the legislative process that is provided for in the constitution. It includes the following powers: (1) package veto, (2) partial veto, (3) decree powers, (4) budgetary powers, (5) executive introduction of legislation in reserved policy areas, (6) proposal of referendum powers, and (7) judicial review. The non-legislative powers have to do with presidential prerogatives in the process of government formation and include more specifically the following powers: (1) cabinet formation, (2) cabinet dismissal, (3) censure, and (4) dissolution of assembly. Each indicator is recorded on a scale from "0" to "4", from which an additive index is composed. This list of powers is less comprehensive than some of the other indices noted above, but their advantage is that they were chosen because the theoretical literature on regime types suggests that these powers are important (Metcalf 2000). The power index based on the conceptualization by Shugart and Carey (1992) has also found the most appreciation in the empirical cross-national studies of presidential power (Amorim Neto and Strøm 2006; Metcalf 2000; Roper 2002; Schleiter and Morgan-Jones 2005).

The question remains as to which of these indices should be used for current purposes. Amorim Neto and Strøm (2006) only control for the legislative power index provided by Metcalf. They argue that presidential bargaining power in the process of government formation depends on his or her ability to affect parliamentary decisions (i.e., on the legislative powers). However, actual presidential power over this process should be influenced more by his or her constitutional prerogatives with regard to government formation. Given that there is no clear preference in the previous literature over which power index to use, and for the sake of testing the robustness of the results, I present four alternative analyses below: (1) controlling for presidential legislative powers according to Metcalf, (2) controlling for non-legislative powers according to Metcalf, (3) controlling for Metcalf's combined index, and (4) controlling for Siaroff's index of presidential powers, excluding the indicator of direct elections. The Siaroff index is available for all countries in the analysis. No single source provides Metcalf scores for all countries. I have relied on scores provided in Amorim Neto and Strøm (2006), Frye, Hellman, and Tucker (n.d.), Metcalf (2000), and Shugart and Carey (1992). For countries

not included in these sources, I created the indices using information obtained from those countries' constitutions.

As the analysis includes both established Western European democracies and newly democratized postcommunist countries in Europe, I have also included an additional control for the age of democracy at the time each cabinet was formed. Such a control is necessary because opting for nonpartisan cabinet members may be more likely in less stable and unconsolidated democracies. The variable is measured using the natural logarithm of democratic age in years. For old democracies, 1946 is used as the baseline (Amorim Neto and Strøm 2006).

Analysis, Results, and Interpretation

The dependent variable—the share of nonpartisan ministers—is reported as a proportion (i.e., bounded by zero and one). This makes an extended-beta binomial (EBB) model preferable to an ordinary least squares (OLS) model because the latter leads to inefficient estimates for this type of data (Palmquist 1999). An EBB model is essentially a logit (or probit) model for grouped binomial data but unlike these models, an EBB model relaxes the assumptions of independence and identical distribution of the binary variables making up the groups. This makes it more generally applicable than the binomial estimations of grouped data. In order to run an EBB estimation, one needs to include the number of nonpartisan cabinet members on the left-hand side of the equation and the total number of cabinet positions on the right-hand side. Given that the data are pooled across 23 countries, I will also include country fixed effects (Amorim Neto and Strøm 2006). The coefficients for the fixed effects are not presented because these are not of substantive interest here. Excluding the country fixed effects does not change the substantive results, although doing so improves the significance levels of some of the institutional variables.

While the EBB model takes into account the nature of the dependent variable, this model does not control for the pooled nature of the data—the threats of serial correlation and heteroskedasticity present in the country panels. I therefore reestimated all four models using the OLS regression analysis with panel corrected standard errors (Beck and Katz 1995) and a natural logarithm of the dependent variable. The results of these alternative estimations were not significantly different from the ones presented below, so I have not reported them here. However, note that the findings are robust across different estimation techniques.

Table 2.2 reports the results of several different EBB estimations using the alternative measures of presidential constitutional powers, and the findings are consistent across models. First, there is no evidence that the mode of election influences presidential activism. The variable remains insignificant in all four models. The same is true when OLS models with panel corrected standard errors were used. Directly elected presidents are not more likely than their indirectly elected counterparts to actively engage in government formation processes.

The political opportunity framework explanation finds more support. First, partisan opposition is a strong and consistent predictor of presidential activism. The share of nonpartisan cabinet members is significantly higher when a president's party is not represented in the governing coalition. This includes situations when the president is nonpartisan and acts according to his or her self-interests rather than partisan interests. Such a president is likely to be politically opposed to a government of any ideological composition. This result corroborates the findings of previous studies that have looked at the effect of cohabitation in the context of semi-presidentialism (i.e., directly elected presidents only) (Protsyk 2005*a*, 2006).

Similarly, weak cabinets increase "actual" presidential powers: the share of nonpartisan cabinet members is significantly higher in the case of minority, as opposed to majority, cabinets. This supports the expectation that the weakness of other institutions significantly increases presidential activism. This result is also strong and consistent across models. As above, the importance of minority governments for presidential activism and intra-executive conflict has been established in the context of directly elected presidents (Protsyk 2005*a*, 2006). The current study extends the findings to countries with indirectly elected presidents. The similar findings between the current study and studies focusing exclusively on directly elected presidents highlight the importance of not differentiating between regimes based solely on the mode of election of the head of state. Countries where presidents coexist with prime ministers seem to be more alike than different; the constraints on governing are very similar regardless of how the president is selected, and the research tradition should accommodate that.

The two other variables capturing the weakness of other institutions—legislative and cabinet fragmentation—provide mixed results. Cabinet fragmentation is statistically significant at the 10 percent level using a one-tailed test. Furthermore, the coefficient of this variable has the correct sign: the higher the level of cabinet fragmentation (i.e., the weaker

Table 2.2. Extended beta binomial models for the share of nonpartisan ministers

	Model 1: Metcalf, legislative	Model 2: Metcalf, non-legislative	Model 3: Metcalf combined	Model 4: Siaroff
Direct elections	0.469 (0.802)	−0.125 (0.761)	0.339 (0.782)	−0.358 (0.778)
Opportunity framework				
Partisan opposition	0.718*** (0.225)	0.697*** (0.223)	0.713*** (0.224)	0.723*** (0.227)
Minority government	0.803*** (0.307)	0.805*** (0.306)	0.804*** (0.307)	0.776*** (0.306)
Cabinet fragmentation	0.117* (0.079)	0.118* (0.080)	0.115* (0.080)	0.099* (0.077)
Legislative fragmentation	−0.122* (0.089)	−0.006 (0.086)	−0.131* (0.090)	−0.078 (0.089)
Age of democracy	0.044 (0.111)	0.004 (0.112)	0.033 (0.111)	0.098 (0.115)
Presidential power: legislative (Metcalf)	0.428*** (0.177)			
Presidential power: non-legislative (Metcalf)		1.301*** (0.466)		
Presidential power: combined (Metcalf)			0.329*** (0.129)	
Presidential power (Siaroff)				0.314* (0.207)
Constant	−5.428*** (0.972)	−6.392*** (1.166)	−5.707*** (1.028)	−4.522*** (0.085)
Country dummies	Yes	Yes	Yes	Yes
Log likelihood	−725.639	−724.585	−725.313	−727.445
γ constant	0.063*** (0.018)	0.061*** (0.017)	0.062*** (0.018)	0.066*** (0.018)
N	173	173	173	173

Notes: Table entries are unstandardized regression coefficients with standard errors in parentheses. The analyses include country fixed effects.
* $p \leq 0.1$. ** $p \leq 0.05$. *** $p \leq 0.01$.

the cabinet), the more likely the president is to exercise his or her power. Since this effect is again consistent across all four models, it is possible to conclude that this variable is at least weakly related to presidential activism in government formation. The more fragmented the cabinet, the more difficult it is for this institution to block presidential activism, which results in presidents being more influential in government formation processes, as expected.

The variable capturing legislative fragmentation is weakly statistically significant only in two of the four models: Models 1 and 3. Yet even in these models, the coefficient for this variable has the wrong sign: Legislative fragmentation is negatively related to presidential activism. Since this relationship, however, is not robust and not consistent across models, the effect of this variable remains undetermined. Furthermore, the variable remained consistently insignificant in the alternative estimations performed (i.e., the ones using OLS models with panel corrected standard errors). To a certain extent, legislative fragmentation is already reflected in the measure of cabinet fragmentation, which may also account for the inconsistent results concerning this variable. The bivariate correlation coefficient between these variables is 0.45, although including both variables in the same model does not increase multicollinearity to a level of concern, as evidenced by variance inflation factors that are less than 1.5 for all variables.[6]

The different indices accounting for presidential powers also appear significant. This should not be surprising because the extent of these powers provides the framework within which presidents can exercise any activism. As hypothesized, the strongest effect is produced by the presidential non-legislative powers (i.e., their constitutional prerogatives in cabinet formation). The more prerogatives presidents have in this process, the stronger their actual activism and impact. In a way, these

[6] The results do not change when cabinet fragmentation is dropped from the models. However, legislative fragmentation becomes positively and weakly statistically significant when both cabinet fragmentation and the country dummies are dropped. In order to better account for the possible interrelationships between the different variables measuring political opportunity framework, one could estimate a path model where presidential activism is a latent variable influenced by the variables measuring political opportunities, and in turn, together with controls, influences the share of nonpartisan cabinet members. Building an elaborate causal model is beyond the scope and purpose of this study. The results of a preliminary estimation of a path model were substantively very similar to the results presented in Table 2.2. The only noteworthy addition was the positive indirect effect of legislative fragmentation on presidential activism via cabinet fragmentation. No other indirect effects were significantly different from zero. This is not surprising given that the intercorrelations between the political opportunity variables (with the exception of that between legislative and cabinet fragmentation) are relatively small, with the largest reaching only 0.19.

constitutional powers are the most important aspect of the opportunity structure, which conditions presidential activism. These powers most directly provide or restrict the opportunities presidents have to exercise influence.

Studies of countries with directly elected presidents (classified as semi-presidential regimes) have noted the importance of constitutional powers of the president for the functioning of the regime. Shugart and Carey (1992), for example, differentiate between a president–parliamentary system and a premier–presidential system (see also Elgie and Moestrup 2008*b*; Protsyk 2006). The former refers to a regime where a popularly elected president has constitutional powers to nominate or appoint and to dismiss cabinet. The latter, on the other hand, is a regime where a popularly elected president does not have the power to dismiss the prime minister or individual ministers. Presidents in the latter type are restricted in what powers they may exercise, and therefore they are naturally less active than presidents in the former type if the measure of activism across the two regime types is the same. Not surprisingly, Protsyk (2006) has shown that intra-executive conflict is more muted in premier–presidential regimes than in president–parliamentary regimes. Similarly, Elgie and Moestrup (2008*b*) have shown that, potentially due to this lower level of conflict, the former types of regime are also more stable than the latter types. Going beyond directly elected presidents, a more recent study has corroborated the current finding about the importance of presidential (legislative) powers for his or her activism across both directly and indirectly elected presidents (Amorim Neto and Strøm 2006).

In general, the evidence so far is in favor of the theory of political opportunity framework. One might argue that the potential explanatory power of the mode of election was weakened because constitutional powers were included in the model. Yet such argument only underlines the lack of a significant independent effect of the mode of election on presidential activism. It is simply more likely that directly elected presidents are assigned more powers than indirectly elected presidents—a relationship tested below. Thus, once these powers are controlled for, the mode of election (i.e., any extra legitimacy gained from being directly elected) has no independent effect on the behavior of presidents in office.

In order to investigate more closely the relationship between constitutional powers and direct elections, Table 2.3 presents the different presidential power scores by country and mode of election. I have also calculated the average score on each indicator for directly elected and indirectly elected presidents. The table is sorted by the mode of election,

Table 2.3. The constitutional powers of the presidents and the mode of election

Country	Direct election	Siaroff index	Metcalf legislative	Metcalf non-legislative	Metcalf combined
Albania 1991–98	0	2	2	2	4
Albania 1998–present	0	2	4	3	7
Bulgaria 1990–92	0	2	3	1	4
Czech Rep. 1992–2000	0	2	2	3	5
Czech Rep. 2000–present	0	1	2	3	5
Estonia	0	2	3	3	6
Germany	0	0	0	3	3
Greece	0	0	2	1	3
Hungary	0	1	6	4	10
Italy	0	2	2	4	6
Latvia	0	1	0	3	3
Malta	0	0	0	8	8
Slovakia 1993–99	0	1	2	3	5
Turkey	0	3	5	2.5	7.5
Average		1.36	2.36	3.11	5.46
Austria	1	1	0	5	5
Bulgaria 1992–present	1	2	1	1	2
Finland 1956–94	1	5	1	7	8
Finland 1994–2000	1	4	1	7	8
Finland 2000–present	1	1	1	7	8
France	1	6	4	5	9
Iceland	1	0	5	8	13
Ireland	1	2	4	3	7
Lithuania	1	3	3	5	8
Macedonia	1	3	2	1	3
Poland 1992–97	1	5	8	5	13
Poland 1997–present	1	2	5	4	9
Portugal	1	2	6	4.5	10.5
Romania	1	4	6	3	9
Slovakia 1999–present	1	1	2	3	5
Slovenia	1	0	0	3	3
Average		2.56	3.06	4.47	7.53

Sources: Amorim Neto and Strøm (2006), Metcalf (2000), Shugart and Carey (1992), and countries' constitutions.

listing countries with indirect elections first. Averages of all power indices used are higher for the countries using direct presidential elections than for those using indirect presidential elections. The differences in these means are statistically significant at a level of less than 1 percent. Interestingly, however, despite the high level of correlation between the constitutional powers of presidents and their mode of election, excluding the power variable from the analysis does not render the mode of election significant. Overall, the mode of election is not a significant predictor of presidents' actual power in cabinet formation. More generally, the

effect of this variable should not get confounded with the constitutional powers of the president—both theoretically and empirically, it is the latter rather than legitimacy derived from popular elections that defines the scope of presidential activities. This further reinforces the argument that if parliamentary regimes need to be further classified, it should not necessarily be done according to the mode of presidential election, but perhaps according to their constitutional powers, which define the limits of their political playing field.

In addition to the analyses presented in Table 2.2, alternative estimations to check the robustness of the results were performed. The OLS estimations are already mentioned. I also estimated alternative EBB models including two additional variables: the level of electoral volatility and the incidence of economic recession. Both of these variables originate from Amorim Neto and Strøm (2006) and neither appeared significant in the additional analyses. Including these variables also did not change the substantive findings of the analyses presented here. This allows concluding that the findings presented are robust and consistent. Overall, the balance sheet is in favor of the theory of political opportunity framework. Weak cabinets and partisan opposition between the president and the cabinet significantly increase presidential activism. The conventional wisdom concerning the mode of election, however, lacks any significant independent explanatory power.

Substantive effects are difficult to grasp from the EBB model. The coefficients reported in Table 2.2 are essentially logit coefficients, and an understanding of the magnitude of different effects can be gained by converting these coefficients into odds ratios. The odds ratios for the statistically significant variables are provided in Table 2.4. On average, the odds of having a nonpartisan cabinet member are two times higher when there is partisan opposition between the cabinet and president than in the case of no opposition. The odds of having a nonpartisan

Table 2.4. Odds ratios for statistically significant variables

	Model 1: Metcalf, legislative	Model 2: Metcalf, non-legislative	Model 3: Metcalf combined	Model 4: Siaroff
Partisan opposition	2.05	2.01	2.04	2.06
Minority government	2.23	2.24	2.23	2.23
Cabinet fragmentation	1.12	1.13	1.12	1.10
Presidential power	1.53	3.67	1.39	1.37

minister are also more than twice as high for minority governments as for majority cabinets. The magnitude of these effects is consistent across all models. The effect of cabinet fragmentation is somewhat weaker but still substantively significant: each additional coalition partner increases the odds of a nonpartisan cabinet member by about 1.12 times. Compared to single-party cabinets, a coalition of nine parties (the maximum value on this variable) increases the odds of having a nonpartisan cabinet member by about three times, while with a more common five-party cabinet by about twice. The effect of presidential constitutional powers depends on the index used. As hypothesized, the strongest effect is produced by non-legislative presidential powers (i.e., presidential powers in cabinet formation). The more power the constitution assigns to the president in cabinet formation, the greater the president's actual power. Indeed, increasing constitutional powers of the president by just one increases the odds of nonpartisan ministers 3.7 times. The effect of other power indices is weaker, but still considerable. When interpreting the substantive effect of these variables, their range needs to be taken into account as well. Odds ratios provide the change in odds given one unit increase in the explanatory variable. The range of the Siaroff index is the smallest: from 0 to 6, which also explains its smallest odds ratio. The range of Metcalf's legislative powers is from 0 to 8, non-legislative powers range from 1 to 8, and the combined index from 2 to 13.

An alternative way to get a substantive grasp of the effects is to consider the OLS estimates and calculate the expected values of the dependent variable—the expected share of nonpartisan cabinet members—when manipulating the independent variables of interest. I have calculated these based on Model 3. All other variables in the model are held constant at their mean (continuous variables) or median (categorical variables). Given that the dependent variable is a proportion, but the estimation technique assumes it to be continuous, the expected values are not very precise, but they give a general sense of the magnitude of the theoretically interesting effects.

Table 2.5 presents four different scenarios. The first three rows provide the expected share of nonpartisan presidents when each of the three statistically significant opportunity framework variables is at its minimum (second column) and maximum (third column). The last row presents the combined effect of these variables: the expected share of nonpartisan ministers when all three variables are at their minimum and maximum.

Table 2.5. Expected share of nonpartisan cabinet members under different scenarios

Variable	Expected share of nonpartisans when variable at its minimum (%)	Expected share of nonpartisans when variable at its maximum (%)
Partisan opposition	0.16	0.82
Minority government	0.16	0.61
Cabinet fragmentation	0.08	1.1
Combined effect	0.08	22

The substantive effect of all three variables measuring the political opportunity framework is impressively strong. Consider two extreme scenarios: in situations with unified partisan control of the presidency and the cabinet and one-party majority governments, the expected share of nonpartisan cabinet members is very close to zero; in the other extreme, with maximum fragmentation of the cabinet (the maximum for this variable is 9), minority cabinet and cohabitation, the expected share of nonpartisan cabinet members increases to 22 percent. This effect seems substantively very large. However, the latter scenario, with nine parties in cabinet, is also rather unrealistic. A scenario where minority cabinet and cohabitation are combined with a more realistic level of cabinet fragmentation (i.e., a cabinet of four parties), the expected share of nonpartisan cabinet members is still sizeable: 4.1 percent. Considering the individual variables, the expected share of nonpartisan ministers increases from 0.16 percent under a minority government to 0.6 percent under majority cabinets; the expected share is also considerably higher under partisan opposition (0.8%) than under unified control of the executive (0.16%); in one-party cabinets, the expected share of nonpartisan ministers is only 0.08 percent increasing to 1.1 percent when the number of parties in cabinet is increased to its maximum value, that is, 9.

In sum, the evidence from the quantitative analysis of presidential activism in cabinet formation favors the political opportunity framework model. Presidents are more active and effective, as measured by the higher incidence of nonpartisan cabinet members, when they face a politically opposed and weak cabinet. The evidence in support of this conclusion is robust and consistent across different models and estimation techniques. At the same time, directly elected presidents are not significantly more active and effective in the government formation process. This contradicts the argument that popular legitimization itself induces more activism from presidents. It is not the legitimacy derived from direct elections

but the opportunities and incentives generated by the institutional and political realities in which presidents operate once in office that matters for their level of activism.

Admittedly, the statistical analysis presented in this chapter remains a rather crude test of the determinants of presidential activism. The most significant concern is that the share of nonpartisan cabinet members is an imperfect measure of such activism. The next two chapters try to remedy this weakness by taking a closer look at the relationships outlined in this chapter. Case studies allow examining various other, more direct measures of presidential activism and providing alternative tests of both the argument stressing the importance of popular legitimization and the one prioritizing the political opportunity framework. They also permit illuminating the causal mechanisms behind these relationships—another task at which statistical analysis usually falls short.

3

The Activism of Indirectly and Directly Elected Presidents

This chapter continues to investigate the circumstances under which presidents use their discretionary powers and actively engage in politics and policymaking. According to the criteria explained in Chapter 1, I have chosen seven countries for closer analysis six of which are considered in this chapter. The goal of these case studies is twofold. First, they provide an additional test of the extent to which the mode of election, versus political opportunity framework, influences presidential activism. Comparing over time the tenures of different presidents within the same country provides an opportunity to observe whether they are similar in their level of activism, as the legitimacy-based argument would predict, or if they are dissimilar, whether the differences can be explained by differences in political opportunity framework. Second, the purpose of these case studies is also to provide narratives of presidential activism—thick descriptions that illustrate the causal mechanisms at play.

Differences in the nominal powers of presidents are not by themselves relevant in the context of the argument presented. This study is interested in the conditions under which presidents are more likely to *exceed* their powers or interpret them broadly no matter how they are defined in the constitution. In empirical tests, these powers need to be controlled for, which was a relatively easy task in the quantitative analyses. In qualitative research, however, setting boundaries as to what sort of powers are considered becomes more important. For the sake of clarity and tractability, I will concentrate on three types of powers that presidents can use (or overuse): legislative, non-legislative, and symbolic. The first two follow from previous literature and refer (mostly) to veto (legislative) and appointment (non-legislative) powers as well as the president's role in international relations (non-legislative). The advantage in doing so is

that all (directly or indirectly) elected heads of state under study possess powers in these areas, and thus their activism in using these powers can be easily compared. As stated above, these powers are also theoretically most relevant. Some presidents may possess additional prerogatives, so on a case-by-case basis, I will also consider additional powers to the extent that their use is relevant for understanding the level of presidential activism. In addition to powers provided by the constitution, presidents can also use symbolic powers to influence policy. This includes, for example, making policy statements discordant with general government policy. As Linz (1994, 53) noted, even expressing an opinion, if it contradicts government policies or coincides with the opposition, contributes to potential crisis. Supplementing the study of presidential activism with case-specific, informal indicators helps to preserve the thickness of the case study material, which serves to complement the systematic material presented.

This chapter will first consider the careers of both the indirectly elected presidents in Estonia, Hungary, and Germany, and will then proceed with investigating those of the directly elected presidents in Poland, Austria, and Ireland. In the Eastern European countries—Estonia, Hungary, and Poland—I will examine the behavior of all presidents who have held office in these countries since the regime transition. This allows for a detailed examination of each president in each of these countries, given that there have only been two to three different presidents. A similar approach is less justifiable in the Western European countries—Germany, Austria, and Ireland—which have been democratic longer, so concentrating only on the last few presidents may misrepresent any general trends concerning the office of the head of state in these countries. I have therefore included all presidents since World War II conditional upon the availability of information. The longer period under consideration and the greater number of presidents involved, however, reduces the level of detail that can be presented for each officeholder. Therefore, the emphasis in the Western European cases is on general trends and illustrative examples rather than on a detailed scrutiny of each president.

The Activism of Indirectly Elected Presidents

Estonia

The Estonian president is elected indirectly by the parliament or an electoral college for a five-year term. The first round of the election occurs in parliament and a candidate needs the support of two-thirds of all MPs in

order to win. If no candidate receives the required super-majority, which so far has always been the case, the two leading candidates proceed to the second round, which takes place in the Electoral College. Additional candidates may also be nominated at this stage. The Electoral College consists of all 101 MPs and representatives from local governments (at least one from each and usually more than one from bigger municipalities). There are more than twice as many local representatives in the Electoral College than there are MPs. Elections by the Electoral College proceed according to the majority runoff system where a candidate who wins a majority of votes cast is elected. If no candidate earns such a majority, a second vote is taken the same day with a choice between the two front-runners.

Estonia has had three presidents since its independence in 1991: Lennart Meri, Arnold Rüütel, and Toomas Hendrik Ilves. The tenure of President Ilves is too short to draw any conclusions for the purposes of this study. Therefore, I will only concentrate on the presidencies of Lennart Meri and Arnold Rüütel. The former served two consecutive terms as the president from 1992 to 2001, followed by Arnold Rüütel from 2001 to 2006. Both domestic and foreign observers have considered Lennart Meri to have been an extremely active president (Annus 2004; Metcalf 2000). On the other hand, Arnold Rüütel has been fairly nonactive. As the following analysis will demonstrate, this is mainly due to the relationship of both presidents to the ruling parties. Table 3.1 lists the use of veto

Table 3.1. Estonian governments and the use of presidential veto powers

President	Time of co-rule	Prime minister	Government parties[a]	Number of vetoes
Lennart Meri	1992–04/1995	Laar/Tarand	IL–SD–ERSP	17
	04/1995–11/1995	Vähi	KMÜ–K	4
	1995–96	Vähi	KMÜ–RE	5
	1996–97	Vähi	KMÜ (minority)	2
	1997–99	Siimann	KMÜ (minority)	7
	1999–2001	Laar	IL–RE–SD	6
Total				41
Arnold Rüütel	2001–01/2002	Laar	IL–RE–SD	1
	2002–03	Kallas	RE–K	4
	2003–05	Parts	RP–RE–RL	3
	2005–	Ansip	RE–RL–K	4
Total				12

Notes: IL, Pro Patria (Isamaliit); SD, Social Democratic Party (Sotsiaaldemokraatlik Partei), previously the Moderate Party (Mõõdukad); ERSP, Estonian National Independence Party (Eesti Rahvusliku Sõltumatuse Partei); KMÜ, Coalition Party and Rural Union (Koonderakond ja Maarahva Ühendus); K, Center Party (Keskerakond); RE, Reform Party (Reformierakond); RL, People's Party (Rahvaliit); RP, Res Publica.

[a] The prime minister's party is listed first. The party of the president is underlined.

Sources: Aaskivi (2002), Office of the President of the Republic of Estonia at www.president.ee, Müller-Rommel et al. (2004).

powers by different presidents and provides information about the nature of the concurrent governing coalitions.

LENNART MERI

President Meri was considered an active president in both domestic and international affairs. His activism in the domestic arena is made especially evident by his use of appointment and veto powers.

Appointments

The president of Estonia has the constitutional power to appoint several high officials including ministers, judges, and the head of the central bank, based on proposals from the prime minister, the Supreme Court, and the Council of the Bank of Estonia, respectively. In theory, presidents can exercise political activism by refusing to appoint certain officials, and no specific reason for such a refusal is necessary.[1] During his time in office, President Meri refused to appoint all three types of high officials. He intentionally neglected to make two ministerial appointments to the first cabinet. Following protests by the prime minister, he eventually approved the appointments, but while publicly announcing his regrets for doing so (Annus 2004). President Meri also refused to appoint several judges following the judicial reform of the early 1990s (Annus and Tavits 2004), although in this case, his deliberate inaction was relatively uncontroversial. A greater conflict occurred in May 2001, when Meri refused to appoint the candidate proposed by the Council of the Bank of Estonia as president of the Bank. The president stated that by refusing to make the appointment, he acted according to his own best assessment of the interests of the Estonian people and republic (Annus 2004; Saarna-Siiman 2005). Political pressure on the president to reconsider his decision was unsuccessful this time, and a new candidate had to be nominated.

In addition to appointment powers, the president also has the power to nominate candidates for some positions, which are subject to the approval of parliament. Although the president's role is less influential in these cases where parliament ultimately decides who will get the office, presidents can still exercise activism. For example, they can propose candidates considered unacceptable by the parliamentary majority or be slow

[1] In fact, in September 2001, a law on the presidential institution was adopted. It states that the president may refuse to appoint a candidate if it is "contrary to the law or state interests." No definition of "state interests" is provided, however, leaving it essentially open for the presidents to decide whether such violation has occurred. In practice, thus, this law did little to curtail presidential power to refuse nominations.

to make a proposal. Both of these are effective delay tactics that have been employed by President Meri. Several of his nominations were defeated by parliament, and there was a near scandalous occasion when the State Audit Office remained without a proper director for eight months before President Meri nominated a candidate (Annus 2004).

It is interesting to note that President Meri's use of appointment powers was not concentrated in specific times during his tenure. He remained active regardless of the partisan composition of government that he faced. Even more so, his refusal to appoint the two ministers occurred during a time when the party for which he had been the nominal presidential candidate—Pro Patria (IL)—was leading the government. Similarly, the dispute over the appointment of the central bank president occurred when the IL was in government. Aside from the formal nomination of his candidacy before his first term in office, Meri never had strong ties to the party and explicitly acted in a nonpartisan manner (see also Saarna-Siiman 2005). In the second presidential election, the IL even refused to back his renomination although Meri had the backing of multiple other parties and was seen as a clear front-runner with no serious competition (Tammer 1996*b*). The IL nominated its own candidate instead. This clearly signaled that the IL also saw Meri as not their partisan. Meri's political neutrality prevented the partisan arrangement of government from having an impact on his political activism, at least concerning the use of appointment powers.

Vetoes

According to the constitution, the president is responsible for the promulgation of laws, but he or she can refuse to do so. If the president vetoes a law, the parliament may either change it to correspond to the wishes of the president or readopt the law with a simple majority. After readoption, the president may either promulgate the law or send it to the Supreme Court to declare the law unconstitutional. These provisions leave the president a lot of room for political maneuvering on top of considering the technicalities of the legislation.

During his 10 years in office, President Meri used his veto power 41 times, amounting to about 2.8 percent of all legislation passed by parliament during that period. Parliament accepted 29 of these vetoes. In four cases, the president chose to promulgate the law upon its readoption by parliament. In the remaining eight cases, the president turned to the Supreme Court, which ruled in the president's favor in seven of the

eight cases (Aaskivi 2002). Thus, by using vetoes, the president has been effective in participating in policymaking.

A few of Meri's vetoes could be considered political because his refusals to promulgate these laws did not contain references to unconstitutionality. The first and most notable of these cases occurred in July 1993 and concerned the Aliens' Act. President Meri vetoed this act, not because of its unconstitutionality, but based on his diplomatic intuition. There was mounting international attention surrounding this legislation, as it concerned granting citizenship to a large group of people who had immigrated to Estonia during Soviet occupation (Annus 2004; Metcalf 2000). Another case, the Auto Insurance Act, originated in the spring of 1995. A new center-left government had just taken office and tried to push this piece of legislation through parliament. The president vetoed it because he thought it gave the government too much power over issues that were outside the government's authority. Again, there were no problems with the constitutionality of the law, and this time the veto was even more directly politically motivated, as it concerned differences of opinion about executive power (Aaskivi 2002). A third case of a politically motivated veto was the Bar Association Act of 2001, which President Meri vetoed because the legislation provided no guarantee of public access to legal aid. Although the law was subsequently readopted by parliament and the president promulgated it, the president had effectively served another purpose with his veto—he had directed parties' attention to the problem of the accessibility of legal aid. By doing so, he triggered the subsequent formulation of the Legal Services Act (Aaskivi 2002). In essence, he had intervened in the policymaking process even though his veto decision was overturned.

Other more controversial vetoes exercised by President Meri include legislation that pertained, in some way, to regulating the powers of the president more precisely. Six of his vetoes, spread throughout his tenure in office, can be classified as such (Aaskivi 2002). He even vetoed two pieces of legislation on the same subject twice. More specifically, the vetoed legislation concerned moving the location of the official state seal from the president to the state chancellor, the rights of the president to represent the country in foreign affairs, the president's right to decide upon official decorations, the role of the president as the supreme commander of armed forces (vetoed twice), and the presidential right to issue clemency (vetoed twice). The most controversial of these vetoes was on the Working Order Act of the President. The first time this piece of legislation was proposed and adopted by parliament was in 1994, when it

was vetoed because it restricted the president's constitutional right to issue decrees. The veto generated substantial controversy in the parliament and was eventually readopted without change by a very small margin: 34 to 31 votes (Riigikogu stenogramm 1994). President Meri then referred the act to the Supreme Court, which ruled in the president's favor on a small technicality. Recall again that this was when the IL was in power. So clearly, one cannot say that President Meri was acting with partisan bias. His success stalled the discussion of regulating presidential powers with a separate act for several years. It was clear to all political actors that President Meri would not allow any attempt to legally specify the powers of his office (Aaskivi 2002). Another version of the Working Order Act was eventually proposed and adopted in 2001. President Meri did not use his veto power this time, because it essentially did not regulate anything more than what was already defined by the constitution or other existing legislation (Riigikogu stenogramm 2001).

Even though these examples can be perceived as attempts to use vetoes for political purposes, none of these or any other vetoes by President Meri were based on partisanship. He remained politically neutral by not acting on behalf of any particular political group or in response to pressure from business interests. On two occasions, business interests tried to persuade the president to veto legislation: one concerning telecommunications and the other land reform (Aaskivi 2002). In neither case did President Meri yield to such pressures. He regarded himself as a nonpartisan president, as a political force balancing conflicts in government and parliament.

Table 3.1 documents the use of vetoes exercised by both Estonian presidents by year. Meri most actively used the presidential veto during his two first years in office, which may be interpreted as an effort to test the limits of his powers. It is equally plausible, however, that over time, cabinets and parliament were better able to anticipate the president's reaction to different legislation and adjusted their behavior to avoid confrontation. It is notable that the frequency of his veto use remained relatively high regardless of the political opposition he encountered in government and parliament. The president was not afraid of confrontations with the parliamentary majority and insisted on expressing his opinions on controversial matters or when his own self-interest was involved.

ARNOLD RÜÜTEL

In sharp contrast to President Meri, Arnold Rüütel was relatively inactive. Right after he won the election and took over from Meri, the general

expectation among coalition politicians and the media was that in his behavior as the president, he was going to remain more "within the spirit of the constitution" that prescribes a weak presidency, that is, less involved in day-to-day politics than Meri had been (Ideon 2001*f*). This expectation especially applied to presidential involvement in foreign affairs (Kagge 2001), but even in domestic politics, President Rüütel remained relatively reserved. He did not refuse any appointments or use delay tactics for filling offices. This facilitated cooperation between the cabinet and the president during Rüütel's term. Indeed, Rüütel's party, the People's Party (RL), was part of the governing coalition for most of his tenure. Only during 2002, and for a total of about four months in 2001 and 2003 combined, was he facing partisan opposition in government. However, no major cabinet changes took place during those periods, giving him no opportunity to veto ministerial appointments. The same is true for the appointment of the central bank president. During Rüütel's time in office, judicial appointments were relatively apolitical and noncontroversial (see Annus and Tavits 2004).

Compared to President Meri, Arnold Rüütel was also much more reserved in his use of the veto power, using the presidential veto only 12 times. Parliament accepted six of these vetoes. Three pieces of legislation were readopted by parliament without changes and President Rüütel promulgated these afterward. He referred the other three to the Supreme Court, which ruled in his favor only once. Thus, President Rüütel was overall less active and also less effective in intervening in the legislative process than President Meri had been.

Some of President Rüütel's vetoes were politically motivated (i.e., not at all or poorly motivated on constitutional grounds). In six cases was his veto also partisan (i.e., motivated by the interests of his party, the RL). This is evident from the voting patterns of his co-partisans on the pieces of legislation being vetoed, as well as from the parliamentary debates after the legislation had been returned to parliament. The president's co-partisans strongly and disproportionately supported changes to the legislation that was returned. His use of the veto for partisan interests was also spotlighted in the media for the more controversial cases.

One notable example of using the presidential veto for partisan purposes was on the European Parliament Election Amendment Act, which was vetoed but subsequently adopted in 2004. The main issue of the act was whether the election to the European Parliament should use open or closed lists. While the version passed in parliament prescribed open lists, the president thought that closed lists would provide a better guarantee

that those who have been elected will actually take office in the European Parliament. According to the president, with open lists there was a danger that parties would list candidates who are able to attract votes but are not serious about serving in the European Parliament (Riigikogu stenogramm 2004). There were no constitutional grounds to veto the law, but there was pressure from the president's party to do so (Mattson 2004; Postimees 2004*a*). Partisan motivation is also evident when looking at the distribution of votes on this act: the president's party voted unanimously against the act, going against its coalition partners in government (Riigikogu stenogramm 2004). For the RL, the presidential veto was a last resort to push their preferred policy, despite disagreement with their coalition partners.

There were other instances when President Rüütel referred to problems of constitutionality, but vetoed legislation according to party lines. In the spring of 2005, the president vetoed the Local Government Council Election Amendment Act, which addressed electronic voting. Namely, voting electronically gave voters the option to change their votes by either voting again electronically or using a paper ballot, but voters using traditional methods for casting ballots had no option to change their vote. According to the president, this did not guarantee equal opportunities for every voter (Riigikogu stenogramm 2005). It is again telling that when this piece of legislation was passed in parliament, the president's party voted with the opposition, and against its coalition partners. Electronic voting was widely seen as beneficial to the younger members of the electorate. The People's Party constituency, however, is overwhelmingly an older and rural population, with no access and often no skills to make use of the new type of voting. Adopting this piece of legislation, thus, could be seen as benefiting opponents of the RL, which gave them the motivation to resist adopting the act. Partisan motivations are also evident from following the discussions in parliament after the act had been returned: The representatives from the RL were most active in criticizing the act and resisting its readoption without changes (Riigikogu stenogramm 2005). The Constitutional Committee, however, did not see any issues with the constitutionality of the act and the majority of the parliament agreed to readopt it. The president then referred the act to the Supreme Court, which ruled against him (The Supreme Court of Estonia 2005).

Other similar examples, where the president explicitly or implicitly used his veto in his party's interests include the Riigikogu Internal Rules Amendment Act of 2005, the Republic of Estonia Principles of Ownership Reform Amendment Act of 2004 (Postimees 2004*b*), the Act Repealing

Paragraph 7(3) of the Republic of Estonia Principles of Ownership Reform Act of 2006 (Kuimet 2006*a*; Shmutov 2006),[2] the Social Welfare Amendment Act of 2003, and the Amendment Act of the Professions Act and State Fees Act of 2002. Partisan interests motivated five of seven vetoes during the time that President Rüütel's party was in power (2003–06). In all of those cases, the RL voted against its coalition partners. This strongly suggests that the presidential veto was used as a tool to advocate partisan interests in cases where there were disagreements between coalition partners. In these cases, presidential activism resulted from partisan conflict with the government and parliamentary majority.

Of the five vetoes used in 2001–02, when the president faced governments that excluded his party, three were vetoed on the grounds of constitutionality and were accepted as such by the parliament. In two cases, however, toward the end of 2002, after some experience in office, partisan tendencies became more obvious. Both the Social Welfare Amendment Act and the Amendment Act of the Professions Act and State Fees Act, which were vetoed at the end of 2002, concerned the core issues of the RL electorate. In both cases, representatives of the party voted against the legislation in parliament. Although the Constitutional Committee did not find any problems with constitutionality, the MPs of the RL pushed for changes to the legislation during parliamentary debates (Riigikogu stenogramm 2002, 2003).

DOMESTIC POWERS: COMPARISON OF MERI AND RÜÜTEL

What accounts for the level of presidential activism in the use of appointment and veto powers? We saw that President Meri was significantly more active in using both powers than was President Rüütel. Furthermore, his use of both powers was frequent regardless of the political constellation of government and parliament. President Meri worked with seven different governments during his tenure. As stated, he had been elected as a candidate of the Pro Patria party, which formed a short-lived coalition government in 1992. However, that party did not consider him as their partisan president (Tammer 1996*b*) and he himself acted in a strictly nonpartisan manner. So strong was Meri's belief that he was representing the public interest that he has even referred to himself as "the president elected by the people" (Kaalep 1998).

[2] The Center Party was more actively pushing for presidential veto on this act than the RL. However, the veto came during the time of heated presidential election campaign prior to which the RL and the Center Party had agreed on Rüütel as their joint candidate as well as adopted an agreement of cooperation on several policy issues (Saarits 2006).

Meri's activism was drawn from his nonpartisan stance. In fact, Meri used his veto power and refused to appoint ministers and judges most frequently while the party that had nominated him for president—Pro Patria—was in power during the years of 1993 and 1994. Given the general incentive of presidents to pursue their policy preferences in office, acting in a nonpartisan manner—that is, being in opposition to essentially all political forces—was hypothesized to trigger presidents to pursue their own policy interests actively, because they do not adopt their policy objectives from a particular party. The behavior of President Meri corresponds to this argument rather well.

President Rüütel, on the other hand, had a clear partisan affiliation. He had been elected as a candidate of the RL and remained a partisan president throughout his career. In a majority of cases, he used his veto power in an explicitly or implicitly partisan manner. He used the veto most often when there was a conflict between the parliamentary majority and his party, regardless of whether the latter was in governing coalition or not. The pattern of his use of the veto across time is quite interesting: he was fairly active in 2002, when his party was in the opposition, and became inactive in 2003, which was the first year that his party was part of a governing coalition. This most likely reflects the initial unity of the coalition and follows the interests of all coalition partners in the policy formulation process. Conflicts within the coalition became more prevalent in 2004 and 2005, eventually leading to the break-up of the coalition. At this time, we see President Rüütel becoming more active in his use of the presidential veto, and using it mostly for partisan purposes. Thus, as the theory expected, the extent of conflict between President Rüütel's party and the majority determines his level of activism. Nevertheless, President Rüütel was less prone to activism overall than was Meri. Most likely, this also reflects the fact that his party typically tended to side with the majority, as one would expect from the governing party. In sum, the partisan constellation of power in the executive and the parliament, as well as the partisanship of the president, seem to have played a major role in determining the level of activism.

PRESIDENTIAL ACTIVISM ABROAD: MERI AND RÜÜTEL

According to the constitution, the president of Estonia represents the republic in international relations. This provision has generated a large amount of controversy regarding what real foreign policy powers this entails for the president. Active presidents can interpret such vague

provisions in their favor. To the extent that presidents in Estonia have done so, we can determine their activism in foreign policy.

President Lennart Meri was as active in the international arena as he was in domestic affairs and was more involved in both than President Rüütel. For example, Meri assumed he possessed the right to represent Estonia in international organizations, most notably in NATO and the European Union (EU). He was frequently the sole representative of the country, for example, at the EU Summit in Nice in 2000, which adopted the treaty on the enlargement of the Union.

The most striking example of President Meri's interference in foreign affairs was in the negotiation over the departure of the Russian Army. In late July 1994, official negotiations between the two countries reached a stalemate. At that point, President Meri, without direct approval from other government bodies, negotiated a deal with Russian President Yeltsin over the departure of the Russian Army. The two heads of state signed treaties regarding the departure of army and the social guarantees of Russian Army veterans in Estonia. The latter treaty generated a particularly high amount of controversy, yet both treaties were approved by parliament in December of 1995, after considerable hesitation and debate. As a result, the president faced strong accusations that he had exceeded his constitutional powers in signing the treaties (Annus 2004).[3]

In contrast, since President Rüütel took office, the prime minister has represented the country in international organizations, while the president occupies a more symbolic role (Annus 2004). In international affairs, in general, President Rüütel deferred to the governing coalition, which involved his co-partisans. The interests of the president's party, the RL, were mostly focused on domestic affairs, which may also have affected presidential inactivism in the international arena. Furthermore, the only foreign language that President Rüütel speaks is Russian (Ideon 2001*f*) (as opposed to Lennart Meri who spoke a number of European languages), which may have been another factor why it was easier for the executive branch to prevent him from engaging in foreign relations.

[3] In December 1999, the president was involved in another scandal when he dismissed the commander-in-chief of the armed forces. He did so on the basis of the latter's letter of resignation written a year earlier as a response to a misdemeanor by his subordinate. Neither the president nor the parliament wanted to dismiss the commander-in-chief then and he no longer wanted to resign in 1999. However, a year later Meri used this old letter of resignation, ignored the fact that parliamentary approval was also needed for dismissing such a high official and single-handedly, without giving any justification for his decision, dismissed the commander-in-chief (Klaas and Sildam 2000).

CONCLUSION

Presidential activism in Estonia has fluctuated considerably over time. It has varied across presidents and within the tenure of individual presidents as well. Political opportunity framework, especially partisan opposition in the government and parliament, serves as the primary explanation for these diverse patterns of presidential involvement. President Meri was more active than President Rüütel because he was nonpartisan. He acted independently of any political force, according to his own personal conviction. His stated purpose was largely to balance power struggles in the other government institutions (Aaskivi 2002; Annus 2004). This was the driving force behind his activism in office.

President Rüütel, on the other hand, was seen as a partisan president and he acted as such. His activism was minimal because his party belonged to the governing coalition and was part of the ruling majority. There was no incentive for him to interfere in domestic or international affairs on the basis of his own (partisan) interests, because these interests were already represented in the policymaking institutions. Much of his activism aimed to serve the interests of his co-partisans in office on issues regarding which they faced disagreement with coalition partners. The role of other elements of the political opportunity framework appears less relevant. For the most part, there simply has not been much variance in these elements. Estonian governments have mostly been composed of coalitions of two to three parties. There have only been two occasions of minority governments, and both occurred during the tenure of President Meri. It is difficult to discern whether this had any independent effect on Meri's activism, which was already heightened by partisan opposition with the government. Cabinet fragmentation may have played a role in determining President Rüütel's degree of activism, especially in his exercise of veto power. Given that he frequently used this power to protect the interests of his party against its coalition partners, if the ruling coalition had been less fragmented and was instead dominated by the RL, it would have been less necessary for him to exercise activism. In such a situation, he probably would have remained a completely passive president.

Hungary

The Hungarian president is elected indirectly by the parliament. There are three possible voting rounds—the first two rounds require a supermajority of two-thirds of all MPs in order to win. The third round of election is a

runoff between the two front-runners from the previous round and the winner is decided by a simple majority of all votes cast.

Several studies rank the Hungarian president as the most powerful, according to the powers listed in the constitution, among all Central and Eastern Europe presidents, directly or indirectly elected (McGregor 1994; Metcalf 2002). These powers include, inter alia, rights to veto legislation (on political or constitutional grounds), to make appointments to high-level public offices, to introduce bills, to attend parliamentary sessions, and to address the parliamentary assembly. The president is also the commander-in-chief of the armed forces and has the right to represent the State of Hungary abroad. I will concentrate on the presidency of Árpád Göncz (who served two terms from 1990 to 2000) and Ferenc Mádl (who served from 2000 to 2005). The current president, László Sólyom, has not been in office long enough for a reliable assessment of his activism to be possible. The extent to which the powers listed above have actually been realized differs considerably across officeholders, and also varies for each president across time. Table 3.2 lists the use of these key powers by different presidents and provides relevant information about the nature of the concurrent governments. The table serves as a summary of the information that is detailed in the following narratives. As the table reflects and the analysis below illustrates, political opportunity framework provides the primary driving force for activism among Hungarian presidents.

ÁRPÁD GÖNCZ

Göncz was the first president elected; his election occurred in 1990 and resulted from a pact between two major opposing political parties, the Hungarian Democratic Forum (MDF) and the Union of Free Democrats (SZDSZ). This pact prescribed that a member of the opposition party becomes the head of state (Baylis 1996; Körösényi 1998). Since the MDF had won the parliamentary elections, it was the candidate of the SZDSZ—Árpád Göncz—who was elected as the president by an overwhelming majority. The Hungarian constitution requires the head of state to discontinue his or her party membership upon taking office. Despite this restriction and despite rhetoric from Göncz that he expected to serve no parties (Mátraházi 1990, 2), he continued to attend meetings of the SZDSZ faction (Simon 2006*a*). He justified this behavior by contending that although he could not be a member of any party, he was not required to deny his liberal spirit (Népszabadság 1990*b*)—a statement which foreshadowed non-neutral behavior in office.

Table 3.2. Hungarian governments and the use of presidential powers

President	Árpád Göncz			Ferenc Mádl		
Time of co-rule	1990–94	1994–98	1998–2000	2000–02	2002–04	2004–05
Prime minister	Antall/Boross	Horn	Orbán	Orbán	Medgyessy	Gyurcsány
Coalition parties[a]	MDF–FKgP–KDNP	MSZP–SZDSZ	FIDESZ–MDF–FKgP	FIDESZ–MDF–FKgP	MSZP–SZDSZ	MSZP–SZDSZ
Constitutional veto	7	0	1	3	5	4
Political veto	0	2	0	1	3	2
Appointment veto	7	0	0	0	0	0
Attending the parliament	71	14	12	7	16	6
Addressing the parliament	22	4	2	3	2	2
Introducing a bill	5	0	0	0	0	0

Notes: MDF, Hungarian Democratic Forum (Magyar Demokrata Forum); FKgP, Independent Smallholders' Party (Független Kisgazdapárt/Földmunkas-es Polgari Párt); KDNP, Christian Democratic People's Party (Keresztenydemokrata Neppart); MSZP, Hungarian Socialist Party (Magyar Szocialista Part); SZDSZ, Alliance of Free Democrats (Szabad Demokratak Szövetsege); FIDESZ, Hungarian Civic Union (Fiatal Demokraták Szövetsége/Magyar Polgári Párt).

[a] The prime minister's party is listed first. The party of the president is underlined.

Sources: Szomszéd (2005), Vision Consulting (2006).

Indeed, the relationship between President Göncz and the first government was characterized by bitter conflict. This has mostly been attributed to partisan differences between Göncz and the cabinet (Körösényi 1998; O'Neil 1997). Göncz played an active role in politics only until 1994, when the MDF government was replaced by a coalition between the SZDSZ and the Hungarian Socialist Party (MSZP). He then withdrew from political battles and became a relatively weak president (Körösényi 1998, 361).

Activism in Foreign Affairs and Defense

During his first four years in office, Göncz exercised activism in both domestic and international affairs, across most of his spheres of influence. Some of the first conflicts concerned the president's role as the representative of the state and the chief commander of the armed forces. Göncz was adamant that he should be strongly involved in foreign policy, and requested that his office be fully informed on all international issues on a daily basis (Simon 2006*b*). There were several disagreements between the president and the Prime Minister Antall regarding who should represent Hungary in international summits. For example, conflict arose regarding the 1991 Visegrád summit, when the president argued that he should attend the meeting because the other two countries—Czechoslovakia and Poland—were represented by a president (Bakonyi 2005, 9; O'Neil 1997). Another incident occurred in 1992, when the president "forgot" to inform the cabinet about his official trip to London. This prompted the foreign minister to suggest that the presidential power to represent the state should require ministerial countersignature (Bakonyi 2005, 10).

President Göncz also put the powers of the presidency to the test in other ways. In October 1990, the Antall government announced a 65 percent increase in the price of gasoline, which led to a countrywide protest in which taxi drivers blocked the bridges of Budapest and the main roads of the country (O'Neil 1997). This caused a virtual halt in all road traffic in Hungary, deepening tensions across the country, and the government was ready to use military force to restore order (O'Neil 1993). In the midst of this chaos, President Göncz exercised his power as the chief commander of the armed forces, ordering the army not to get involved. Furthermore, he also called upon the demonstrators to normalize the situation and asked the cabinet to suspend the price increase (Szomszéd 2005). The opposition MPs blamed him for overstepping his authority as commander-in-chief and for breaking the agreement regarding political neutrality (Kurtán, Sándor, and Vass 1991). Although

the government eventually agreed to negotiate with the protesters, they demanded presidential resignation and staged a pro-government rally to mobilize public opinion, which had been overwhelmingly pro-president (O'Neil 1997, 210).

After 1994, when the president faced a politically friendly governing coalition, further disputes over international representation and the role of the president in military affairs never occurred. President Göncz remained active in foreign policymaking and represented Hungary abroad during the tenure of the politically friendly Horn government. Rather than being a source of conflict, the SZDSZ–MSZP coalition explicitly counted on his active role in international politics (Szomszéd 2005, 143).

Activism at Home: Appointments

A major conflict between Göncz and Prime Minister Antall also occurred over Göncz's use of appointment powers. Although the president never vetoed strictly governmental or administrative appointments during his career, he was able to stir up dissension over the appointment and resignation of the leaders of public media; these became known as the media wars (O'Neil 1997). Since 1990, the relationship between the state-run media and the government had been deteriorating. The latter accused the former of antigovernment orientation, and Prime Minister Antall finally decided to appoint pro-government vice-presidents to both the public radio and television; however, the president refused to sign the appointment of either candidate (Szomszéd 2005, 142). The conflict was disputed by the Constitutional Court, which ruled that the president can veto appointments if he or she believes that those appointments would seriously disturb the democratic functioning of the state. The conflict was finally resolved when the prime minister nominated new candidates who were acceptable to the president (Simon 2006*b*).

However, this was just the beginning of the media wars. Prime Minister Antall subsequently decided to fire the presidents of the public radio and television and to replace them with pro-government candidates (O'Neil 1997). The opposition reacted to this by accusing the government of trying to control the media in order to shape public opinion (O'Neil 1997). The president, not surprisingly, sided with the opposition by refusing to countersign the dismissals. He argued that the dismissals would leave the public media without leadership for an undetermined period of time, thereby endangering democracy (Kurtán, Sándor, and Vass 1993, 185–250). Referring the issue to the Constitutional Court did not bring

a solution because their decision was ambiguous and both sides could claim that it was in their favor. Finally, the presidents of both the public radio and television decided to resign on their own initiative, due to the fact that the cabinet had taken total control of their budgets. Still, for another eight months, the president refused, to sign their resignations (Bakonyi 2005, 10). The leaders of the governing party MDF considered the president's behavior to be an attempt to change the democratic system of the country (Babus 2000, 8). After the death of Prime Minister Antall in 1993, the struggle over the media continued with his replacement, Péter Boross, who was Antall's co-partisan.

The conflict remained unresolved until 1994, when a new government took office. It was only then that Göncz accepted the appointees of the now politically friendly socialist–liberal government, despite protests from the opposition (Sólyom 2001, 758). To many observers, this was a clear signal that Göncz was biased along partisan lines and was not going to oppose the government of his own party (Pataki 1994, n. 67). The sharp difference in Göncz's behavior toward varying governments of varying partisan compositions illustrates the importance of partisanship in determining the level of presidential activism, even in systems with indirectly elected heads of state (Kéri 1991; O'Neil 1997). When in the opposition, the SZDSZ viewed his activism as an opportunity to influence policy in their desired direction, and even began advocating for a stronger presidency (O'Neil 1997). When the SZDSZ became part of the governing coalition after 1994, there was no longer a need to pursue preferred policies through the presidential office, and the relationship between the new cabinet and the president became congenial as a result.

Vetoes

Göncz demonstrated a similar pattern of waxing and waning activism according to whether he faced partisan opposition in his use of other presidential powers, such as the presidential veto power. The constitution allows presidents to veto legislation on constitutional grounds, which leads to the referral of the law to the Constitutional Court. Additionally, the president can choose not to implement a law on political grounds; this results in sending a piece of legislation back to the parliament for further deliberation. The parliament can readopt the law without any changes, at which time the president must promulgate it.

The president referred legislation to the Constitutional Court seven times during the period of 1990–94, and once during 1998–2000, but

never during the first MSZP–SZDSZ government in 1994–98 (Szomszéd 2005). In six out of these eight occasions, the Court ruled in the president's favor, declaring the piece of legislation unconstitutional. His referrals were often based on his personal opinion rather than on legal reasoning, for which he was often criticized (László, Wisinger, and Göncz 1994, 191). The legislation that he referred to the Court was often deeply divisive, lacking in social consensus, or was questioned by his co-partisans; the issue was generally not that it presented problems with constitutionality (Szomszéd 2005).

The president's inactivity in terms of vetoing legislation during the socialist–liberal MSZP–SZDSZ government could not be attributed to a lack of controversial or potentially unconstitutional legislation. In fact, the president was heavily criticized during the 1994–98 period for not exercising a constitutional veto on several pieces of legislation. These include, for example, the following: a law implementing an austerity package, parts of which were later found unconstitutional by the Constitutional Court; legislation concerning the media; and social security benefits. He was also accused of keeping a low profile during the Tocsik affair,[4] involving a very large corruption scandal which concerned his party's coalition partner, the MSZP (Szomszéd 2005). On two occasions between 1994 and 1998, when the opposition demanded that the president turn to the Constitutional Court, he instead used a political veto and referred the legislation back to parliament. These acts, both proposed in 1996, concerned the conflict of interest of MPs and privatization (Szomszéd 2005). Many believed that Göncz wanted to offer a chance to the left-liberal coalition to correct their mistakes and therefore exercised a political rather than a constitutional veto (Babus 1997, 68–9).

Introducing Legislation, Participating in Parliament

In addition to veto power, the Hungarian president can also introduce bills, participate in parliamentary sessions, and address the parliamentary assembly. President Göncz exercised all of these powers, and was most active in exercising them between 1990 and 1994. Göncz initiated five bills, all during the Antall government. The first of these granted general pardon to the participants in the taxi drivers' blockade, and was initiated upon the request of the public prosecutor. The bill was hotly

[4] The scandal involved a lawyer named Márta Tocsik, who received an exceptionally large amount of money for her work for the government—most of which, however, she had to send to the MSZP. Her case dragged on for years and it became a symbol for corruption scandal (Simon 2006*b*).

debated by the parliament, but on February 19, 1991, it became the only presidential bill passed by the parliament (Act V of 1991) (László, Wisinger, and Göncz 1994, 124; Szomszéd 2005, 132). The president also introduced a bill on the appointment procedure of the heads of public media. Although this bill was debated in parliament, it was not adopted. Göncz introduced two other bills on appointment procedures, this time for the heads of the Hungarian Post and Telecommunications, but after the political elite heavily attacked these, the president withdrew them (Bakonyi 2005, 7).

President Göncz also frequently appeared at the sessions of the parliamentary assembly during the Antall government, because of his power struggle with the prime minister (Szomszéd 2005, 132). During the Antall government, he appeared in parliament 71 times, in contrast with only 26 appearances during the six years of his remaining career in office (Ibid.). Göncz was also more active in addressing the parliamentary assembly during the Antall government than he was at any other time in his career: he addressed the assembly 22 times in this period, compared to only six times after 1994 (Ibid.).

FERENC MÁDL

Unlike President Göncz, Mádl was not officially affiliated with any party, even before he assumed office. However, he was the candidate of the center-right governing coalition in 2000, and this association still significantly influenced his behavior in office. His partisan affiliation and loyalty was not as strong as was Göncz's, and therefore his relationship with the various cabinets never escalated to bitter conflicts. In the first two years, he was loyal to the value system of the center-right governing coalition between the Hungarian Civic Union (FIDESZ), the MDF, and the Independent Party of Smallholders (FKgP). During that time, president Mádl's statements and activities were never political, and were concerned exclusively with the legality of the issue at hand (Babus 2004, 71–4; Tordai 2000*a*, 2000*b*, 53). He was also very explicit in refusing socialist–liberal (MSZP–SZDSZ) opposition appeals to reconsider government decisions (Babus 2003*a*, 67, 69). After the socialists and liberals came to power in 2002, he became more politically involved and active (MTV 2005). Indeed, while Mádl generally refused to make political statements in public, it was during the politically opposing socialist–liberal government in 2004 that he openly supported, in a letter to the speaker, the center-right's position on the issue of offering double citizenship to Hungarian

minorities living abroad (Szomszéd 2005). This was considered a serious intervention in the everyday politics and was assumed to have occurred on the basis of Mádl's partisan interests (MTV 2005).

The partisan bias of President Mádl was also evident from his use of veto power, which he exercised much more frequently during the tenures of the left-liberal governments of Medgyessy and Gyurcsány than at other times (Szomszéd 2005). During the center-right Orbán government, Mádl vetoed only three pieces of legislation on constitutional grounds and sent one bill back to parliament. The latter was not really a political veto in the strict sense of the word; that is, there was no political disagreement between the parliamentary majority and the president. The bill was returned because of a technical mistake that was made when it was passed (Szomszéd 2005). The three referrals to the Constitutional Court were all made strictly for legal reasons, rather than being based on personal or political convictions (Bitskey and Sonnevend 2005). The Court ruled in favor of the president in all three cases.

During his last three years in office, while facing a politically opposing government, President Mádl vetoed nine laws on constitutional grounds and another five for political reasons. Although the Court found at least some constitutionality problems in all nine cases, it did not always agree with the president. One controversial veto concerned the bill on the protection of depositors and investors from 2004. The bill included a section that would change the leadership structure of the Hungarian Financial Supervisory Authority, which was the main reason why Mádl referred it to the Constitutional Court. The Court did not agree with the concerns of the president, but it deemed the bill unconstitutional due to its failure to satisfactorily regulate the temporary rules. The parliament modified the bill according to the Court's decision and the president signed a revised bill in due course (Bitskey and Sonnevend 2005, 451). This veto was widely considered to be an expression of dissatisfaction with the governing coalition, which often disregarded the president's opinion (Babus 2004, 71–2).

When using his political veto, the president often sided with the opinion of the center-right opposition. For example, Mádl returned to parliament a bill on basic social services, arguing that the bill injured cooperation between partners with regard to churches. With this veto, the president entered a political debate in which both the churches and the political opposition objected to the bill. However, the parliament passed the exact same bill after reconsideration on February 4, 2003, and the president had to promulgate it (Bitskey and Sonnevend

2005, 453–4; Szomszéd 2005, 140). Another serious conflict between the president and the socialist–liberal majority concerned a bill on hospitals that the president vetoed because he opposed the idea of allowing profit-oriented firms to operate hospital beds and related services. The parliament readopted the bill on the same day that the president returned it. This led the president to turn to the Constitutional Court to clarify the essence of political veto: that is, to examine whether or not the parliament could pass a returned bill without a debate (Szomszéd 2005, 140–1). The Court ruled that a returned bill should be debated again so that all parties could voice their opinions, and since this was not the case with the hospital bill, it was annulled. Consequently, the Court strengthened the veto power of the president, which would have become a formality had the actions of the socialist–liberal coalition been upheld (Simon 2006*a*).

Because President Mádl wished not to appear to be an excessively politically active center-right president, he engaged much less in everyday policymaking processes than had Göncz. He refrained from initiating legislation and participated in parliamentary sessions only when required. In terms of foreign policy activism, Mádl, like Göncz, never engaged in debates about international representation when his own party was in power. In 2003, however, disagreement emerged over whether the president or the prime minister should sign Hungary's accession treaty to the EU in Athens. It was the opposition parties' position that Mádl should sign the document, whereas the government argued that it was not his prerogative, pointing out that the NATO accession document had also not been signed by the president. Eventually, it was Prime Minister Medgyessy who went to Athens (Babus 2003*b*, 80).

CONCLUSION

These analyses demonstrate consistent patterns in both presidents' activism levels. Both tended to be more active in the use of their formal and informal powers when facing a politically hostile government and parliamentary majority. As O'Neil (1997, 214) has noted about the Göncz presidency: "the clash between the heads of government and state was not an institutional problem but a political one." This conclusion is echoed by Baylis (1996, 307), who states, "the disputes between Antall and Göncz were virtually preprogrammed" due to their partisan opposition. A similar inference can be made about the Mádl presidency—that power sharing precipitated his activism. The emergence of this pattern of

activism in both presidencies is especially interesting, because it is able to account for the alternative hypothesis. Mádl and Göncz differed in terms of the strength of their partisan affiliations, and the former was more concerned than was the latter with refraining from expressing his partisan preferences strongly. Thus, one can agree that these presidents had relatively different "personalities" or views of the office; however, their leadership patterns are rather similar, lending additional credence to the partisan-based argument. The role of the other elements of the political opportunity framework remains undefined, as in the Estonian case. Hungarian governments have always been based on relatively stable and predictable coalitions and have always controlled comfortable majorities in parliament. A lack of variance on these variables reduces the potential explanatory power they could otherwise have. However, the evidence on the effect of partisan opposition—a central factor in the political opportunity framework—is strikingly unambiguous. Invariance of election methods, coupled with simultaneous variance on the level of presidential activism, calls attention to the need to extend beyond electoral theories to understand intra-executive conflict.

Germany

The German president is elected indirectly by an electoral college, called the Federal Convention, for a five-year term. The Federal Convention consists of the members of the Bundestag (the lower house) and an equal number of members who are elected by the parliaments of the States (Länder) from among their members according to the principle of proportional representation. There are three possible voting rounds in the Federal Convention—in the first two rounds a candidate needs a majority, while in the third round just a plurality of votes is needed to win.

German presidents are generally fairly inactive, although a few exceptions exist. The generally low level of activism corresponds with the expectation that indirectly elected presidents will be more reserved in their use of powers. However, political opportunity framework in Germany also has not been very conducive to presidential activism: German governments are usually strong, the German parliament is not fragmented, and presidents often come from the party of the chancellor or that of the junior coalition partner. The subtle differences in the extent of presidential intervention correspond with the opening up of the political opportunities: presidential activism in Germany, as elsewhere, has frequently been politically motivated and has taken advantage of the

Table 3.3. German postwar governments and the use of presidential powers

President	Time of co-rule	Prime minister	Government parties[a]	Vetoes	President sued or accused for failing to veto
Theodor Heuss	1949–57	Konrad Adenauer	CDU–FDP	(1)[b]	1
	1957–59	Konrad Adenauer	CDU	0	0
Heinrich Lübke	1959–64	Ludwig Erhard	CDU–FDP	1	0
	1964–66	Ludwig Erhard	CDU–FDP	0	0
	1966–69	Kurt Georg Kiesinger	CDU–SPD	0	0
Gustav Heinemann	05–10/1969	Kurt Georg Kiesinger	CDU–SPD	1	0
	10/1969–74	Willy Brandt	SPD[c]–FDP	1	0
Walter Scheel	1974–79	Helmut Schmidt	SPD–FDP	1	2
Karl Carstens	1979–82	Helmut Schmidt	SPD–FDP	0	0
	1982–84	Helmut Kohl	CDU–FDP	0	1
Richard von Weizsäcker	1984–94	Helmut Kohl	CDU[c]–FDP	1	0
Roman Herzog	1994–98	Helmut Kohl	CDU–FDP	0	0
	1998–99	Gerhard Schröder	SPD–Grüne	0	0
Johannes Rau	1999–2004	Gerhard Schröder	SPD–Grüne	0	1

Notes: CDU, Christian Democratic Union (Christlich Demokratische Union); FDP, Free Democratic Party (Freie Demokratische Partei); Grüne, Greens (Bündins 1990/Grüne); SPD, Social Democratic Party (Sozialdemokratische Partei).

[a] The prime minister's party is listed first. The party of the president is underlined.

[b] This is, strictly speaking, not a veto because the Federal Constitutional Court had already written an opinion about the violation of procedural rules when the piece of legislation was passed.

[c] The president acts as an independent in the office.

Sources: Bryde (2003), Database of World Political Leaders http://www.terra.es/personal2/monolith/00index.htm, Müller and Strøm (2000), Scholz and Süskind (2003).

weakness of other institutions. Table 3.3 lists the German presidents and governments for the postwar period, as well as the use of presidential veto powers.

I will concentrate on the tenure of the eight postwar German presidents who have completed their terms (therefore excluding the current President, Horst Köhler, who took office in 2004). The constitution grants presidents several powers, which are similar to the ones in other countries under study. Presidents promulgate the law, and when they refuse to do so they effectively veto legislation. Presidents can use such vetoes on constitutional rather than political grounds (Bauer 2006), that is, when either the substance of the bill or the procedure by which it was adopted is unconstitutional (Jochum 2000). They also have appointment powers: the president appoints and dismisses the federal ministers, the federal judges, the federal civil servants, the officers and noncommissioned officers, and can veto all appointments and dismissals as well. The president also participates in government formation. When the lower house (Bundestag)

is not able to elect a chancellor with an absolute majority, then it is in the discretion of the president as to whether he or she will appoint a minority government or call new elections. Also, if a sitting government loses a vote of confidence but no alternative government has a majority support in the Bundestag, then the president can decide whether to leave the sitting government in office or to call new elections. Finally, the president represents the Federation in its international relations.

These competencies are very broadly defined in the constitution, leaving a lot of room for the president to exercise power when he or she disagrees with the government. Indeed, the use of powers varies across presidents, leaving several authors with the impression that there are "secret" powers of the president that only some presidents know how to use or want to use (Jochum 2000; Scholz and Süskind 2003). I will first concentrate on the use (or nonuse) of the veto power as this tool has probably the most profound consequences to governing, and then briefly also consider other powers. Finally, I summarize evaluations about each postwar president's level of activism in office.

Presidents' use of Powers: Veto, Appointment, International Affairs

All federal laws require the president's signature. If the president refuses to sign a law, he or she lets the parliament know about this in a letter. The parliament may then sue the president in the Constitutional Court for not signing the legislation. So far, no such suit has been brought, even though presidents have refused to sign a few laws (Jochum 2000). Presidential veto has been used five times in all (Bauer 2006; Bryde 2003). Admittedly, the veto use is quite infrequent to infer clear and conclusive patterns about presidential activism.

President Heinemann has been the most frequent veto user: he vetoed two laws dealing with the protection of titles "engineer" and "architect." The vetoes were successful because the legislature abandoned both laws (Scholz and Süskind 2003). President Heinemann was a member of the Social Democratic Party (SPD) when elected and cohabited briefly (for five months) with a CDU–FDP government. His first veto occurred during this brief period of partisan opposition to government. For the rest of his term in office, including the time of his second veto, Heinemann co-governed with an SPD chancellor. However, the law that caused the second veto had been passed by the previous, politically unfriendly government. Thus, in both cases, the expectations of the argument based on the politically opportunity framework were met.

Although his veto use suggests a partisan inclination, Heinemann was not a strong partisan. Rather, he was an opportunist throughout his political career. He had been a member of three different parties: the Christian Democratic Union (CDU), the Gesamtdeutsche Volkspartei, and finally the SPD. In all these parties, he was more than just a member. In the CDU, he had served as the minister of internal affairs; in the Gesamtdeutsche Volkspartei, he was one of the founding members; and, finally, he was also in a leadership position in the SPD. Furthermore, his election was very controversial and he was actually elected in office with the votes of the Free Democratic Party (FDP) (Scholz and Süskind 2003; see also Chapter 5). This frequent party switching suggests that he was not loyal to any single party. Indeed, he considered himself as an independent, nonpartisan president and the SPD often criticized him for being too opinionated (Winter 2004).

Another veto corresponds with the expectations about the effect of favorable political opportunities on activism as it was cast by another nonpartisan president. Von Weizsäcker vetoed a law regarding air traffic controllers on January 22, 1991 (Bauer 2006; Bryde 2003; Oppelland 2001). Both Bundestag and Bundesrat had adopted a law allowing the minister of transportation to create a limited liability corporation for fulfilling air traffic control duties. The measure was adopted in order to pay the controllers a higher salary than that to which ordinary civil servants were entitled (Bryde 2003). Von Weizsäcker claimed that the law was unconstitutional and refused to sign it. As is discussed in more detail below, von Weizsäcker was an independent president, probably the least partisan of all German presidents (Scholz and Süskind 2003), although formally he had belonged to the CDU. Furthermore, von Weizsäcker's time in office corresponded with German unification. This process has been widely regarded as a major challenge to the government as well as parliament, weakening their positions to control the presidents (Winter 2004). A weak (in this case, preoccupied) government and parliament open additional opportunities for presidents to exercise activism.

Needless to say, none of the vetoes came as a surprise; rather, each followed a lengthy debate between political parties, and if no resolution was found, the president served as the final decision-maker. In all cases, presidents gave constitutional reasons for not signing the bills; however, as we see below, many other situations have occurred in which questions of constitutionality could have legitimately been raised, but on which presidents failed to act. Thus, presidents have a significant amount of

leeway in deciding whether or not to use the veto, regardless of a bill's constitutionality or lack thereof.

There are also two vetoes that do not correspond with the exceptions of the model of political opportunity framework. President Lübke used his veto power once during his first term in office. What stands out about Lübke's veto is that he was the first and so far the only president to veto a bill on its substance rather than on procedural grounds—an action which was interpreted as unprecedented presidential activism (Jochum 2000). Lübke was a nonpartisan president during his second term in office when his own party, the CDU, did not want to nominate him for reelection and many CDU members did not vote for him. During that time, Lübke was considered as an explicitly active and political president (Scholz and Süskind 2003). The veto, however, occurred at the time when Lübke was still a CDU president co-governing with a CDU chancellor.

Similarly, President Scheel vetoed a piece of legislation when not facing partisan opposition in government and when both the government and the parliament were strong politically, that is, at the time when the political opportunity framework was not very conducive to presidential activism. The veto was justified on procedural grounds—the bill had not been passed in the upper house (Bundesrat) although states (*Land*) interests were concerned (Bauer 2006; Bryde 2003; Jochum 2000).[5] Further, Theodor Heuss, the first postwar president, did not sign a piece of legislation at a time when political opportunities were not favorable to activism. This, however, was not strictly speaking a veto because the Federal Constitutional Court had already written their opinion about the violation of procedural rules, and Heuss's role was simply to follow the court's decision rather than exercise individual power (Bundesverfassungsgericht 1952).

Political opportunities seemed to have played a role in three out of the five vetoes, but the pattern is not clear. Considering the instances of non-activism, that is, situations where veto use was warranted but presidents chose not to use their powers, provides another opportunity to determine the importance of the political opportunity framework. First, there are cases of formal suits that have been brought to the Constitutional Court by the opposition parties arguing that the president has made an unconstitutional decision by signing a law that he should have vetoed. Table 3.3 lists such cases. Both President Heuss and President

[5] The German upper house, Bundesrat, is composed of the representatives of the *Land* governments. All legislation having to do with land interests has to be passed in both houses of parliament. Several presidents have used their veto because a certain piece of legislation was not sent to Bundesrat, although, according to the president, it should have.

Carstens have been sued: the former for signing a law on Prussian Cultural Foundation—a piece of legislation that the Bundestag had allegedly no right to adopt unilaterally—and the latter for calling for new elections in 1983, in a situation described in more detail below (Jochum 2000). Both Heuss and Carstens had their party in government at the time, and both were strongly partisan presidents who had come to power as a result of coalition support only, rather than being compromise candidates. Neither had an incentive to go against their own party, which is why they may have refrained from activism. These examples illustrate the other side of the opportunity framework's coin: that is, how the lack of political opportunities accounts for presidential non-activism.

In addition to the formal lawsuits, there are other examples of instances where presidents have decided against using a veto despite the apparent unconstitutionality of various procedures. For example, President Scheel signed two such controversial laws (Scholz and Süskind 2003). The first of these concerned changes in mandatory military service requirements, and the other was concerned with educational financial aid. Neither law had been adopted by both houses of parliament, and both bills were therefore later declared unconstitutional. Scheel was strongly partisan, having been a long-term leader of the FDP, and his party was in government. Scheel's partisan sympathies may have caused his restraint even against obvious constitutional problems.

Similarly, President Rau signed an immigration law in 2002 that had been adopted in a very controversial manner. The controversy surrounding the adoption of this piece of legislation was as follows: the SPD did not have enough votes in the Bundesrat (the upper house) to adopt the law. During the official voting, the prime minister of one of the states where the SPD and CDU both governed—an affiliation which meant that the Bundesrat vote of that state would be withheld—said that the state voted for the law. Immediately thereafter, the opposition minister said that the state had not voted for the law. After a couple more questions, the speaker of the Bundesrat asked the opposition minister again what the vote was. To this, the opposition minister replied "you know my opinion." The speaker then said that the prime minister's "yes" vote was the vote that would carry and that the opposition had not voted "no"; the law was then passed, over strong protests by the opposition. Later, the Constitutional Court declared the law void. By promulgating this law, although it had been adopted in a controversial manner, Rau acted in a partisan way and refrained from activism possibly because the opportunity framework offered no incentive for him to do so (Scholz and Süskind 2003).

Although cases of vetoing and explicitly refusing to veto legislation exist, German presidents have overall been fairly inactive in using their legislative powers (Jochum 2000). The same is true about their non-legislative powers. Appointments are rarely refused. President Heuss refused to reappoint a minister from his own party. This was not a political move or a sign of activism; rather, it was a result of personal antagonism and disagreements with the minister (Schwarz 1999). It was also an attempt to keep the ruling coalition together, because the minister in question was seen as responsible for breaking it, leading to the CDU's abandoning the FDP as their partner (Oppelland 2001). Heuss was simply a party political tool for the governing parties, rather than an active office holder. The explicit non-activism regarding appointments, however, reveals a familiar pattern: Scheel refused the resignation of "his" government's minister although the latter wanted to move to the private sector, and Jochum (2000, 23) mentions Carstens as an example of a president who, after 1983, always followed the government's wishes in making appointments and dismissals, no matter how controversial the cases.

Presidents participate in government formation in more direct ways as well. They play a significant role when the Bundestag fails to elect a new chancellor. However, since the German elections normally produce clear-cut results, this power has never really been used.[6] President Lübke is the only exception. As I describe in more detail below, during his second term Lübke attempted to be more active in the cabinet formation process, and openly, though unsuccessfully, pushed for a grand coalition between the SPD and the CDU. In general, however, the clear majorities emerging as a result of most elections do not really offer presidents many opportunities to be active and influential in the process of government formation, even if they attempt to do so.

German presidents have also been relatively inactive in foreign affairs (Jochum 2000). Constitutional lawyers and social scientists have debated continuously as to whether and to what extent presidents even have any authority to determine or influence the foreign policy. In some cases, it has been argued that the chancellor may determine the guidelines for foreign policy only in cooperation with the president. Yet in practice, presidents have no independent say: their foreign affairs staff comes from the ministry of foreign affairs. The absence of an independent advisory

[6] The practice of calling new elections after a vote of no confidence was not achieved has been used and will be discussed below when considering the behavior of individual presidents.

body ensures to a large extent that the president's positions overlap with those of the government (Scholz and Süskind 2003).

Individual Presidents

Considering each presidency in turn helps to further evaluate the extent and causes of presidential activism in Germany. The discussion of presidents' tenure is organized in a chronological order, starting with the first postwar president.

Theodor Heuss has generally been considered as inactive (Jochum 2000; Scholz and Süskind 2003; Schwarz 1999). Recall that he was one of the two presidents who have been sued in the Constitutional Court for failing to act and he generally deferred to government in controversial situations (Oppelland 2001). The only episode of Heuss's activism includes a veto as described above. In general, his presidency was not marked by any controversies. Even Chancellor Adenauer implied in one of his speeches that Heuss did not make much of his presidency (Scholz and Süskind 2003). Indeed, the strength of the government and the chancellor's conviction that the president must be kept out of both policymaking and the cabinet formation process were mostly responsible for Heuss's inactive role in office (Schwarz 1999).

The same is true about President Lübke's first term. He got along well with Chancellor Adenauer, who had hand-picked Lübke as the CDU president (Scholz and Süskind 2003). The situation, however, changed in Lübke's second term, which started with a somewhat controversial reelection. Lübke's own party did not want him to rerun, but the SPD publicly supported Lübke's second term. They calculated that this move—supporting the CDU candidate—might open doors to power for them. Given the SPD support for their candidate, it was difficult for the CDU to select a new one, and Lübke was reelected although several CDU members did not vote for him (Scholz and Süskind 2003). After reelection in 1965 Lübke publicly suggested, to general astonishment, that the SPD and CDU should build a grand coalition (Tagesschau 2004*a*). Attempting to take such an active stance in cabinet formation was unprecedented for German presidents. Furthermore, in taking the active stance Lübke was not neutral, but was instead standing for the interests of the SPD, his new support base. The situation unfolded as follows. A few days before the Bundestag elections in 1965, he announced that he wanted to be a part of cabinet talks. On September 16, 1965, he wrote a letter to the four major parties, stating that since he anticipated that the election results would

lead to unclear power relationships, he would want to talk to all four leaders of the parties. Unfortunately for Lübke, the election resulted in a clear victory for the CDU–FDP coalition, and the president had no choice but to nominate the leader of the CDU, Ludvig Erhard, as the candidate for chancellor. Nevertheless, he later suggested in an interview to a Swiss newspaper that he would consider it good for Germany if the SDP were involved in the government. Erhard then sent a strongly worded letter to Lübke indicating his displeasure (Scholz and Süskind 2003). Lübke's presidency is a good example of how the same person can act quite differently when political circumstances change. During his second term in office, Lübke was sympathetic to the SPD—a party in opposition to the governing parties. It is possible that without the incentive of this political opposition, Lübke's activism in trying to influence the cabinet formation process would not have been so pronounced.

The presidency of Gustav Heinemann has been considered to be fairly active (Jochum 2000). Because of his relative independence from the various parties, he actively portrayed himself as the president of the people. It should be recalled that he was the most active veto user of all the presidents. Heinemann was also the first president to become involved in government formation, calling early elections after Chancellor Brandt failed a vote of no confidence and lacked a parliamentary majority. His motives here were not political, and this act did not constitute a sign of activism, but set a precedent that parties could have their co-partisan presidents follow in order to renew their electoral mandates.

Heinemann's activism remained within the boundaries of the constitution without trying to enlarge his powers. Heinemann influenced politics mostly through his speeches, which were often critical of the government's policies (Tagesschau 2004*a*). His activism was also likely inflated by the fact that the SPD–FDP majority amounted to a few votes only (Scholz and Süskind 2003). Thus, compared to most other German presidents, Heinemann was facing a relatively weak government, which may have played a role in his activism.

The next two German presidents were not particularly active. President Scheel co-governed with a cabinet where his own party was a partner and his relationship with Chancellor Schmidt was good (Scholz and Süskind 2003). Both of these conditions worked against the president's taking an active stance in office, and as we saw, Scheel refrained from activism and followed the interests of the government even in the most controversial cases.

President Carstens continued this line of non-activism at first and many called him conflict-averse (Schwarz 1999). He was of the opinion that the president should always sign all laws, even if there are doubts about their constitutionality (Jochum 2000). Due to this conviction about the role of the president, Carstens' cohabition with an SPD-led government did not cause him to become more active (Oppelland 2001). Rather, things became more eventful when his own party, the CDU, came to power. The SPD–FDP coalition broke in late 1982, and the CDU and FDP built a new coalition in October 1982. The new CDU Chancellor Kohl organized a vote of no confidence on December 17, losing on purpose and then asking Carstens to call new elections (to get even more seats in the parliament). Carstens agreed, acknowledging that this was his most difficult decision. The issue was controversial because it was not clear whether he had the right to call new elections (Jochum 2000). President Carstens justified his decision by referring to a similar decision by President Heinemann in 1972. He also argued that the coalition's intent in calling early elections was not to manipulate the election timing to their advantage, because the results of the new elections were not predictable (Scholz and Süskind 2003). However, his decision provoked the first constitutional complaint ever submitted to the Constitutional Court against the president, lodged by several members of parliament. Eventually, the Court agreed with Carstens (voting 6-2) (Tagesschau 2004*a*). Carsten's behavior was clearly partisan. He was acting as a co-conspirator with Chancellor Kohl, rather than as an independent source of power (Jochum 2000). Just like the Estonian president Rüütel's activities in office, President Carsten's behavior provides an example of how governing parties can use the office of president to their advantage if their co-partisan is the officeholder.

Von Weizsäcker is probably the most well-known president of Germany and one of the most active ones (Deutsche Presse-Agentur 1999*b*). Although he was from the CDU, he often emphasized the independence of presidency and in his statements he tended to stand for public rather than party interests (Oppelland 2001; Scholz and Süskind 2003). This independence made him politically unrelated to any government, including that of the CDU. Indeed, many conservative politicians were very critical of his activism, and he was not on particularly friendly terms with Chancellor Kohl—the latter did not even support his candidacy for president (Scholz and Süskind 2003). Von Weizsäcker did many things without coordinating with the executive branch (Oppelland 2001).

His veto use has already been described. He also actively used so-called "soft power" by making several controversial speeches on hot topics in day-to-day politics, and was often accused of overstepping his constitutional authority (Jochum 2000). His main quest was to unite the German nation, and he started to push this agenda quite strongly, stronger than many in the ruling party would have wanted (Tagesschau 2004*a*). For example, he invited artists from the Germany Democratic Republic (DDR) to be his guests, traveled "privately" to DDR, and was the first politician to officially go there after the fall of the Berlin wall. He also actively supported the move of government from Bonn to Berlin, lobbying behind the scenes and publicly, again drawing accusations that he was exceeding his constitutional powers. The decision to move the capital eventually passed with a very slim margin (Scholz and Süskind 2003).

President von Weizsäcker made other controversial statements and actions as well. In 1992, he publicly criticized political parties. He accused them of being obsessed with power, and suggested implementing measures, such as more intra-party democracy in selection of candidates, open list system elections, and growth in civil society (Jochum 2000). He also pardoned the members of former RAF (Rote Armee Fraktion), who had been convicted of various acts of terrorism—a decision that was widely disapproved of by the governing parties. In later years of his presidency, von Weizsäcker participated in many discussions about various policies, often warning of what he purported to be wrong decisions (Scholz and Süskind 2003). Overall, most of this activism was credited to his independence, although it is possible that the historical circumstances surrounding the unification had an effect as well. These historical events simply posed a great challenge to both parliament and government, who would have been better able to control the president at normal times.

The presidencies of both Roman Herzog and Johannes Rau were relatively calm and uneventful. Both faced strong governments and parliaments and their tenures took place during a period of general domestic and international calm. Herzog became somewhat more vocal during the second part of his tenure, when he was cohabiting with the SPD Chancellor Schröder. He was very outspoken about the need for economic reforms and publicly asked Schröder to take bold steps rather than limiting himself to small reforms ("Reförmchen") (Deutsche Presse-Agentur 1999*d*; Tagesschau 2004*a*). It was quite unusual for the president to give advice to the government (Jochum 2000).

President Rau, on the other hand, was never particularly active in politics (Deutsche Presse-Agentur 2004*b*; Tagesschau 2004*c*). During his presidency, his own party held the chancellorship and controlled a comfortable majority in parliament. Thus, political opportunity framework was not really conducive to activism. His frequent failure to use the veto, as described above, illustrates his explicitly passive approach to the presidency.

Conclusion

German presidents have been relatively inactive, conforming to the expectation regarding indirectly elected presidents. However, the political opportunity framework has not favored activism either. Generally, German governments are strong, formed as a coalition of two parties and controlling stable majorities in parliament. Furthermore, most German presidents have been heavily partisan, yet have faced few instances of cohabitation. Thus, it seems that both the method of election and the non-favorable opportunities serve equally well as the cause of the overall low level of activism. However, we also saw that the level of activism varied across presidents and that sometimes the same president behaved quite differently during different times of his career. The argument based on the method of election does not predict such variance and is not able to account for it. This increase in activism sometimes seemed random but often corresponded with the partisan opposition of presidents to the government and parliament, and at times to the weakness of these other institutions. The active presidents—Heinemann and von Weizsäcker—were not strongly partisan and have often been considered independents, and as such were in opposition to any government. Furthermore, the former faced a government that had only a weak majority in parliament, and the latter faced an overburdened and therefore weak parliament and government. Thus, opportunity framework favored their activism. Changes in the level of activism within the tenure of individual presidents also corresponded to the opening up of political opportunities. President Lübke was noticeably more active during his second term in office, when his partisan sympathies corresponded with that of the opposition. Similarly, President Herzog became more vocal after the government changed from that dominated by his own party to one that was politically opposed to him. There were also several examples demonstrating that presidents who lack this partisan and institutional opportunity framework tend to stay explicitly inactive. Presidents Scheel and Rau are prime examples

of this. Yet the case studies also illustrate that the indirectly elected presidents of Germany cannot be considered as nonactors (see also Scholz and Süskind 2003): they have had significant impacts on the legislative process and public opinion; parties have used them for partisan purposes, and several presidents have attempted to inflate their otherwise limited powers.

Indirectly Elected Presidents Conclusions

The three countries with indirectly elected presidents display a multitude of presidential leadership styles. In terms of cross-country comparison, German presidents tend to be on average less active than their Estonian and Hungarian counterparts. Furthermore, activism also varies across the tenures of different presidents within the same country, and during the tenure of each individual president across time. The argument regarding the relevance of the method of elections is less effective in accounting for these variances, because this argument suggests that presidents who are elected by the same method should behave similarly. According to the model it presents, most indirectly elected presidents should be inactive figureheads. Contrary to this expectation, about one half of the indirectly elected presidents in the three countries discussed have been fairly active.

The argument based on the political opportunity framework, on the other hand, accounts well for the observed variance both within and across these three cases. German presidents may be less active due to the relatively strong government and parliament in this country compared to Estonia and Hungary, as well as the relative scarcity of incidents of cohabitation. However, even in Germany, presidents become more active at times of cohabitation and the weakness of other institutions. The same mechanism is even more evident in the case of Estonia and Hungary, where presidential activism corresponds clearly with a permissive political opportunity framework.

The Activism of Directly Elected Presidents

Poland

The Polish president is elected by popular vote, using a majority runoff system, for a five-year term. Poland has the most nominally powerful presidency among the seven cases under study. Despite this, and despite

the fact that the president is elected directly, there has been considerable variance in the level of activism that has been exercised by different presidents and by individual presidents throughout their tenures. The uncovered leadership pattern follows the argument of political opportunity framework closely: the partisan constellations of government and parliament significantly constrain or facilitate the actual powers of the president. The first president, Lech Wałęsa, remained active and was sometimes even referred to as "hyperactive" (McMenamin 2008), throughout his presidential career. This can largely be explained by the concurrent existence of a fragmented, weak parliament and of weak governments that were politically in opposition to the president (McMenamin 2008; van der Meer Krok-Paszkowska 1999). The direct election in itself did not appear to enhance his influence (see also Baylis 1996, 303). The null effect of the mode of election becomes even more apparent when following the career of the second Polish president, Aleksander Kwazniewski, who at the start of his career was co-governing with a government coalition in which his own party was the senior partner. During this time, the Polish president was rather inactive, behaving as a symbolic head of state (Jasiewicz 1997*a*). Between 1997 and 2001, the situation changed: President Kwazniewski now had to cohabit with a right-wing government, while his party was in the opposition; this was the most politically active period of his career (McMenamin 2008). The last four years of his presidency, after his own party returned to office, were again characterized by relative inactivity and conflict avoidance. Political opportunity framework—most clearly partisan opposition, but also the fragmentation and weakness of other institutions—accounts for the patterns of presidential activism in Poland. Furthermore, because the mode of election remained constant and the nominal powers of the president were stable throughout the period under consideration, these factors cannot account for variance in the level of presidential activism. Table 3.4 reports the presidential vetoes, referrals to the Constitutional Tribunal (CT), and initiatives during the different governments that are considered in the following narrative.

LECH WAŁĘSA—THE HYPERACTIVE PRESIDENT

Lech Wałęsa held the Polish presidential office from 1990 until 1995. As its former leader, he was elected with the help of the right-wing faction of the disintegrating Solidarity (Zubek 1997), an anticommunist social movement originating from a Polish trade union. However, upon

Table 3.4. Polish governments and the use of presidential powers

President	Time of co-rule	Prime minister	Government parties[a]	Number of vetoes	Number of referrals to the CT	Number of legislative initiatives
Lech Wałęsa	1991–06/1992	Olzewski	WAK, PC, PL, PCD	4		
	06/1992–10/1993	Suchocka	UD, WAK, KLD, PL	3		
	10/1993–02/1996	Pawlak/Oleksy	PSL, SLD/SLD, PSL	17	8	
Aleksander Kwasniewski	03/1995–02/1996	Oleksy	PSL, SLD	0	0	0
	02/1996–10/1997	Cimoszewicz	SLD, PSL	0	2	10
	10/1997–06/2000	Buzek	AWS, UW	10	12	10
	06/2000–10/2001	Buzek	AWS (minority)	20	3	16
	10/2001–02/2003	Müller	SLD, PSL	1	3	1
	03/2003–10/2005	Müller	SLD (minority)	4	4	6

Notes: Unfortunately, I was not able to locate systematic data on President Wałęsa's referrals to the Constitutional Tribunal and his legislative initiatives. WAK, Catholic Election Action (Wyborcza Akcja Katolicka); PC, Center Alliance (Porozumienie Centrum); PL, Peasant Alliance (Porozumienie Ludowe); PCD, Party of Christian Democrats (Partia Chrzescijanskich Demokratów); UD, Democratic Union (Unia Demokratyczna); KLD, Liberal Democratic Congress (Kongres Liberalno-Demokratyczny); SLD, Democratic Left Alliance (Sojusz Lewicy Demokraticznej); PSL, Polish Peasant Party (Polski Stronnictwo Ludowe); AWS, Election Action Solidarity of the Right (Akcja Wyborcza Solidarnosc Prawicy); UW, Freedom Union (Unia Wolnosci).

[a] The prime minister's party is listed first. The party of the president is underlined.

Sources: The official website of the Polish president www.prezydent.pl, Müller-Rommel et al. (2004), McMenamin (2008), Millard (2000).

assuming office, he became politically neutral, effectively alienating himself from all partisan forces. At first, Wałęsa became ideologically opposed to the nationalistic, extreme, anticommunist, post-Solidarity Right (van der Meer Krok-Paszkowska 1999). The Right, in turn, became equally disappointed with Wałęsa's policies and conduct in office during the right-wing Olszewski government (Baylis 1996). By 1992, the former allies had become bitter enemies (Jasiewicz 1996; Zubek 1997). After distancing himself from the rightist parties, Wałęsa allied with the post-Solidarity Left, an alliance which was made evident by his push for the appointment of left-wing PSL leader Waldemar Pawlak as prime minister after the Olszewski government fell in 1992 (Jasiewicz 1996). Pawlak failed to rally sufficient support in parliament, and the attempted alliance was unsuccessful. Indeed, with the fall of the Olszewski government, the main political forces became increasingly hostile toward Wałęsa and refused to cooperate with him (Zubek 1997). In addition to the left- and the right-wing successors of the former Solidarity, the trade union also distanced itself from the president, moving toward the political right, and the same was true for most of the Catholic Church leadership (Zubek 1997, 112).

Such alienation was largely Wałęsa's own design. Wałęsa effectively opposed any political forces that disagreed with him, regardless of ideology (McMenamin 2008). His former right-wing ally from Solidarity Lech Kaczynski noted that Wałęsa did not want either faction of the former Solidarity to become a meaningful political force. Instead, he was actively attempting to disintegrate Solidarity even further, because a fragmented party system would allow him to better pursue his ambitions as an active president (Kurski 1992). The extremely fragmented parliament that resulted from the 1991 elections, with the strongest party controlling only about 13.5 percent of the seats, has been identified as Wałęsa's ideal parliament (Jasiewicz 1996). After the 1993 parliamentary election, Wałęsa had no party base at all. Rather, he claimed to represent the 30 percent of voters who voted for the parties that did not get into parliament (van der Meer Krok-Paszkowska 1999). In sum, no matter which government Wałęsa was facing, he was opposed to it politically—a condition that fuelled his activism in office.

The central powers of the Polish president at the time Wałęsa held office were similar to those of the previously discussed indirectly elected presidents: (1) the right to initiate legislation; (2) the right to veto legislation passed in Sejm (although the veto could be overridden by a 2/3 majority); (3) the right to send laws for a review of their constitutionality by the Constitutional Tribunal (when his veto had been overridden); (4) the right to

nominate the prime minister, the president of the National Bank, and the chief justice of the Supreme Court for appointment by the Sejm; (5) the right to appoint judges; (6) the right to convene and preside over meetings of the Council of Ministers; and, under some restricted circumstances, (7) the power to dissolve the parliament. Additionally, the president was the commander-in-chief of the armed forces and shared responsibility for international affairs with the government (Jasiewicz 1996). President Wałęsa did not hesitate to use, and sometimes overuse, his nomination/appointment powers, constitutional and political veto, legislative powers, and even his right to dissolve parliament (or to threaten such a dissolution) in order to get his way.

The first two governments formed from the democratically elected Sejm, with whom Wałęsa had to share executive powers, were fragile right-wing coalitions (see Table 3.4). Given this fact, it was relatively easy for Wałęsa to establish his influence, because he had no effective opposition either in the weak governments or in the fragmented parliament. He therefore spent this time engaging in political activism to promote his own preferences, rather than blocking government initiatives. Indeed, if one examines the main indicator of activism that I have focused on above—use of the presidential veto—then Wałęsa's first years in office seem rather inactive. During the first two governments, Wałęsa used his veto power only 7 times, compared to 17 times during his two last years in office.[7] Relying solely on his use of veto power to indicate activism, however, is misleading. Wałęsa had much more effective strategies for asserting his power when facing a weak government and parliament. As McMenamin (2008) points out, it was during the first half of his career that Wałęsa was at his most aggressive and hyperactive.

The first democratically elected government, presided by Prime Minister Jan Olszewski, lasted for only 24 weeks. It was supported by the right wing of the former Solidarity movement, now a political rival of the president. The president was most eager to exercise his power in the area of defense and internal security, ambitions that more often than not led to conflict with the government (McMenamin 2008; Millard 1994). The issue became contentious under the Olszewski government, due to that government's active decommunization campaign; there was particular controversy regarding the personnel policies undertaken by the Ministry of Defense and the armed forces (Jasiewicz 1996). The campaign was

[7] Unfortunately, I was not able to locate systematic data on the number of Wałęsa's referrals to the Constitutional Tribunal early in his tenure.

received with considerable discontent by the general public (Baylis 1996) and was also opposed by the president, who tried to thwart it by asserting his prerogatives to coordinate the defense policy. Given the hostile government confronting the president, he chose not to negotiate; instead, he took an activist approach, using his right to initiate legislation (van der Meer Krok-Paszkowska 1999). This only fuelled antagonism between the government and the president, but it did not stop the aggressive decommunization policies that had been initiated by the former (Jasiewicz 1997*a*). After five months of conflict, the government fell following a vote of no confidence. The opposition proposed the confidence vote, and the president eagerly supported it, both publicly and in a letter to the Speaker of the Sejm. Although Wałęsa had no power to call for the dismissal of the government, he is widely credited with bringing down the Olszewski cabinet, and his activism during those five months is seen as having been instrumental in stopping the destructive decommunization efforts of the right-wing coalition (Jasiewicz 1997*a*; van der Meer Krok-Paszkowska 1999).

Wałęsa's relations with the second right-wing coalition, presided by Hanna Suchocka ended less dramatically, but were also dominated by a hyperactive president. With unstable support in parliament, the prime minister posed weak opposition to the ambitious president. It was through ministerial appointments that Wałęsa asserted and solidified his dominance during this government. He controlled the appointments of the ministers of defense, internal affairs, and foreign affairs, and sought to extend his influence even further by vetoing the appointment of the minister of cultural affairs (van der Meer Krok-Paszkowska 1999). Suchocka complained in an interview that she essentially had to apply to the president in order to reshuffle cabinet members (quoted in van der Meer Krok-Paszkowska 1999, 181). Wałęsa's assertion of power through appointments did not stop at the cabinet level. He also appointed the chairperson of the National Broadcasting Company without obtaining a countersignature from the prime minister or approval by the parliament (van der Meer Krok-Paszkowska 1999). The government was forced to accept this nomination, again submitting to presidential domination. It has been acknowledged that the president's actual power and degree of political activism increased substantially during the Suchocka cabinet (Wiatr 1993). The fragile government was eventually brought down by a vote of no confidence (Jasiewicz 1997*a*), providing Wałęsa with an opportunity to dissolve the parliament and call elections.

The 1993 elections were held under a new electoral law that was passed by parliament just days before it was dissolved. The goal of this new electoral law was to decrease the consistently extreme fragmentation in the Sejm in an attempt to build a more stable party system. The law served its desired purpose, and the number of parties in the Sejm was reduced significantly. The left-wing governing coalition that was formed after the election was based on a large and stable majority in parliament. This also changed the strategic situation for the president, as he was no longer able to advance his preferences single-handedly.

It was at this time that Wałęsa began to actively utilize blocking tactics. As previously stated, most of his political vetoes and all of his referrals to the Constitutional Tribunal occurred during the period of the left-wing government that was presided by Waldemar Pawlak and later briefly by Jozef Oleksy. During 1994 and 1995, Wałęsa vetoed 17 pieces of legislation. Increasingly, these vetoes were seen as having explicit political motivation (see, e.g., Polish Press Agency 1994, 1995*a*), rather than justifications based on constitutionality or quality of the legislation. This is also evident from the increasing frequency with which the parliament overran presidential vetoes, and the frequency with which the president turned to the Constitutional Tribunal. He referred legislation to the Tribunal eight times, and was often disappointed by their decision in turn. Wałęsa's successor, Aleksander Kwazniewski, matched his presidential activism in the use of vetoes only during a period of cohabitation with the Solidarity-led government in 1997–2001.

At the same time, Wałęsa also continued more or less successfully with his "divide and rule" tactics, taking advantage of the contentious relationships between the Polish Peasant Party (PSL) and its senior coalition partner, the Democratic Left Alliance (SLD). By allying with Prime Minister Pawlak (PSL), Wałęsa was able to push through a number of his preferred executive appointments. When the SLD leadership became frustrated with Pawlak, and he became less cooperative as a result, Wałęsa resorted to drastic measures. The president's active use of veto power led the majority coalition to threaten him with impeachment frequently. The president responded by threatening to find a way to dissolve the Sejm. One moment of contention occurred when the president vetoed the penal code that regulated abortion. He made it clear to the Sejm that should his veto be overturned, he would still refuse to sign the law, which would have left parliament with no other option but to initiate an impeachment process. Ultimately, the Sejm failed to override the presidential veto and

thereby avoided the development of a more serious conflict (Jasiewicz 1997*a*; van der Meer Krok-Paszkowska 1999).

Following this incident, the relationship between the politically opposed president and government did not ease. Wałęsa sent several laws that had been adopted by parliament to the Constitutional Tribunal, claiming that they were unconstitutional. These included the tax law and the law on state salaries, both of which affected the budget and therefore jeopardized its adoption. Wałęsa justified this behavior with his stated belief that the governing coalition, with its economic, fiscal, and social policies, was trying to derail the country from the course of economic reforms. The Sejm majority and the governing coalition grew increasingly frustrated with the president, and discussions were held again with various parties in parliament regarding possible impeachment of the president. At the same time, the president had his own trump card in his pocket: if the budget could not be adopted in time, the constitution allowed the president to dissolve the parliament. Wałęsa, of course, explicitly threatened the ruling coalition that he would use that option. A "compromise" solution to this standoff was the replacement of the prime minister. By that time, Wałęsa had realized that Pawlak provided no help in getting his preferred ministerial appointments, and the SLD leadership had realized that Pawlak, in his prior dealings with the president, had often been disloyal to the coalition (Jasiewicz 1997*a*; van der Meer Krok-Paszkowska 1999). This facilitated an agreement that the prime minister would be removed from office and replaced by an SLD member, Jozef Oleksy, the Speaker of the Sejm. The new government was in power for too brief of a period before the end of Wałęsa's tenure for major controversies to emerge.

Wałęsa's presidency, as we have observed, was characterized by significant conflicts. Of course, conflict in itself is not sign of activism because a president can be active without creating conflict. However, the existence of conflict usually indicates that one side had overstepped its powers, that is, deviated from its expected behavior. In the case of Wałęsa, conflict was clearly a symptom of his hyperactivism, as has been recognized by several observers and analysts (Jasiewicz 1997*a*; McMenamin 2008; van der Meer Krok-Paszkowska 1999). One can quite confidently say that his interventionist behavior, especially in executive appointments and legislative processes, caused conflict with the governing coalition and the Sejm majority. Wałęsa's activism was also clearly fuelled by the weakness of the other institutions—the government and the parliament—and by

his uniform opposition to all governing parties. As the analysis above illustrates, Wałęsa exploited these institutional weaknesses. At the same time, he did not justify his activism through the legitimacy that might be derived from having a direct popular mandate. To be sure, he identified occasions of broad public discontent and acted upon them, but so did some indirectly elected presidents discussed in the first half of the chapter, most notably President Meri of Estonia. A sense of inflated legitimacy does not seem to have been responsible for his high level of activism in any explicit manner.

ALEKSANDER KWASNIEWSKI—A PRESIDENT WITH MIXED LEADERSHIP STYLE

President Kwasniewski's level of activism was more varied than Wałęsa's. He served as the president for two consecutive terms, from 1995 through 2005. Despite nominally dropping his party membership after taking office, Kwasniewski was widely recognized as a partisan president (McMenamin 2008; van der Meer Krok-Paszkowska 1999). He remained closely allied with the SLD (Millard 2000; Szczerbiak 2001) and did not hesitate to "exercise power to the benefit of the left" (McMenamin 2008, 6). This was also evident from media coverage of his presidency: the left-wing press lauded his success as president, whereas the right-wing media outlets became increasingly critical (Polish News Bulletin July 25, 1996). If he were a president who truly stood above parties, such systematic discrepancy in coverage would not occur. His partisan interaction with the government and parliamentary majority also shaped his activism in office. For four years of his career, from 1997 through 2001, Kwasniewski governed with a politically opposed government and parliamentary majority; this has typically been recognized as the most active time of his presidency (Jasiewicz 1997*a*; McMenamin 2008; van der Meer Krok-Paszkowska 1999). The active period was preceded by a rather tranquil, cooperative presidency at the time when his party, the SLD, was in power. His party was again in power during his last four years of his presidency, and Kwasniewski resumed an inactive role. However, the government was weaker this time, especially since March 2003 when the PSL withdrew from the coalition and the SLD formed a minority government. This triggered presidential activism—possibly to secure his party's interests in policymaking. However, his level of activism in this period never reached the level observed from 1997 through 2001. Kwasniewski's presidency is thus another excellent illustration of the importance of

partisan configuration in the executive and legislative branches in determining the level of presidential activism. The mode of election by itself cannot account for this variance across time in the presidential style of governance.

Kwasniewski began his presidential career when the SLD was the largest party in the Sejm and also the senior governing party. The arrangement of political opportunity framework predicted a weak and inactive presidency because there was no partisan opposition between the president and the government, and the president's party dominated both the government and the parliament. This framework was stable until the parliamentary elections in 1997 and indeed resulted in a relatively weak and inactive presidency (Jasiewicz 1997*a*). During the first two years of his career, Kwasniewski referred only two pieces of legislation to the Constitutional Tribunal (Millard 2000). He never used a political veto, although he threatened to do so a few times to keep the SLD's coalition partner, the PSL, under control (van der Meer Krok-Paszkowska 1999). As we shall see, this is in stark contrast to his behavior when his party did not control the government. Furthermore, he also deferred to the governing coalition for all administrative and ministerial appointments, even in the case of the so-called presidential ministries: foreign affairs, internal affairs, and defense (Jasiewicz 1997*b*). Most curiously, when Kwasniewski took office, the sitting prime minister (his co-partisan, Oleksy) was under investigation for accusations that he had served as a Soviet spy (van der Meer Krok-Paszkowska 1999). Kwasniewski, however, completely ignored the invitation to participate in solving this affair. He maintained a very low profile (Jasiewicz 1997*a*), rather than being an active and authoritative arbiter as was perhaps expected from a nonpartisan head of state. During these early consensual years of his presidency, Kwasniewski also used the power of legislative initiative sparingly and without any aim to reinforce his position or oppose that of the governing coalition (van der Meer Krok-Paszkowska 1999).

This state of tranquility changed in 1997 when a new right-wing governing coalition, consisting of the Solidarity Election Action (AWS) and Freedom Union (UW), was formed. This period of cohabitation lasted for four years and shattered the image of Kwasniewski as a consensual and passive president. The same year also brought about constitutional changes, somewhat curbing presidential powers. The most relevant changes for current purposes concerned the presidential veto: the threshold for overruling the veto was lowered from 2/3 to 3/5, and the president lost the right to use a political veto on budget bills (although he

or she could refer the budget to the Constitutional Tribunal). Additionally, the president lost power over the appointment of the "presidential" ministers of defense, internal affairs, and foreign affairs, but increased his appointment powers with regard to judicial and administrative positions, as well as the position of chief of staff (Millard 2000; van der Meer Krok-Paszkowska 1999). However, these changes are not substantial enough to greatly alter the functioning of the presidency.

Given the first two years of a rather passive approach to the presidency, most people, including the new right-wing governing coalition, expected the president to remain largely detached from daily politics. Anticipating presidential inaction, the governing coalition even reduced the budget of his office (Millard 2000). The coalition, however, soon realized that they could not ignore the president (Szczerbiak 2001), especially because the right-wing majority in the parliament was not large enough to counter presidential vetoes. The political opportunity framework had changed completely—not only was there partisan opposition between the president and the government, but the government majority was also weak. Starting in June 2000, the UW withdrew from the coalition, leaving the government with no majority at all. Under this condition, the model of political opportunity framework predicts increased presidential activism, which was, indeed, the case.

The president started to actively use his appointment powers, take legislative initiatives, and exercise his veto power (see Table 3.4). For example, the president rejected the coalition's attempt to remove all ambassadors associated with the SLD by refusing to dismiss them. He used other obstructionist tactics, such as delaying the nomination of the chairperson of the Constitutional Tribunal and refusing the prime minister's dismissal of the Minister of Internal Affairs (Millard 2000, 54). Veto use was at its all-time high during these four years of cohabitation: Kwasniewski used a political veto 30 times and referred legislation to the Constitutional Tribunal 15 times. The same numbers during the six years of his presidency when he faced a politically friendly government and parliament were only 5 and 9 , respectively. Because the small parliamentary majority controlled by the center-right governing coalition between 1997 and 2001 made it difficult to muster super-majorities for veto overrides, the president was also rather effective in influencing political processes through veto use: altogether, 17 of his vetoes were successful (McMenamin 2008).

Kwasniewski's use of the veto was often partisan in nature, which does not allow for the argument that increased veto use was the result of the low quality of bills passed in parliament. For example, by vetoing a new

law on the pension privileges of former military and police personnel in 1997, Kwasniewski "protected the interests of the SLD constituency" (Jasiewicz and Gebethner 1998, 503). Similarly, by vetoing the deletion of compulsory sex education from the law regulating abortion, he satisfied "left-of-center public sentiment" (Ibid.). Sometimes just a threat to use the presidential veto was enough to achieve the SLD preferences. The administrative–territorial reform to reduce the number of local governments is a prime example. When the reforms were prepared in 1998, the SLD and the president did not raise any objections to the proposals put forth (Jasiewicz 1999). However, as the public debate unfolded in 1999, the SLD saw the opportunity to gain popular support in provinces that, according to the new plan, would have been merged (Millard 2000). The president and his party thus opposed reducing the number of provinces to 12 and instead argued for 17 provinces (East European Constitutional Review 1998*b*). The president threatened to veto the reform legislation if the number of provinces was left at 12. Eventually, an agreement was made between the governing coalition and the SLD to increase the number of provinces to 15. Presidential veto and derailment of the reform were thereby avoided. Analysts saw the debate over the number of provinces as "nothing but a political tug-of-war," as neither side made any substantive arguments (Jasiewicz 1999, 492). This incident illustrates well how partisan opposition can trigger presidential activism even over relatively insignificant issues.

President Kwasniewski was also active in making legislative initiatives. During the four years of cohabitation, he made 27 initiatives; this is in stark contrast to only 17 initiatives made during the six years when he faced politically friendly governments. By using this power, Kwasniewski became, to a certain extent, an agenda-setter for the government, who felt intimidated by his proposals in the areas that the government would previously have addressed. For example, many of Kwasniewski's proposals included legislation required by the new 1997 constitution (Millard 2000). In several cases, the urgency of the legislation and the threat of presidential veto led to compromise between the coalition and the SLD, again proving that presidential activism effectively advanced the interests of the president's party.

In 2001, the center-right government was replaced once again by a coalition between the SLD and PSL. With the presidential party controlling nearly half of the seats in parliament, the governing coalition enjoyed a comfortable majority. These conditions favored presidential inactivity, and Kwasniewski once again resumed his role as a figurehead president.

The number of vetoes, presidential initiatives, and referrals to the Constitutional Tribunal were marginal during this time (see Table 3.4), and no major intra-executive controversies emerged. The situation changed slightly in March of 2003, when the PSL withdrew from the coalition and the SLD was left without a majority in parliament. It is not surprising that the more active use of the presidential veto, referral, and initiative powers is concentrated within these two years of weak government.

Overall, Kwasniewski's presidency underlines the importance of political antagonism and cohabitation in provoking presidential activism. Partisan opposition between the president and government coincided with government weakness, while the absence of opposition coincided with a strong government and parliament—conditions that, according to the model of political opportunity framework, should affect the level of presidential activism. In the case of Kwasniewski, they clearly did. His leadership pattern, with its waxing and waning levels of activism, equally undermines the theory of the election method, which identifies the extent of popular legitimacy instilled in the office by direct elections as the sole cause of inter-institutional rivalry. Indeed, as Kwasniewski's tranquility during the SLD rule both preceded and succeeded his active years of cohabitation, even a directly elected president can take a back seat and become a symbolic head of state if partisan circumstances permit.[8]

CONCLUSION

Presidential activism in Poland has followed a clearly identifiable pattern: presidents are more active when they are faced with particular political opportunity framework, including partisan opposition in government, weak cabinets, and fragmented parliaments. Wałęsa, operating without a party basis, was in opposition to all parties. Also, he was often faced with weak and fragmented cabinets and parliaments, and he skillfully induced further fragmentation to consolidate his power. Wałęsa, therefore, remained active throughout his tenure as the president, strategically trying to muster allies and play coalition partners against each other in order to get his way.

[8] Most of the analysis on Poland concentrated on presidential activism in internal affairs. As for foreign affairs, the goal of westward integration was shared by all political forces, which eliminated policy-based conflict in this sphere (McMenamin 2008). Furthermore, unlike in some of the other countries under study, there was tacit agreement over the president's and the prime minister's roles in foreign relations (Ibid.). Within their spheres of influence, both Wałęsa and Kwasniewski remained active and successful ambassadors of their country (Jasiewicz 1997*a*).

The level of political activism of President Kwasniewski waxed and waned according to whether his party was in government. The first and last years of his presidency were characterized by passive behavior; he operated as a weak president, deferring to the co-partisan prime minister and the government. These years corresponded to the times when the governments were unified and controlled a comfortable majority in parliament—conditions curbing presidential opportunities for activism. In contrast was the middle period, when his party was in opposition and he was facing a weak government with only a slim majority (or, later, no majority) in parliament. Sandwiched between periods of inactivity were the years that Kwasniewski forcefully defended his party's position by actively using his legislative, veto, and appointment powers. Although both presidents were directly elected, neither president stressed their popular legitimacy as a basis for activism. If actual constitutional powers, a "direct mandate," or the personality of the president dictated their level of activism, such different levels of activism, especially exhibited by the same president, would be less likely.

Austria

The Austrian president is directly elected by the people, in a majority runoff election, for a six-year term. Contrary to the expectations of the legitimacy-based argument, several authors have pointed out that Austrian presidents have been almost uniformly passive in office. It is generally accepted that the Austrian president is "strong only on paper" (Sartori 1997, 106). Several authors have even rejected classifying Austria as a semi-presidential regime, despite Austria's direct presidential elections, because the presidents do not use their constitutional powers (Duverger 1980; Linz 1994; Müller 1992; Stepan and Skach 1993). These authors, however, rarely investigate why this is the case. The analysis below reveals that much of this pattern can be explained by the absence of partisan conflict between the president and the government and parliamentary majority, as well as the existence of strong governments and low partisan fragmentation. The Austrian case not only invalidates the hypothesis that direct elections automatically instill a duty for more activism in the officeholder but also illustrates the mechanics of the theory of political opportunity framework put forward in this study. Table 3.5 lists the Austrian presidents and governments for the postwar period. Although Austrian presidents have veto powers, they have never been used, which is why there is no additional data to report in that table.

Table 3.5. Austrian postwar governments and presidents

President	Time of co-rule	Prime minister	Government parties[a]
Theodor Körner	1949–53	Figl	ÖVP-SPÖ
	1953–56	Raab	ÖVP-SPÖ
	1956–59	Raab	ÖVP-SPÖ
Adolf Schärf	1957–59	Raab	ÖVP-SPÖ
	1959–62	Gorbach	ÖVP-SPÖ
Franz Jonas	1963–65	Klaus	ÖVP-SPÖ
	1964–65	Klaus	ÖVP
	1966–70	Kreisky	SPÖ
	1970–71	Kreisky	SPÖ
	1971–75	Kreisky	SPÖ
Rudolf Kirchschläger	1975–79	Kreisky	SPÖ
	1979–83	Sinowatz	SPÖ-FPÖ
	1983–86	Vranitzky	SPÖ-FPÖ
Kurt Waldheim	1986–86	Vranitzky	SPÖ-FPÖ
	1986–90	Vranitzky	SPÖ-ÖVP
	1990–94	Vranitzky	SPÖ-ÖVP
Thomas Klesitl	1992–94	Vranitzky	SPÖ-ÖVP
	1994–95	Vranitzky	SPÖ-ÖVP
	1996–97	Vranitzky	SPÖ-ÖVP
	1997–2000	Klima	SPÖ-ÖVP
	2000–07	Schlüssel	ÖVP- FPÖ

Notes: ÖVP, Austrian People's Party (Österreichische Volkspartei); SPÖ, Social Democratic Party of Austria (Sozialdemokratische Partei Österreichs); FPÖ, Freedom Party of Austria (Freiheitliche Partei Österreichs).

[a] The prime minister's party is listed first. The party of the president is underlined.

Sources: Müller (1999), Müller and Strøm (2000).

I will concentrate on the tenure of the seven postwar Austrian presidents who have completed their terms,[9] that is, excluding current President Heinz Fischer, who has held office since 2004. The constitution grants the president several powers, yet the use of these powers has been relatively reserved. First, several rather extensive powers have never been used during the postwar period. No president has dismissed the chancellor or the government without a proposal, nor dismissed the parliament and called for new elections (Müller 1999). Similar to the other presidents considered thus far, the Austrian head of state also has the right to promulgate laws and to verify the constitutional enactment of federal laws. In practice, however, the president does not verify the constitutionality of the contents of legislation, but only whether the law-making process has been constitutional (Korniek 1990). The latter has always been strictly observed, which is why no president has refused to sign a law (Wehlan 1997).

[9] The one exception to this is President Schärf, who died in office after two years of service.

Not surprisingly, a similar level of inactivity characterizes the Austrian presidents' use of their appointment powers. Most importantly, the president has the right to appoint the chancellor, and at the latter's proposal, the entire government. The president cannot, however, appoint a government that does not have a parliamentary majority. This restricts their room to maneuver considerably. Still, the formation of government is the role in which Austrian presidents have been the most active, yet their impact has never been substantive. As Müller (1999, 29–34) has shown, most of the coalitions formed would have been the same with or without presidential intervention. In addition to government, the president also appoints high-level civil servants, judges, and military officers. Instead of actively exercising their powers, presidents have delegated many of these appointment responsibilities to the government (Müller 1999, 36). Even when the presidents have retained the power to appoint, the government's nominations have rarely been refused.

The Austrian constitution also gives the president a role in international representation and vests in him the role of commander-in-chief. Presidents have generally been well informed on both foreign affairs and defense matters. However, concerning actual representation in international meetings or decisions regarding the military, they have not exercised much influence (Müller 1999). Overall, one must agree with Müller's conclusion (1999, 23) that although there have been "fine variations in the weight and impact of the presidency over time," the general pattern has been that of an inactive presidency.

What accounts for such a prevailing pattern of presidential inactivism and general deference to the government of the day? It certainly cannot be the mode of election; that theory would predict the opposite, that is, active presidents, regardless of other factors. Indeed, looking further back into the history of Austrian presidents undermines the legitimacy-based argument even more. Before the World War II and directly afterward, Austrian presidents were elected indirectly in parliament. It is only since 1951 that they have been directly elected. However, the activism pattern shows an opposite trend. According to the analysis of Müller (1999), presidents were more active during the interwar period making use of such powers as the dismissal of government. Directly elected postwar presidents, however, have been considerably more reserved, as we have seen.

The model of political opportunity framework offers a more plausible explanation for the observed pattern. It directs our attention to

the political variables. Indeed, the Austrian system has witnessed only a few and very brief spells of cohabitation. The president's party has almost always been in government. The only exceptions are a short four-year period in the late sixties during the presidency of Franz Jonas and one year (1986–87) during the presidency of Kurt Waldheim. At the same time, Austrian presidents have always been partisan. This is fostered by a very restrictive nomination procedure for presidential candidates, effectively blocking any possibility of nonpartisan nominations (Müller 1999). All seven presidents under consideration were partisan nominations, and most of them were active partisans before taking the presidential office. Adolf Schärf (1963–65), for example, served as the president of the SPÖ for years. Franz Jonas (1965–74) was also in the SPÖ leadership for 15 years prior to becoming president (Gutschner 1995), as was Theodor Körner (1951–57) (Gerlich 1995). The only exception was Kurt Waldheim who, although being nominated by ÖVP and ideologically sympathetic to it, was not a member of the party (Müller 1999). Given no "independent" presidents and no partisan friction between the president and the government, there is a decreased incentive for presidential activism. Combining this with strong, unified governments and parliaments, the opportunities for presidential activism are further reduced. For most of the postwar period, Austria has been ruled by a grand coalition of the two major parties: the SPÖ and ÖVP—the president has come from one of these two parties. There have been no unstable coalitions and there has been only one brief period of minority government rule. On average, there have been as few as 3.4 parties in parliament at any given time. These conditions seriously restrict the opportunities for activism.

The few exceptions to the general pattern of presidential inactivism in Austria reinforce this conclusion and help to further illustrate the importance of partisan variables in determining the actual powers of the president. First, the little activism actually exercised by Austrian presidents has been mostly partisan. For example, although presidents have generally deferred to the government's appointments, President Jonas refused to appoint the government's nomination for the president of the administrative court and the ambassador to West Germany (Müller 1999). This occurred at the time of ÖVP single party majority government, and Jonas was an SPÖ president—one of the rare spells of partisan conflict between the offices. After ÖVP single party rule, President Jonas appointed a single party SPÖ government that did not have a majority in parliament, rather than seeking to advance negotiations between SPÖ and ÖVP to form the

usual grand coalition. It was the first and only minority government in postwar Austria (Müller 1999).

Other presidents who played an active role in the government formation process did so, at least to a certain extent, to secure their partisan interests. Socialist Presidents Körner and Schärf both pushed for a grand coalition between their own party and the ÖVP against the preference of the latter, which wanted to form a right-wing coalition with the small League of Independents (VdU) (Duverger 1980; Heinrich and Welan 1991; Müller 1999). In 1953, before coalition negotiations began, President Körner stated that he preferred a grand coalition. In addition to this statement, he also interfered in the negotiation process when the ÖVP tried to include the VdU (Gerlich 1995). This would have reduced the share of cabinet posts allocated to Körner's own party, plus the VdU was ideologically very distant from the SPÖ. Furthermore, allowing the VdU into government would have been taking one step closer to accepting the possibility of a right-wing cabinet, which in the future might have excluded the SPÖ (Müller 1999). The stakes for Körner to interfere were therefore quite high. Körner argued in a public statement that the VdU was not a suitable coalition partner because of its appeal to protest voters and former Nazis, and insisted that he would not appoint a government that included the VdU (Kollmann 1973).

In 1959, when Schärf was president, the scenario repeated itself. The ÖVP was in a position to form the government because they controlled the most seats in parliament. The ÖVP leader suggested considering the inclusion of FPÖ (the successor of VdU) in the coalition, but President Schärf sharply refused, referring to the preelectoral coalition agreement between his party and the ÖVP (Müller 1995). Quite ironically, in the 1962–63 coalition negotiations, President Schärf had already stated that he would not refuse to include any parliamentary parties from coalition negotiations (Piringer 1982). Of course, by then, an SPÖ–FPÖ coalition, leaving out ÖVP, had become a feasible alternative (Müller 1999). Similarly, in 1986 President Waldheim (ÖVP) declared that he would not appoint any government except the grand coalition, although the formateur party, SPÖ, was also considering a coalition with the FPÖ (Müller 1992).

It has also been argued that President Klestil, who has been considered one of the most active presidents (Müller 1999), acted in favor of ÖVP interests (Fallend 1999) during his first term in office. Klestil was more reluctant to sign off on the government's proposals for appointments, especially if they were from the opposing party (Müller 1999). He

also exercised unprecedented activism in foreign policy—questioning the Socialist prime minister's right to represent Austria in European matters and claiming instead that it was a presidential responsibility (Fallend 1999). The SPÖ won that battle. During his second term in office, Klestil distanced himself from his party (Annus 2005). His reelection bid had been supported by a broad coalition and he became essentially nonpartisan in office (Fallend 1999). After his reelection, he became more concerned with broader public interest rather than narrow party interests. This is why he stayed active during his second term, despite the fact that "his" party was the senior partner in the governing coalition. For example, he actively intervened in government formation. After the general election in 1999, the ÖVP wanted to form a coalition with the ideologically close FPÖ. However, because of the radical nature of the latter, such coalition was not favored by the general public at home and was also frowned upon abroad. Given this, Klestil was reluctant to swear in the proposed coalition (Fallend 2000). Instead, he put pressure on both the ÖVP and the SPÖ to reconcile their differences and save the country's image by forming a grand coalition. The ÖVP resisted because such a coalition would have been costly to them in terms of cabinet posts and ideological positions, and because they were tired of serving as the junior partner with the SPÖ (Fallend 2000). Thus, clearly, Klestil's activism was not in favor of his former party. Rather, identification with the broader national and international discontent was the driving force behind his active involvement in cabinet-building. Eventually, Klestil gave in and the ÖVP formed a coalition with the FPÖ. Yet even after conceding on the general idea of the coalition between these parties, Klestil still made use of his constitutional powers and refused to appoint two ministers proposed by the FPÖ (Cohen 2000). Overall, while there was never open confrontation and Müller (1999) concludes that Klestil did not deviate much from the general pattern of inactivism, the partisan dynamics underlying the spells of activism are clearly visible and telling.

The Austrian case illustrates how the direct election of a president in and of itself has no significant effect on presidential activism. Here, all directly elected presidents have been relatively passive. Indeed, even the indirectly elected presidents in Austria during the interwar period were more active than the postwar directly elected ones. The relative inactivism of presidents corresponds with the lack of partisan difference between the office of the president and the government (and parliamentary majority), as well as with the strength of other institutions. Presidents in Austria have been overwhelmingly partisan, but since their interests could be

effectively exercised by government, where they had representation, there was no need for active intervention. The few occasions where presidents have been politically active were when their party was not in government or when it was necessary to protect the position of their party against the coalition partner. In sum, the Austrian case corresponds well with the model of political opportunity framework and illustrates the importance of partisan variables in determining presidential activism.

Ireland

The Irish presidents are elected by direct popular vote, using an alternative vote method. The term of Irish presidents lasts for seven years and the same person can be reelected in direct popular elections for two consecutive terms. Like their Austrian counterparts, Irish presidents are generally considered to be relatively inactive. Irish governments are stable and strong, and parliamentary fragmentation is low. Thus, like in Austria, the political opportunity framework has not been conducive to presidential political activity. However, in Ireland, the pattern of presidential activism is much more varied across time, culminating with the hyperactive presidency of Mary Robinson (1990–97). The variance in the level of activism among earlier presidents corresponds more or less to the partisan pattern. However, the overall level of activism remained rather low, because although each of those presidents were partisan, they often gained office as a result of a compromise or a deal struck between parties before the election. This removed competitiveness from most of the elections (see Chapter 5) and diminished the presidents' incentives for active intervention. President Robinson, however, was the first truly independent president emerging from a highly competitive election. This reinforced her activism and refusal to comply with governments of any configuration if they opposed her preferred course of action (Gallagher 1999; Laver 1998). In what follows, I will first give an overview of the use of powers by presidents who held office before 1990, and then I will concentrate on the presidency of Mary Robinson. Table 3.6 lists the Irish presidents and governments, as well as the frequency of presidential bill referrals to the Supreme Court.

THE RELATIVE NON-ACTIVISM OF POSTWAR PRESIDENTS

The Irish president has two main powers and a few additional powers. The first main power is the right to refuse to dissolve parliament if the advice to do so comes from a taoiseach (the prime minister) who no longer has a

Table 3.6. Irish postwar governments and the use of presidential powers

President	Time of co-rule	Prime minister	Government parties[a]	Number of referrals to the SC
Seán T. O'Kelly	1957–59	De Valera	FF	0
Eamon de Valera	1959–61	Lemass	FF	1
	1961–65	Lemass	FF	0
	1965–69	Lemass	FF (minority)	0
	1969–73	Lynch	FF	0
Erskine Childers	1973–74	Cosgrave	FG–LAB	0
Cearbhall Ó Dálaigh	1974–76	Cosgrave	FG–LAB	2
Patrick Hillery	1976–77	Cosgrave	FG–LAB	0
	1977–79	Lynch	FF	0
	1979–81	Haughey	FF	0
	1981–82	FitzGerald	FG–LAB	1
	1982–82	Haughey	FF (minority)	0
	1982–87	FitzGerald	FG–LAB	2
	1987–89	Haughey	FF	0
	1989–90	Haughey	FF–PD	0
Mary Robinson	1990–92	Haughey	FF–PD	0
	1992–93	Reynolds	FF–PD	1
	1993–94	Reynolds	FF–LAB	0
	1994–97	Bruton	FG–LAB–DL	3

Notes: FF, Fianna Fail (Soldiers of Destiny); FG, Fine Gael (Family of the Irish); LP, Labour Party; PD, Progressive Democrats; DL, Democratic Left.

[a] The prime minister's party is listed first. The party of the president is underlined.

Sources: Casey (2000), Gallagher (1999), Müller and Strøm (2000), parties and elections in Europe at http://www.parties-and-elections.de.

majority in the Dáil. In practice, no president has refused to dissolve the parliament on a taoiseach's request even if the latter no longer controlled a majority (Casey 2000; Gallagher 1988, 1999). The power is not entirely abandoned, however, and could be used to great effect. Mary Robinson threatened to use this power, which prompted the taoiseach not to seek dissolution in the first place.

The second main power has to do with the promulgation of legislation. All bills passed in the legislature have to be signed by the president in order to become law. The president may, however, refer a bill to the Supreme Court for a judgment on its constitutionality. The use of this power most clearly distinguishes between the activism of different presidents in Ireland. The most active user of this prerogative was President Robinson, who referred a total of four bills to the Supreme Court. Before that, this power had been used only six times in the postwar era. In all cases of bill referrals, the president was either nonpartisan or faced a government of a different party (Casey 2000), corresponding well to the expectations of the arguments of political opportunity framework.

The best known and most controversial bill referrals were the ones made by Ó Dálaigh, a Fianna Fail (FF) president who faced a Fine Gael (FG) government throughout his tenure. It was his second referral, that of the Emergency Powers Bill, that cost him his position. The relationship between the president and the government deteriorated right from the start (Gallagher 1988). Duverger (1980, 169) suggests outright that "the conflict between president and government arose because they were opposed to each other politically." Indeed, according to the constitution, the government was obliged to keep the president informed on both domestic and international affairs. However, by the time the second referral occurred, Taoiseach Liam Cosgrave had paid the president only four visits in two years to keep the president up to date (Gallagher 1988). Furthermore, the government had refused to allow the president to travel to Northern Ireland to deliver a lecture (the constitution requires that the president cannot leave the country without the permission of the government). In 1976, after the president referred the security bill to the Supreme Court, the Minister of Defense described the president's decision as "a thundering disgrace" (Gallagher 1999, 119) and accused him of not standing "behind the state" (Gallagher 1988, 82). The government tried to temper the situation by stating that this was just the opinion of one minister and not shared by the whole government. However, the taoiseach also did not insist on ministerial resignation. President Ó Dálaigh considered the defense minister's apology to be insufficient and declared that their relationship had been damaged irreparably (Gallagher 1988). He then decided to resign.

The most frequent referrer of bills to the Supreme Court before President Robinson was Patrick Hillery. During his tenure as the president (1976–90), he had to work with six different governments, three of which were ideologically opposed to him. It is not surprising that all of his referrals occurred during the time of his tenure when he was facing partisan opposition in government (Casey 2000).

Gallagher (1999) and Ward (1994) document other behind the scenes cases where political tensions arose between presidents and governments of opposite partisan affiliation. It is not necessarily the president himself but rather his party that may attempt to use the office for partisan purposes, thereby inducing more presidential activism. In January of 1982, the coalition government between FG and LP headed by Taoiseach FitzGerald was defeated on a vote of no confidence and FitzGerald asked the president to dissolve the parliament. However, since the coalition no longer controlled a majority in the Dáil, the leadership of FF (President

Hillery's party) wanted to prevent dissolution and new elections; they did this with the hope that a new coalition including their party could be formed (Ward 1994, 290–1). The president decided to grant the dissolution, despite strong pressure from his own party. This example illustrates well both how and why partisan opposition may trigger presidential activism.

It is not always the case, however, that presidents who face partisan opposition in government and who are motivated to become active can actually do so. The strength of other institutions can curb that activism. For example, President Childers, facing a ruling coalition that was politically opposed to him, planned to put the powers of the office into more active use. The strong and unified FG–LP coalition government, however, explicitly discouraged him to do so by shutting down several of his initiatives (Ward 1994, 316). In distress, he eventually "contemplated resigning in frustration just a few weeks after his election" (Gallagher 1999, 119).

In sum, the small amount of activism by different Irish presidents has been driven by partisan interests. However, there have also been periods of cohabitation where no activism occurred (see Table 3.6), making partisan opposition a necessary, but not a sufficient condition for presidential activism in Ireland. The strength of governments and parliaments is likely to have preserved conditions of low activism. As was the case in Austria, the Irish cabinets have been relatively strong one-party governments or two-party coalitions, and the parliament has been dominated by three major parties. There have been two occasions of minority government in Ireland during the period under study (Table 3.6). In both cases, however, these were formed by the president's party, which reduced presidential incentive to test the strength of that institution. Weaker governments and parliaments may have generated more opportunities for presidential activism.

THE PRESIDENCY OF MARY ROBINSON

The 1990 presidential election, when Mary Robinson was running for office, was the first truly competitive presidential election in Ireland. The Labor Party (LP) and the Democratic Party nominated Robinson, but she was not a partisan candidate and she conveyed her independence in every possible way. During her campaign, she was outspoken on her willingness to confront the government while in office. She was quoted as saying that she could bravely tell the taoiseach to back off if necessary because she was

directly elected and he had not been (Siggins 1997, 157). As Gallagher (1999, 120) notes, "once in office, governments of all complexion had occasion to be unhappy with her actions." The general impression at her election, one largely proven correct later, was that she was not a conventional party politician (Laver 1998) and that her views might lead to "a political clash" with different governments (Siggins 1997, 147).

When in office, Robinson followed through with her promise of activism that caused headaches to governments of any composition. Her activism was visible in her use of the two main powers of the Irish president (as described above), as well as in other ways. For example, Robinson is the only president whose threat to refuse to dissolve the parliament led to any serious consequences. In November of 1994, the coalition government of the FF and LP collapsed, and the latter wanted to call for a no confidence motion in parliament. Robinson made it clear that she would refuse the dissolution should the confidence vote be taken and dissolution be requested. As a result, the taoiseach resigned without seeking a dissolution, which led to a change of government without an election the first time in Irish history (Gallagher 1999). The LP coalesced with former opposition parties to form a new government (Garry 1995). As Gallagher (1999) concludes, this incident clearly established presidential power in deciding dissolutions. Until then, presidents had been expected to always follow the taoiseach's request.

Robinson was also active in her veto use, employing it with an unprecedented frequency—four times during one term, more often than any prior president. She vetoed the legislation of different governments, confirming that she had no particular partisan sympathies but only her personal convictions. Furthermore, these vetoes were not just over technicalities; they concerned politically controversial issues that had divided the Irish society for several years, such as divorce and abortion. Her first veto in 1993, for example, was over the Matrimonial Home Bill, which the government used as the key preparatory legislation for a referendum on the issue of divorce (Kennedy 1993). It attempted to regulate property rights, a subject on which a previous attempt at referendum had been derailed six years before. The Supreme Court found that the legislation violated the constitution, causing "embarrassment" to the government (Magee and Haughey 1994). Another source called the Supreme Court decision "a fatal blow" to the government (Kennedy 1994). Again, this suggests the great political significance of this piece of legislation and the important consequences of the president's decision to send it to the Supreme Court. Robinson remained vocal about the issue and was accused

in several accounts of overstepping her powers by advocating one side of the issue at the time of the referendum (Gwynn 1995).

Another bill that President Robinson referred to the Supreme Court related to the issue of legalizing abortion. She did so because the bill had become politically controversial and because different sides of the debate had actually expressed concerns about its constitutionality (De Breadun 1995). Thus, again, Robinson was not acting in the interest of any party. The Abortion Information bill was declared constitutional, but the president continued to play an important role in the abortion debate. Robinson came out forcefully in support of liberalizing abortion laws, addressing various women's groups and the public on the issue (Siggins 1997, 177).

In addition to using the veto and parliamentary dissolution powers, President Robinson was also active in other areas, such as foreign policy. Her activities regarding Northern Ireland are especially notable. She made repeated visits to Northern Ireland in an attempt to help the peace process. One of her first fallouts with the government resulted from one of her visits to the region. In 1993, she visited Northern Ireland against the wishes of the government (Gallagher 1999). Not only that, she also shook hands with Gerry Adams, the leader of the Sinn Fein, which was associated with the Irish Republican Army (Siggins 1997). The latter was engaged in violence in the area at the time. The trip and especially the handshake caused outrage from the government (Duignan 1995; Siggins 1997, 169). Another incident that caused tensions occurred in 1995, when President Robinson sided with the Northern Ireland unionists, expressing concerns over an agreement between the British and Irish governments (Siggins 1997, 170–1). Gallagher (1999, 120) interprets this mostly as tension between Robinson and the leadership of the LP, who were not pleased with her emphasis on being independent rather than being in favor of the LP.

Robinson became engaged in foreign affairs beyond those concerning Northern Ireland, especially toward the end of her tenure. She drew attention to the need for Ireland, as well as the international community, to give international aid to areas of extreme poverty (Siggins 1997, 196). She often traveled to these areas across the world. The governments of the day tried to block her activism. They could easily do so because, according to the constitution, the president can leave the country only when allowed by the government. In 1993, for example, the government refused to grant President Robinson permission to participate in a group established to discuss the future of the UN (Gallagher 1999, 120). Siggins (1997, 158)

reports that during her first year in office, "there was a question-mark over an early trip to London, when it was confirmed that she would meet British Prime Minister John Major," among other cases of restrictions on her foreign travel.

Robinson was also the first president to articulate something resembling her own policy agenda. Substantively, of course, all she could do about the issues she raised was increase awareness about them and direct the government's attention to these issues, but her contribution cannot be discounted. She was rather successful in raising awareness. Indeed, she addressed the Dáil twice during her career. The constitution gives the president the power to address a message to the nation or to parliament on any matter of public importance. Before Mary Robinson became president, this power had been used only once—by President de Valera on the 50th anniversary of the first Dáil, a speech which was not really directed to particular issues (O'Regan 1997). In her first speech, Robinson spoke about emigration, unemployment, the changing role of women, and the importance of community organizations (O'Regan 1997). All of these were concerns she voiced often in community visits throughout her career. The main topic of her second address followed along similar lines and concerned the Irish diaspora (Siggins 1997, 188). By doing so, she weighed in on a topic of great concern to the Irish at home and abroad. Indeed, her address came at the time the government planned to hold a referendum on the voting rights of the Irish abroad (Siggins 1997, 188). Her message was an attempt to influence policy debate on this issue. Again, she had intervened symbolically, but with a potentially significant impact on the burning issues of the day. Her outspokenness on issues often generated additional tensions with the government (Siggins 1997, 158), which began to block her plans by denying her, for example, the opportunity to deliver a lecture on the BBC (O'Regan 1997).

The Irish presidency illustrates a familiar pattern. Presidential activism escalates with partisan opposition in government and parliament. The role of other political opportunity framework—the strength of institutions—is less clear as there has been little variance in this strength. Several examples from the careers of Irish presidents illustrate how and why partisan opposition can lead to greater activism and how the strength of other institutions might constrain it. The story of Mary Robinson's presidency provides an informative account of how the political independence of the president can become a great source of activism due to lack of partisan sympathies with governments of any composition.

Fluctuation in the level of activism among Irish presidents across time is another manifestation of the inadequacy of the theory that claims the mode of election as the main impetus for the extent of presidential engagement in day-to-day politics. At the same time, hyperactive President Mary Robinson was also the one who referred at least once to her direct mandate as a potential source of authority. It remains unclear, however, to what extent she actually acted upon this mandate, and whether she would have been less active had she not been directly elected.

Directly Elected Presidents Conclusions

The three countries with directly elected presidents present anything but a unified pattern of leadership styles. There is variance across, as well as within, countries in their extent of presidential activism. Presidents have exercised different leadership styles at different times of their careers. This diversity is inconsistent with the expectations derived from the legitimacy-based argument of presidential activism. If the mode of election mattered, presidents in Austria, Ireland, and Poland should have been equally active and remained so throughout their careers. Yet, as these case studies clearly illustrate, directly elected presidents can be active, but they can also be inactive figureheads. In all three cases, variance in the level of activism has been, at least to a certain extent, related to political opportunity framework. The strongest support seems to be for the explanation that partisan opposition between the president and government is the source of activism. However, in all cases, the strength of other institutions—for example, unified governments enjoying comfortable majorities or non-fragmented parliaments—played an important role in deterring or facilitating presidents in exercising their activism. As such, the finding here corroborates the conclusion reached above about indirectly elected presidents. The next chapter will take a comparative approach to bring together the case study evidence. It will also analyze the case of Slovakia—a country that changed the mode of presidential election from indirect to direct. Systematic comparisons and the experiment allow conclusions about the strength of competing arguments for presidential activism to be further generalized.

4

To Elect or to Select?

The case studies in the previous chapter provide evidence in support of the model of political opportunity framework and illustrate its causal mechanisms, but allow only suggestive conclusions about the deficiency of using the mode of election to explain presidential activism. This chapter will concentrate on testing the effect of the election method more directly. First, the Slovakian case allows for observing whether change in the mode of election precipitates a change toward a more active presidency. Second, focused comparison of paired countries, where one uses direct and the other indirect presidential elections, provides another opportunity for drawing inferences about the explanatory power of the mode of election. Such comparison also allows the consideration of potential alternative explanations of presidential activism put forward in scholarly literature and policy debates—a topic to be tackled at the end of this chapter.

Slovakia

Slovakia is perhaps the most interesting case for my current research purposes. It provides a "natural experiment" because the country used indirect presidential elections until 1999, when it switched to direct elections. The first Slovakian president, Michal Kovác, was elected by the parliament. The second president, Rudolf Schuster, and the current president, Ivan Gašparovič, were elected by popular vote. Comparing the first indirectly elected president to his directly elected successors within the same country helps to uncover whether the change in the mode of election itself precipitated change in the level of presidential activism. If it is true that direct elections provide a president with a direct mandate and legitimacy to act, then we should find that the directly

elected presidents were relatively more active than the indirectly elected ones.

As we shall see, however, this was not the case in Slovakia. If anything, the first president was one of the most active among his counterparts in Eastern European countries. President Kovác was engaged in an intensive power struggle with Prime Minister Mečiar throughout his career. He even succeeded in removing the prime minister from office—a very rare move among the type of heads of state under study. Traditional arguments about the relevance of the mode of election in presidential activism would certainly not predict such behavior from an indirectly elected head of state. As the analysis below shows, presidential activism in Slovakia did not increase after direct elections were introduced. Rather, it decreased or it transformed into less confrontational tactics.

While the mode of election seems not to have affected the activism of Slovakian presidents, political opportunity framework significantly constrained their incentives and chances for interference in governance matters. Partisan opposition with the cabinet corresponded to activism among both the indirectly and directly elected presidents. Weak governments and fragmented parliaments escalated this activism, while relatively strong governments and parliaments curbed presidential activism. This echoes the case study findings and even more forcefully suggests that, rather than the mode of election, disagreements based on partisan or policy preferences should be the center of attention when trying to understand intra-executive relations in parliamentary systems.[1]

Table 4.1 presents for Slovakia the systematic data gathered for all of the cases above: the information about presidents and governments as well as about the presidents' veto use. The Slovakian case, however, offers rich additional material for observing presidential activism and the resulting intra-executive conflict. Given this, I have supplemented the usual focus on the select (numerical) indicators of activism, such as frequency of veto use, with a vivid narrative to better convey the president's role in

[1] Moldova offers another "natural experiment." Here, the change occurred in the opposite direction: Moldova changed from direct to indirect presidential elections in 2000 while keeping the constitutional powers of the president more or less in tact (Venice Commission 2000). Roper (2008) provides a detailed account of the consequences that this change has on the actual power of presidents. The study concludes that (1) the indirectly elected president is more influential than the directly elected ones has been and (2) the increase in president's power can be explained by changes in the party system. These conclusions provide additional, independent evidence in support of the arguments developed in this book about the relative irrelevance of the method of election and the importance of the political opportunities in determining the actual power of presidents in parliamentary systems.

Table 4.1. Slovakian governments and the use of presidential powers

President	Time of co-rule	Prime minister	Government parties[a]	Number of vetoes	Number of referrals to constitutional Court
Michal Kovác	01/1993–03/1993	Mečiar	HZSD, SNS		11
	03/1993–11/1993	Mečiar	HZSD (minority)		
	11/1993–03/1994	Mečiar	HZSD, SNS		
	03/1994–12/1994	Moravcik	SDL, KDH, ADSR, DUS, NDS		0
	12/1994–10/1998	Mečiar	HZDS, SNS, ZRS		11
Rudolf Schuster	05/1999–09/2002	Dzurinda	SDK, SDL, SOP, SMK	68	
	09/2002–05/2004	Dzurinda	KDH, ANO	30	
Ivan Gašparovič	04/2004–06/2006	Dzurinda	KDH, ANO	30	

Notes: HZDS, Movement for a Democratic Slovakia (Hnutie za Demokraticke Slovensko); SNS, Slovak National Party (Slovenská Národná Strana); SDL, Party of the Democratic Left (Slovenská Národná Strana); KDH, Christian Democratic Movement (Krestansko-Demokraticke Hnutie); ADSR, Alliance of Democrats of the Slovak Republic (Aliancia Demokratov Slovenskej Republiky); DUS, Democratic Union of Slovakia (Demokratická Únia Slovenska); NDS, National Democratic Party (Narodno-demokraticka Strana); ZRS, Association of Workers of Slovakia (Zdruzenie zu Robotnikoy Slovenska); SDK, Slovak Democratic Coalition (Slovenska Demokraticka Koalicia); SOP, Party of Civic Understanding (Strana Obcianskeho Porozumenia); SMK, Hungarian Coalition/Hungarian Christian Democratic Movement (Strana Madarskej Koalície/Magyar Koalíció Pártija); ANO, Alliance of the New Citizen (Aliancie Nového Obcana).

[a] The prime minister's party is listed first. The three presidents have not identified with any governing party.

Sources: Müller-Rommel et al. (2004), Malová and Rybář (2008), the Office of the President of the Republic of Slovakia at www.prezident.sk.

the Slovakian political system. In terms of constitutional powers, the prominent indices of presidential power deem Slovakian presidents as powerful as those in Estonia, Austria, and Ireland; and according to Siaroff (2003), in Hungary also. More specifically, the indirectly elected presidents in Slovakia had the power to refuse promulgating legislation and return it to parliament (political veto), a decision that the parliament could overrule with a simple majority. The president could also send legislation to the Constitutional Court for judicial review (constitutional veto). Additionally, the president could preside over cabinet meetings and participate in parliamentary meetings. In 1999, when the constitution was changed to require direct elections of the head of state, these two prerogatives were abolished, thereby decreasing the president's nominal powers. However, veto override was made tougher—the parliament now required an absolute majority to do so, an amendment that increased presidential power. Thus, on balance, presidential powers remained relatively similar to those of the indirectly elected presidents (Malová and Rybář 2008) and the powers of the Slovakian presidents are comparable to those in the previous case studies. Like in other countries, Slovakian presidents,

both indirectly and directly elected, possessed representational functions in international affairs.

The Indirectly Elected President Michal Kovác

Indirectly elected Slovakian president Michal Kovác was the most active and visible president in the country and probably in the whole region of Central and Eastern Europe. Slovakian politics between 1993 and 1998 were largely defined by conflict between President Kovác and Prime Minister Mečiar (Haughton 2005). Kovác was elected to the presidency by the parliament in February of 1993. The constitution at the time required that, for a candidate to be elected, he or she must be supported by 3/5 of MPs. The governing coalition was formed between Mečiar's Movement for a Democratic Slovakia (HZDS) and the Slovak National Party (SNS), with Mečiar as the prime minister. Together these parties controlled about 60 percent of parliamentary seats, but not enough to push through their preferred presidential candidate Roman Kovác, who was seen as Mečiar's puppet by opposition parties (CTK National News Wire 1993*e*). The coalition then put forward the candidacy of Michal Kovác (no relationship with Roman Kovác), who was also a member of the HZDS at the time, but was (correctly) perceived as independent of Mečiar (Henderson 2002).

After being elected, President Kovác suspended his party membership in more than just name; he actually broke ties with his former party (Malová and Rybář 2008). President Kovác took an explicitly nonpartisan approach to the presidency, declaring himself the president of all Slovaks and filling his office with advisors from all parties (Haughton 2005). Instead of following any particular ideological preferences, he identified with broad public interest, especially with its discontent (Baylis 1996, 298). He sought to use the presidency as a tool for addressing the ills of the nation, without fearing confrontation with the government, parliament, or other organizations that he believed were acting against national interests (Baylis 1996, 308). His often repeated stance as the president of all people was seen as the main reason why his relationship with Prime Minister Mečiar deteriorated so quickly and to such an extent (Haughton 2005).

Less than a year after taking office, President Kovác landed in a bitter clash with the prime minister—a conflict that came to characterize Slovak politics throughout his tenure (Malová and Rybář 2008). In October of 1993, Kovác refused to appoint the prime minister's nomination for Minister of Privatization, Ivan Lexa (Henderson 2002, 43). The president claimed that Lexa, a close ally of Mečiar, was not suitable for the job

because of potential past corruption in privatization deals (East European Constitutional Review 1998*a*). Before this veto, Kovác had already shown reluctance to approve Mečiar's dismissal of two officials (Baylis 1996, 307). The combination of these events infuriated Mečiar and deepened antagonism between the two executives (Goldman 1999).

At the same time, Mečiar's coalition, as well as his own party, were in serious trouble. For a brief period in 1993, the SNS pulled out of the coalition, leaving Mečiar presiding over a minority government (see Table 4.1). The SNS returned to government, but both the HZDS and SNS split internally, and by February of 1994 the parliament was in deadlock (Henderson 2002, 43). A weak government and parliament allowed the president to play a more active role. The gridlock in government and parliament was finally broken by President Kovác's highly critical "state of the nation" speech, which accused the prime minister of governing autocratically and called for reconciliation (Baylis 1996, 308). Following the speech, an MP from the Christian Democratic Movement (KDH) proposed a no confidence vote for the prime minister and Mečiar resigned (Henderson 2002, 43), blaming president Kovác for the vote. Indeed, several observers also credit Kovác for the government's resignation and consider it a sign of an unprecedented level of activism (Baylis 1996). After all, it is quite rare that the head of state can rid himself or herself of an unfavorable prime minister. A short-lived government, consisting of opposition parties, followed the removal of Mečiar. However, Mečiar was back in power after his party's victory in a general election in September of 1994.

After Mečiar took office at the end of 1994, his conflict with the president resumed. In December, Kovác refused to approve legislation related to privatization; he sent it back to parliament, where it was subsequently readopted. President Kovác then exercised his constitutional veto power and referred the legislation to the Constitutional Court, which found the legislation unconstitutional (Goldman 1999). The relationship between Mečiar and Kovác then escalated into a state resembling war. The HZSD-led majority in parliament tried to use all possible means, including impeachment, to remove the president from office (Malová and Rybář 2008). The impeachment failed because there was not enough support among MPs, and there were large-scale public demonstrations in support of President Kovác both in Bratislava and in his hometown of Kosice (Goldman 1999, 72).

Following the impeachment attempt, Mečiar used somewhat ugly tactics to intimidate President Kovác. The latter was denied access to public television for delivering speeches on the anniversary of the end of World

War II and for urging people to participate in a referendum on NATO membership (Commission on Security and Cooperation in Europe 1997; Goldman 1999). Furthermore, the parliament voted to take away the president's role as head of the armed forces (East European Constitutional Review 1998*a*) and the right to appoint personnel for the media (Haughton 2005). The budget of the president was reduced considerably and his staff was reduced to only three by 1997 (Haughton 2005, 86).

The most dramatic events took place in the summer of 1995, when President Kovác's son was abducted, intoxicated, and left in his car in a small Austrian town just across the Slovakian border. Henderson (2002, 45) reports, "the conduct of the Slovak police enquiry into the abduction soon led to grave suspicions of government and secret service complicity in the abduction." Curiously, in April of 1996, the key witness in the abduction case was killed when his car exploded. Opposition leaders claimed that this was the first political murder in Slovakia (Henderson 2002, 46). The government's role in the abduction case has never been conclusively proven, but the fact that Mečiar, during his time as an interim president (the role he assumed in 1998 when the parliament failed to elect a successor to Kovác), granted amnesty to those connected with the kidnapping of Kovác's son certainly suggested its involvement (East European Constitutional Review 1998*a*).

Despite these attempts at intimidation, President Kovác continued his active role in determining the political course of the country. Kovác made extensive use of both the political and constitutional veto (Goldman 1999; Kollar, Meseznikov, and Nicholson 1999); he did so despite parliament's efforts to obstruct his ability by delivering the official versions of its laws as late as possible and by reducing his resources, as stated above. The political veto, however, remained a rather weak statement because a simple majority, which the government controlled, could easily overturn it. Kovác's use of the constitutional veto, however, increased throughout his career (Kollar, Meseznikov, and Nicholson 1999) and it was together with the Constitutional Court that he was able to influence the outcomes of government decision-making (Malová and Rybář 2008).[2]

Kovác's relationship with Mečiar remained confrontational until the end of his term in office. He remained vocal in criticizing the latter's style of governing and the cabinet's policies. Kovác had become a watchdog against any institutional encroachment by the government, even if these did not directly concern his office and powers (Deegan-Krause 2006).

[2] Unfortunately, systematic hard data on Kovác's use of veto power are not available.

Mečiar, in turn, continued to seek ways to get rid of the embarrassingly active president, calling for presidential resignation on every possible occasion. Mečiar's position, however, was not as strong as he would have liked. The governing coalition was fragile and faced several crises due to disagreements with the smaller coalition partners, the SNS and the Association of Workers of Slovakia (ZRS) (Haughton 2005). Noting the government's policy failures and increased authoritarianism, Kovác responded with repeated calls for Mečiar's resignation (East European Constitutional Review 1997). In sum, despite lacking direct popular legitimacy, Kovác became a very active president. He effectively countered Mečiar's attempts to concentrate power and derail Slovakian democracy. His political opposition to Mečiar and the general weakness of the government and the parliament benefited this cause.

Kovác's term expired in March of 1998. However, the fragmented and polarized parliament was unable to elect a successor for almost a year, despite several attempts. Taking advantage of this standstill, Mečiar assumed a number of presidential powers. The constitution gave him the right to do so, although there was a general understanding that these powers were only to be used in the case of emergency. Mečiar put several of these presidential powers into use within 48 hours of obtaining them (Henderson 2002). Some of his first actions as temporary head of state included: granting amnesty to anyone involved in abducting President Kovác's son, wrecking the NATO membership referendum in 1997, and recalling a number of ambassadors appointed by President Kovác. It has been argued that this brief period of Mečiar's unfettered reign helps to best understand President Kovác's significant influence and power in the governance of the country (Haughton 2005).

Directly Elected Presidents: Rudolf Schuster and Ivan Gašparovič

The 1998 national election resulted in a decisive majority for the parties opposing Mečiar and ended the constitutional crisis after the country had gone without a head of state for almost a year. The new government controlled enough seats in parliament to implement a constitutional amendment that introduced direct election of the president. In addition to changing the mode of election, presidential powers were also modified. The president was no longer allowed to preside over cabinet meetings or participate in parliamentary meetings without an invitation from the MPs (Malová and Rybář 2008). Only Mečiar had used these powers when he declared himself an interim president. Therefore, this

did not substantially influence the nature of the presidency (Ibid.). At the same time, the presidential political veto power was increased somewhat. A simple majority was no longer enough for the parliament to override presidential vetoes; it now required an absolute majority of all deputies (Ibid.).

Despite the fact that the president is now directly elected, relations within the executive branch improved considerably and have never again escalated to conflicts comparable to those between Kovác and Mečiar. Both President Schuster and President Gašparovič maintained generally cooperative relationships with the parliament and the government (Kollar, Meseznikov, and Nicholson 2001). Both presidents have generally complied with prime ministerial proposals to appoint and dismiss ministers, with the exception of one case where Schuster refused to appoint the prime minister to run the Ministry of Interior (Malová and Rybář 2008). Although both presidents used political vetoes rather frequently, they never petitioned the Constitutional Court regarding the constitutionality of laws (Kollar, Meseznikov, and Nicholson 2001)—a pattern opposite to that of President Kovác's. Such an increase in compliance is contrary to the expectations of the hypothesis that direct elections make presidents more independent and active due to their direct popular mandate.

The relatively cooperative atmosphere, however, does not mean that the directly elected presidents did not exercise any activism. Indeed, both presidents faced governments of different partisan affiliation than themselves, which led to frequent policy conflict. For example, although President Schuster suspended his membership in the Party of Civic Understanding (SOP)—a junior coalition partner—upon taking office, he established ties with a left-leaning opposition party (Smer) during his time in office (Malová and Rybář 2008). Schuster made repeated attempts to increase both his influence in policymaking and his powers in general. He stressed that Slovakia needed a state doctrine—a document he would help formulate that would delineate the long-term vision of the country (Ibid.) Schuster also tried several times throughout his career to initiate roundtable talks or general consultations between all major political parties and interest groups, but his attempts met with little enthusiasm from the parties. In 2001, when a new constitutional reform was prepared, Schuster tried unsuccessfully to increase his veto powers, proposing a more stringent majority for overriding his veto. Again, the presidential initiative did not generate much enthusiasm from either the ruling coalition or the opposition (Ibid.).

Schuster was also very active in using his political veto, which he used mostly for partisan reasons, especially toward the end of his career. As a cause and consequence of his association with the left-leaning Smer, Schuster took special interest in influencing social policy. In his "state of the nation" address, as well as in other public appearances, he criticized the government's liberal economic and social policies. He also exercised his political veto primarily on social policy legislation (Malová and Rybář 2008). While he had mostly vetoed legislation for technical reasons early in his career, Schuster began using his veto more often to object to the content and aims of the legislation (Ibid.). His focus on social issues—a concern of the opposition leftist parties—and his vetoes of legislation based on content rather than procedure, suggest partisan bias in his veto usage.

Gašparovič largely continued this pattern of veto usage. Generalizations about his presidency are more difficult to make because he took office so recently. However, by 2006, he had already used the political veto 30 times (see Table 4.1). Gašparovič had been a member of HZDS. However, before the presidential election, he defected from it and formed a new party called Movement for Democracy (HZD). The left-leaning Smer also supported his nomination and bid for the presidency. Gašparovič kept close association with these two opposition parties. He even agreed to be the "honorary chairman" of the HZD while in office. Thus, like Schuster, Gašparovič was not politically neutral but was instead associated with political forces opposing the governing coalition. Like Schuster, Gašparovič also criticized the right-wing government's social and economic policies (Malová and Rybář 2008). His use of political vetoes has been equally partisan—favoring the interests of left-wing parties Smer and HZD. For example, consistent with the interests of these parties, he vetoed an attempt for partial privatization of health care services and a whole package of legislation related to health care reform (Ibid.).

Although some sources claim that President Schuster was very active in the international arena (Kollar and Meseznikov 2005), there is no definite evidence of this. Rather, there was a tacit agreement between the presidents and the prime ministers on representing the country in major international summits, such as accession to the EU in Athens or negotiations on the EU Constitutional Treaty in Nice (Malová and Rybář 2008). The activism of these presidents seems to have been mostly restricted to domestic affairs, and to have been precipitated by partisan politics and ideological preferences rather than by the presidents' direct mandate.

Contrary to Mečiar's governments, both Dzurinda cabinets (1998–2002 and 2002–06) were internally strong and controlled comfortable majorities in parliament—conditions that worked toward curbing the general level of presidential activism.

Conclusion

Several important conclusions can be drawn from the Slovakian case. First, the mode of election did not seem to influence the level of activism of Slovakian presidents. President Kovác was not deterred from actively interfering in domestic politics just because he did not have a direct mandate. At the same time, the levels of activism of the directly elected presidents, Schuster and Gašparovič, never escalated to the same level as that of President Kovác, despite the fact that these presidents could have rightfully claimed to act on their mandate. The historic circumstances of Kovác's presidency and the personal antagonism between Mečiar and Kovác aside, the change in the mode of election did not bring about any qualitative increase in presidential involvement or intra-executive conflict. If anything, the level of presidential activism decreased.

Second, political opportunity framework served as an important mechanism for presidential activism both in the case of indirectly elected Kovác and in the cases of directly elected Schuster and Gašparovič. Partisan opposition with respect to the government provided a strong incentive for activism. President Kovác was decidedly nonpartisan, a characteristic which put him in opposition to the ruling government and parliamentary majority. Both Schuster and Gašparovič were explicitly partisan, but of the opposite ideology to those in the government and the parliamentary majority. This, again, led to disagreement over policy and triggered presidential activism to counter governmental policies that were ideologically unfavorable. The strength of other institutions influenced opportunities for acting upon the incentives generated by partisan opposition. Kovác faced relatively weak and conflictual governments and fragmented parliaments, which made it difficult for these institutions to constrain his activism. Schuster and Gašparovič, on the other hand, faced stable governments with strong parliamentary support, which may account for the considerably lower level of activism of these presidents relative to that of president Kovác.

The Slovakian case provided a unique opportunity for observing presidential activism before and after direct elections were introduced. Such

a quasi-experimental setting provides a stronger basis for drawing inferences about the effect of the mode of election than a simple cross-national comparison. However, a word of caution is in order about relying blindly on the conclusions derived from this experiment. Specific historical circumstances most likely played an important role in determining the activism of President Kovác. After all, he was facing an explicitly authoritarian prime minister who was attempting to derail Slovakia from its democratic course. This made the president one of the last resorts for defending the democratic order (Haughton 2005). Therefore, the analysis of the Slovakian case alone should not be taken as a conclusive test of whether or not the mode of election matters for presidential activism. However, by illustrating that regardless of the mode of election, presidents can play an active role in daily politics, the Slovakian case certainly calls into question the argument that the mode of election itself is the primary motivator of actual presidential power.

Finally, as the Slovakian case illustrates well, presidential activism is not necessarily about generating deadlock and inefficiencies. Often, presidential activism leads to an outcome preferred by the majority and helps to avoid disaster. Kovác is credited, on many accounts, with maintaining the constitutional and democratic framework in Slovakia at a time when Mečiar's style of governing was pushing the country back to authoritarianism (Haughton 2005; Kollar, Meseznikov, and Nicholson 1999; Malová and Rybář 2008). The active president was an effective veto player in containing Mečiar's antidemocratic ambitions, and he did not need to be directly elected in order to achieve that.

COMPARATIVE CONCLUSIONS

The Slovakian case provided an opportunity to observe the effect of direct elections in a straightforward manner. The relationship between direct elections and presidential activism can also be examined by comparing the other six cases. Caution should be exercised, however, when drawing inferences from such a comparison. First, generalizations based on six cases can be notoriously unreliable because they cannot account for a lot of extraneous variance. Most importantly, the extent to which presidents can exercise activism depends on their constitutional prerogatives. While on the surface presidential constitutional powers appear relatively similar across the six cases, the details often differ. For example, presidents in all countries can exercise some sort of veto power over legislation passed in parliament. However, as we observed, some constitutions allow for

a political veto as well as a constitutional veto, while others include only the latter and sometimes only under restricted circumstances. Thus, simply comparing the frequency of veto usage across countries does not necessarily lead to valid inferences.

At the same time, a carefully designed small-N comparative analysis can still be informative, especially if it complements a statistical analysis and a natural experiment, as is currently the case. Such triangulation follows the logic of nested analysis—an increasingly accepted methodology for producing better inferences about empirical regularities and causal mechanisms than any single methodology does independently (Lieberman 2005). As explained in Chapter 1, the cases have been selected according to a variety of criteria, allowing variance on the dependent variable, yet controlling for extraneous variance as much as possible. This follows the methodological standards of small-N analysis proposed by King, Keohane, and Verba (1997). Further, the cases can be combined into pairs of similar countries that differ on the variable of interest—the mode of election. Observing whether these countries also differ in the overall level of presidential activism allows testing for the hypothesized relationship. Such a design strictly follows the logic of the most similar systems design (Przeworski and Teune 1979). This technique can be combined with the logic of the most different systems design (Peters 1998). If all three pairs of comparison lead to a similar inference, the generalizability and reliability of the findings is enhanced.

Before focusing on these paired comparisons, a general observation can be made about all six cases on the likely effect (or the lack of effect) of the mode of election on presidential activism. All cases exhibited considerable variance across time in the dependent variable. This in itself, as already argued above, undermines the explanatory power of the mode of election. If the primary determinant of activism is direct elections, most directly elected presidents should be active and their indirectly elected counterparts should be relatively inactive. This is not the case, as the country studies clearly illustrated. Such a result, however, does not preclude the possibility that the average level of activism of all directly elected presidents is qualitatively higher than the average level of activism of indirectly elected presidents. It also does not preclude the possibility that the mode of election has a conditional effect on activism, that is, that it becomes relevant only under certain conditions. A comparison of the cases is therefore still useful as a tool both for confirming and for potentially elaborating on the previous results (Lieberman 2005).

Paired Comparisons

Let us first compare Estonia and Ireland. Estonian presidents are selected either by parliament or by an electoral college, while in Ireland, they enjoy direct popular mandate. The powers of these presidents are relatively similar. First, the presidents of both countries are usually listed among the least powerful presidents by different power indices (Amorim Neto and Strøm 2006; Frye 1997; Siaroff 2003). Presidents in both countries have the right to refer bills passed in parliament for judicial review. If direct elections inflate presidential activism, we should find that Irish presidents, on average, are more active in using their constitutional veto than Estonian presidents. However, the evidence shows otherwise. As the information presented in the previous chapter indicates (see Tables 3.1 and 3.6), the Estonian presidents have challenged, on average, 3.5 pieces of legislation per year. A similar indicator for Ireland is only 0.23. The indirectly elected presidents, in this case, have been considerably more active than the directly elected ones. To be sure, the Irish constitution provides an extra deterrence mechanism against using the presidential veto: "a bill considered by the Supreme Court on a presidential referral and cleared by it can never again be constitutionally challenged, under Article 34.3.3" (Gallagher 1999, 117). This could explain why Irish presidents are more reluctant to use their constitutional veto power than Estonian presidents.

However, the veto is not the only power these presidents possess. The Irish presidents have typically refrained from using their constitutional appointment and dissolution powers, and have been very reserved in the areas of defense and foreign relations (Gallagher 1999). Mary Robinson has been the sole exception among Irish presidents: she was rather vocal on both international and domestic affairs. However, indirectly elected President Lennart Meri of Estonia was equally (if not more) active and influential both in foreign relations and in setting the domestic agenda. Overall, Irish presidents have not been qualitatively more active than Estonian ones. If anything, they have been considerably less active. The comparison of these two cases certainly does not lend support to the argument that the mode of elections is responsible for the level of presidential activism. With the exception of Mary Robinson, presidents in Ireland have also not given their direct mandate as a justification for involvement in day-to-day politics. At the same time, Estonian President Meri referred to general public interest on several occasions when vetoing legislation.

One could argue that the comparison of Estonia and Ireland cannot control for the level of democratic development, and that this variable may overshadow the explanatory power of the mode of election. Therefore, the next two comparisons are of countries with similar levels of democratic and economic development, comparable historical experiences, and cultural proximity. Hungary and Poland are both postcommunist democracies with many relevant similarities, including their historical legacies, their challenges to democratic transition, their levels of economic development, and their cultural–religious (Catholic) background. Both the Hungarian and the Polish presidents are considered to be the most powerful presidents in Central and Eastern Europe (Frye 1997; McGregor 1994; Metcalf 2002), and are usually scored equally high, although sometimes Hungary is scored higher (Amorim Neto and Strøm 2006).

Comparison across these cases is difficult, however, especially when trying to compare "hard data." Consider the frequency of the use of veto power, which the presidents of both countries possess. The Hungarian presidents have vetoed an annual average of 1.9 bills, compared to 3.8 bills by Polish presidents (see Tables 3.2 and 3.4). This statistic suggests that directly elected presidents are more active and runs counter to the general pattern according to which the election mechanism should not matter for activism. One thing to bear in mind when comparing these figures is that the actual constitutional veto powers of these two presidents are not equal. The veto of Polish presidents is more meaningful, and therefore using it has a higher payoff. A simple majority in parliament can overturn Hungarian presidents' vetoes, while the Polish parliament has to muster either a 2/3 or 3/5 supermajority to override a presidential veto.[3]

As for the other powers of the president and the general evaluation of the level of presidential activism in Hungary and Poland, they appear more similar than different. As we witnessed, Polish presidents have indeed been very active at times. Wałęsa was constantly in conflict with different prime ministers. However, sharp confrontations also occurred between Hungarian president Göncz and prime minister Antall (O'Neil 1997). Both of these presidents were, at least at times, active and effective in employing their appointment and dismissal powers (Baylis 1996). It is probably fair to say that during Antall's cabinet, President Göncz was

[3] If we bring in the third postcommunist case—Estonia, the comparison of the frequency of vetoes leads to a different conclusion about the relevance of the mode of election. As stated above, the Estonian presidents have used their veto power about 3.5 times per year, which is quite comparable to the frequency with which the Polish presidents have used theirs. In the context of this comparison, the Polish presidents no longer seem exceptionally active.

more active than Polish president Kwasniewski was during the five years he did not cohabit with an opposition government. For example, during the indicated time, President Göncz vetoed an average of two bills per year, while Kwasniewski vetoed only one per year. Göncz was also active in vetoing government appointments, initiating legislation, addressing the parliament, and engaging in domestic affairs (e.g., the drivers' strike). Alternatively, Kwasniewski deferred all appointments to the government and kept a low profile on even the most controversial domestic scandals (e.g., the Oleksy affair). Such a contrast speaks against using the mode of election to explain presidential activism. Furthermore, while Wałęsa often justified his actions by claiming to protect general public interests, so did Göncz. In general, there is no evidence that either Wałęsa or Kwasniewski would have referred to their popular mandate as a basis for demanding more powers.

A null effect of the mode of election on presidential activism is even more evident in the third paired comparison. Austria and Germany are again very similar with respect to culture, history, and economic and democratic development. The different presidential power indices score both countries equally low (Amorim Neto and Strøm 2006; Siaroff 2003), and the prior analyses showed infrequent use of their powers by presidents in both countries. That there is relative uniformity between cases, that is, that presidential activism in both countries has been relatively low, undermines the explanatory power of the mode of election. According to that hypothesis, Austrian presidents should be qualitatively more active than their German counterparts. The similarity in the level of presidential activism across these countries is better accounted for by the model of political opportunity framework. Both countries have low party fragmentation in parliament. This has guaranteed relatively strong parliaments and governments. Furthermore, in both countries, the instances of cohabitation are rare. These factors suppress presidential activism, regardless of the method of election by which the president comes to power.

To summarize, the comparison of Estonia and Ireland shows that if anything, the indirectly elected Estonian presidents have been more active than their directly elected Irish counterparts. In the comparison of the Hungarian and Polish cases, on the other hand, I find no relationship between the mode of election and the general level of presidential activism. Finally, this null effect is clearly corroborated by the comparison of Austria and Germany. Overall, these case studies leave the effect of the mode of election on presidential activism undetermined, thereby confirming the results of the statistical study and the analysis of the

Slovakian experiment. This combined evidence allows for the confident conclusion that directly elected presidents are not automatically more active and influential. Direct mandate and legitimacy does not necessarily inflate the power of the office.

Additional Explanations of Activism

The case studies illuminate some of the additional potential explanations of presidential activism proposed in the literature, which are difficult to control for in a statistical analysis.[4] Many of these explanations suggest a uniform style of presidential leadership for a given country. For example, the first officeholder is often argued to set the standard of activism for subsequent presidents (Baylis 1996; Gallagher 1999, 106; Jochum 2000; Schwarz 1999).[5] A similar argument relates the level of activism not necessarily to a single individual, but to a tradition created by several subsequent office holders (Duverger 1980). Both of these arguments are inadequate because presidents in the same country exhibit strikingly different levels of activism. If the first president set the leadership style, subsequent presidents in the postcommunist countries of Estonia, Hungary, and Poland would have been as active as their first presidents, Meri, Göncz, and Wałęsa, respectively. However, this was clearly not the case. Similarly, if the level of activism is set by tradition, Mary Robinson in Ireland would not have been involved in domestic policy debates and international affairs, and would have refrained from using her veto and interfering in coalition maintenance. After all, until her presidency, the tradition had been just that.

Other arguments remain circumstantial, and do not account for variance within countries. For example, Shugart and Carey (1992, 72) argue that when it is easy to dismiss the president, officeholders should be less active, citing Iceland as an example. In no country under study here is removing a president an easy process. Yet presidents have been inactive, at least at times, in all cases. If constitutional ambiguities in new democracies tempted presidents to test the limits of their power, as is sometimes suggested (Baylis 1996), then all presidents in Estonia, Hungary, Poland, and Slovakia would have been active. Variance in their level of

[4] This is to remind the reader that the focus here is on explaining the presidential use of their powers, rather than the variance in the constitutional powers of the presidents addressed in various other studies (Elster 1997; Frye 1997; Shugart 1998).

[5] It is also argued that often the presidential offices are "tailor made" to fit their first occupants (Elgie 1999*b*; Elster 1997), that is, that even the constitutional powers, not simply their use, is determined by the personality of the first president.

activism, as described in previous chapters, speaks against this uniform prediction.

Two other common explanations allow for within country variance in presidential activism, but are theoretically shallow and empirically weak. First, it is often argued that presidential personalities matter significantly for their conduct in office (Schwarz 1999; see also Elgie 1999*a*). Kekkonen's leadership in Finland and de Gaulle's shaping of the presidency in France are often cited as examples. Theoretically, this explanation remains wanting: explaining that a given president has been active because he or she has an active personality comes close to being tautological unless the concept "personality" is restricted to certain traits. Personality-based explanations provided in existing literature tend to be extremely idiosyncratic and do not establish a particular set of traits by which presidents could be classified. Systematic tests of this proposition are thus not easy to perform.

Theoretical criticism aside, there is also a lack of empirical evidence to support this argument. If personality mattered, then the level of activism of a given president should remain similar throughout his or her tenure. In some cases, this expectation holds: Meri, Wałęsa, and Robinson, for example, remained active throughout their presidential careers. However, Göncz and Kwasniewski had very different leadership styles depending on which government they were facing, a fact which undermines any personality-based arguments. Unsubstantial variance in the level of activism across different presidents also undermines these arguments to some extent. Unless we are willing to accept that most presidents in Austria and Germany had inactive personalities, the personality-based argument does not account for the low degree of activism exhibited by all of these presidents. The same is true for Presidents Schuster and Gašparovič in Slovakia, who exhibited similar levels of activism.

Another argument posits that presidents become more active when circumstances permit (Duverger 1980), or more specifically, when there is a crisis (Baylis 1996). President Hindenburg and the Weimar republic are often cited as an example (Duverger 1980). A political stalemate or an economic emergency are argued to be favorable conditions for ambitious presidents and may escalate presidential activism (Amorim Neto and Strøm 2006). However, while active presidents have been involved in crisis management—consider the role of President Göncz in solving the crisis of the drivers' strike—not all of their activism has been generated by crises. Furthermore, there have been instances of controversy when presidential intervention was expected, but in which the presidents chose

not to act. For example, consider the Oleksy affair during the presidency of Aleksander Kwasniewski in Poland. In sum, while these alternative explanations can account for a few instances of activism or inactivism, none of them fits well with the overall pattern of presidential leadership observed in these cases and beyond.

Active Presidents—Good or Bad?

One additional topic merits attention before concluding this chapter. The underlying assumption in policy debates, and in the accompanying scholarly literature, is that activism means overstepping one's powers and changing the nature of the regime. Activism is seen as something negative, a source of institutional conflict, and a prelude to stalemate. This book has tried to avoid value judgments and to explore activism purely from an empirical perspective. However, it is worth pointing out that not all activism is negative. The empirical examples, in the form of case studies, illustrate how activism may be positive, may benefit society, and may lead to a better outcome than what would have occurred in the absence of presidential intervention.

For example, Estonian President Lennart Meri showed decisive leadership, although he was accused of overstepping his powers, when he reached an agreement over the withdrawal of the Russian troops from Estonia after government negotiations on this issue had stalled (Annus 2004). Meri was also decisive in saving the country's international image by vetoing a Law of Aliens that was considered discriminatory by many international observers (Metcalf 2000, 670). The activism of Hungarian president Göncz secured the independence of the Hungarian media (Baylis 1996) and helped to peacefully resolve the drivers' protest (O'Neil 1997). Slovak president Kovác's activism was instrumental in thwarting the authoritarian ambitions of Prime Minister Mečiar (Haughton 2005) and contributed significantly to maintaining democracy in Slovakia (Kollar, Meseznikov, and Nicholson 1999). Irish president Robinson was influential in resolving public debate over divorce and abortion—topics that had long divided Irish society (Siggins 1997). She also became internationally known for her activism and most Irish were proud of the values that she represented (Ward 1994, 319). German president von Weizsäcker's activism helped the German unification process. Even hyperactive Polish president Wałęsa, often criticized for his confrontational style, was important in helping the democratic development of Poland. He facilitated the fall of prime ministers whose actions had become

counterproductive to the maintenance of political stability and to the continuation of economic reforms (Jasiewicz 1997*a*). His activism was also instrumental in stopping the destructive decommunization campaign (Baylis 1996).

Presidents can, thus, be active in a way that is not destructive to the constitutional and social order. While the result is certainly not guaranteed, presidential activism can have a positive impact on democratic development and public satisfaction. Constitutional designers should be less concerned about creating too powerful an office by allowing direct elections and should be more concerned about specifying the powers of the office. The fact that the evidence does not support the argument that direct elections matter for activism, together with the fact that the activism of constitutionally weak presidents can be positive for overall government performance, certainly warrants such a conclusion.

5

The Nature of Presidential Elections

Increased presidential activism has not been the only concern of the opponents of direct presidential elections. As discussed in Chapter 1, the nature of these elections has been equally of concern. Although no coherent theoretical argument for the expected relationship has been articulated, some have argued that direct presidential elections are partisan and polarizing, and that they increase the level of conflict in society. Generally, direct elections are seen as more confrontational because they make candidates compete against each other for the same votes. Indirect elections, on the other hand, are more likely to result from quiet compromise deals between parties: here public confrontation between candidates is not necessary and therefore societal polarization can be avoided.

More specifically, direct elections are likely to be more competitive and confrontational for several reasons. In direct elections, parties have more incentives to run their own candidates because presidential elections offer an additional opportunity for parties to increase their visibility among the electorate. Presidential electoral campaigns can serve the purpose of winning the presidency, but they can also help to win votes for the party in related elections—an outcome known as the coattails effect (Cox 1997; Golder 2006; Mozzafar, Scarritt, and Galaich 2003; Samuels 2003). Indirect elections, on the other hand, do not involve public campaigning and therefore presumably do not provide a tool for parties to increase their popularity among the electorate. Given the additional payoff to parties resulting from direct presidential elections, they may be less reluctant to settle for a compromise candidate. Furthermore, even if a joint candidate can be agreed upon between several parties, there is never a guarantee that the compromise candidate will win because it is ultimately the public who decides the outcome of the direct contest. The outcome of partisan bargaining tools is much more predictable in the case of indirect elections

that involve only the political elites. Such elite bargains are relatively easy to guarantee, for example, by imposing high party discipline. Additionally, partisan involvement is more likely in the case of direct elections because candidates need resources to run public campaigns. In indirect elections, such resources are not required. It may even be more beneficial for a candidate to be independent of any partisan (material) support, because it is easier for party elites to agree on a politically neutral president than on a partisan one when the latter would inevitably leave some parties in the position of "losers." In sum, because of the need for resources and because parties have more interest in contesting them, direct presidential elections are more likely to be characterized by partisan conflict than indirect elections (see also Linz 1994).

The level of confrontation in direct elections is presumably further enhanced by the inevitable public campaigning itself. Given the "winner-take-all" nature of presidential elections, these campaigns are likely to be polarizing and divisive (Shugart 2004). Unlike in proportional representation elections to offices with multiple office holders, candidates in presidential elections are competing for the same votes. They try to maximize the probability of winning rather than just maximizing their vote share. The manner of campaigning in such elections is therefore likely to be confrontational.

Furthermore, the discrepancy between the few powers of the office on one hand and the need to distinguish oneself from others during the election campaigns on the other, may lead to candidates making promises that they cannot deliver. Thus, campaigns may quickly escalate into wars of empty promises and mutual accusations of attempting to overstep the powers of the office. Even if candidates realize that the lack of policymaking power makes running on issues difficult, conflict is not removed because then candidates need to find other distinguishing features on which to run. The inability to run on policies paves the way for campaigning on personality and character (more typical of presidential elections in general; see Miller and Miller 1975; Stokes 1966), which easily lead to personal attacks between candidates. Direct presidential election campaigns may, thus, become highly personalized and conflictual (Panagopoulos and Dayanand 2005). Indirect elections, on the other hand, are considered more consensus-oriented. Presidents elected by parliaments or electoral colleges do not need to engage in long-term campaigns involving empty promises. Since the public cannot elect these presidents, there is no need for public relations work. Even

if candidates propose a program or reveal their policy positions, they are less likely to publicly promise something that they have no constitutional authorization to deliver. The mode of election may therefore determine the salience of the election and the intensity of the campaign.

Last, it is sometimes argued that direct elections are more conflictual because of the nature of the candidates they attract. Direct elections are arguably attractive to candidates who have wide popular appeal but not necessarily much political experience (Shugart and Carey 1992, 32–3). Such candidates are seen as more competitive, non-compromising, and ready to escalate the level of conflict in elections (Bahro et al. 1998). On the other hand, those competing for an indirectly elected position are likely to be senior political figures capable of putting aside narrow partisanship (Baylis 1996). Elections contested by such elder statesmen at the end of their political careers are less likely to become conflictual and polarizing affairs. Thus, by virtue of the different nature of the candidates, direct elections may be more confrontational.[1]

This chapter investigates to what extent these concerns are warranted. It first explores the extent to which the presidency is valuable to parties only when the presidents are directly elected. This is the basic underlying assumption of the argument according to which direct elections become more partisan and consequently more conflictual and divisive. If parties, indeed, derive benefits only from direct presidential elections, it should not be surprising to see higher levels of conflict surrounding these elections than surrounding indirect presidential elections. The value of the office for parties can be assessed by estimating a "coattails effect," that is, the extent to which winning a presidency brings about an upsurge in a party's vote share in legislative elections. If such an effect only occurs in the case of directly elected presidents, then parties in such systems should have a higher incentive to run significantly more intense presidential

[1] Given this argument, it would be possible to surmise that the mode of election influences the level of presidential activism via the nature of elections, that is, to propose an alternative causal mechanism for why directly elected presidents should be more active in office. One could argue that direct elections force presidential candidates to campaign and make pledges that the president may want to follow up on once elected (Elgie and Moestrup 2008*a*). For example, Roper (2002, 268) maintains that in Moldova, "the president, elected by the whole nation, had no option but to make pledges . . . and become a source of instability." Further, senior politicians at the end of their political careers, presumably elected in indirect elections, are not likely to be very active in office (Baylis 1996; Elgie 1999*b*), while the more aggressive candidates attracted by direct elections may be less able or less willing to compromise with the assembly and the government. These arguments are plausible. However, since previous chapters have already demonstrated that the mode of election has no effect on presidential activism, this micro-logic cannot apply. Furthermore, the analysis below shows no systematic empirical support for these claims.

campaigns than in systems with indirectly elected presidents. If, however, the coattails effect is similar across different methods of election, as the analysis below discovers, the assumption underlying the argument that direct elections become more conflictual is effectively eliminated. If holding the office of president is beneficial for a party's popularity in national elections, then it is no longer surprising that even the indirect contests for this symbolic office can become fierce, partisan, and unable to produce a compromise candidate. Even if the office of president offers other benefits to the parties, such as prestige or a tool to meet their policy goals, as the case studies above suggested, the coattails effect alone is sufficient to make parties' behavior in pursuit of this office fully rational.

Direct elections, however, can escalate conflict not only because they are valuable to parties but also because of the public campaigns and the more aggressive candidates involved, as discussed above. Thus, the second part of this chapter considers the nature of the campaigns and candidates more directly. The evidence shows no significant difference in these campaigns or in the types of candidates across direct and indirect presidential elections. Rather, the analysis uncovers that elections (direct or indirect) are sometimes more consensual because parties lack realistic opportunities to win the office: parties are more likely to refrain from divisive campaigning and elections tend to be more consensual when a popular incumbent president is running for reelection.

The analysis in this chapter is again based on a mixture of methods. The investigation of the coattail effect uses quantitative analysis of a global sample of parliamentary systems with presidents. The further study of the differences in the nature of direct and indirect presidential elections employs a comparative study of the six countries examined in previous chapters and a case study of the Slovakian natural experiment.

The Partisan Value of the Presidency

Why and how might directly or indirectly elected presidents in parliamentary systems be valuable for vote-seeking parties? Existing literature about the effects of one political race on the outcomes of another provides a potential answer. Specifically, studies on presidential systems have long uncovered a "coattails effect" that ties the electoral fortune of parties in legislative elections to the success of their presidential candidates (Campbell and Sumners 1990; Ferejohn and Calvert 1984; Flemming 1995; Mondak and McCurley 1994; see also Cox 1997; Golder 2006;

Shugart and Carey 1992). Although there is some controversy, the coattails effect appears sizeable in the United States context, especially in the case of open seats (see Mondak and McCurley 1994). Comparative studies of presidential regimes have also noted the interdependence of elections across different branches and different levels of government (Ames 1994; Samuels 2000).

The studies of presidential systems explain the existence of this coattails effect by the cost-efficiency on the part of party elites and information short-cuts on the part of voters (Ferejohn and Calvert 1984; Mondak and McCurley 1994; Samuels 2000). Since in presidential systems, the presidency is the most important office, candidates for this office become the focus of media and campaign contributors. This generates incentives for legislative candidates to free ride on a president's financial, media, and partisan advantages (Samuels 2000). Voters, in turn, seek to maximize cognitive efficiency (Mondak and McCurley 1994). They also recognize the importance of presidency as the most significant office and pay more attention to presidential, rather than legislative, campaigns. The president's party then becomes a simple cue, helping to avoid engaging in extensive deliberation when forming decisions about legislative candidates. Overall, this mechanism predicts that presidential co-partisans get into the legislature on the coattails of their presidential candidate (Ferejohn and Calvert 1984). The argument holds even if presidential and legislative elections are not concurrent. Voters can be persuaded by the attractiveness of the president to vote for his or her party in legislative elections, leading to a similar coattails effect (Calvert and Ferejohn 1983; Golder 2006).

Although the argument about the coattails effect has been made exclusively in the context of presidential systems, it is easy to see how a similar argument can be applied to parliamentary systems with elected heads of state. While presidency is not the most important political office in such systems, these heads of state are frequently the most popular public figures and can thereby become focal points for voters deciding on legislative candidates. Because of the generally noncontroversial nature of the office of the president and its distance from the day-to-day politics, the president is less likely to be faced with difficult policy decisions and harmed by partisan mudslinging. Presidents in parliamentary systems are more likely to be seen as guardians of national unity and the consciousness of society.

The attractiveness of the president may, in turn, persuade a voter to support a president's party in other elections or even encourage new

voters to participate in legislative elections as a way of expressing their support for the popular president (see Calvert and Ferejohn 1983). Using one's support for the president as a cue for deciding on votes in legislative elections helps individuals maximize cognitive efficiency as described above. The cognitive process might then look as follows: the voter supports the president because they like his or her performance in office; the president is affiliated with and therefore also supports the policies of party *A*; because the voter approves of the president, they may defer to him or her and also support the policies of party *A* by voting for them in parliamentary elections (see Mondak and McCurley 1994). If such voting behavior occurs, we should see increased support for presidential parties in parliamentary elections. Furthermore, to the extent that such benefits accrue to presidential parties, fighting lengthy campaigns to win the symbolic office becomes fully rational on electoral grounds, on top of any other (policy-related) benefits that parties may receive from holding the office.

Anecdotal evidence supports this theoretical argument. First, presidents indeed tend to enjoy a higher approval rating than other major political officials in parliamentary systems. Unfortunately, systematic cross-national data on presidential popularity is only spotty (another example of the low regard of this office among political scientists!). The New Democracies Barometer, focusing on the European postcommunist democracies, has inquired about trust in the president. Table 5.1 reports the percentage of respondents who trust (as opposed to distrusting and being neutral) the president and the prime minister in 10 countries. In all cases, presidents are more trustworthy, and in most cases considerably so, than the heads of government, regardless of whether they are directly or indirectly elected.

Specific examples from other countries support this conclusion. Icelandic presidents routinely receive around 95 percent of the popular vote (Kristinsson 1999)—much higher popular support than any prime minister commands. Finnish presidents have traditionally been greatly admired by their people; the current (and the first female) President Tarja Halonen has enjoyed approval ratings of more than 90 percent (Helsingin Sanomat 2005). The German and Irish presidents are usually the most popular politicians in their respective countries (Scholz and Süskind 2003; Ward 1994). Even presidents who win very close elections enjoy a lot of support while in office. For example, the latest indirect presidential elections in Hungary in 2005 were rather contentious with two candidates—László Sólyom and Katalin Szili—neck and neck in each round of voting

Table 5.1. Trust in presidents and prime ministers in selected countries in 2001

Country	Presidential election type	Trust in the president (%)	Trust in the minister (%)
Bulgaria	Direct	51	49
Czech Republic	Indirect	37	27
Estonia	Indirect	60	16
Hungary	Indirect	48	37
Latvia	Indirect	63	36
Lithuania	Direct	57	41
Poland	Direct	65	35
Romania	Direct	42	41
Slovakia	Direct	19	16
Slovenia	Direct	44	34

Source: Rose (2005). Survey question: "To what extent do you trust each of these political institutions to look after your interests? Please indicate on a scale with 1 for no trust at all and 7 great trust." Rose (2005) collapsed the 7-point scale into three categories: −1 = no trust, 0 = neutral, 1 = trust. The percentages in the table represent the share of respondents falling into the last category.

in parliament. The winner, Sólyom, was determined only in the third round and received only three votes more than the runner up. Yet upon his election, Sólyom immediately became the most popular politician in Hungary (NOL 2006). The president emerging from a bitterly contentious and divisive indirect election in Estonia in 2006 enjoyed the support of 71 percent of the population right after taking office (Kagge 2006). In 1995, Aleksander Kwaśniewski won a narrow victory in popular elections over the incumbent Lech Wałęsa (35% vs. 33% in the first round, 52% vs. 48% in the second round), yet commanded the support of 80 percent of the population during his time in office—more than any other politician in Poland (Szczerbiak 2002). Mary Robinson was elected the President of Ireland with only 34 percent of first-preference votes (compared to 44% for the runner up), but enjoyed an astonishing 90 percent approval rating while in office (McAllister 2005). In sum, figurehead presidents are popular among the public and command generally higher approval ratings than any other political figure in these countries. Furthermore, directly and indirectly elected presidents are very similar in terms of popular support during their time in office.

The aim of the first part of this chapter is to show that this high presidential approval rating translates into support for the president's party. Case study material provides suggestive evidence that holding the presidency gives parties an additional boost in parliamentary elections. For example, in 1990, the Labour Party in Ireland launched its bid for the presidency for the first time since 1945. The popular contest had usually

taken place only between the two largest parties: the Fianna Fáil and the Fine Gael. The decision came as a result of the party realizing that the presidency was an underused political opportunity (O'Leary and Burke 1998). The Labour Party candidate, Mary Robinson, won and the party itself came out of the race strengthened: it gained about 19 percent of the vote in the following 1992 general election, which was 10 percent more than in the previous one (Gallagher 1999). The 2001 Estonian indirect presidential election was won by Arnold Rüütel of the People's Party. The results of the public opinion polls held before and after the presidential election are rather telling: two months before the election, the People's Party had the support of only 4 percent of the electorate. Right after the indirect presidential election, their support base had increased to 15 percent of the electorate (Ideon 2001*g*). This was not just a short-term boost: in parliamentary elections two years later, the party doubled its vote share, came in as the third largest party in parliament and became one of the governing coalition partners. This unprecedented success was accredited, at least in part, to their popular co-partisan president (Toomla 2003). The next section will examine to what extent the Irish and Estonian examples are part of a more general pattern.

Data and Measures

According to the hypothesis presented above, having a co-partisan president should be an electoral asset for parties. For this hypothesis to hold, presidential parties should gain more votes in legislative elections compared to non-presidential parties. However, if presidents in parliamentary systems are not electorally valuable, then there should be no connection between holding the presidency and the election results. This hypothesis can be tested by considering legislative election results by party across time and countries. In order to perform the test, I have used the global sample of parliamentary democracies with an elected head of state described in Chapter 1.[2] Since I want to understand whether parties whose candidate holds the office of the president are more likely to gain votes from one election to the next, the data are set up as party panels and the unit of analysis is a party-election. For each country, I have included

[2] Specifically, the following countries had sufficient data available to be included in this analysis: Albania, Armenia, Austria, Bulgaria, Cape Verde, Central African Republic, the Republic of Congo, Croatia, the Czech Republic, Dominica, Estonia, Finland, France, Germany, Greece, Guinea-Bissau, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Lithuania, Macedonia, Mali, Malta, Mauritius, Mongolia, Poland, Portugal, Romania, Russia, Sao Tome and Principe, Slovakia, Slovenia, Taiwan, Trinidad and Tobago, and Turkey.

Table 5.2. Average change in parties' vote share from one election to the next by president's party and level of democracy

	Change in vote share	
	President's party (%)	Other parties (%)
Total sample	2.4	−0.9
Developing democracies	5.5	−1.3
Western Europe	0.2	−0.6

all of the elections for which the country has been democratic since World War II until 2006 conditional upon data availability. The parties included are the ones that were represented in parliament for at least two consecutive terms and that were supported by at least 5 percent of voters for their first term. Such restrictions are necessary, given the fluidity of party systems in less developed democracies.

The dependent variable is measured by a given party's vote share in a given election, labeled as "vote share." In order to accurately estimate the effect of holding the presidency on vote gains or losses, I control for the party's vote share in the last election. Such a model is essentially estimating the effect of holding the presidency on change in party's vote share in legislative elections. For the coattails argument to hold, presidents' parties should gain more votes compared to their previous performance than non-presidential parties. I also performed alternative analyses measuring the dependent variable as difference in the vote share for a given party from one election to the next (and controlled for a given party's vote share in the previous election). The results of those alternative analyses were substantively similar to the ones presented here. The main independent variable, the president's party, is coded "1" if a given party holds the presidency at the time of the election and "0" otherwise. For those elections where the president is nonpartisan, this information is coded as missing data rather than "0" for all parties, as the latter would bias the results.[3]

Preliminary observation of the data indicates that presidents' parties are indeed more successful than other parties. Table 5.2 reports some

[3] *Sources:* Parties and Elections in Europe at http://www.parties-and-elections.de; African Elections Database at http://africanelections.tripod.com; Political Database of the Americas at http://pdba.georgetown.edu/; The Israeli Parliament at http://www.knesset.gov.il/description/eng/eng_mimshal_res.htm; General Election Commission of Mongolia at http://www.gec.gov.mn/english/index.htm; Inter-Parliamentary Union at http://www.ipu.org/parline-e/reports/arc/2219_92.htm; Adam Carr's Electoral Archive at http://psephos.adam-carr.net/countries/t/taiwan/; Database of World Political Leaders at http://www.terra.es/personal2/monolith/00index.htm; *European Journal of Political Research*, various issues.

descriptive statistics. On average, presidential parties gain about 2.4 percent of votes from one election to the next, while other parties lose 1 percent of votes. The effect is considerably stronger for the less developed democracies compared to the Western European countries. In the former, the president's parties gain, on average, 5.5 percent of votes, while other parties lose an average of 1.3 percent of votes. For Western European cases, the difference is still present; however, given the generally higher level of voter loyalty and party system stability, the effect is considerably smaller. Presidents' parties increase their vote share by an average of 0.2 percentage points, while other parties lose 0.6 percentage points.

There are several other variables that may account for why a party gains or loses votes from one election to the next. First, it has long been observed that government parties tend to lose votes, that is, bear the "cost of ruling" (Paldam 1986; Rose and Mackie 1983). Thus, if a given party belonged to a governing coalition before an election was held, then they may suffer a greater vote loss than nongovernmental parties. Coalition membership is measured by a dummy variable scored "1" if a party was in government alone or as a member of a coalition and "0" otherwise.[4] Further, poor economic performance may trigger overall vote shifts (Anderson 1995). This effect is captured by a change in the unemployment rate.[5] Further, existing parties may also lose support simply because their voters stop voting altogether (Tavits 2008*a*). Similarly, they may gain votes by attracting first-time voters or returning disillusioned voters. Turnout change is measured by a difference in voter turnout between the previous election and the current election. The value of the variable is "0" when turnout between the two elections is exactly the same; it is negative when turnout has decreased and positive when it has increased.[6]

The analysis attempts to test not only the presence but also the robustness of the coattails effect across different methods of presidential election. There is no theoretical reason for why this variable should influence fluctuations in the parties' vote share directly. However, as argued above, it may condition the coattails effect. For example, it is possible to argue—in the vein of scholars of semi-presidentialism—that directly

[4] *Source:* Müller and Strøm (2000); Blondel and Müller-Rommel (2001); Müller-Rommel et al. (2004); *European Journal of Political Research*, various issues; Database of World Political Leaders http://www.terra.es/personal2/monolith/00index.htm.

[5] International Labour Office. *Year Book of Labour Statistics*. Geneva: Author. Alternative analyses were performed using GDP growth as the measure of economic performance. This did not change the main results and the variable itself was insignificant.

[6] International Institute for Democracy and Electoral Assistance www.idea.int, and Parties and Elections in Europe www.parties-and-elections.de.

elected presidents are qualitatively different from their indirectly elected counterparts, and thus that the coattails effect may only function in systems where voters decide directly over who holds the presidency and commands the government. A variable measuring whether the president is directly elected ("popular election"), when interacted with president's party, helps to determine whether the coattails effect holds regardless of the manner in which the presidents are elected into office.

Other variables can potentially affect the electoral fortunes of different parties. For example, parties may find more resources to run better campaigns and thereby boost their support (Campbell and Sumners 1990). Parties may also adjust their ideological stances to appeal to a broader audience (Adams et al. 2004; Tavits 2007*a*). Unfortunate choices on both of these variables could, however, lead to vote loss. It is difficult to incorporate these measures into the current analysis due to lack of appropriate data. This drawback should not constitute a major flaw, though, for determining the relationship of interest: the effect of holding the presidency on electoral fortunes. There is no clear reason for why ideological adjustment should be related to holding the presidency: parties controlling this office are not more or less likely to adjust their policy positions.[7] Campaign spending, especially resource availability, may be related to whether or not a party holds the presidency if sponsors consider it to be an important office. Even to the extent to which this is true, it does not undermine but rather provides an explanation for and reinforces the argument tested here, that is, that it is electorally beneficial for parties to secure the office of the president for their co-partisan. At the same time, if the amount of campaign spending does not depend on holding the presidency, excluding this variable should not bias the results.

Analyses and Results

The data have a pooled cross-sectional time-series format. Given this, I ran an ordinary least squares regression with panel corrected standard errors (Beck and Katz 1995) and country fixed effects.[8] The latter help to minimize country-level heteroskedasticity, which is not addressed by

[7] The data on ideological movement can be obtained for some European cases from the Comparative Manifesto Project (Klingemann et al. 2006). However, the data are very spotty, and including the ideological change variables reduces the cases by more than half. Still, when these variables are included, following the coding in Tavits (2007*a*), the coattails effect survives.

[8] An alternative analysis using robust standard errors clustered according to party produced very similar results.

employing party panel-corrected standard errors, but they also reflect any country differences not accounted for by control variables. Country dummies are included, but not reported in the table in order to save space. These variables help to account for any country level confounding factors such as political culture and level of development, but the coefficients of these variables are not by themselves of interest here.

Table 5.3 presents a series of multivariate tests of the hypothesis. Model 1 presents the main analysis the results of which support the hypothesis that presidential parties are more successful in legislative elections. Specifically, other things equal, presidential parties receive 6 percent more votes than non-presidential parties. Given that on average, parties included in the analysis get about 22 percent of votes in any given election, a 6 percentage point addition is a substantively large effect. The other variables argued to influence parties' vote shares, including the variable measuring the cost of ruling, fail to reach the conventional level of statistical significance.[9] Controlling the presidency is, thus, clearly a considerable electoral asset for the parties: they can expect a sizeable number of their members to ride into legislative office on the presidential coattails.

The subsequent models test this main effect further. Model 2 tests whether the hypothesized effect is different for directly and indirectly elected presidents. It introduces an interaction effect between variable called "popular election" and president's party into the original analysis. The coefficient for the interaction variable, however, is not statistically significant, indicating that the electoral benefit of holding the presidency does not differ significantly across countries with directly and indirectly elected presidents. When calculating the conditional coefficient of holding the presidency on the party's vote share, this conclusion is supported. The conditional coefficient for president's party reported in Table 5.3 under Model 2 represents the effect of this variable on vote share for countries with indirectly elected presidents (i.e., when the value of "popular election" is zero). In such systems, the party that holds presidency can expect to get 6 percentage points more votes than the other parties. Similar effect for systems with directly elected presidents can be calculated by adding the coefficient of president's party and that of the interaction

[9] This may be partially due to the modeling techniques employed—since the previous vote share is included as a control variable and it is highly correlated with the current vote share (the dependent variable), it may have suppressed the explanatory power of the other variables (Achen 2000). In alternative analyses, using change in party's vote share as the dependent variable, the "cost of ruling" effect was sizeable—compared to their vote share in the previous election, parties that had been in government lost, on average, 4.8 percentage points of votes more than nongovernmental parties.

Table 5.3. Presidential parties and electoral performance

	Model 1: Main analysis	Model 2: Method of election	Model 3: Government vs. opposition	Model 4: Regional effects	Model 5: Time effects
President's party	6.348*** (0.976)	6.144*** (1.807)	7.261*** (2.013)	5.302*** (1.509)	5.758*** (2.241)
Coalition membership	−0.558 (0.463)	−0.569 (0.440)	−0.135 (0.613)	−0.515 (0.473)	−0.563 (0.472)
Unemployment	−0.075 (0.086)	−0.074 (0.085)	−0.073 (0.088)	−0.076 (0.085)	−0.083 (0.068)
Turnout change	0.005 (0.029)	0.005 (0.028)	0.004 (0.031)	0.006 (0.029)	−0.002 (0.026)
Vote share in the last election	0.562*** (0.138)	0.562*** (0.139)	0.562*** (0.137)	0.562*** (0.137)	0.563*** (0.140)
Popular election		−0.386 (1.267)			
Popular election*president's party		0.385 (1.806)			
Coalition membership*president's party			−1.796 (2.301)		
Outside West Europe				−13.919*** (4.502)	
Outside West Europe*president's party				2.121 (2.058)	
Days in office					−0.00003 (0.0005)
Days in office*president's party					0.0006 (0.001)
Constant	5.486*** (2.154)	5.524*** (2.105)	5.391*** (2.149)	19.171*** (6.198)	5.746*** (2.016)
Wald	17,907***	66,370***	16,074***	22,355***	10,815***
R^2	0.6	0.6	0.6	0.6	0.6
N	507	507	507	507	504

Note: Dependent variable is *Vote share*. Table entries are unstandardized regression coefficients with panel corrected standard errors in parentheses. Country dummies are in the models but are not reported.

*** $p \leq 0.01$.

term. Since the latter is positive, the conditional effect of president's party when presidents are directly elected is stronger than a similar effect when presidents are indirectly elected, although only slightly so: 6.1 + 0.4 = 6.5, significant at the 1 percent level. In sum, the effects are very similar across systems with directly and indirectly elected presidents: holding the office of a directly elected president earns a party an additional 6.5 percent of votes compared to 5 percent gained by holding an indirectly elected presidency.[10]

These two additional analyses demonstrate that presidents' influence on the electoral process is similar across the different regime types regardless of whether the types are defined based on the method of election or president's power. This suggests that future studies may want to more carefully assess the extent to which the distinction between directly and indirectly elected presidents is useful for understanding other political processes as well. Researchers often subscribe to the assumption that regimes should be divided according to the selection mechanism of the head of state, but rarely demonstrate its empirical validity.

Model 3 explores whether and how much government versus opposition parties benefit from holding the presidency. It introduces yet another interaction term—this time between president's party and coalition membership. The coefficient for this interaction term is statistically insignificant, indicating that the benefits of holding the presidency are not significantly different for opposition and coalition parties. The benefits for opposition can be read from the results table. If they hold the presidency, opposition parties get, on average, 7.3 percent of votes more than the other parties. Since the coefficient for the interaction term is negative, a similar effect for governing parties is somewhat weaker: 7.3 + (−1.8) = 5.5, significant at the 1 percent level. While the effect is smaller, it is still positive and statistically significant—governing parties are also gaining electorally from holding the presidency; they are just gaining less than the opposition parties. This difference in the size of the effect is not surprising given that governing parties usually bear a

[10] The equal value of the directly and indirectly elected presidency for parties is also evident from observing the extent to which both types of elections are won (and by assumption also contested) by partisans. I have collected information about the partisanship of the incumbents in all 49 parliamentary democracies with an elected head of state across the time period under consideration, altogether 241 presidents. The results show that 82% of directly elected presidents and 80% of indirectly elected ones are partisan. The difference, while present, is not substantively large or statistically significant. An indirectly elected president is, thus, as likely to be partisan as a directly elected one. The partisanship of the president also did not correlate well with the different presidential power indices and was not different between advanced and young democracies.

significant cost of ruling (Paldam 1986). Furthermore, what these results indicate is that by holding presidency, governing parties are not only able to avoid that cost, that is, avoid losing votes, but also to add to their previous vote share.

Although the empirical results presented so far appear robust, it is possible that they are driven by the new democracies in the sample. In these systems, voters are less familiar with the parties and the functioning of the regime and may need the information shortcuts offered by president's party. In advanced Western European democracies, voters may not require such guidance and may also better realize the political weakness of the office of president to use this as a guide for voting in the most salient elections. Given these concerns, Model 4 presents yet another interaction model—one that estimates an interaction effect between president's party and a regional dummy, coded "0" for Western Europe and "1" for other regions. The size of the effect for the former can be read from the results table and is 5.3. The size of the effect for other regions is stronger, 5.3 + 2.1 = 7.4, significant at the 1 percent level. In new democracies, presidential parties can increase their vote share by about 2 percentage points more than in old democracies. This certainly reflects the overall voter volatility in newer democracies. The level of voter loyalty in Western European democracies is very high: on average, any party's vote share changes in absolute terms only 3 percentage points from one election to the next compared to 9 percentage points in less developed democracies. Given this, the 5 percentage point difference, that holding a presidency in advanced democracies can make, still amounts to a substantively very significant effect.

The stronger effect for new democracies also explains why presidential contests, either direct or indirect, tend to be more heavily contested in these countries than in Western Europe. Given the generally higher level of preference for a strong leader in newer democracies (Richard, Mishler, and Haerpfer 1999), presidents can more easily become the focal point of voters and the decision cue on legislative elections. The volatile nature of the party system in these countries also necessitates using such cues more than in stable West European countries, where parties stay the same across elections and voters have developed stable loyalties to parties. In such a stable context, party identification serves as the immediate cue for voters. When party identifications have not developed or cannot develop because parties change frequently, voters look for other information shortcuts, such as the party identification of a popular president. Regardless of what exactly explains the cross-regional differences, what is important for the

current purposes is that the relationship holds in these quite different contexts. The coattails effect is, thus, not simply a developmental phase fading away when democracies mature. Holding the presidency is also electorally beneficial in advanced countries. The significance of this office in understanding broader political and electoral dynamics should, therefore, not be underestimated.

Finally, studies of interrelationships between parliamentary and presidential elections in presidential systems have found that the effect of the latter on the former may be conditional upon the time the president has been in office (Shugart 1995). A similar conditional effect may exist also in the current case. Model 5 tests for this by using an interaction effect between the president's party and the number of days he or she has been in office by the time of the legislative election. The interaction effect is positive but not significant indicating that the effect of holding a presidency is, at least statistically, largely the same regardless of how long the president has been in office. Indeed, the hypothesized effect remains statistically significant for all values of time (from 0 to 3,240 days or 9 years). This indicates that in some cases, parties may be able to benefit from controlling the presidency not just in one but two consecutive elections. Furthermore, the uncovered long-term effect also suggests that holding the presidency, rather than just winning the office, is an asset for parties.

Conclusions

The analysis so far has demonstrated that holding a presidency is a great electoral asset for parties in parliamentary systems. On average, parties of the president increase their vote share from one legislative election to the next by about 6 percentage points. This is a sizeable share of votes that can make a difference as to whether a party gets into parliament or into government and can cause a significant restructuring of the balance of power between parties. The benefits of holding the presidency do not depend on the nominal powers of the head of state: holding a powerful or a weak presidency is associated with increase in party's vote share to a similar extent. The effect holds also in both new, less developed democracies as well as in advanced Western European countries and holding the presidency benefits both the opposition as well as governing parties. This benefit decreases with the president's tenure, but has a significant effect on the vote share of the president's party for six years after the president takes office. In combination, all these different tests

demonstrate that the hypothesized "coattails effect" is significant and robust.

Most importantly for current purposes, there is no difference between the systems commonly defined as semi-presidential and those classified as parliamentary because they have indirectly elected presidents. The value of the presidency for parties in these systems is very similar. This conclusion is in line with the findings from previous chapters, which provided several examples of how presidencies of either type can be and are effectively used for the purposes of partisan policy. Even if one doubts the generalizability of the case studies, findings here show that the office of the head of state is beneficial to parties' electoral bid for offices where the real power is located, that is, for parliament and government. This alone is enough to make a partisan fight for the presidency worthwhile.

These findings provide a rationale for why elections of a symbolic head of state, even one that is indirectly elected, can become intense partisan contests and cause political crises. Parties have an interest in securing the office of president for their co-partisan due to a simple electoral incentive: holding the presidency helps parties to win votes in general elections. It therefore makes sense for them to invest in these contests. The office of the symbolic head of state may or may not have any direct value to parties in pursuing their policy objectives. Helping parties' electoral bid for offices where the real power is located—parliament and government—makes the pursuit of this office rational, regardless of whether policy benefits are involved.

Given that a co-partisan president is a significant asset to a party contesting the legislative elections, studying the office of the president becomes important in understanding the electoral dynamics of these parliamentary regimes. The findings undermine the common assumption of the low significance of the office of the president in parliamentary systems. Elections of these symbolic presidents have led to constitutional crises and subsequent constitutional changes in Moldova, Slovakia, and most recently, Turkey. As we shall see, similar elections have led to political crises of varying magnitudes in the Czech Republic (2003), Estonia (2001 and 2006), Hungary (2005), and Italy (2006), and to bitter disputes in many other countries. The crises have brought to the streets hundreds of thousands of people and generated reactions on the financial markets as well as the international arena.

The findings so far in this chapter effectively undermine the assumption on which the argument that only direct elections become partisan and heavily contested is based. In theory, indirect elections can become as

controversially and heatedly partisan affairs as direct popular contests. Testing assumptions, however, may not be enough. Even unrealistic assumptions may help us understand certain phenomena well—rational choice theory is a prime example of this. Therefore, we would still need evidence to show that direct elections are indeed not more partisan than indirect elections before we can draw the conclusion about the null effect of the method of election. Furthermore, the nature of presidential contests can still vary across direct and indirect elections because of the campaign effects and the different types of candidates contesting each, as discussed above. That is why the subsequent analysis considers in more detail the nature of candidates, as well as the competitiveness and partisanship of presidential elections in a variety of countries. I try to uncover the extent to which there are systematic differences in these variables, depending on the mode of election employed. The analysis starts with presenting the six case studies and the natural experiment of Slovakia. In the end of the chapter, I draw comparative conclusions based on the case studies. This additional analysis confirms that the nature of direct presidential elections is not qualitatively different from that of indirect ones; both can be more or less competitive and confrontational. The cases studies also show that parties explicitly recognize the value of the presidency to them in terms of both electoral and policy gains, and that the incumbency effect systematically accounts for the cases when elections, direct or indirect, are less contested and confrontational.

Indirect Elections: Quiet Compromise Deals?

Estonia

Estonia has held four presidential elections since its independence in 1991. The parliament may elect the president with a two-third majority. If it does not succeed, the right to elect the president goes to an electoral college, consisting of members of parliament and representatives of the local governments. The nomination of candidates is largely under the control of the largest parties. In order to stand for election, candidates need to be nominated by 21 members of whichever institution elects them, that is, by 21 MPs in the parliamentary rounds or by 21 members of the Electoral College in subsequent rounds. The first presidential elections (in 1992) proceeded under different rules—according to the constitution, the people had the right to vote in the first round. Since no candidate

received more than 50 percent of the vote, the right to elect the president went to the parliament. The constitution also requires that the president terminate his or her partisan affiliation for the term in office. Table 5.4 summarizes information about the candidates and the results of each parliamentary election held.

The intensity, competitiveness, and politicization of campaigns varied substantially between the first two and last two elections, contrary to expectations about the nature of indirect elections. The popularity of the incumbent among the public and among the parties, in addition to the parties' realization that they could use presidential campaigns as a tool for increasing their visibility, seem to account for the variance in the nature of the campaigns across time. Furthermore, most campaigns have been heavily partisan and political, and contested by candidates in their prime rather than by candidates at the end of their political careers. This indicates that indirect presidential elections do not necessarily lead to a nonpartisan compromise arising from an uncontroversial contest.

THE ELECTIONS OF 1992 AND 1996

The first presidential election was rather extraordinary and may not be directly comparable to subsequent elections. There were four candidates running in the first round: Lennart Meri, Arnold Rüütel, Lagle Parek, and Rein Taagepera. All of these candidates had been active participants in the Estonian independence movement and were at the peak of their political careers. Indeed, the historical situation—the first election in a new state—makes the notion of electing an elder statesman almost nonsensical. None of the candidates received more than 50 percent of the vote. The first two gained the most votes and proceeded to the second round—elections by the parliament. Lennart Meri was elected president with about 60 percent of the parliamentary vote.

The first round was a direct popular election, which would have presumed national public campaigning. However, the presidential elections took place at the same time as the first parliamentary elections, so there was essentially no separate presidential campaign (Moora 2002). The campaign was also very short, lasting only about a month. Partisan or ideological strategizing in the first election did not focus on campaigning, but had already taken place during constitutional design. Most political columnists consider the electoral rules for the first elections an attempt to prevent Arnold Rüütel—a candidate with long-term experience in the upper echelons of the previous regime—from winning the office. It was

Table 5.4. Estonian presidential elections: candidates and results

	Candidate	Age	Party	Result (%)
1992: Round 1	Lennart Meri	63	IL	30
(direct)	Arnold Rüütel	64	Coalition of rural and agrarian parties	42
	Lagle Parek	51	ERSP	4
	Rein Taagepera	59	RR	23
1992: Round 2	**Lennart Meri**	63	Independent	58
(parliamentary)[a]	Arnold Rüütel	64	Coalition of rural and agrarian parties	31
1996: Round 1	Lennart Meri[e]	67	Independent	45
(parliamentary 1)[a]	Arnold Rüütel	68	EME	34
(parliamentary 2)[a]	Lennart Meri[e]	67	Independent	49
	Arnold Rüütel	68	EME	34
(parliamentary 3)[a]	Lennart Meri[e]	67	Independent	52
	Arnold Rüütel	68	EME	32
1996: Round 2	Tunne Kelam	56	IL	20
(electoral college)[b]	Lennart Meri[e]	67	Independent	37
	Siiri Oviir	49	K	7
	Arnold Rüütel	68	EME	23
	Enn Tõugu	61	Independent	13
(electoral college 2)[b]	**Lennart Meri**[e]	67	Independent	52
	Arnold Rüütel	68	EME	34
2001: Round 1	Peeter Kreitzberg	53	K	39
(parliamentary 1)[a]	Andres Tarand	61	SD	38
(parliamentary 2)[a]	Peeter Kreitzberg	53	K	36
	Peeter Tulviste	56	IL	35
(parliamentary 3)[a]	Peeter Kreitzberg	53	K	33
	Peeter Tulviste	56	IL	33
2001: Round 2	Peeter Kreitzberg	53	K	20
(electoral college)[c]	Arnold Rüütel	73	RL	31
	Toomas Savi	59	RE	25
	Peeter Tulviste	56	IL	24
(electoral college 2)[c]	**Arnold Rüütel**	73	RL	51
	Toomas Savi	59	RE	42
2006: Round 1 (parliamentary 1)[a]	Ene Ergma	62	RP	64
(parliamentary 2)[a]	Toomas Ilves	53	SD	63
(parliamentary 3)[a]	Toomas Ilves	53	SD	63
2006: Round 2	**Toomas Ilves**	53	SD	50.4
(electoral college)[d]	Arnold Rüütel[e]	78	RL	47

Notes: The winner is marked in bold. EME, Estonian Country People's Party (Eesti Maarhava Erakond; since 2000 RL); ERSP, Estonian National Independence Party (Eesti Rahvusliku Sõltumatuse Partei); IL, Pro Patria (Isamaliit); Indep., Independent Party; K, Center Party (Keskerakond); RE, Reform Party (Reformierakond); RL, People's Party (Rahvaliit); RR, People's Front (Rahvarinne); SD, Social Democratic Party (Sotsiaaldemokraatlik Partei), previously the Moderate Party (Mõõdukad).

[a] Total number of votes in parliament: 101; two-third majority needed to win.

[b] Total number of votes in Electoral College: 374; simple majority needed to win.

[c] Total number of votes in Electoral College: 367; simple majority needed to win.

[d] Total number of votes in Electoral College: 345; simple majority needed to win.

[e] Incumbent candidate.

Source: The Electoral Commission of the Republic of Estonia, www.vvk.ee.

widely expected that he would not receive the majority of the popular vote and would lose in parliament (Annus 2004; Toomla 2002). Thus, although there was less campaign activity, the contest was still highly political and conflictual. The employed tactics clearly show that the position was highly regarded by the political elite, despite its few powers and symbolic nature.

The presidential election campaign in 1996 was most directly influenced by the fact that the incumbent Lennart Meri was running for reelection. The incumbent was very popular among both the general public and the political elite (see Saarna-Siiman 2005). When a group of parliamentary parties approached him with a request to run again, he quickly agreed (Tammer 1996*a*). This discouraged many other serious contenders from entering the race (Moora 2002). No serious campaigning took place in favor of any challenger. Neither the incumbent nor his most serious challenger, Arnold Rüütel, made a nation-wide public campaign before or after the first rounds of the election by the parliament. When the parliament failed to elect the president (due to the very high supermajority requirement), three additional contestants entered the race: Tunne Kelam, Siiri Oviir, and Enn Tõugu. This occurred so late in the process that the campaigning was restricted to a few interviews with national newspapers. An illustrative example of the lack of campaigning was that many of the members of the Electoral College assembled for the second round of presidential election had no information about some candidates (Moora 2002). Most observers predicted an easy victory for Lennart Meri despite the increase in the number of candidates because the new candidates were expected to draw votes away from Rüütel's rather than Meri's support base (Lõhmus 1996). The only controversial incident occurred a day before the elections in the Electoral College, when a secret letter sent to Meri by his opponents resurfaced. The letter urged Meri to step down and threatened to disclose information about Meri's connections with the KGB if he decided to stay in the race (Postimees 1996). That letter did more damage to the sender than to Meri, who won comfortably over Arnold Rüütel. In general, despite the small last minute scandal, the election in 1996 was an uncontested, nonpartisan, and noncontroversial affair. This greatly contrasts with subsequent elections.

THE ELECTIONS OF 2001

The presidential campaign in 2001 was lengthy, intense, politicized, and directed toward the general public—the kind that is conventionally

associated with direct elections for a powerful office. Saarna-Siiman (2005) has even compared these elections to the American style of presidential contests. The campaign was political and uncompromising from the beginning, leading to an unexpected result and regrets of failure to cooperate among the ruling parties (Toots 2001). This sets it apart from the previous two elections, especially the one in 1996. Probably the factor most responsible for this change was the fact that the incumbent could not run for reelection, thus the contest was open to other serious candidates. By this time, the political landscape in Estonia had more or less stabilized, allowing presidential elections to become more heavily contested partisan affairs. Furthermore, parties had realized that presidential campaigning, as well as holding the office, was an asset for elections to other offices, in the process of coalition formation and in ensuring one's policy influence (Palmaru 2001). Parties were therefore willing to invest in lengthy and intense campaigns.

The intensity of the campaign reveals itself in the number of potential candidates entering the race. Before the official candidates had been registered, up to 50 different names had been mentioned as potential candidates for the office (Moora 2002). Many parties experienced serious internal frictions when deciding whom to nominate as their candidate (Ideon 2001*b*; Toots 2001). The nomination process was also a contentious issue in interparty relations. Of the three coalition partners—the SDE, IL, and RE—only the former continuously called for finding a common candidate. The IL and RE, however, could not agree on one, but kept pushing for their own partisans (Muuli 2001). The intra-coalition contention was so strong that some predicted that the presidential election would lead government into a crisis and break the coalition (Ideon 2001*b*).

The final number of official candidates was not so high, primarily because of the restrictive nomination requirements; a candidate could only be nominated with the support of 21 members of parliament or the Electoral College. There were three candidates in the first, parliamentary tier: Peeter Kreitzberg, Andres Tarand, and Peeter Tulviste. All of them were active politicians holding leadership positions within their own parties. None could be considered "elder statesmen"—all are active in national politics to date. In the second, electoral college tier, two additional candidates were nominated: Arnold Rüütel and Toomas Savi. The latter was also active in politics and nowhere near close to retirement. Arnold Rüütel was a more accomplished politician by that time, but he certainly did not see this position as the end of his political career. Indeed,

as we shall see later, he intended to run for the presidency again five years later.

The main characteristic that sets the 2001 election apart from earlier ones was the length of the campaign. Some parties began promoting their candidates for the office of president as early as the spring of 1999. By the beginning of 2001, all parties had decided upon their presidential candidates leaving more than half a year for promoting them. This is in great contrast to previous elections, when campaigning took place for a month at the most. Another characteristic of the 2001 campaign was intense partisan competition. Partisanship was of central importance—no candidate without a party's support had a realistic chance to win the office (Saarna-Siiman 2005).

The politicization of the contest was also apparent in the substance of the campaigns. The opposition parties associated the candidates of coalition parties with the unpopular decisions made by the governing parties. Party discipline in support of a candidate also became very strict—there was no cross-party support for any given candidate. Even if certain parties tried to portray their candidates as nonpartisan (most explicitly Peeter Tulviste, who personally spoke against partisan intervention in presidential elections), other parties made great efforts to associate those candidates with specific parties and their mishaps (Ideon 2001*a*). Elections in parliament were characterized by strict party discipline, and partisan members of the Electoral College also declared that they would be voting along party lines in the second tier of the elections.

The partisan campaigns mostly centered on the qualities and values of the candidates. However, by advertising candidates' values, parties were, for the most part, promoting their own ideologies. Furthermore, candidates were frequently accused by media and observers for making policy promises that they have no way of fulfilling. There was a threat that such promises may increase people's disillusionment with politics (Kivirähk 2001). The parties did not necessarily promote specific issues or substantive programmatic positions, but the candidates made promises about new and better ways of making politics, increasing social solidarity, reuniting urban and rural areas, working for getting into the EU and NATO (Ilves 2001; Postimees 2001). There was also some snowball effect in making campaign promises. Social solidarity became a central issue in the election because the People's Party campaign for Arnold Rüütel was the first to make a promise that, as president, Rüütel would make the country more socially balanced—a promise which the president lacks any

tools to uphold. This can also be understood as an attempt to present Rüütel as the president for the entire country, not just for social segments. Other parties then followed a similar strategy, and substantive campaign debates often centered on social issues. Thus, empty policy promises could not entirely be avoided.

The campaign in 2001 was not only intense, but it was also directed toward the public (at least in the beginning) even though the public could not vote. Presidential candidates conducted meetings with the public to talk about their candidacy (Ideon 2001*c*), the parties actively followed public opinion polls about the popularity of each candidate (Ideon 2001*d*), and the campaigns were at the center of media attention with candidates constantly having to explain and defend to the public their suitability to the position (Postimees 2001). It might have been a strategic move to seek early momentum, as well as to use presidential campaigns to market parties for future races (Moora 2002). Later, the campaign was targeted more specifically toward members of the Electoral College.

The elections in both tiers were very close. In the parliamentary rounds, none of the candidates received the two-third supermajority, and all were supported by roughly an equal number of MPs. In the election by the Electoral College, Arnold Rüütel won by three votes. The result was unexpected and drew strong reactions. For weeks after the election, almost all opinion articles in major national newspapers were about the presidential election. These contained opinions of academics, intellectuals, partisans, and journalists. Many considered the result shocking and damaging to the coalition who was blamed for the inability to nominate a common candidate and therefore lost the election for an opposition party candidate (Lauristin 2001).

THE ELECTION OF 2006

The presidential election in 2006 was also heavily contested and was preceded by an intense campaign. The campaign was shorter than the one in 2001, mostly because it was not clear until late whether the incumbent intended to run for reelection. Again, this discouraged other contenders from entering the contest, as the incumbent was generally perceived as having an advantage, especially in the Electoral College. This campaign was also very partisan in nature. As opposed to the election of 2001, when every party was fighting against all others, two distinct party blocs emerged—a phenomenon that made the contest very polarizing.

One would have expected the elections of 2006 to be similar to those of 1996, because the incumbent had a chance to run again and possibly win with ease. The difference was that Lennart Meri enjoyed widespread popular support and had the backing of the elites, while Arnold Rüütel was very divisive among segments of the elite, who adamantly opposed him because of his communist past. Thus, there was a strong movement to oust the incumbent. This triggered an effort by some parties to find a compromise candidate—somebody who would defeat Rüütel (Tappo 2006). Initially, all parliamentary parties other than Rüütel's People's Party (RL) cooperated in seeking a common candidate. Their willingness to cooperate was quite telling when proposing initial candidates: several parties proposed candidates not only from their own party but also from other parties. The search for compromise brings this contest more in line with the theoretical expectation about indirect elections (Tappo 2006). However, the compromise was undermined when the Centre Party (K) pulled out of the coalition and entered into an agreement with the RL. This initiated a highly polarized, intense campaign by the two party blocs.

The initial five-party coalition agreed on two candidates: Ene Ergma and Toomas Hendrik Ilves. The former was a professor of physics who had been active in politics since 2003 and who had served as the speaker in parliament; she was certainly not at the end of her political career. Her candidacy was mostly put forward to attract the Center Party to stay on board. The coalition of four was betting more heavily that Ilves was capable of beating Rüütel in the Electoral College. Ilves was a former minister of foreign affairs and, at the time, was serving as a member of the European Parliament. Because of his good reputation and connections in the international arena, he reminded many people of the very popular President Meri. Ilves was not an elder statesman looking to be rewarded for his public services.

The campaigns lacked any substantive debate and the candidates themselves rarely spoke. The main tactic of both sides was to use attack ads against the other candidate. Parties did some of this negative campaigning, but some of it was carried out by heavily polarized nonpartisan elites, such as artists, writers, and musicians (Postimees 2006*b*). The campaign directed toward the general public was very negative and dirty (Kuimet 2006*b*), and focused on the candidates' personal lives. One observer concluded that the campaign was based on emotions, propaganda, and politization (Lõhmus 2006). The tone of the campaigning was very confrontational, portraying the choice as one between the old regime and

the new, modernizing Estonia (Zavatski 2006). Partisan contestation manifested itself most clearly in the efforts of parties to recruit potential members of the Electoral College (Postimees 2006*a*). The parties of the governing coalition who supported Rüütel—the RL and K—were also strategically allocating the supplementary budget to local governments to buy Electoral College votes (Ibid.). In the end, Toomas Hendrik Ilves won in the second and last round in the Electoral College with a majority of only two votes.

The main conclusion to be drawn from the Estonian case is that there is great variance in the intensity of campaigning and competitiveness of the elections within similar institutional structures across time. The first two elections were relatively quiet, nonpartisan events. This is in great contrast to the last two elections, which were characterized by intense, lengthy, and divisive partisan campaigns. The competitiveness of the elections and the intensity of partisan confrontations greatly exceeded the levels that one would expect, given the symbolic nature of the office and the mode of election. Thus, the electoral mechanism cannot be responsible for the nature of the campaign and the elections. Rather, the elections became more competitive when the incumbent was not running or was not supported by elites, and when parties realized that they could use these contests as marketing devices for subsequent races for other offices.

Furthermore, the nature of the campaigns also seems not to have influenced the types of candidates running. Candidates in all elections were active politicians at the peak of their political careers, rather than those approaching retirement. Those who were not elected continued their careers in public life. Thus, one cannot conclude that indirect elections only produce compromise candidates who emerge from partisan horse-trading and are not promoted by national public campaigns. As the 2006 election most illustratively showed, although the elections were indirect, public opinion and nonpartisan mobilization played an important role in the campaign and, potentially, beyond.

Hungary

The Hungarian president is elected by the parliament for a five-year term. The same person can be reelected once. Candidate nomination requires the support of at least 50 MPs, thus favoring nominations from the larger parliamentary parties. There are three possible voting rounds. In the first round, in order to be elected, a candidate needs the support of two-thirds

Table 5.5. Hungarian presidential elections: candidates and results

Year	Candidate	Age	Party	Result (% of all votes cast)	Result (% of total number of MPs)
1990	**Árpád Göncz**	68	SZDSZ	95	76
1995	**Árpád Göncz**[c]	73	SZDSZ	77	67
	Ferenc Mádl	64	Independent	19	16
2000: Round 1[a]	Ferenc Mádl	69	FIDESZ/MDF	69	65
Round 2[a]	Ferenc Mádl	69	FIDESZ/MDF	67	62
Round 3[b]	**Ferenc Mádl**	69	FIDESZ/MDF	69	62
2005: Round 1[a]	László Sólyom	63	Independent	7	3
	Katalin Szili	49	MSZP	92	47
Round 2[a]	László Sólyom	63	Independent	51	48
	Katalin Szili	49	MSZP	49	46
Round 3[b]	**László Sólyom**	63	Independent	50	48
	Katalin Szili	49	MSZP	50	47

Notes: The winner is marked in bold. FIDESZ, Hungarian Civic Union (Fiatal Demokraták Szövetsége/Magyar Polgári Párt); MDF, Hungarian Democratic Forum (Magyar Demokrata Forum); MSZP, Hungarian Socialist Party (Magyar Szocialista Part); SZDSZ, Alliance of Free Democrats (Szabad Demokratak Szövetsege).

[a] Two-third majority of all MPs needed to win.
[b] Simple majority of all MPs present needed to win.
[c] Incumbent candidate.

Source: Simon (2006*b*).

of all MPs. If no candidate gets the required majority, a second round of voting will be held with the same super-majority rule. If no winner emerges, a third round of voting will be held between the two front-runners. In order to be elected in the third round, a candidate only needs to get a simple majority of votes. Such rules theoretically favor the nominee of the governing coalition. However, as we shall see, it is not always easy to agree upon this nominee, and once nominated, his or her victory is not guaranteed. The office of president has not become simply a perk for the ruling party favorites, which is what is expected of indirect presidential elections. Table 5.5 summarizes information about the candidates and election results of all Hungarian presidential elections.

Overall, the Hungarian case corroborates that the same method of election may produce contests with varying degrees of competitiveness. As was the case in Estonia, incumbency is certainly an asset for a candidate and also tends to ease the tensions surrounding the election. Also, the role of parties and the value that they place in winning the office shape how intense the election process becomes. The latest presidential elections in Hungary vividly illustrate the point that presidents in systems with indirect elections do not necessarily emerge from deals struck in smoke-filled

rooms, but that the selection process is influenced by party competition, as well as public opinion.

THE SILENCE BEFORE THE STORM: THE ELECTIONS OF 1990, 1995, AND 2000

The first two presidential elections in Hungary conform to the conventional expectation about indirect elections—both were characterized by compromise. In both cases, the winning candidate was acceptable to both the government and the opposition (Bednárik 1998, 4). In 1990, there was only one candidate nominated for the presidency—Árpád Göncz. As a candidate resulting from an agreement between the largest governing and the largest opposition party, he was elected with a consensus of almost all parliamentary parties (Javorniczky 1990, 1). Even the leadership of another opposition party, the Hungarian Socialist Party (MSZP), which had strongly favored direct elections of the president and were disappointed with the results of the referendum in which their proposal failed, endorsed Göncz's candidacy publicly (Népszabadság 1990*a*, 2). Göncz was elected president with 95 percent of MPs present voting for him.

The 1995 election followed this consensual style. This was partially because incumbent President Göncz decided to run again. Since he was both highly popular among the ruling elite and the most highly regarded politician in the eyes of the public (Dési 1995), the noncontroversial nature of the election is not surprising. Indeed, it was believed that he would have easily won even in direct elections (Bossányi 1995). Both parties of the governing coalition endorsed Göncz's candidacy (Bossányi 1995; MTI 1995). The opposition parties put forward their own candidate, Ferenc Mádl, at the last minute (Weyer 1995, 9). While Göncz explicitly rejected the idea of campaigning (Bossányi 1995), Mádl engaged in an election campaign, even making some policy statements by promising to protect families and the future generation (Weyer 1995, 9). This, however, did not introduce much heat and controversy to the contest. Göncz won the parliamentary vote in the first round (i.e., receiving the support of at least two-thirds of all MPs), which in itself indicates that the elections were not contentious.

As for the nature of the candidates, both Göncz and Mádl could be seen as "elder statesmen," or at least accomplished public figures. Generally, the preference of Hungarian political parties is to have presidential candidates who are not active politicians. Göncz was a writer and an intellectual, a well-known dissident who had been active during the 1956

revolution. Mádl was a professor of law, who had also served in the first democratic government. He was widely regarded as a top legal scholar and professional (Simon 2006*b*).

The presidential election of 2000 at first promised to become more controversial. The incumbent could not run, opening the field for new candidates, and there was no explicit attempt to find a compromise candidate. The governing coalition between the Independent Smallholders' Party (FKgP) and the Hungarian Civic Union (FIDESZ) again nominated Ferenc Mádl as their candidate (Réti 2000), without consulting the opposition parties. Despite that, the leaders of the MSZP and the Alliance of Free Democrats (SZDSZ) assured that Mádl had their support. They did so largely because they were afraid that if Mádl did not get the necessary endorsement, the coalition would nominate FKgP leader Jósef Torgyán, who was completely unacceptable to the opposition because he was an active politician. The threat of Torgyán being nominated even triggered discussions about changing the mode of election (Simon 2006*b*). Thus, Mádl was generally perceived as a reasonable compromise candidate and any resistance to him displayed by the opposition parties was mostly symbolic.

The leaders of FIDESZ encouraged Mádl to talk to other parliamentary factions after his nomination to search for some common ground. It is generally acknowledged, however, that these visits proved detrimental to gaining an absolute majority in the first round of elections. Mádl was accused of avoiding political questions at these meetings and his answers were perceived as evasive and non-interpretable. His campaign bid was much weaker than it had been five years prior, when he openly criticized the sitting president on policy. In general, these visits convinced most of the opposition MPs to vote against Mádl (Réti 2000, 7). However, with the exception of the Hungarian Justice and Life Party (MIEP)—the smallest party in parliament—other opposition parties did not openly oppose Mádl's candidacy and did not nominate their own candidates. Mádl failed to win the supermajority required in the first two rounds of voting but was elected president on the third round with the support of 62 percent of all MPs and 69 percent of MPs present. Overall, the 2000 election, while less driven by compromise, was not competitive or controversial.

THE COMPETITIVE 2005 ELECTIONS

The 2005 presidential election marked a turn in the trend of consensual elections. The controversy began at the nomination stage. Mádl decided

not to run for reelection, opening the competition to new candidates, of which there was an unprecedented proliferation. Different parties seriously considered about 16 different names for nomination (Simon 2006*b*). Some attempts were made to find a compromise candidate—the largest opposition party, FIDESZ, said it was ready to consider a socialist candidate unless he or she was an active politician or the daughter of Árpád Göncz (NOL 2005*a*). However, the largest coalition party MSZP was not consistent in its preference for a compromise candidate. The prime minister said that they wanted a consensus candidate, while the party leader stated they only wanted to consult with their coalition partner (NOL 2005*d*). The MSZP nominee was Katalin Szili—the vice president of the party and president of the National Assembly. This made her candidacy unacceptable to their junior coalition partner SZDSZ, which disapproved of nominating an active politician for the position. Szili concentrated her campaign on her own party by personally visiting local party organizations and building her support base. She was able to build up considerable pressure from local party units on party leadership (NOL 2005*e*). Furthermore, MSZP was adamant about having a socialist party candidate as the nominee (Ibid.). They recognized that the president was not simply a symbolic office, but could serve party purposes in important ways.

The more controversial nature of this election was also evident from the intervention by intellectuals and civil society groups in the nomination process (NOL 2005*b*, 2005*c*). Although they did not have the ability to nominate candidates, their pressure on parliamentary parties indicates the perceived need by the public to intervene. Furthermore, the media as well as the opposition parties grew increasingly hostile toward Szili. In general, this presidential election has, so far, received the most media coverage, which also underlines the more controversial nature of the contest. While attacking Szili, the search for candidates went on, as FIDESZ was determined to have its own nominee. One candidate proposed by a grassroots movement was László Sólyom, a former president of the Constitutional Court and not an active politician. A small parliamentary party, the Hungarian Democratic Forum (MDF), supported his candidacy, but fell short of the necessary 50 seats in parliament to be able to make the nomination. Sólyom was eventually nominated by FIDESZ (NOL 2005*a*). He explicitly refused to engage in campaigning, but some was done for him by the grassroots organization that had first nominated him for the candidacy (NOL 2005*f*). Sólyom's greatest asset was his political neutrality, which was also the foundation of his campaign. By attacking

Szili's candidacy and nominating their own candidate, the opposition parties, most notably FIDESZ, attempted also to undermine the credibility of the government parties. Having their candidate beat Szili was seen as potentially beneficial for the opposition in the parliamentary elections scheduled to take place in less than a year (Joó and Varga 2005).

The final vote is also telling about the nonconsensual nature of this election. The junior coalition party SZDSZ refused to participate in all rounds of the vote. FIDESZ did not participate in the first round in order to discover the extent of cross-party and cross-coalition voting in favor of their candidate. Furthermore, many MPs revealed their vote and openly persuaded others to switch their votes from one candidate to the other (Magyar Hírlap 2005). This is not a behavior characteristic of consensual elections. In the event, Sólyom won the election by only three votes.

The Hungarian case further illustrates that the nature of the elections, in terms of competitiveness, can vary greatly under the same mode of election. Popular incumbency is able to reduce the heat of the contest, making the elections almost a routine rubber-stamp procedure. Lack of incumbency and parties' ambitions for the office, on the other hand, propel competition and confrontation even in the indirect election process. Electing a symbolic head of state in parliament does not necessarily lead to a compromise candidate chosen behind the scenes, but may involve considerable public and media attention, as well as open partisan contestation. Further, even though the general preference in Hungary has been in favor of the candidacy of an elder statesman, the latest election shows that politically active young candidates are also drawn to these contests and can do equally well.

Germany

The German president is elected indirectly by an electoral college (the Federal Convention) for a five-year term. The Federal Convention consists of the members of the Bundestag (the lower house) and an equal number of members elected by the parliaments of the States (Länder) from among their members according to the principle of proportional representation. The person receiving the votes of the majority of the members of the Federal Convention is elected. Where such majority is not obtained by any candidate in two rounds, the candidate who receives the largest number of votes in the third round is elected. A president can be reelected once. In theory, any member of the Federal Convention can nominate

a candidate; in reality, however, nominations are usually done by the leaderships of the major parties.

Political parties in Germany have realized the value of having a president of their party in office, which is why presidential elections are considered important and generate considerable controversy (Deutsche Presse-Agentur 2004*c*; Poguntke 1994, 1995; PRS Group 2004). Nominations are usually made months in advance and they are accompanied by public discussions (Burkiczak 2004; Deutsche Presse-Agentur 2004*a*; Poguntke 2005). Nominations and voting are also often very strategic, motivated by a party's goals in gaining access to other political offices (Scholz and Süskind 2003). Furthermore, most candidates who are nominated hold leadership positions within their party and only sometimes do they retire from public life after their presidency (Scholz and Süskind 2003; Schwarz 1999; Tagesschau 2004*a*). Elections are heavily partisan and compromise candidates are rare (Jochum 2000; Oppelland 2001). Contests become noncompetitive only when a popular incumbent is running or when one party has a clear majority in the Federal Convention. The German example undermines the argument that indirect elections always involve compromise and are not surrounded by much controversy. It also illustrates the importance of party strategizing and the incumbency effect as the actual determinants of the nature of presidential elections. In what follows, I will briefly go through each election campaign in the chronological order and evaluate the extent to which these were competitive and why. Table 5.6 summarizes information on German presidential elections.

THEODOR HEUSS: 1949, 1954

Because the German president is elected by the Federal Convention, the results of legislative elections both at the national and at the Land level become important in defining the power balance between parties in the Convention and setting the state for the presidential election. After the first Bundestag elections, the CDU gained about 31 percent of the vote, the SPD about 30 percent, and the FDP about 12 percent. The CDU could thus not govern alone and needed the FDP or SPD to build a coalition (both options were being discussed). The solution for the CDU leader Konrad Adenauer was to build a coalition with the FDP, giving the latter the post of the president, and having himself selected as the chancellor. There was some opposition to this plan within the CDU—the proposed FDP candidate Theodor Heuss was quite liberal. As late as one day before the presidential election, a significant minority of the CDU protested

Table 5.6. German presidential elections: candidates and results

Year	Candidate	Age	Party	Electoral college size	Result: round 1 (%)	Result: round 2 (%)	Result: round 3 (%)
1949	**Theodor Heuss**	65	FDP	804	47	52	
	Kurt Schumacher	54	SPD		39	39	
	Rudolf Amelunxen	61	Z		3	4	
	Hans Schlange-Schöningen	63	CDU		1	0.2	
	Karl Arnold	48	CDU		0.1		
	Josef Müller	51	CSU		0.1		
	Alfred Loritz	47	WAV		0.1		
1954	**Theodor Heuss**[a]	70	FDP	1,018	86		
	Alfred Weber	86	SPD		1		
	Konrad Adenauer	78			0.1		
	Karl Dönitz	63	CDU		0.1		
	Prince Louis-Ferdinand von Preußen	47			0.1		
	Herzog Ernst-August von Braunschweig	67			0.1		
	Marie-Elizabeth Lüders	66			0.1		
	Franz-Josef Wuermeling	54			0.1		
1959	**Heinrich Lübke**	65	CDU	1,038	50	51	
	Carlo Schmidt	90	SPD		37	37	
	Max Becker	71	FDP		10	9	
1964	**Heinrich Lübke**[a]	70	CDU	1,042	68		
	Ewald Bucher	50	FDP		12		
1969	**Gustav Heinemann**	70	SPD	1,036	49.6	49	50.04
	Gerhard Schröder	59	CDU		48	49	49
1974	**Walter Scheel**	55	FDP	1,036	51		
	Richard von Weizsäcker	54	CDU		48		
1979	**Karl Carstens**	65	CDU	1,036	51		
	Annemarie Renger	50	SPD		42		
1984	**Richard von Weizsäcker**	64	CDU	1,040	80		
	Luise Rinser	73	Independent		7		
1989	**Richard von Weizsäcker**[a]	69	CDU	1,038	85		
1994	**Roman Herzog**	60	CDU/CSU	1,324	46	47	53
	Johannes Rau	63	SPD		38	42	46
	Hildegard Hamm-Brücher	73	FDP		10	10	
	Jens Reich	55	Grüne		5		
	Hans Hirzel	70			0.8	0.8	0.8
1999	**Johannes Rau**	68	SPD	1,338	49	52	
	Dagmar Schipanski	56	CDU		44	43	
	Uta Ranke-Heinemann	72	PDS		5	5	
2004	**Horst Köhler**	61	CDU	1,205	50.1		
	Gesine Schwan	61	SPD		49		

Notes: In the first two rounds, an absolute majority is required to win and percentages are taken as a share of electoral college members; in round 3, simple majority is enough to win and percentages are taken as a share of electoral college members casting a vote.

The winner is marked in bold. CDU, Christian Democratic Union (Christlich Demokratische Union); CSU, Christian Social Union (Christlich-Soziale Union in Bayern); FDP, Free Democratic Party (Freie Demokratische Partei); Grüne, Greens (Bündins 1990/Grüne); PDS, Party of Democratic Socialism (Partei des Demokratischen Sozialismus); SPD, Social Democratic Party (Sozialdemokratische Partei); WAV, Reconstruction League (Wirtschaftliche Aufbau-Vereinigung); Z, Center Party (Zentrum).

[a] Incumbent candidate.

Source: Scholz and Süskind (2003).

his candidacy. The CDU sister party from Bavaria, the Christian Social Union (CSU), was also about to vote against Heuss because Adenauer did not keep his promise about giving them the Bundesrat speaker position. Indeed, in the event, two additional candidates from the CDU and one from the CSU were nominated for the presidency and competed against Heuss (Scholz and Süskind 2003).

Adenauer hoped that the SPD would not nominate its own candidate at all. However, the SPD claimed that according to the "Austrian model" that Germany should follow, they, as an opposition party, should have the office of presidency (Oppelland 2001). It was clear to the SPD that the office of presidency was not simply a ceremonial position but carried political value for them. Schumacher, the SPD leader, became the opposition candidate because he did not want any other person potentially more acceptable for conservatives to become a candidate (Oppelland 2001).

Nominations from both parties were thus rather controversial, and there was little partisan compromise. This was also reflected in voting in the Federal Convention, where Heuss did not receive the required majority in the first round. It was only in the second round when the CSU candidate and one CDU candidate withdrew that the votes were reallocated, and Heuss got more than 50 percent of the vote and became the president. In 1954, there was no real debate over reelection: Heuss was popular among the elites and about 70 percent of the population supported his reelection also. Other candidates were nominated, but as expected, Heuss won overwhelmingly.

HEINRICH LÜBKE: 1959, 1964

After Heuss's second term, the SPD nominated Schmid as its candidate. Schmid was quite popular among the public (Scholz and Süskind 2003). The CDU nomination was more controversial. The party appointed a commission to search for the candidate. They first approached Ludwig Erhard to be the CDU nominee. Adenauer liked this idea, because it would remove Erhard as the potential candidate for chancellorship and allow his favorite Franz Etzel to take the post instead. Erhard, however, said that he would only agree to be nominated if both the party's parliamentary group (fraktion) and the party leadership voted for him unanimously. This proved to be quite impossible because many in the party leadership wanted Erhard to remain active in party politics during the next elections after Adenauer had retired. After Erhard refused, Adenauer himself (then already 83 years old) considered running for the presidency. There was

considerable support within the party for this idea. However, in the event, fearing that he would lose control over the CDU and not wanting Erhard to become the chancellor, Adenauer decided to remain chancellor. In its third attempt, the CDU approached Heinrich Lübke. His nomination came as a surprise to the public, to most members of the CDU, and probably to Lübke himself (Scholz and Süskind 2003). Lübke's election was not inexorable, however: both the SPD and FDP had nominated their own candidates, and it took a few defecting votes from the FDP to win presidency for Lübke.

People were generally satisfied with Lübke's presidency, but there was not much public support for his second term. Many influential CDU politicians also supported the idea of a new president. However, the SPD came out publicly supporting Lübke's second term. They calculated that this move—supporting the CDU candidate—might open doors to power for them. Given such a move by the SPD, it was difficult for the CDU to select a new candidate (Oppelland 2001). Lübke was elected in the first round of elections in 1964 with the votes of the SPD and CDU (the FDP was against reelection) (Schwarz 1999). Although the support was overwhelming, there were many empty ballots, and many CDU members were suspected to have not voted for Lübke.

GUSTAV HEINEMANN: 1969

After the grand coalition between the CDU and SPD was formed in 1966, the SPD decided to nominate its own candidate for the presidential post and expected the CDU to support him (Winter 2004). Heinemann was not thought of as a candidate at that point; the more likely candidate was the minister of transportation, Georg Leber. However, Heinemann had been quite successful as minister of justice in quelling the student protesters, and he thus found more support within the party. Heinemann was not acceptable to the CDU because he was too liberal, and the CDU did not support the SPD idea of nominating a common candidate to begin with. Thus, they nominated their own candidate: Gerhard Schröder. They had also considered a more liberal candidate, Richard von Weizsäcker, but they settled for Schröder, who was more conservative and had a broader appeal within the party (Scholz and Süskind 2003).

When the elections were just about to take place, no one actually knew whom the FDP would support (Oppelland 2001). This left the election wide open until the last minute. There was some indication that of the potential CDU candidates, the FDP would have supported von Weizsäcker.

The night before the elections, there was a straw vote within the FDP (57 for Heinemann, 23 for Schröder) (Scholz and Süskind 2003). Finally, all agreed to follow the suggestion of the party leadership, a decision that effectively decided the election (Oppelland 2001). Heinemann's elections were the first ones that proceeded to the third round, where a plurality was enough to win. Thus, even with the help of the FDP votes, his victory was not easy.

For FDP, the choice to support Heinemann was part of their calculation about the next Bundestag elections—support the SPD now (March of 1969), then become part of the coalition with the SPD after the next elections (to be held in September 1969) (Oppelland 2001). The SPD was open to such a coalition possibility because it would allow them to take over the chancellorship as the "senior" partner with the FDP. One of the SPD leaders, Carlo Schmid, wrote in his memoirs that the election of Heinemann was also important since this removed doubts among the public regarding the "governability" of the SPD (Scholz and Süskind 2003). Heinemann himself declared after his elections that a change in power had just taken place (Oppelland 2001). Five months later, after the next parliamentary election, Willy Brandt (SPD) indeed became the chancellor and formed a coalition with the FDP.

WALTER SCHEEL: 1974

In 1974, Heinemann decided not to rerun. Walter Scheel, a long-time FDP politician, however, had presidential ambitions. He inquired of Chancellor Brandt whether the latter intended to run for president but received no response. He then declared that he wanted to become president himself and asked his party for nomination, which was also granted. Scheel was the chairman of the FDP at the time and after Brandt's resignation right before the presidential elections, he was also the acting chancellor (Tagesschau 2004*a*). When elected, he was the youngest president so far (55 years old).

After nomination, Scheel purposefully worked for his candidacy, relying on his popularity among the public. He gradually convinced his own party (the party did not want him to resign from the party leader position) and the Social Democrats (initially even considering nominating Willy Brandt as their own candidate) to support him in the Federal Convention. Social Democrats accepted Scheel as a return favor for the FDP supporting Heinemann five years before. The CDU were always set to nominate their own candidate: this time they settled for von Weizsäcker. He got the CDU

votes, but Scheel won comfortably in the first round with the SPD and FDP votes (Oppelland 2001). Scheel also had more public support at the time (Scholz and Süskind 2003).

KARL CARSTENS: 1979

In 1979 Scheel would have liked to stay in office, but the CDU gained an absolute majority in the Federal Convention and nominated its own candidate. The SPD and FDP officially asked Scheel to run again, hoping for some breaking of ranks within the CDU, but Scheel refused, saying that he did not want to become the reason for breaking party unity (Tagesschau 2004*a*).

The CDU candidate Carstens had been the fraction leader of CDU/CSU from 1973 to 1976, and right before being elected president, the speaker of the Bundestag (1976–79) (Winter 2004). His nomination drew protests because he was deemed to be too conservative by many. Some criticized how he conducted himself in office in his previous positions. Many in the SPD attacked him because of his membership of the NSDAP (although many had been members of the party, including, for example, Scheel). He was also party to a lawsuit by him against an SPD member of parliament who had accused Carstens of lying. Carstens had won in the trial court, but lost in the appellate court, and then after the case was remanded to trial court and Carstens became a presidential candidate, he decided to settle the suit. This case was another source of criticism by the opposition (Scholz and Süskind 2003). The heat of the contest, thus, mostly took place during the nomination phase. The election itself was an easy victory for Carstens, given the CDU's majority in the Federal Convention (Oppelland 2001).

RICHARD VON WEIZSÄCKER: 1984, 1989

Carstens did not want to remain in office for the second term, even though he would have been reelected. The CDU had the necessary votes in the Federal Convention and Carstens was a popular incumbent: during his years in office he increased his popularity from 32 percent right after becoming president to 72 percent at the end of his term (Scholz and Süskind 2003). Carsten's decision not to run again opened the electoral arena for new nominations. As had been the case five years earlier, the real contestation was at the nomination stage within the CDU, because it was clear that their candidate would win in the convention. Von Weizsäcker had previously run for the presidency, and when Carstens declined the

opportunity to run for a second term, he started to campaign unofficially (Scholz and Süskind 2003). Von Weizsäcker was a long-time member of the CDU, holding positions in the CDU leadership and national politics. He was relatively liberal, which made his candidacy more acceptable to other parties, but may have made some of his co-partisans more skeptical (Winter 2004). For example, the CDU leader and Chancellor Helmut Kohl did not support his candidacy. Instead, Kohl wanted to persuade Carstens to stay for a second term. This hesitation caused some delay, and the official nomination came quite late in the process (on November 28, 1983) (Scholz and Süskind 2003).

The election was an easy victory for von Weizsäcker: given no chance of winning, the SPD did not even nominate a candidate (Oppelland 2001). The only other candidate was from the Green Party. Von Weizsäcker became a popular president: in 1989, he commanded the support of 86 percent of the population (i.e., more than any other president had ever had). Given his popularity, there were no real discussions about alternative candidates when it came to reelecting him for a second term (Oppelland 2001; Scholz and Süskind 2003).

ROMAN HERZOG: 1994

In 1994, the electoral arena was again wide open: The incumbent could not run again, which opened doors for other candidates and set the stage for a contentious election. Discussions over the next presidency started about a year after von Weizsäcker's second term had started. There was a secret meeting between one of Chancellor Kohl's close allies from the CDU and Johannes Rau and Willy Brandt from the SPD, discussing the possibility of nominating Rau as the common candidate. This idea came to nothing, but the CDU tried again and suggested a social democrat from Eastern Germany as a common candidate, but the SPD vetoed that candidate (Scholz and Süskind 2003). The CDU then started looking for its own candidate and its first choice was the minister of justice for Sachsen, Steffen Heitmann. The SPD had announced Rau's candidacy, and Kohl felt forced to nominate Heitmann before he had fully agreed (Oppelland 2001). The FDP did not nominate its own candidate at first, and there was a very good chance that the FDP would vote for the popular Rau and against the conservative Heitmann, especially given the latter's controversial statements about the role of women and the German past (Poguntke 1994). Herzog was nominated only after Heitmann dropped out of the race. Herzog was a long-time CDU politician, holding positions

in the Baden-Württemberg cabinet before becoming a judge and then the president of the Constitutional Court (Jochum 2000). By the time of Herzog's nomination, the FDP had nominated its own candidate, but their votes were still crucial in the third round if the president could not be elected in the first two (Poguntke 1994). Given that Herzog was more liberal than Heitmann, the CDU could now rely on the FDP votes in the third round (Poguntke 1995). No candidate was elected in the first two rounds, making it the second election in which the third round was necessary. Herzog won eventually with the help of votes from the FDP.

JOHANNES RAU: 1999

Herzog declared already two years into his presidency that he would not run for a second term. Right before the 1998 Bundestag elections, when change in power seemed likely, there were rumors that he might still run. These rumors irritated many, and were most probably spread by the CDU campaign team, who wanted to use Herzog's popularity for campaigning in the parliamentary elections. Finally, after it became quite apparent that Schröder would win and Kohl would lose the parliamentary election, Herzog said that he would not run (Scholz and Süskind 2003). The CDU then nominated Dagmar Schimpanski as their candidate.

From the SPD side, Rau clearly wanted to become president; he unsuccessfully ran also in 1994. He was a long-term SPD politician. In 1995, Rau won the Nordrhein-Westphalen Land elections, which became the foundation for his presidency a few years later. Rau officially resigned as the prime minister of his Land in May 1998. By then it was clear that the SPD would nominate him as the candidate for president (Deutsche Presse-Agentur 1999*c*). After the SPD won nationally on the parliamentary election, they made the official nomination in November 1998. Unlike 1994, the public was not enthusiastic about Rau's candidacy, and the media had started to attack him too (Scholz and Süskind 2003). Arguments were made that he was too old or that it was time for a woman president or one from the East. The CDU candidate was indeed a woman, and so was the third candidate nominated by the PDS. The latter was also Gustav Heinemann's daughter (Deutsche Presse-Agentur 1999*a*). The elections were not a landslide: Rau did not receive the necessary majority in the first round. The FDP had a potentially decisive role, but it was not known how the party would vote, and they also did not impose strict party discipline (Deutsche Presse-Agentur 1999*b*). It was only in the second round, with the help of some defections from the CDU, that he was elected president.

German presidential elections have never been the source of a major political crisis, but they have also not been occasions for quiet compromise. Parties in Germany realize the value of holding the presidency, and this has spurred these contests to become competitive elections (Oppelland 2001). Parties rarely propose compromise candidates; cross-party support results only from calculated moves about potential future benefits following from such support. The first elections of Heuss and Lübke, and the elections of Heinemann, Scheel, Herzog, and Rau were relatively competitive and controversial and generated public debates. The two factors that are associated with noncompetitive elections are the incumbency effect and the domination of one party over others in the Federal Convention. That is why the elections of Heuss and Lübke and the reelection of von Weizsäcker were completed rather easily, and also why the initial elections of Carsten and von Weizsäcker did not generate much cross-party controversy (see also Oppelland 2001). The latter, though, generated considerable controversy in the nomination stage within the CDU.[11] This variance in the level of competitiveness of elections is contrary to the argument that indirect elections are quiet compromise deals between parties.

Furthermore, most German presidential candidates have been clearly partisan and often partisan heavyweights (Oppelland 2001; Schwarz 1999). Many presidents have continued their public life after the presidency. Roman Herzog, for example, remained active both within the CDU and internationally: he became the chairman for the drafting of the European Union Charter of Fundamental Rights. In all elections, parties have followed public opinion in electing the president and, thus, the public has indirectly affected the results. All this is again contrary to the expectation that indirectly elected presidencies are not positions that party leaders seek and therefore these elections are less contested. Overall, as in the other two cases above, the German case undermines the argument that the method of election accounts for variance in the nature of elections or their importance to the parties. Rather, it corroborates and further illustrates the importance of partisan strategizing and the incumbency effect for understanding why presidential elections can be more or less contested.

[11] The 2004 presidential nomination also generated much controversy within the CDU. Speculations over nominees lasted for more than six months and altogether 20 names were on offer (Tagesschau 2004*b*; see also Poguntke 2005).

Direct Elections: Polarizing Partisan Affairs?

Poland

The Polish president is chosen by direct election for a five-year term and the same person can be reelected once. A candidate for the presidency has to be supported by at least 100,000 signatures of eligible voters in order to be nominated. The electoral system used is a majority runoff: a candidate who receives at least 50 percent of the vote in the first round wins; if no candidate receives a majority of the vote, there will be a second round between the two front-runners. The winner of the second round becomes president.

The Polish presidential elections have probably been the most competitive of all the cases covered here. However, a closer look at these contests shows that there is considerable variance across elections in their extent of competitiveness and politicization. The 1990 and 2000 elections were relatively calm and uneventful compared to the elections of 1995 and 2005. This again suggests that the mode of election alone cannot be responsible for the nature of the elections. As in previous cases, the popularity of the incumbent has been an important factor in determining the level of competitiveness. The Polish presidential candidates have frequently been not only explicitly partisan but also partisan heavyweights, indicating the high value of the office to parties. Table 5.7 presents summary information on all electoral contests covered here.

THE RELATIVE CALM OF 1990 AND 2000

Poland has had four direct presidential elections: in 1990, 1995, 2000, and 2005.[12] The first and the third elections can be characterized as consensual rather than competitive. This is evident from the wide margin of victory for the winning candidate and from fairly dull campaigning in both elections. The number of candidates in both elections was also relatively small, especially the number of those that were serious in running. In 1990, only six candidates contested the election, and a clear lead for Lech Wałęsa was evident from the start (Jasiewicz 1997*a*). Furthermore, the race in 1990 was not very partisan. Two of the candidates, including runner-up Stanisław Tymiński, had no party affiliation. Although Wałęsa was officially a Solidarity candidate, his supporters did not represent a socially or politically homogeneous electorate (Jasiewicz 1997*a*). Thus,

[12] The first president, Wojciech Jaruzelski, was elected indirectly by the National Assembly and served as the president from 1989 to 1990 (Jasiewicz 1997*a*).

Table 5.7. Polish presidential elections: candidates and results

Year	Candidate	Age	Party	Result: round 1 (%)	Result: round 2 (%)
1990	**Lech Wałęsa**	47	Solidarity	40	74
	Stanisław Tymiński	52	Independent	23	26
	Tadeusz Mazowiecki	63	Solidarity	18	
	Włodzimierz Cimoszewicz	40	SDL	9	
	Roman Bartoszcze	44	PSL	7	
	Leszek Moczulski	60	KPN	2.5	
1995	**Aleksander Kwaśniewski**	41	SLD	35	52
	Lech Wałęsa	52	Independent	33	48
	Jacek Kuroń	61	PD	9	
	Jan Olszewski	65	ROP	7	
	Waldemar Pawlak	36	PSL	4	
	Tadeusz Zieliński	69	UP	3.5	
	Hanna Gronkiewicz-Waltz	43	Independent	3	
	Janusz Korwin-Mikke	53	UPR	2	
	Andrzej Lepper	41	SRP	1	
	Jan Pietrzak	58	Independent	1	
	Tadeusz Koźluk	65	Independent	0.1	
	Kazimierz Piotrowicz	51	Independent	0.1	
	Leszek Bubel	38	Independent	0	
2000	**Aleksander Kwaśniewski**	46	SLD (and UP)	54	
	Andrzej Olechowski	53	Independent	17	
	Marian Krzaklewski	50	AWS	16	
	Jarosław Kalinowski	38	PSL	6	
	Andrzej Lepper	46	SRP	3	
	Janusz Korwin-Mikke	58	UPR	1	
	Lech Wałęsa	57	PCD	1	
	Jan Łopuszański	45	LPR	1	
	Dariusz Grabowski	50	Independent	0.5	
	Tadeusz Wilecki	55	SN	0.2	
	Piotr Ikonowicz	44	PPS	0.2	
	Bogdan Pawłowski	55	Independent	0.1	
2005	Donald Tusk	48	PO	36	46
	Lech Kaczyński	56	PiS	33	54
	Andrzej Lepper	51	SRP	15	
	Marek Borowski	59	SDPL	10	
	Jarosław Kalinowski	43	PSL	2	
	Janusz Korwin-Mikke	63	Janusz Korwin-Mikke Platform	1	
	Henryka Bochniarz	58	DP	1	
	Liwiusz Ilasz	44	Independent	0.2	
	Stanisław Tymiński	57	All-Polish Citizen Coalition	0.2	
	Leszek Bubel	48	SN	0.1	
	Jan Pyszko	75	PL	0.1	
	Adam Słomka	41	KPN	0.1	

Notes: The winning candidate is marked in bold. AWS, Election Action Solidarity of the Right (Akcja Wyborcza Solidarnosc Prawicy); KPN, Confederation for an Independent Poland (Konfederacja Polski Niepodległej); LPR, League of Polish Families (Liga Polskich Rodzin); PO, Center Alliance (Porozumienie Centrum); PCD, Party of Christian Democrats (Partia Chrzescijanskich Demokratów); PD, Democratic Party (Partija Demokratyczna); PiS, Law and Justice (Prawo i Sprawiedliwość); PL, Peasant Alliance (Porozumienie Ludowe); PPS, Polish Socialist Party; PSL, Polish Peasant Party (Polski Stronnictwo Ludowe); ROP, Movement for the Reconstruction of Poland; SDPL, Social Democracy (Socjaldemokracja Polska) (until 2005 UP, Labor Union); SLD, Democratic Left Alliance (Sojusz Lewicy Demokratycznej); SN, National Party of Poland (Stronnictwo Narodowe); SRP, Self-Defense (Samoobrona Rzeczpospolitej Polskiej); UPR, Union of Political Realism (Unia Polityki Realnej).
Sources: Millard (2007), Tworzecki (1996), van der Meer Krok-Paszkowska (1999), Jasiewicz (1997*a*).

partisanship did not really play a significant role in these elections. There was also no serious campaigning, mostly because the decision to have direct rather than indirect election of the president was made only a month before the election was held (van der Meer Krok-Paszkowska 1999). In the first round of voting, Wałęsa failed to receive a majority, but he had a comfortable lead over the runner-up: 40 percent versus 23 percent. Wałęsa won the runoff election with 73.4 percent of the vote (Jasiewicz 1997*a*).

The 2000 election has been characterized as being equally uneventful, with few surprises, and generally rather monotonous (Jasiewicz and Jasiewicz-Betkiewicz 2001; Kość 2000*a*; Millard 2000; Polish News Bulletin 2000). The primary reason for this was that incumbent President Kwasniewski, who was very popular among the public, as well as the political elite (Kość 2000*c*) decided to run again. Although 13 candidates were officially running, only three could be considered serious. Among these three, Kwasniewski had a clear lead in the polls: he was predicted to win the majority of votes in the first round while the two other candidates' vote share was predicted to be in the teens (Millard 2000). The campaign was mostly candidate-based and rather dull. Furthermore, as opposed to the yearlong campaign in 1995, the one in 2000 lasted a little more than a month. Some attempts at negative campaigning were made by the runners-up, but they did not undermine Kwasniewski's position, and if anything, this backfired on the negative campaigners (Kość 2000*b*). Kwasniewski won the first round with 54 percent of the vote. As had been the case with Wałęsa's election in 1990, Kwasniewski's support base exceeded that of his old party by as much as twofold and cross-cut all social cleavages (Jasiewicz and Jasiewicz-Betkiewicz 2001). Overall, the election was perceived as a sign of normalization and routinization of presidential contests in Poland (Millard 2000).

THE STORMY 1995 AND 2005

In contrast to these calm elections stand the 1995 and 2005 presidential contests, which were characterized by a much higher level of competitiveness and politicization. In 1995, there was also an incumbent—Lech Wałęsa—running. However, in contrast to Kwasniewski in 2000, Wałęsa was not popular among the public or the political elite. With his confrontational style, he had alienated most of his partisan supporters and the public (Jasiewicz 1997*a*). There was, thus, almost no chance to unite the right-wing bloc behind his candidacy, and he was running

against three other candidates from his side of the ideological spectrum (Tworzecki 1996). From the left-wing bloc arose Kwasniewski as the leading candidate. The campaign became largely a contest between two sets of symbols: nostalgia for Solidarity versus nostalgia for the previous regime (Tworzecki 1996). The candidates were neck-and-neck in polls and carried out yearlong campaigns (Jasiewicz 1997*a*).

This time, campaigns also addressed issues, and policy promises were made (Tworzecki 1996), which further signals highly competitive elections. On the issues, however, the candidates did not differ much, and the final phase of the campaign refocused on character (Ibid.). Emotions were strong, campaigning bitter (Polish Press Agency 1995*b*), and mobilization high, with 65 percent of voters turning out in the first round (Jasiewicz 1997*a*). After the first round, Kwasniewski had a 2 percentage point lead over Wałęsa (35.11% vs. 33.11% of votes, respectively). Kwasniewski won a very narrow victory in the second round receiving 51.72 percent of the vote. The official vote count was followed by a demand for recount by Wałęsa's staff (Polish Press Agency 1995*b*); about 700,000 protests against the election results were filed with the Supreme Court, and Solidarity leader Marian Krzaklewski protested to the International Court of Justice (Polish Press Agency 1995*b*). The elections left a highly polarized electorate (Tworzecki 1996) and fractionalized parties (Jasiewicz 1997*a*). For the first time, the election of the president was perceived as a major contentious and partisan issue.

A similar tension repeated itself in 2005, which was an exceptional election, as it was held the same year as the parliamentary contests. Partially resulting from this, the election was especially partisan (Deloy 2005*a*), rather than focused on individuals or candidates who could unite the elite and the public. This time there was no incumbent and the field was wide open. Twelve candidates contested the election, with four seriously in the running (Millard 2007). All serious candidates were partisan, and interestingly, the three leading ones were all from the right-wing bloc. These candidates were also all partisan heavyweights (Deloy 2005*a*). The heated competition took place between Donald Tusk, the leader of Civic Platform (PO), and Lech Kaczyński, a leading member of Law and Justice (PiS). The heat of the campaign was reflected in the extent of (mostly empty) policy promises made by both candidates—to fight corruption and unemployment, to boost the economy, and to build a welfare state (Deloy 2005*a*). There was a general sense of a cutthroat campaign, especially as the election date approached (Polish News Bulletin 2005*b*). The PO and Donald Tusk used a somewhat passive tactic throughout the

parliamentary elections and until the first round of presidential elections, but for the second round, they realized that in order to win, they would need to become more aggressive. This intensified the campaign even more (Polish News Bulletin 2005*a*). There was no winner in the first round of the elections, and as in 1995, the results for the two front-runners were extremely close: 35.82 percent of the vote for Tusk and 33.29 percent for Kaczyński (Deloy 2005*b*). The latter won the runoff by a close margin of 54.47 percent. The elections were so close that none of the polls could accurately predict the winner and many thought that Tusk would win given his lead in the first round (Deloy 2005*c*).

Polish presidential elections appear more eventful than those in the countries with indirect elections. The number of candidates officially contesting the elections is higher and many active politicians view the position as desirable. However, as we observed, the number of candidates considered for the position has been very high also in countries with indirect elections, like in Estonia and Hungary. Furthermore, most German presidential candidates and some in Estonia and Hungary have been partisan heavyweights, indicating that this is also not a phenomenon characteristic of directly elected and more powerful Polish presidents only. At the same time, in Poland there have been great differences across elections in terms of the level of competitiveness and partisan politicization—conditions determined by the popularity of the incumbent. Overall, the Polish case largely corroborates the conclusions derived from other case studies. There are considerable differences across contests held under the same mode of election, which is why the latter cannot serve as a conclusive factor in determining the nature of the elections.

Austria

The Austrian president is selected in a majority runoff election. In order to be elected, a candidate has to have at least 50 percent of the valid votes. If no candidate receives a sufficient share of the vote, there will be a second ballot between the two front-runners no later than 35 days after the first (Müller 1999). The presidential term is six years, with the possibility for reelection once. Parliamentary parties enjoy an advantage in nominating the candidates: a candidacy requires the support of 6,000 voters or the signatures of five MPs (Müller 1999).

The nature of Austrian presidential elections has been rather uniform since 1951, when the first direct elections were held. These contests

can mostly be characterized as partisan deals, rather than intense and competitive elections. Partisan strategizing about other, more important elections and offices has determined the extent to which presidential elections become contested and heated. In no case have these contests become platforms for discussing policies or divisive issues, and they have ended up a test of partisan strength. Contrary to the conventional wisdom that a popular contest induces more heated and controversial campaigns and undermines partisan compromise, Austrian presidential elections have been explicitly noncompetitive. Table 5.8 summarizes information on these elections.

The noncompetitiveness of Austrian presidential elections is especially apparent in the contests before 1986. All of the contests, regardless of whether an incumbent was running, required only one round of voting because one candidate always gained the required simple majority of valid votes (Pulzer 1986). Furthermore, the office has been used by parties as a bargaining tool for other offices. Thus, as a rule in early elections, the same party did not hold the presidency and the chancellorship, and party leaders established this pattern in an explicit deal in 1945 (Müller 1999). This was reinforced by presidential campaigns that stressed the need to balance the power between the Social Democratic Party (SPÖ) and the People's Party (ÖVP). Even the nomination and nonnomination of candidates has been strategic in order to preserve coalitions, avoid costly campaigns, or boost one's image (Müller 1992, 1999).

Several observers have argued that the 1986 presidential election represents an exception to this otherwise rather dull image of presidential campaigns. However, even though the elections generated headlines beyond Austrian borders, it was the background of one specific candidate that sparked international attention, rather than the heat or competitiveness of the election itself. There were four candidates contesting the first round of elections: Kurt Steyer (SPÖ), Kurt Waldheim (ÖVP), Freda Meissner-Blau (ecological platform), and Otto Scrinzi (FPÖ). The campaign was largely uneventful and very much like previous and subsequent campaigns, devoid of policy issues, until an article was launched about Waldheim's controversial wartime record—an event that stirred international disapproval (Luther 1987). This polarized the campaign to a certain extent, but also mobilized Austrians' sense of resentment at foreign intervention and attracted more voters in favor rather than against Waldheim (Pulzer 1986). In the end, Waldheim narrowly missed the absolute majority in the first round, but won in the second. Indeed, his large margin of victory was considered unprecedented (Pulzer 1986), which further attests to the

Table 5.8. Austrian presidential elections: candidates and results

Year	Candidate	Age	Party	Result (%)
1951	Theodor Körner	78	SPÖ	39
Round 1	Heinrich Gleissner	58	ÖVP	40
	Burghard Breitner	67	Independent	15
	Gottlieb Fiala	60	Independent	5
	Ludovica Hainisch	50	Independent	0.1
	Johannes Ude	77	VdU	0.1
Round 2	**Theodor Körner**	78	SPÖ	52
	Heinrich Gleissner	58	ÖVP	48
1957	**Adolf Schärf**	58	SPÖ	51
	Wolfgang Denk	75	ÖVP	49
1963	**Adolf Schärf**[a]	64	SPÖ	55
	Julius Raab	72	ÖVP	41
1965	**Franz Jonas**	66	SPÖ	51
	Alfons Gorbach	67	ÖVP	49
1971	**Franz Jonas**[a]	72	SPÖ	53
	Kurt Waldheim	53	ÖVP	47
1974	**Rudolf Kirschläger**	59	SPÖ	52
	Alois Lugger	62	ÖVP	48
1980	**Rudolf Kirschläger**[a]	64	SPÖ	80
	Wilfried Gredler	64	FPÖ	17
	Norbert Burger	54	NDP	3
1986	Kurt Steyer		SPÖ	44
Round 1	Kurt Waldheim	68	ÖVP	50
	Otto Scrinzi	68	FPÖ	1
	Freda Meissner-Blau	59	Greens	5.5
Round 2	Kurt Steyer		SPÖ	46
	Kurt Waldheim	68	ÖVP	54
1992	Rudolf Streicher	53	SPÖ	41
Round 1	Thomas Klestil	60	ÖVP	37
	Heide Schmidt	44	FPÖ	16
	Robert Jungk	79	Greens	6
Round 2	**Thomas Klestil**	60	ÖVP	57
	Rudolf Streicher	53	SPÖ	43
1998	**Thomas Klestil**[a]	66	Independent	63
	Gertraud Knoll	40	Greens	14
	Heide Schmidt	50	LIF	11
	Richard Lugner	66	Independent	10
	Karl Walter Nowak	55	Independent	2
2004	**Heinz Fischer**	66	SPÖ	52
	Benita Ferrero-Waldner	56	ÖVP	48

Notes: The winning candidate is marked in bold. FPÖ, Freedom Party of Austria (Freiheitliche Partei Österreichs); LIF, Liberal Forum (Liberales Forum); ÖVP, Austrian People's Party (Österreichische Volkspartei); SPÖ, Social Democratic Party of Austria (Sozialdemokratische Partei Österreichs); VdU, Federation of Independents (Verband der Unabhängigen), the predecessor of FPÖ.

[a] Incumbent candidate.

Sources: Luther (1987), Pulzer (1986), Müller (1992), Fallend (1999, 2005), Bundesministerium für Inneres [Ministry of Internal Affairs] (http://www.bmi.gv.at/wahlen/bpwahl_historisches.asp).

fact that although the elections were highly controversial, they were not competitive, or highly contested.

The controversial 1986 campaign reinforced parties' desire for quiet and uneventful campaigns that they had been used to (Müller 1993; Pulzer 1992). Thus, the search for consensus underlined the 1992 elections after Waldheim had announced that he would not run for reelection. The two major parties, the SPÖ and ÖVP, were planning to nominate a joint candidate, which would have taken the steam out of the following campaign. The plan did not materialize, however, and all four parliamentary parties decided to run a candidate. The major competition took place between ÖVP candidate Thomas Klestil and SPÖ candidate Rudolf Streicher. The campaign was mostly about promoting personalities and substantively quite empty, but candidates did not attack each other (Müller 1993). All of this indicates a low level of competition, as does the landslide victory for Klestil (Pulzer 1992). Indeed, the result of the election was seen as calming, rather than polarizing, the political tempers and stabilizing the SPÖ–ÖVP coalition (Pulzer 1992).

The elections of 1998 and 2004 followed the established pattern of uneventful campaigns and noncompetitive elections. In 1998, although there were an unprecedented number of candidates running, only two of them had party affiliation (Fallend 1999; Müller 1999). The incumbent President Klestil ran for reelection and won in the first round with a 63.5 percent majority, while none of his opponents achieved more than 14 percent. The incumbent was very popular and the victory was certain before the contest started, which drove down turnout and made parties almost completely uninterested in campaigning (Fallend 1999). The 2004 election was only a two-candidate contest, with the smaller parties (the FPÖ and the Greens) abstaining from nominating candidates because of greater attention being afforded to other races in the same year—the provincial and European elections (Fallend 2005). The SPÖ candidate Heinz Fischer had a lead over the ÖVP candidate Benita Ferrero-Waldner throughout the campaign, which again took the approach of promoting the candidates based on their suitability for the office rather than being concerned with issues (Fallend 2005). Although both candidates tried to undermine each other's credibility as suitable candidates, the campaign never became negative or attacking. Fischer won the first round by a comfortable 5 percentage points.

Austrian presidential candidates have, for the most part, been partisan and held leadership positions in their parties before running for president (Müller 1999). However, all candidates have been advanced in their

political careers by the time they run and take office (see Table 5.8). The presidency has thus become a sort of reward for long-term politicians for their life's work. For all presidents so far, presidency has been their last public office, and four presidents have even died while in office (Müller 1999). Thus, candidates more typical of indirect elections contest Austrian presidential elections.

The example of Austria demonstrates that direct elections are not necessarily highly competitive and characterized by intense and divisive campaigning. Nor are they devoid of partisan strategizing, producing a politically "neutral" president. Quite to the contrary, the Austrian experience has been that the office of the presidency is highly dependent on partisan strategizing behind the scenes (i.e., at the stage of candidate nomination)—the kind of strategizing and compromising one would expect from indirect elections. The actual elections and campaigns have therefore remained rather dull. This equilibrium is sustained by parties' realization of the weakness of the position and their preference to keep the office that way.

Ireland

The Irish president is chosen in direct popular elections by the alternative vote method. According to this type of ballot, voters can rank order the candidates. Unless one candidate wins a majority of first preferences, the counting of votes proceeds by successive eliminations of voters' choices to the other candidates according to the next preference marked on the ballots. The nomination criteria for a candidate are rather stringent. In order to stand for office, a candidate has to be nominated by either 20 members of parliament or four county or major city councils. Only the sitting president can nominate himself or herself personally. This highlights the significance of incumbency as well as the role of parties in presidential election contests. Usually only major party candidates can have the backing of 20 MPs or a majority in county and city councils.

The presidential elections in Ireland exhibit a considerable extent of variance in election contestation—first, in whether or not they are contested at all, and second, in the extent to which the elections are competitive and preceded by heated campaigns. This variance further illustrates that the method of election alone cannot account for the competitiveness and politicization of the election. Rather, corroborating earlier findings, incumbency and parties' considerations about other offices

Table 5.9. Irish presidential elections: candidates and results

Year	Candidate	Age	Party	% of first-preference votes
1945	**Seán T. Ó Ceallaigh**	63	FF	49.5
	Seán MacEoin	52	FG	31
	Patrick MacCartan	67	Independent	20
1952	**Seán T. Ó Ceallaigh**[a]	70		Winner without a vote
1959	**Eamon de Valera**	77	FF	56
	Seán MacEoin	66	FG	44
1966	**Eamon de Valera**[a]	84	FF	50.5
	Tom O'Higgins	50	FG	49.5
1973	**Erskine Childers**	68	FF	52
	Tom O'Higgins	57	FG	48
1974	**Cearbhall Ó Dálaigh**	63	FF	Winner without a vote
1976	**Patrick Hillery**	53	FF	Winner without a vote
1983	**Patrick Hillery**[a]	60	FF	Winner without a vote
1990	**Mary Robinson**	46	Independent (LP)	34
	Brian Lenihan	60	FF	44
	Austin Currie	51	FG	17
1997	**Mary McAleese**	46	FF	45
	Mary Banotti	58	FG	29
	Dana Scallon	46	Independent	14
	Adi Roche	42	Independent (LP)	7
	Derek Nally	61	Independent	5
2004	**Mary McAleese**[a]	53	FF	Winner without a vote

Notes: The winning candidate is marked in bold. FF, Fianna Fail (Soldiers of Destiny); FG, Fine Gael (Family of the Irish).

[a] Incumbent candidate.

Source: Gallagher (1999), *The Political Data Yearbook*, various issues.

have conditioned the extent of competition in Irish presidential elections. Table 5.9 summarizes information about these contests.

THE UNEVENTFUL ELECTIONS UNTIL 1990

Although the nomination procedure encourages partisan contests, paradoxically, only 6 out of 12 presidential elections in Ireland have been contested (see also Table 5.9). Twice, the parties have agreed among themselves on a candidate and left the deprived voters without a meaningful choice (Gallagher 1999). These include the first election in 1938, when all parties agreed on electing the 78-year-old Douglas Hyde as the president, and 1974, when a similar agreement was reached about leading judicial figure Cearbhall Ó Dálaigh. Another uncontested election took place after the resignation of Ó Dálaigh as a result of a clash with the government in 1976. The government offered no nomination, allowing the opposition candidate to fill the vacancy (Gallagher 1999). The remaining three uncontested elections—in 1952, 1983, and 2004—were ones in which

the incumbent president had decided to run for reelection. In all cases, the sitting president enjoyed the support of the major parties, and the public and major parties wanted to save their resources for other elections. Therefore, no challenger was nominated and no elections took place (Gallagher 1999; Horgan 1997; Sinnott 1995).

The six elections that have been contested vary considerably in the extent to which active and heated campaigning, as well as serious competition, took place. The four early contested elections were all won by a Fianna Fáil (FF) candidate, who was opposed by a Fine Gael (FG) candidate (1959, 1966, and 1973), or by both an FG and an independent (1945). These elections were generally less competitive and the campaigns were relatively muted (Gallagher 1999; Sinnott 1995). In 1945, FF candidate Seán T. O'Kelly's lead was very comfortable—he almost gained 50 percent of first-preference votes. Another FF candidate, Eamon de Valera, won the presidency also with ease in 1959. Both the 1966 and 1973 elections proved to be closer contests, but were still elections without major controversies and heated competition (Sinnott 1995). This is also evident in the analysis of voter behavior; there was a considerable amount of cross-party support for both candidates (Sinnott 1995), indicating that the contests did not have a polarizing effect on the electorate and were largely noncontroversial.

LET THE ACTION BEGIN: 1990 AND 1997

In great contrast to these earlier elections stand the 1990 and 1997 presidential contests that are characterized by an unprecedented number of candidates running, the appearance of women and independent candidates, and substantive issues and controversies surrounding the campaigns. The 1990 contest marked a significant break from the pattern of earlier presidential elections. It has been called an "intriguing" contest with significant ramifications for the political parties (O'Sullivan 1991). The pattern of uncontested or two-party elections was disrupted by the Labour Party's (LP) determination to run their own candidate in 1990. This decision resulted from the party realizing that the presidency was an underused political opportunity (O'Leary and Burke 1998). It had become a retirement perk for FF politicians, and the LP wanted at the very least to make the FF fight for the presidency rather than just claim it (Horgan 1997). The 1990 election thus became the first three-candidate election since 1945. Furthermore, the election disrupted the pattern of nominating retiring statesmen to the post—the LP nominee, Mary Robinson, was a

female candidate at the peak of her career. Thus far, she has also been the only president who has not retired from the presidential office, but instead took a job as the United Nations High Commissioner for Human Rights. It is also important to note that although the LP nominated Mary Robinson, she was not a member of any political party and established her independence throughout the campaign, and also during her time in office (Siggins 1997).

The two major parties, FF and FG, took the LP challenge very seriously, the former, because they had previously exclusively held the office, while faltering in other elections, and the latter, because of the pressure felt by the party leader to deliver successful election or face resignation (O'Sullivan 1991). The early campaign was characterized by little controversy—all candidates agreed on making the office of the presidency more active and focused on promoting Ireland, recognizing the rights of minority groups and making the office of the president more accessible (O'Reilly 1991). It seemed that the competition would simply follow partisan lines again rather than introducing new controversies. This was proven otherwise when FF candidate Brian Lenihan was caught in a scandal over inconsistent statements regarding his behavior at the time of a government crisis in 1982 (Sinnott 1995). This led to an escalation of personal attacks against other candidates also, most notably Mary Robinson, who was portrayed as too liberal or socialist, in an attempt to invoke "red scare" tactics (O'Sullivan 1991). The result was a close contest between Lenihan and Robinson, with the latter winning because most of the second preferences of the votes for FG candidate Austin Currie were cast for her (Gallagher and Marsh 1993).

The unprecedented seriousness of the contest was also evident from the effect it had on the parties. The Labour Party came out of the race strengthened and ready to capitalize on the broad support for Robinson. They gained about 19 percent of the vote in the following 1992 general election. This was about 10 percentage points more than the party had won in the previous 1989 elections. The more than doubling of its vote share was largely attributed to the successful presidential campaign. The defeated parties, on the other hand, were left seriously weakened after the election. The FF had never lost a presidential election before and took a serious blow to its morale. The fate of the FG leader depended on the results of the presidential election, and since he could not deliver, the party was seriously weakened and received its lowest vote share ever in the parliamentary election. In sum, the 1990 presidential election witnessed an unprecedented intense campaign explained by the lack of incumbency

and parties' (notably LP's) recognition of the importance of the campaign and its success for their performance in other elections.

The 1997 election was characterized by equally intense campaigning and heated competition. The necessary condition for such an election—the lack of an incumbent—was met because Mary Robinson decided not to run again. The lesson from 1990 had been that the presidency could become an important asset for parties in other elections. This made the losers of the previous contest, the FF and the FG, take the contest very seriously. Indeed, the intensity and competitiveness of the election had already revealed itself at the nomination stage (Laver 1998). Both parties experienced contentious partisan primaries, which in the case of FF, left many of its own partisans bruised and dissatisfied (Doyle 1998). The seriousness of the election was also evident from the unprecedented number of candidates. In addition to the three major party candidates, two candidates managed to gain nomination from county councils (Gallagher 1999). Four of the five nominees were women, and only one had been elected to public office before. This also indicates a more vigorous and serious competition that stands in contrast to the elections of compromise candidates before 1990.

As in 1990, the campaign started cautiously, with a desperate attempt to avoid conflict. Soon, however, the tone changed and subsequent events were dominated by negative campaigning and personal attacks, characteristic of competitive elections (Doyle 1998). One of these personal attacks effectively neutralized otherwise strong independent candidate Adi Roche (who was also supported by the LP, the Democratic Left, and the Green Party), leaving the major competition between FF candidate Mary McAleese and FG candidate Mary Banotti (van der Brug, van der Eijk, and Marsh 2000). Attacks were also made against the front-runner McAleese regarding her involvement in and opinion about the peace process in Northern Ireland (Doyle 1998). Rather than undermining her position, however, these attacks mobilized the FF behind their candidate and the party's launching of a successful counter campaign actually increased McAleese's standing.

Otherwise, the campaigns were substantively empty—the candidates made no policy promises, as one would expect given the symbolic nature of the office. This undermines the expectation that heated competitions in direct elections lead to political promises, for which candidates are not able to follow through. The platforms of the contestants were explicitly nonpolitical and even when there was an attempt to stir up some controversy over McAleese's views on social issues, such as abortion and divorce,

these attempts were effectively neutralized and the issues did not become part of the campaign (Doyle 1998). In general, those who promised to actually do anything were immediately attacked by other candidates for exceeding the powers of the office (Laver 1998).

Despite the intensity of the campaign and generally competitive elections, the final vote gave McAleese a comfortable lead in first-preference votes, of which she gathered 45 percent. Also, despite the competition, she appeared not to be a divisive candidate and support for her among the public was as high as 82 percent after the election—many of those who had not voted for her still supported her presidency.

The Irish case illustrates many of the same conclusions as the cases above. First, it confirms that not all direct elections are competitive, highly contested, partisan, and polarizing. The types of candidates contesting the direct elections can also vary considerably: the Irish presidential elections have been attractive to both elder statesmen as well as to young and active politicians. Indeed, the average age of Irish presidential candidates before 1990 was 64, and has since dropped to 51 (see Table 5.9). The Irish case also confirms that the presence or absence of a strong incumbent is an important condition for a competitive election to take place. Furthermore, competitiveness largely results from parties' choice to use the presidential election as a tool to boost their overall image in general elections.

From Indirect to Direct Elections in Slovakia: From Quiet to Storm?

Two Slovakian presidential contests have been indirect elections, while two have been direct elections. This provides an opportunity to assess whether the change in the mode of election also changed the nature of these contests in terms of competitiveness, intensity, and politicization. To foreshadow the conclusions, Slovakian presidential elections have always been very partisan affairs, regardless of whether they have been direct or indirect. This, in turn, has made compromise very difficult to reach and the environment highly competitive. Table 5.10 provides some information about the different contests.

The first Slovakian presidential elections took place in 1993 after the country became independent. These were indirect elections by parliament. Unlike the other cases reviewed here, the Slovakian constitution defined very few restrictions to nominating candidates; no minimum

Table 5.10. Slovakian presidential elections: candidates and results

Year	Candidate	Party	Age	Result (%)	Result: second round (%)
Indirect elections 1993	Roman Kovác	HZDS	53	46	
	Jozef Prokes	SNS	43	11	
	Milan Ftacnik	SDL	37	20	
	Anton Neuwirth	KDH	35	18	
1993: repeat	**Michal Kovác**	HZDS	63	71	
Direct elections 1999	**Rudolf Schuster**	SOP	65	47	57
	Vladimír Mečiar	HZSD	57	37	43
	Magdaléna Vášáryová	Independent	51	7	
	Ivan Mjartan	Independent	41	4	
	Ján Slota	SNS	46	2.5	
	Boris Zala	Independent	45	1	
	Juraj Švec	Independent	61	0.8	
	Juraj Lazarčík	Independent	50	0.5	
	Ján Demikát	Independent	48	0.2	
	Michal Kováč[a]	Independent	69	0.2	
2004	**Ivan Gašparovič**	LS-HZDS	63	22	60
	Vladimír Mečiar	HZDS	62	32	40
	Eduard Kukan	SDKU-DS	65	22	
	Rudolf Schuster[a]	Independent	70	7	
	František Mikloško	KDH	57	6.5	
	Martin Bútora	Independent	60	6.5	
	Ján Králik	SDL		0.8	
	Jozef Kalman	LB	53	0.5	
	Július Kubík	Independent	64	0.4	
	Jozef Šesták	Independent	58	0.3	
	Stanislav Bernát	Independent	55	0.3	
	Lubo Roman	ANO	60		

Notes: The winning candidate is marked in bold. ANO, Alliance of the New Citizen (Aliancie Nového Obcana); HZDS, Movement for a Democratic Slovakia (Hnutie za Demokraticke Slovensko), later becomes LS-HZDS, People's Party—Movement for Democratic Slovakia; KDH, Christian Democratic Movement (Krestansko-Demokraticke Hnutie); LB, Left Bloc (ijavicový blok); SDKU, Slovak Democratic Coalition (Slovenska Demokraticka Koalicia), later becomes SDKU-DS, Slovak Democratic and Christian Union); SDL, Party of the Democratic Left (Slovenská Národná Strana); SNS, Slovak National Party (Slovenská Národná Strana); SOP, Party of Civic Understanding (Strana Obcianskeho Porozumenia).

[a] Incumbent candidate.

Sources: *The Political Data Yearbook*, various issues; CTK National News Wire (1993*a*, 1993*b*, 1993*c*, 1993*d*, 1993*f*, 1993*g*, 1993*h*, 1993*i*, 1993*j*, 1993*k*).

number of signatures or MPs was necessary. A nomination could be made by a single MP. The electoral rule itself, however, was very stringent. In order to be elected, a candidate needed the support of three-fifths of all MPs. Elections were carried out in two rounds; if no candidate received the required majority in the first round, the two front-runners proceeded to the second round where the three-fifths majority was still required. If no candidate was elected from this first double round, new

elections were called with new nominations and the procedure was repeated.

Persuading MPs: 1993 and 1998

The 1993 presidential election was characterized by a lengthy partisan struggle. Four parties nominated their candidates for the post: Roman Kovác, the deputy prime minister from the Movement for Democratic Slovakia (HZDS); Jozef Prokes, the parliament deputy chairman and first deputy chairman of the Slovak National Party (SNS); Milan Ftacnik, chairman of the parliamentary fraction of the Democratic Left Party (SDL); and Anton Neuwirth, chair of the parliamentary committee for health and social affairs from the Christian Democratic Movement (KDH) (CTK National News Wire 1993*a*). All of the candidates were heavyweights in their respective parties, which signaled serious contestation. However, it is also contrary to expectations about indirect presidential elections, which should attract nonpartisans or elder statesmen. Furthermore, no compromise candidate was sought between parties, although everyone was aware that for a candidate to be elected he or she needed the support of 90 MPs, a majority that no one party commanded. Not surprisingly, no president emerged from the first round of voting. This failure triggered a heavy bargaining process between all parties with smaller parties, most notably the SNS, demanding control over several high-level governmental posts in return for voting for the HZDS candidate (CTK National News Wire 1993*b*). However, the problem was not only the lack of interparty compromise but also the lack of unity within the ruling HZDS party, many members of which did not vote for Kovác (CTK National News Wire 1993*c*). The second round of voting failed to produce a winner.

After the failure to elect a head of state, opposition parties voiced preference to nominate nonpartisan candidates for the repeat elections (CTK National News Wire 1993*d*). As a response to that, the ruling party HZDS nominated the former chair of the Czechoslovak Federal Assembly Michal Kovác as its candidate (CTK National News Wire 1993*f*). Although M. Kovác was not a nonpartisan candidate and he had many sympathizers within the ruling party, he was not the leadership's favorite (CTK National News Wire 1993*f*). This made Kovác acceptable also to the KDH, the support of which would have been enough to gather the 90 necessary votes to be elected. The SNS was also ready to support Kovác's candidacy conditional upon their control of the Ministry of Defense (CTK National News Wire 1993*g*).

Despite not opposing Kovác's candidacy in general, the opposition parties still sought a nonpartisan compromise candidate and nominated a university rector Juraj Švec as their joint candidate (CTK National News Wire 1993*h*). However, Švec withdrew his candidacy leaving Kovác as the sole nominee (CTK National News Wire 1993*i*). As the elections drew closer, the opposition parties became more willing to lend their support for Kovác out of fear for the country's image abroad if it failed to elect a president again, and because Kovác was not strongly partisan (CTK National News Wire 1993*j*; Malová 1994). Indeed, after being elected, Kovác actively sought compromise between the various political parties and movements in Slovakia to calm down the heightened political situation in the country (CTK National News Wire 1993*k*). In sum, the first indirect presidential elections in Slovakia were characterized by a long political struggle and lack of willingness to compromise that potentially could have led to a constitutional crisis had a president not been elected in the repeat elections.

The second presidential election was scheduled for 1998. These elections led to an even longer political struggle. Continuous failure to elect a president culminated with authoritarian Prime Minister Vladimír Mečiar assuming presidential powers (East European Constitutional Review 1998*a*; see also Chapter 4). As in 1993, no single party controlled three-fifths of seats in parliament, so partisan compromise was necessary for electing the president. However, not only was it impossible to reach agreement between the governing party HZDS and the opposition, the opposition itself was woefully divided along party lines, with every party nominating their own nonpartisan candidate (East European Constitutional Review 1998*a*). After the first failed attempt to elect a candidate from among the opposition (HZDS did not run a candidate in the first round), HZDS nominated Mečiar as their candidate. However, he also failed to be elected. Altogether nine attempts were made by the parliament to elect a head of state with no success (CTK National News Wire 1998*d*). For almost a year, these attempts were accompanied by active campaigning with streets full of billboards and candidates making unrealistic promises (CTK National News Wire 1999*a*). All this campaigning took place despite the fact that the public could not elect the president. Throughout the campaign, the opposition was pressing for amending the constitution to allow direct elections of the president (East European Constitutional Review 1998*a*). The constitutional crisis ended with the general election, in which the opposition won overwhelmingly, now commanding 92 seats in parliament. Instead of proceeding with presidential elections, which

would have now been easy to win, the new governing coalition changed the mode of electing the head of state to a direct popular contest (Kopanic 1999). The first direct elections were scheduled for the following year.

Persuading the Public: 1999 and 2004

The first direct presidential elections in Slovakia were probably the least competitive and controversial of all elections of the head of state in that country. The direct elections were conducted using a runoff system, whereby if no candidate receives more than 50 percent of votes in the first round, the two front-runners advance to the second round and the winner of the second round becomes president. Nine candidates were nominated for the 1999 election, but only four of those were serious contenders: Rudolf Schuster, Vladimír Mečiar, Magda Vášáryová, and the incumbent Michal Kovác (Fitzmaurice 2001). Although Kovác was an incumbent, he did not have wide popular or elite support and he did not have the endorsement of any party. This made him rather uncompetitive, so he withdrew his candidacy before the election (Malová and Učeň 2000). Schuster was the coalition's candidate, while Mečiar had the support of the HZDS; Vášáryová was an independent. The coalition emphasized that the presidential election was a referendum on the support for the new government after Mečiar's authoritarian rule (Fitzmaurice 2001) and tried to avoid any issue-based campaign. Such a strategy was also the best in order to maintain coalition unity, which Mečiar actively sought to undermine (Ibid.). It is generally agreed that the campaign was rather moderate (East European Constitutional Review 1999; Malová and Učeň 2000). Schuster fell short of victory by about 2.5 percent of the vote in the first round and attack campaigns from the supporters of both Schuster and Mečiar—the candidates advancing to the second round—were launched before the next round of voting (Kopanic 1999). The results of the second round, however, were decisively in favor of Schuster, with 57 percent of the electorate supporting him (Fitzmaurice 2001). Thus, overall, the elections of the head of state in 1999 turned out to be rather calm, noncontroversial, and less partisan, especially in contrast to the two previous elections (or attempted elections) by parliament.

The latest presidential elections and the second direct ones are more difficult to classify in terms of competitiveness and politicization. The campaign lacked any great issues and controversies, and the election was widely expected to be a victory for the ruling coalition, headed by the Slovak Democratic and Christian Union (SDKU) (Učeň 2005). This

expectation was accompanied by very low voter turnout—only 48 percent in the first round and 43 percent in the second. Yet, the results were surprising and inconsistent with the expectation of the SDKU. Twelve candidates were nominated for the election with three serious contenders. The incumbent Schuster lacked partisan support and was also not very popular among the public, which is why he could not capitalize on his incumbency factor and was not a serious contender (Učeň 2005). The ones seriously competing for the office were Eduard Kukan, Foreign Minister and member of SDKU, Ivan Gašparovič, once a close ally of Mečiar but later defector from his party nominated by nationalist forces, including the SNS and the Movement for Democracy (HZD), and Vladimir Mečiar. Because Kukan was doing very well in the polls, SDKU campaigned very poorly (Učeň 2005). Gašparovič, on the other hand, campaigned based on issues and addressed many domestic concerns over which the president does not have power, but that the general public appreciated (Učeň 2005). Mečiar relied, for the most part, on the core supporters of the HZDS (Rybář 2005).

The first round of elections gave a lead to Mečiar with 32.7 percent, followed by Gašparovič with 22.3 percent, and Kukan with 22.1 percent (Rybář 2005). The elimination of Kukan from the runoff round came as a surprise, and was the worst outcome for the ruling coalition, a price they paid for failing to compromise. Kukan was not the only candidate nominated by parties in the governing coalition. Because of complicated internal relationships, a common compromise candidate could not be found, and two additional nominations were made: František Mikloško and Martin Bútora, both of whom gathered 6.5 percent of the vote in the first round and were thus potentially decisive in the final outcome (Učeň 2005). The final choice was that of a lesser evil: Gašparovič won the runoff by 60 percent of the vote (Rybář 2005). Like his predecessors, Gašparovič gave up his partisanship upon taking office as a sign of compromise, although this is not required by constitution. This was more of a symbolic than substantive gesture—as discussed in Chapter 4, he did not really become a nonpartisan president. After the election, however, Gašparovič acknowledged the support he had gotten from voters of the governing coalition (Rybář 2005). The 2004 election was fought on even ground, with no great lead given to any of the three main contenders, and with the surprise result underlining its competitive and unpredictable nature. The contest further highlighted the importance of partisan politics and the inability to compromise, which had been characteristic of Slovakian presidential elections throughout their short history.

Switching from indirect to direct elections in Slovakia did not produce competitive elections with intense campaigning, and indirect elections were not necessarily less biased by partisanship, or oriented more toward compromise or bargaining between parties than direct ones. The Slovakian elections have always been partisan affairs with little compromise, regardless of the mode of election employed. As in the other cases, the lack of a popular incumbent played a significant role in escalating the competitiveness of the elections. The types of candidates, in terms of their political visibility and age, also did not change qualitatively after the mode of electing the head of state changed—parties ran their heavyweights in both types of elections.

Comparisons and Generalizations

The case studies presented paint a very mixed picture about the relationship between the mode of election and the competitiveness of the election. We see that both direct and indirect elections can be highly contentious, accompanied by lengthy and intense campaigns, and be heavily partisan. Even within a single country with and under the same mode of election, the nature of presidential campaigns and contests can be strikingly different across time. This section tries to draw some comparative conclusions about the nature of presidential elections and the role of the mode of these elections in determining their nature.

The Seven Cases: Qualitative Comparisons

The case study narratives focused on the extent and nature of campaigning, the level of conflict or cooperation over nominating candidates, the level of partisan contestation, and the nature of candidates running to provide an assessment of whether the presidential elections were polarizing and conflictual. Based on these case studies, it is possible to derive some general conclusions about whether direct elections consistently produce more competitive elections and increase the level of political conflict. Of the countries with indirect elections, none had consistently noncompetitive presidential elections. Estonia and Hungary both have experienced a mix of highly conflictual and polarizing, as well as relatively calm, presidential elections. In Germany, elections have not escalated to conflict; however, they routinely become sources of controversy and debate. Furthermore, all countries have witnessed involvement by civil

Table 5.11. Competitiveness of presidential contests by the mode of election, the seven case studies

Nature of election	Mode of election	
	Direct	Indirect
Competitive	Ireland (1990, 1997) Poland (1995, 2005) Slovakia (2004)	Estonia (2001, 2006) Hungary (1990, 1995, 2000) Germany (1949, 1959, 1969, 1994, 1999) Slovakia (1993, 1998[a])
Noncompetitive	Austria (all elections) Ireland (1952, 1959, 1966, 1973, 1974, 1976, 1983, 2004) Poland (1990, 2000) Slovakia (1999)	Estonia (1992, 1996) Hungary (2005) Germany (1954, 1964, 1974, 1979, 1984, 1989)

[a] These elections failed to produce a winning candidate.

society and the public in general in determining the outcome of the presidential election despite the fact that people did not have the vote. Public campaigning is, thus, not only restricted to direct elections.

The presidential contests in countries with direct elections, especially Poland and Ireland, have also been mixed: highly competitive and polarizing contests in some years while relatively calm in other years. Indeed, several Irish elections have been altogether uncontested. The Austrian elections have all been relatively low-key events—contrary to the expectations about direct popular contests. Last, the Slovakian case showed that introducing direct elections were actually followed by reduced level of conflict in electing the head of state. Table 5.11 summarizes the classification of the presidential elections in the seven countries reviewed above according to the competitiveness of these contests. Overall, the narratives of the presidential elections reveal that the mode of election does not have a straightforward relationship with the competitiveness of the contests. Direct elections are not necessarily more polarizing and conflictual than indirect ones. Similarly, a change from indirect to direct elections does not automatically increase the level of political conflict.

Numerical Comparisons

One might also try to assess the level of competitiveness with certain numerical indicators. It is inevitable, however, that such indicators are more relevant in some contexts than in others, and that in some

cases, they produce a large systematic measurement error. Consider, for example, the number of candidates as an indicator of competitiveness. One might argue that if an election is a "done deal" (i.e., one of the candidates—usually the incumbent—has a significant advantage over others), then the number of candidates willing to enter the contest will be small. By the same logic, having more candidates may indicate a more even playing field, less certain results, and more competitive elections. However, cross-nationally, the number of candidates is not a good indicator of competitiveness because this number depends on the specific nomination rules that, in some cases, are very stringent. As discussed, the Hungarian constitution requires that a potential candidate have the support of 50 MPs to be nominated. This restricts the ability to nominate to only the more sizeable parliamentary parties. Therefore, the number of nominations in Hungary has never been more than two. Compare this to Slovakia, for example, where there are no restrictions to nominating candidates, which is one reason why the number of candidates has reached a dozen. Of course, in Hungary, part of the contestation really takes place during the prenomination period, where the number of potential candidates has been increasing from election to election. In the latest presidential contest, 16 different candidates were being seriously considered for nomination. Indeed, some observers have voiced concerns that the explosion of candidates has become ridiculous, inflating the value of the institution (Bayer 2005). Counting only official candidates would miss this real-world dynamic.

The length of the campaign is another potential indicator of the competitiveness of the election, based on the assumption that elections that are more competitive tend to have lengthier campaigns. In some cases, however, the length of a campaign is regulated by law. For example, in Slovakia, the presidential campaign is limited to the 15 days before the first round of the election (Rybář 2005). The actual campaigning (i.e., informing voters not under pretenses of campaigning), may start earlier, but the start date of such a campaign is difficult to establish. Consider, for example, the 2001 Estonian presidential election: some parties had already run posters for their potential presidential candidates in 1999 as part of campaigns for elections to local governments (Moora 2002). It is hard to determine whether this was for the presidential campaign or some local election campaign tactic.

Some other indicators, however, are easier to apply in a cross-national context because they depend less on contextual factors. One such indicator is, for example, the size of the winning margin. This assumes

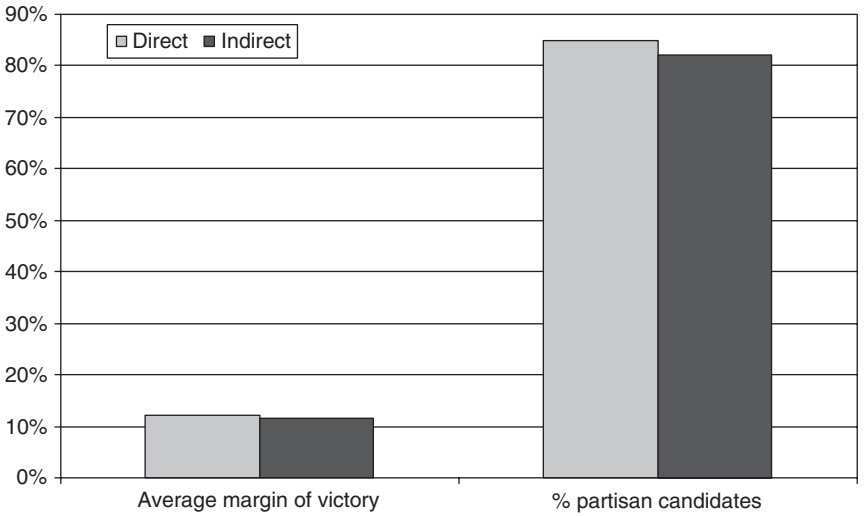

Figure 5.1. Average margin of victory and the share of partisan candidates by mode of election: the seven case studies

that closeness of elections corresponds with their competitiveness—an assumption well accepted in voting literature (Cox 1997), and in the context of majoritarian electoral systems employed in all presidential elections, also very intuitive. In order to calculate the margin of victory, I have taken the difference in the vote share received by the two front-runners in the final round of elections. In the case of indirect elections, this share is the share of members of the electing body (parliament or an electoral college) voting for a given candidate. Considering the seven countries discussed above, the average margin of victory for all cases with indirect elections is 11.66 percent, while it is 12.04 percent for the cases with direct elections (see Figure 5.1). This is not a significant difference and suggests that direct elections do not produce closer and more competitive elections.

One could also consider partisan bias of the elections, assuming hotly contested elections are more partisan. Partisanship can be measured by the share of candidates affiliated with a political party in any given election. If direct elections were more competitive and hotly contested, we should see more partisan candidates running in these elections than in indirect presidential contests. For every presidential election in the seven countries, I calculated the share of partisan candidates of all candidates nominated. The average share of partisan candidates in direct

elections is 85 percent, while it is 82 percent in indirect elections (Figure 5.1).

A third numerical indicator, also used in the case studies above, concerns another aspect of the nature of candidates. Elections contested by elder statesmen at the end of their active political careers can be considered less competitive than those elections that produce a younger and politically active president (Gallagher 1999; Müller 1999). It is sometimes argued that direct elections attract the latter type of candidates—those less oriented toward compromise (Shugart and Carey 1992). Whenever direct elections are at stake, charisma becomes important, leading to more aggressive and populist candidates (Bahro et al. 1998). Indirect elections, on the other hand, are more likely to attract senior political figures, who draw less competition (Baylis 1996). Direct elections may thus be more conflictual because more conflict-oriented candidates contest them.

The case studies do not allow drawing any crisp conclusions about this argument. On one hand, politicians in Hungary generally prefer the elder states-person type of presidential candidate. However, even there, the vice president of a major political party—Katalin Szili of the MSZP—a candidate hardly reflecting this type, contested the latest presidential election. Similarly, the Estonian and German presidential elections have been mostly contested by active politicians and influential party leaders. The evidence is also mixed when examining directly elected presidents. The majority of Polish presidential candidates have been young and active politicians. Those in Austria, however, have been the exact opposite. The Irish presidency was considered a reward for elderly statesmen until 1990, when the candidate pool transformed into younger and more energetic aspirants. Slovakian presidential elections have drawn active and young politicians regardless of which mode of election is used. Even more, the average age of candidates increased considerably when direct elections were adopted: for indirect elections, the average age was only 46, while it increased to 57 under direct elections. This may, of course, have to do with the timing of indirect elections—early in the country's independent democratic history—a time when an established generation of leaders had not yet emerged.[13]

[13] Age is a very distant proxy of candidate's character and while an appealing indicator due to its comparability and availability, the meaning of such comparisons is not always clear. Consider, for example, the average age of candidates by the method of election that can be calculated from the tabulated information presented for each of the seven cases. The average age of candidates running in indirect elections is 61 and in direct elections it is 57. While it is relatively easy to agree that an 80-year-old candidate is less likely to be active and aggressive than a 40-year-old, it is much harder to say whether the difference between 61 and 57 has any

Possible Conditional Effects

Four of the seven cases studied are new postcommunist democracies. Thus, one could argue that because these countries are new, they do not yet conform to the expectations about direct versus indirect presidential elections. Politicians and electorates in new democracies may not yet have realized the real meaning of the office and may overrate its importance. This, in turn, may cause even indirect elections to become more competitive and conflictual than one would expect them to be. However, the West European case of indirect elections—Germany—also does not always conform to the traditional expectation about noncompetitive elections. The mixed nature of the elections across all postcommunist countries further undermines this argument and so does the mixed nature of presidential elections in the advanced democracies. If all direct elections in advanced democracies were competitive and indirect ones noncompetitive, then all Austrian elections and those Irish elections that took place before 1990 should be considered anomalies. Dividing some of the numerical comparisons up according to the region also does not reveal any pattern: according to the margins of victory, direct elections are as competitive as their indirect counterparts both in Western and Eastern Europe.[14] Similarly, the share of partisan candidates is equivalent across different methods of election both in Eastern and Western Europe. While it is possible that politicians and voters in young democracies overestimate the power of the presidential office, the null effect between the method and nature of presidential elections is not simply a developmental phenomenon likely to disappear as the east becomes more like the west.

Another criticism of the analysis is that it does not hold constant presidential constitutional powers, and these overshadow any effects of the method of election. In a way this is not a criticism: If presidential powers eclipse the effect of the method of election then the latter is not important (i.e., the general conclusion reached here holds). The actual effect of the presidential constitutional powers (i.e., the strength of the office in the political system) in itself is difficult to determine by looking only at the seven cases presented herein. On one hand, as was mentioned above, the Polish presidential elections have probably been the most competitive and partisan overall, which may be because the Polish president

substantive meaning. Furthermore, within each type of election, the variance in candidate age is also considerable with the minimum age in the late 30s and maximum in mid-80s in both types of elections.

[14] One has to bear in mind, though, that in my sample there is only one West European country with indirect elections—Germany.

is also the most powerful of the seven. However, we also witness heated contests in countries with very weak presidents, such as Estonia, Slovakia, and Ireland.

Alternative Explanations

While the nature of presidential elections seems not to vary in accordance with the method of election, not all elections are the same: some elections are clearly more polarizing and partisan than others. Case studies reveal some more or less systematic patterns and, thus, they can be used to provide additional explanations on top of serving as the basis for testing the argument about the method of election. In some cases idiosyncratic reasons having to do with parties' strategic calculations play a role: parties may sometimes choose to refrain from heavily contesting presidential elections if they need to channel their resources to other, more important elections. As we saw, in Austria, a compromise candidate was easier to find when parties needed to concentrate on either European or regional elections and did not want to spend their resources for running the presidential campaign. Similarly, parties may choose to heavily contest the election if they recognize additional benefits accruing from holding the president's office. The sudden change in the nature of presidential elections in Ireland after 1990 provides the clearest illustration of this explanation. Here the LP decided to challenge the FF because they recognized the untapped potential of the presidential office. The perceived value of the office for parties, either in terms of prestige or as potentially serving their policy goals, dictated their strategies on presidential elections also in several occasions in Austria, Estonia, Germany, and Hungary. Thus, although parties in all of these countries have the electoral incentive to pursue presidency, specific circumstances may still condition parties' actual choices as to whether they fight for it or settle for a compromise.

The case studies also revealed a strong and systematic incumbency effect: if a popular incumbent is running, be it in a direct or indirect election, all contention is removed from the contest. Popular incumbents running again accounted for most of the nonconflictual presidential elections in Estonia, Germany, Hungary, Ireland, Poland, and Slovakia, making this a considerably robust explanation. An important distinction, revealed in all these case studies, was the significance of not just incumbency, but an incumbency that was popular both with the political elite and the masses. Even in the case of presidents not elected by people, public opinion about the incumbent mattered. Unpopular incumbents,

such as Rüütel in Estonia or Wałęsa in Poland, do not guarantee quiet compromise elections.

Electoral scholars, especially those studying the US Congressional elections, have provided considerable evidence that incumbency advantage exists in most types of elections (Jacobson 2001). The effect is usually attributed to the fact that incumbents possess more resources than challengers (Mayhew 1974). In the case of Congressional elections, these include many material resources, such as staff and office allowance, and the ability to perform electorally valuable services to the constituency (Fiorina 1989; Mayhew 1974). For presidents, these benefits mostly amount to their visibility, and also to their ability to claim credit for their actions in office. This advantage is expected to influence both voters directly, who will be more likely to vote for the visible candidate, as well as potential challengers who, in the anticipation of voters' behavior, are discouraged from entering the race. The latter mechanism was especially visible in the case of the presidential elections considered here: elections, both direct and indirect, were often contested by only weak candidates (if at all) when a popular incumbent was running. To politically knowledgeable candidates and parties, incumbency advantage is not a secret and they make it part of their strategic calculations. Because of this awareness about the incumbent's electorally valuable resources, more formidable challenges are scared off (see also Cox and Katz 1996).

The existing theoretical arguments about incumbency effect have been made in the context of direct popular elections, but as the analysis shows, the theory accounts equally well for electoral dynamics in indirect contests. The provided mechanism can also be logically extended to cover these elections. Although people cannot vote, the evidence showed that public opinion mattered and was at times decisive about the results of indirect presidential elections. The electoral body—the parliament or electoral college—is reluctant to vote down a popular incumbent president as it would constitute an unpopular policy decision and thus be potentially electorally damaging to the reputations of those bodies themselves. These concerns are common knowledge to all potential challengers and their sponsors who are reluctant to enter a race that they know they are likely to lose. What results is a relatively calm and noncompetitive election.

Furthermore, the case studies presented here also show that not only the mechanism of the incumbency effect but also its magnitude is similar across different methods of election. Of the six indirect elections where incumbents could run or chose to run, the incumbent candidate failed to win only once. In the case of direct elections, of the 11 elections

contested by incumbents, 9 were won by the incumbent. Overall, the incumbency effect provides a viable and robust alternative explanation to the method of election for why some presidential electoral contests become less competitive than others.

Conclusions

The purpose of this chapter has been to investigate the effect of the mode of presidential election on the nature of these elections in terms of competitiveness, intensity of campaigning, and partisanship. Overall, the findings from the case studies and the inferences derived from observing trends in a larger sample of countries lead to a similar conclusion: the mode of election does not have a robust relationship with the nature of presidential elections. Direct elections are not necessarily more competitive, conflictual, partisan, or polarizing. Direct elections also do not necessarily attract more active and conflictual candidates than indirect elections. Direct and indirect elections to this largely symbolic office can be equally contested or equally driven by compromise. Direct elections can produce presidents that have no political ambitions but see the office as a retirement perk. Similarly, indirect elections can attract leaders of major political parties to run for the presidency, resulting in long and controversial election campaigns. These similarities across the method of election should not be surprising given the strong coattails effect present in both cases. Parties have an interest in securing the office of president for their co-partisans due to a simple electoral incentive: holding the presidency helps parties increase their vote share in general elections by as much as 6 percentage points. It therefore makes sense for them to invest in these contests, direct or indirect. The incentives become even stronger if this finding about the electoral benefits of holding the presidency is combined with conclusions from the previous chapter about policy benefits that parties may gain from having a co-partisan as the president. The case studies in this chapter revealed that parties are fully aware of this and try to extract both types of benefits.

Still, not all elections are competitive, and the analysis has shown that a strong incumbency effect is most likely responsible for that. Although the incumbency effect on its own does not amount to a significant theoretical innovation, the fact that it works similarly and with a comparable magnitude for both directly and indirectly elected presidents does. It highlights yet another phenomenon in the context of which dividing the regimes

according to the method of electing the head of state adds little analytical value. Indeed, not only are indirect presidential elections as likely to be competitive and divisive as direct ones but this competitiveness is also systematically influenced by similar mechanisms across these types of elections—both direct and indirect presidential elections provide incentives for parties to compete in these elections, and are conditioned by the incumbency effect. The concern over the nature of elections is, thus, not an effective argument in debates about the constitutional choice over the method of electing the head of state.

An additional point is on order about the value of the president's office to the parties. The statistical evidence in the beginning of the chapter demonstrated that parties have an interest in securing the office of president for their co-partisans due to a simple electoral incentive: holding the presidency helps parties to win votes in general elections. This finding has important theoretical and practical implications beyond the purpose it serves in the current chapter. It significantly enhances the generalizability of the argument about presidential coattails and provides a rationale for why elections of a symbolic head of state, even one that is indirectly elected, can become intense partisan contests. Since parties can electorally benefit from holding the office of president, it makes sense for them to invest in these contests. This finding is important because it seriously undermines the common assumption of the low significance of the office of president in parliamentary systems. Indeed, this office can become a center of political struggle and have important effects on the political and electoral dynamics of other institutions in a given country. Furthermore, the fact that the coattails effect holds across the different methods by which the presidents are elected once again underscores the artificial nature by which these parliamentary systems are typically divided, according to whether the president is directly elected or not. As was the case with presidential activism addressed in the previous chapters and the incumbency effect above, the mere presence of a president, rather than the way he or she was elected, may importantly condition the political dynamics in a country.

6

Decrease of Political Disillusionment and Apathy?

Policy debates over how the head of state should be elected have also involved discussion about the effect of the selection mechanism on political disillusionment and apathy. Chapter 1 introduced two competing arguments about this potential effect. On one hand, supporters of direct elections argue that people will be more involved in politics if they are able to elect their head of state, and that this would increase the trust and involvement in the political system. The counterargument, however, states that people may be overwhelmed with yet another political contest and become apathetic to the political process altogether.

Advocates of direct presidential elections often refer to the intrinsic value of such contests. They argue that allowing people to participate in the election of one additional office may strengthen democratic practices. For example, the first postcommunist and indirectly elected Estonian president, Lennart Meri, when calling for direct elections, contended that there was an unquestionable need to give people opportunities to directly participate in governing, especially in the context of the general disillusionment with the state (Annus 2005). The constitutional debates in Hungary have incorporated a similar argument ever since the Roundtable Talks. The pro direct election camp has always stressed that the strong legitimacy that the president gains though a direct election is useful for overcoming the mistrust that the public has toward anything political (Bozóki et al. 1999). Participation in elections is directly and negatively related to feelings of apathy and disillusionment, and is often regarded as an indicator of democratic health and strength (Lijphart 1997).

There are also good theoretical reasons to believe that direct presidential elections strengthen democratic practices. Through campaigns and debates between candidates, direct elections expose the public to

more discussions over general political issues than parliamentary elections alone. This, in turn may trigger interest in politics. This echoes the theoretical argument recently articulated by democratization scholars that there is inherent value in holding elections (Lindberg 2006). Competitive popular elections, it is argued, permeate society with certain democratic qualities. They increase people's sense of efficacy, feelings of commitment to democracy and sovereignty, people's political knowledge and awareness, and increase political and civic activism (Lindberg 2006). While these arguments have been made in the context of introducing competitive elections in democratizing countries, they can easily be applied to the issue of introducing direct presidential elections in established democracies. Indeed, modern democracies have increasingly multiplied opportunities to vote with the introduction of elections to regional governments in Britain, France, and Spain, and to the European Parliament, for example. These reforms have been carried out on the premise that direct elections strengthen democracies; more opportunities to decide and choose mean more and better democracy (Franklin 2003).

Increased opportunities for political participation are also what voters, especially in post-materialist societies, demand (Inglehart 1997; Pharr and Putnam 2000). In countries where relevant surveys have been conducted, citizens overwhelmingly support introducing direct presidential elections (Bonarianto 2000; Commission on Security and Cooperation in Europe 1997). For example, in the Czech Republic, where the president is indirectly elected, polls conducted between 1998 and 2005 have consistently shown that 73–88 percent of the population favor switching to direct elections (CTK National News Wire 1998*e*, 2005). In Estonia, about 80 percent of the people would like to directly elect their head of state (Postimees 2003). Changing the mode of election of the president to a direct contest is a popular campaign promise that parties commonly make in countries with indirect elections (CTK National News Wire 2000*b*; Kalamees 2003). Given such public demand, one might conclude that once an opportunity to directly elect the head of state has been obtained, citizens feel more efficacious and satisfied.

Cultural theories, in turn, have emphasized that if people feel that the system is responsive, they are more likely to actively participate in political processes such as voting (Norris 2004). By the same token, the inability of the people to elect the president may cause their discontent with the elites; the people who do not support the indirectly elected president will blame the elites for selecting the wrong person to head the country. Being left out of the decision-making process may decrease

people's sense of efficacy and influence over political processes. This, in turn, may translate into disillusionment and distrust toward the political system in general.

On the other hand, however, multiplying the number of political contests may overwhelm and fatigue voters, creating incentives to neglect one's democratic duty and involvement in the political process altogether. The low turnout rate in the Unites States and Switzerland—countries with extensive sets of opportunities for the people to elect representatives or have a direct say in policymaking—is a powerful testimony to this argument. Dalton (2006, 42), for example, reports "between 1999 and 2004, a resident in Oxford, England, could have voted four times, while a resident of Irvine, California, could have cast about forty votes in the single year of 2004." He further states, "more and more, citizens complain about 'voter fatigue' " (Dalton 2006, 41–2). Similarly, Franklin (2003) has demonstrated that introducing direct elections to the European Parliament significantly suppresses participation in national elections. Norris (2004), considering a cross-section of democracies and a simple measure of the frequency of contests by counting the number of national-level presidential and parliamentary elections held in each country during the 1990s, finds that the frequency of national elections is negatively and significantly related to turnout. The study attributes this effect to voter fatigue.

Every additional election adds an extra burden on voters and increases the overall cost of voting. Every contest requires voters to gather information: they, first, need to know that the election exists, and then to learn about the candidates and issues. Gathering information, however, is costly. It requires investing time in learning about the election when that time could be used for other activities. The act of voting itself is also costly for voters: It takes time and money to go to the polling stations to cast one's vote. When the number of contests increases, these direct and indirect costs are multiplied. Unless voters' resources are unlimited, the costs imposed on them by additional elections may start to outweigh benefits and satisfaction received from participating in the democratic process. In line with the simple logic of cost–benefit analysis of turnout (Downs 1957), it follows that if voting becomes more costly, the overall participation levels in any given election should decrease.

Cox (1997) further argues that multiple elections also decrease parties' ability and motivation to mobilize voters. Consider again the United States, where primary and general elections to local and state legislative, judicial, mayoral and gubernatorial offices, congressional elections, presidential elections, and elections on multiple referenda issues on the

ballot generate a "never-ending election campaign" (King 1999, 157). Just like for voters, multiple elections impose resource requirements also on parties. Thus, if otherwise parties could substantially contribute to providing the necessary information and thereby reduce any costs for voters, with multiple elections, parties are less able to do so because of their own resource constraint. Furthermore, if many contests generate a frequent or ongoing campaign, the latter becomes a routine part of everyday life rather than a cause to rally behind. Thus, frequent elections may undermine campaigning as an effective mobilization tool.

Voter fatigue is but one potential consequence of introducing direct presidential elections that undermines democratic practices. Presidential campaigns and elections may also generate unrealistic expectations from voters—they may think that the office is more influential in the policymaking process than it actually is. As a rule, the president will have no power to follow through with his or her campaign promises. The people may then be disappointed with the elections when nothing happens afterward. They may feel betrayed by the political process and so disillusionment may actually grow.

This chapter tries to empirically sort out these arguments by considering the effect of the selection mechanism on different indicators of political apathy and disillusionment. I start by looking at political participation in the form of electoral turnout—a key indicator of democratic health (Franklin 2003). This will be followed with an analysis of political trust, involvement, and democratic attitudes—all of which have been identified as critical components of the strength of democracy. These analyses use quantitative data from around the world. Last, I will return to the Slovakian case and consider whether there is a qualitative shift toward more political involvement and less disillusionment resulting from change to direct elections of the head of state.

Presidents and Electoral Turnout

Participation in elections is often regarded as an indicator of democratic health and strength. Therefore, it serves as an appropriate measure for determining whether introducing direct presidential elections have a positive effect on democratic practices. Further, from an analytical perspective, turnout is the form of participation that is most comparable across countries and for which information is readily available and of high quality. Electoral turnout is also one of the most extensively studied topics

in political science providing ample theoretical and empirical foundation to build on. Given this, it is possible to conduct a rigorous analysis of the effect of direct presidential election on democratic strength.

In order to study turnout, I have used the same global sample of parliamentary systems with nonhereditary heads of state described in Chapter 1. For each country, I have included all parliamentary elections to the lower chamber since World War II for the period that the country has been democratic.[1] Parliamentary elections are the most important elections in the types of systems that I am examining. Elections to other offices are considered "second-order" (van der Eijk, Franklin, and Marsh 1996). If the opportunity to directly elect presidents indeed strengthens democratic practices by increasing electoral turnout, this effect should be directly observable, and theoretically most relevant in the case of elections to parliament. More specifically, turnout is measured by the share of registered voters that participated in a given parliamentary election. Looking at the share of registered voters rather than voting age population is more appropriate because I want to understand the effect of presidential elections on turnout decisions rather than on the ease of registering as a voter.[2]

The average turnout in parliamentary election is somewhat higher for those countries that elect their heads of state indirectly: 78 percent versus 73 percent in countries with direct elections. This difference in means is also statistically significant. Such simplistic analysis, however, does not account for any variables usually included in statistical analyses of turnout. Multivariate analysis is necessary in order to draw reliable conclusions about whether turnout differs across countries with directly and indirectly elected presidents.

Existing Explanations of Turnout

Electoral turnout is one of the most extensively studied topics in political science, providing ample theoretical and empirical foundation to build on. Unfortunately, despite extensive coverage of the topic, there is no

[1] Specifically, the following countries had sufficient data available to be included in this analysis: Albania, Armenia, Austria, Bangladesh, Bulgaria, Cape Verde, Central African Republic, the Republic of Congo, Croatia, the Czech Republic, Dominica, Estonia, Finland, France, Georgia, Germany, Greece, Guinea-Bissau, Hungary, Iceland, India, Ireland, Israel, Italy, Latvia, Lithuania, Macedonia, Madagascar, Mali, Malta, Mauritius, Moldova, Mongolia, Poland, Portugal, Romania, Russia, Sao Tome and Principe, Slovakia, Slovenia, Taiwan, Trinidad and Tobago, Turkey, Ukraine, and Vanuatu.

[2] Also see Blais and Dobrzynska (1998), who provide an elaborate justification for why looking at the share of registered voters is also more reliable and precise.

"standard set" of control variables: studies differ as to which variables they include (Geys 2006). To estimate as fully a specified model as possible, I have included all variables proposed in different previous studies that are appropriate for my sample. Existing explanations of turnout are usually divided into institutional and socioeconomic variables (Fornos et al. 2004; Jackman 1987).[3] Several institutional factors are considered. First, compulsory voting is likely to increase turnout: because of the possibility that nonvoting is sanctioned (Blais and Carty 1990; Blais and Dobrzynska 1998; Fornos et al. 2004; Jackman 1987; Powell 1982). Second, proportionality of the electoral system is likely to matter: highly disproportional systems punish smaller parties and thereby also decrease the incentive of the supporters of these parties to participate in the elections, lowering the aggregate turnout (Jackman and Miller 1995). The proportionality of an electoral system is measured by the average district magnitude—the more candidates that are elected from a given district, the closer the distribution of seats normally reflects that of votes (Taagepera and Shugart 1989).

In addition to electoral systems, party systems in terms of the number of parties may also affect aggregate turnout rates. Two competing arguments have been proposed for this relationship. On one hand, like the argument concerning disproportionality, a greater number of parties should increase turnout because of the more extended set of choices available (Blais and Dobrzynska 1998). On the other hand, it has also been argued that if there are too many parties on offer, the choice becomes more complicated for voters, which in turn may discourage those who cannot make a decision from voting (Blais and Dobrzynska 1998). Also, a multitude of parties makes it more difficult to predict the composition of future governments, which may make voters feel less efficacious than in countries where coalition formation is less ambiguous (Jackman 1987). In empirical studies, a negative effect has been more common (Blais and Dobrzynska 1998; Fornos et al. 2004).

Fourth, the personal vote captures those electoral system effects not measured by the above indicators. It is common to control for single member district versus proportional representation electoral system, but both of these are already captured by the two variables above. The aspect not captured yet is the extent to which elections are party-centered versus candidate-centered. The argument is that party-centered elections are competitive nationally, not just locally, so that parties have an incentive

[3] Exact measures of each variable and data sources are provided in the appendix.

to mobilize voters in all districts. In candidate-centered elections, however, candidates concentrate only on their own district and the amount invested in vote canvassing depends to a large extent on the skills and motivations of the candidates running in a given district (Jackman 1987). Thus, one would expect party-centered elections, that is, those with no option to cast a personal vote, to have higher average turnout levels than candidate-centered elections.

That perceived decisiveness of the election is related to turnout is a classical rational choice argument (Downs 1957), according to which any vote counts higher the closer the contest, which implies that more people should vote in elections that are highly contested than in elections where there is a clear front-runner (Fornos et al. 2004). Further, some studies, looking mostly at presidential systems, have found that turnout is higher for legislative (presidential) elections when they are held concurrently with presidential (legislative) elections because voters attracted by elections to different offices are pooled, so that the overall stake of the elections is higher (Fornos et al. 2004).

Studies looking at developing democracies have argued that founding elections are different from subsequent ones. Under authoritarian regimes, pressures build for political participation, which causes extraordinarily high turnout in first democratic elections (Kostadinova and Power 2007; O'Donnel and Schmitter 1986). Lastly, turnout in parliamentary elections is argued to be higher the more power is concentrated in this institution. Therefore, systems that divide power between different levels of government (i.e., federal systems) should have lower turnout (Jackman 1987). Siaroff and Merer (2002) also make a similar argument about parliamentary systems where presidents possess considerable powers. They consider the effect of "a relevant elected president" on parliamentary turnout in Europe. Their concept and measure, however, confound the effect of direct elections—the main hypothesis tested here—and that of presidential powers, as both are combined into one dummy variable. The significant effect that these authors find for their empirical construct may mean that the powers of the president rather than the method of election affects turnout and further indicates that controlling presidential power is necessary in order to accurately estimate the effect of direct presidential elections on turnout. Therefore, alternative analyses performed here also include an indicator of presidential power measured by (a) Metcalf index and (b) Siaroff index.

In addition to the institutional variables, indicators measuring socioeconomic and democratic development have also been included in previous

studies of turnout (Fornos et al. 2004). First, countries where democratic traditions are most established, specifically those ranking high on indices of democratic development, should also enjoy higher turnout rates than those countries that are less committed to political rights and civil liberties (Fornos et al. 2004). Further, wealthier countries with higher levels of education and urbanization should have participation higher than countries that rank lower on these development indicators. On the individual level, higher levels of socioeconomic development are expected to facilitate participation because of the availability of greater resources and higher levels of political awareness, both of which lower the cost of voting (Filer, Kenny, and Morton 1993; Powell 1986). This individual level mechanism is, in turn, expected to explain aggregate national level turnout as well. Higher per capita income indicates that more people have resources available that facilitate increasing the leisure time necessary for political participation. Higher education levels similarly indicate that more people in a given polity have the means necessary to be politically aware. Similarly, average life expectancy is a proxy for the degree to which a citizen's basic needs are being met and what resources can be used for political activity (Endersby and Krieckhaus 2008; see also Moon 1991). Urbanization is another development indicator that is likely to increase aggregate turnout, because in urban areas people tend to be more exposed to political information as well as be closer to polling stations (Filer et al. 1993). Last, smaller countries tend to have higher turnout possibly because of a greater sense of community among their citizens (Blais and Dobrzynska 1998). Regional dummies controlling for Eastern and Western European countries are also included in the analyses of turnout.

Analysis and Results

For each country, at least 2 elections are included and for some countries, the number of elections is as many as 18. Despite concerns with autocorrelation and heteroskedasticity in datasets that pool information across countries and elections, existing studies have resorted to an ordinary least squares regression to analyze turnout. Here, I have used ordinary least squares regression with panel-corrected standard errors (Beck and Katz 1995).[4] It is conventional in turnout studies to include region rather

[4] Because for some countries the time series is very short and the panels are not balanced, one might object to using panel corrected standard errors. Given this, I have also estimated generalized estimation equation extension of the generalized least squares estimator (Fornos et al. 2004), which is used to analyze cross-sectionally dominant datasets with unbalanced

Table 6.1. Method of presidential election and turnout in parliamentary elections

	Model 1: base model		Model 2: presidential power Metcalf		Model 3: presidential power Siaroff	
Direct election	−6.977***	(1.498)	−7.186***	(1.651)	−3.779***	(1.134)
Metcalf index			0.068	(0.129)		
Siaroff index					−2.341***	
Compulsory voting	2.209***	(0.944)	3.552***	(0.851)	4.324***	(0.889)
District magnitude	0.030*	(0.019)	0.047**	(0.025)	0.028	(0.019)
Personal vote	−4.983***	(1.767)	−2.873	(2.552)	−4.229**	(1.512)
Effective number of parties	−1.178***	(0.329)	−1.249***	(0.349)	−0.918***	(0.286)
Closeness	−0.004	(0.068)	−0.004	(0.064)	0.009	(0.061)
Founding elections	4.695*	(2.745)	4.853*	(2.877)	4.044	(2.875)
Concurrent elections	5.882	(3.395)	7.321*	(4.481)	6.511	(4.086)
Federal	0.766	(1.329)	1.927	(1.959)	−2.761**	(1.314)
Democracy	3.697***	(0.742)	3.571***	(0.769)	5.777***	(0.744)
GDP per capita (log)	2.653***	(1.197)	2.657***	(0.903)	2.227***	(0.659)
Secondary school enrolment	−0.123***	(0.039)	−0.139***	(0.034)	−0.093	(0.030)
Life expectancy	−0.045	(0.118)	−0.058	(0.204)	−0.094	(0.129)
Urbanization	0.169**	(0.088)	0.172**	(0.088)	0.133	(0.088)
Population	−0.00001*	(0.000)	−0.00001	(0.000)	−0.00001	(0.000)
Western Europe	16.900***	(1.937)	16.722***	(1.908)	17.692***	(1.872)
Eastern Europe	1.961	(1.793)	2.070	(1.831)	0.415	(1.665)
Constant	49.549***	(10.745)	40.869**	(15.237)	54.951***	(9.273)
Wald	1,660,000***		1,120,000***		3,680,000***	
N	294		288		294	

Note: Table entries are unstandardized regression coefficients with panel corrected standard errors in parentheses.
* $p \leq 0.1$. ** $p \leq 0.05$. *** $p \leq 0.01$.

than country fixed effects—an example that I have followed here. However, I also performed alternative estimations to check the robustness of the results by (1) including country dummies, and (2) including lagged turnout; the latter essentially means predicting change in turnout. The substantive results of these two separate alternative analyses did not differ from the results presented below.

Table 6.1 presents three different analyses. Model 1 includes all control variables identified above, and Models 2 and 3 add the Metcalf and Siaroff indices of presidential power, respectively. In all three alternative models, the variable measuring the method of electing the head of state is significantly and negatively related to turnout in parliamentary elections. That is, having direct presidential elections suppresses turnout.

panels. The results obtained using this alternative method are similar to the ones presented below.

Consider Model 1: Countries with directly elected presidents have, on average, 7 percentage points lower turnout than similar countries with indirectly elected presidents. Given that the average turnout in countries under study is 76 percent, this effect is substantively large. It is equivalent to the difference in the average turnout in advanced European democracies and that of less developed democracies. When considering standardized coefficients (not reported), only the regional dummy for Western Europe has a stronger effect on turnout. The effect is all the more impressive given that turnout is a well-researched topic and the significant findings of other studies have been accounted for. Yet, despite that, the method of electing the head of state is able to make a very large contribution to understanding differences in electoral participation across countries.

As the results of Models 2 and 3 show, the effect of direct presidential elections survives when presidential powers are controlled for, while the effect of these powers remains undetermined. Presidential powers suppress turnout when measured by the Siaroff index, while they have no effect when measured by the Metcalf index. In any event, given that the method of presidential election itself has a statistically and substantively significant effect on turnout even after presidential powers have been controlled for indicates that a mechanism other than the dispersion of power between different offices has to account for this effect. Rather, it indicates that voter fatigue may be responsible for decreased turnout.

This finding lends credence to the argument that multiplying the opportunities to vote increases voter fatigue and, somewhat paradoxically, decreases participation. Other variables in the model are potentially capturing a similar effect. For example, if the argument about voter fatigue is correct, the negative effect of multiple elections should be alleviated, at least somewhat, by holding those elections simultaneously, because it reduces the cost of any given election to the voter. By the same token, there should be higher levels of voter fatigue, and hence lower turnout, in federal than in unitary countries due to elections to more levels of government in the former. The coefficient for concurrent elections is, indeed, positive in all models. It is statistically significant in Models 2 and 3 and barely falls short of the 10 percent significance level in Model 1. The variable measuring federal systems is highly correlated with population, which is why its independent effect is difficult to infer from the results presented in Table 6.1. When population is removed from the models, turnout in federal systems is about 2 percentage points lower than

in unitary systems. This effect is significant in all models and provides supporting evidence to the voter fatigue argument.

Several other control variables in the model are highly correlated and their independent effects are therefore hard to determine. For example, the correlation coefficients between variables measuring the level of development such as gross domestic product per capita, urbanization, life expectancy, and secondary school enrolment reach as high as 0.7. Such a high intercorrelation, however, is not a problem because for current purposes the independent effects of these variables are not of interest; they simply need to be controlled for in order to accurately estimate the effect of direct presidential elections on turnout in parliamentary contests. Furthermore, these variables are not correlated with the method of presidential selection—the independent variable of interest. Entering any one of the variables measuring the level of development alone in the model leaves the effect of direct presidential elections on turnout intact—direct elections depress turnout in parliamentary contests by about 7 percentage points. Multicollinearity as such is also not a problem—the variance inflation factor scores never reach above five in any analysis presented.

Interaction Effects

The effect of presidential powers on voter turnout in parliamentary elections can be studied further. The direct effect of this variable remained undetermined in Models 2 and 3 presented above. However, presidential powers may have a conditional effect on voter turnout by influencing how strongly direct elections depress turnout. Recall that the theoretical argument presented above proposed that direct presidential elections may decrease voter turnout in parliamentary elections because it increases the cost of voting. Increasing the powers of president may, in turn, influence another factor in the cost–benefit calculus of turnout—the benefit resulting from deciding over who will be in government. Increasing the power of the office filled by the additional direct election can be seen as decreasing the benefit of voting because one's vote is less effective in any given election. If the president is weak, that is, when the government formed from the parliament elected by the people controls most of the executive power, voting in parliamentary elections is still beneficial because then the voter can decide directly over the main policymaker. However, the stronger the presidency, the greater the share of the executive power that is controlled by the president rather than the cabinet. For voters this

means that participating only in one election is not enough for deciding over who makes policy. Thus, as presidential powers increase, benefits of turning out in parliamentary elections alone will decrease. Since turning out in both presidential and parliamentary elections is costly, one of the following scenarios is likely to follow. One option is that more voters may decide to turn out only in the election that seems more relevant to them. The stronger the presidency, the more likely is it that at least some voters consider this office rather than the legislature as more relevant. These voters may then choose to participate in presidential rather than parliamentary elections. Another option is that some voters may decide not to vote at all. Given that the overall benefit of voting only in one of the two elections is low but the cost of participating in both is potentially high, some voters may consider it rational to stay home altogether. Both of these scenarios suggest that increasing presidential powers should magnify the negative effect of having direct presidential elections on turnout in parliamentary contests.

To test the conditional effect of presidential power, I estimated Models 2 and 3 again, this time including an interaction term between the method of election of the head of state and the respective power indices. Given that interaction effects are difficult to interpret from the regression table and to save space, I have refrained from reporting the results in a tabulated format. Instead, Figure 6.1 plots the conditional coefficients of direct presidential elections and corresponding 95 percent confidence intervals at different levels of presidential power. As both graphs in Figure 6.1 indicate, the effect of direct elections on turnout becomes stronger the more powerful the directly elected president, as expected. This conditional effect is significant using either of the two presidential power indices.[5] Direct elections of very powerful presidents, such as the ones in Finland (before the constitutional reform), France, and Russia, can decrease turnout in parliamentary elections by 15–20 percentage points. Similar elections in countries with weak presidents as in Austria and Slovenia, are associated with less dramatic, but still significant, decreases in turnout: about 3–6 percentage points.

Overall, thus, the analysis provides strong evidence that direct presidential elections depress turnout in parliamentary contests. The reasons for

[5] The confidence intervals surrounding the conditional coefficients when using the Siaroff index are very wide for values above 2. Although the coefficients are significant for all values of the index, inferences about the magnitude of the effect based on this index remain imprecise.

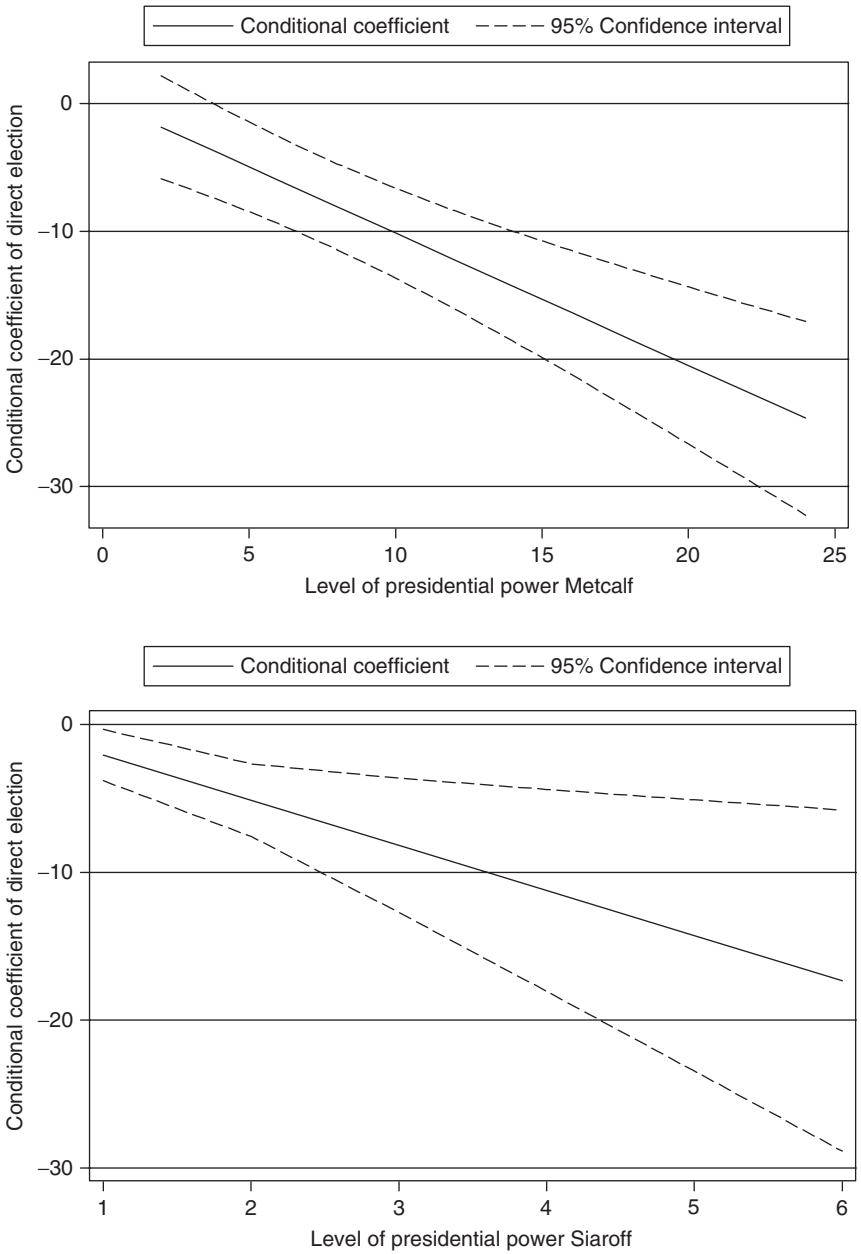

Figure 6.1. The effect of direct presidential election on turnout in parliamentary contests conditional on presidential powers

this effect can further be explored by comparing turnout in parliamentary and presidential elections. I have argued that the uncovered effect is likely to occur due to voter fatigue. If this is true, turnout in presidential and parliamentary elections should be equally low in countries with direct presidential elections and both should be lower than the average turnout in parliamentary elections in countries with indirectly elected presidents. Another possibility, however, is that in countries with direct presidential elections, turnout in parliamentary elections is low because the former rather than the latter are considered as the first-order elections. In this case, we should see low turnout in parliamentary elections, but high turnout in presidential ones.

The data support the first interpretation. In parliamentary democracies with direct presidential elections, the average turnout is 67 percent in presidential elections and 73 percent in parliamentary ones. In parliamentary democracies with indirect presidential elections, the average turnout in parliamentary elections is 78 percent. Thus, turnout in countries with direct presidential elections is lower than that in countries with indirect presidential elections regardless of the type of election. Furthermore, presidential elections attract, on average, considerably fewer voters than parliamentary elections in countries with directly elected presidents. This indicates that the latter rather than the former have the status of the first-order elections for most voters.

The evidence presented so far undermines the argument that allowing direct popular elections of a president strengthens democratic practices as measured by turnout in parliamentary elections. If one believes that turnout is an indicator of the strength of democratic practices, then introducing direct presidential elections potentially weakens, rather than strengthens, these practices. The electorate does not become more active and participatory if they have a chance to decide upon one additional officeholder. Even more, these elections have a negative and very large impact on turnout in parliamentary elections. This turnout tends to be about 7 percentage points lower when citizens are asked to participate in presidential elections in addition to the parliamentary ones.

This finding suggests that adding one more election can be seen as adding extra burden on voters because they have to find the extra time and resources necessary to be able to fulfill their democratic duty. Voting in both elections is more costly than voting in only one, and more voters may decide to pick the one that sounds more important or interesting to them. The overall effect of this individual level choice is lower voter turnout in parliamentary elections than would have been the case if

the president were not directly elected. Indeed, increasing the powers of the president aggravates the negative effect of direct elections: powerful president means that in order to have a say in policymaking, it is no longer sufficient to simply decide over one's representatives to the legislature. Since benefits of voting are diluted, and voting in both elections is costly, voters have less of an incentive to turn out.

These findings add significantly to our understanding of turnout and provide valuable information to constitution designers deciding over the office of president. Simplifying the representational process by having fewer elected offices and concentrating the decision-making power in these offices makes it easier and therefore more likely for the voter to participate in the democratic process. Whether the uncovered effect is inherently good or bad depends on one's own value judgment. Lower turnout elections can be considered undesirable because they tend to be less egalitarian. Those who have more resources and can bear the additional cost of voting will influence the course of public policy more than those with fewer resources. For others, however, lower turnout may simply be a price that must be paid in order to make the office of president subject to direct democratic control. One might also argue that allowing such a choice has intrinsic value and may make voters feel more efficacious and in control of the political process. Not only can they decide whether to vote and who to vote for but also in which elections to participate.

Aggregate turnout indicators are too crude to capture these psychological effects on voters, which is why attitudinal responses to direct presidential elections are considered more closely below. What this analysis has shown, however, is that the behavioral response to introducing direct presidential elections manifests itself in depressed turnout in parliamentary elections—elections to institutions that concentrate the most power in systems under study. It remains a value judgment of policymakers whether this can be interpreted as a sign of strengthening or weakening democratic practices.

Presidents and Political Disillusionment

Political disillusionment can be gauged in several different ways. The existing literature on apathy and disillusionment has considered satisfaction with democracy and trust toward political institutions (Klingemann and Fuchs 1998; Pharr and Putnam 2000). I will follow these studies

and consider citizens' satisfaction with the way democracy is developing and their trust in key representative institutions—parliament and government. These indicators will be supplemented with political involvement—the extent of unconventional political participation, and subjective well-being. Recent studies have established that political variables such as participation and political efficacy significantly influence the latter (Helliwell and Huang 2006), which makes it appropriate to consider this variable in the current context. All of these variables are measured with data from the fourth wave of the World Values Survey. This last wave of surveys covers a global sample of democratic and nondemocratic countries, and was conducted once in each country during the period of 1999 through 2004. I have used country means of the individual level responses to the survey questions to measure the different dependent variables: trust in government, trust in parliament, satisfaction with democracy, political involvement, and subjective well-being.[6]

Although the World Values Survey includes about 80 countries, not all questions were asked in all countries and not all countries included are democracies, much less parliamentary systems with an elected head of state. Thus, the actual number of cases included in the current analysis is much lower, covering 33 countries. Those countries that changed their mode of electing the head of state, like Slovakia, are entered twice, and earlier waves of the World Values Survey are used to obtain measures for the dependent variables that would match the change over time. All other variables included in the analysis also match the time period of the dependent variables.

Before developing any multivariate tests, it is informative to observe some simple descriptive statistics. Figure 6.2 presents the averages of political trust, satisfaction with democracy, and subjective well-being—three of the five dependent variables. The comparison is rather interesting. The only variables that show a slight difference across the modes of election are the measures of political trust. The bars for satisfaction with democracy, political involvement, and subjective well-being are virtually the same height for countries with directly and indirectly elected presidents. A *t*-test comparing the mean values leads to a similar conclusion: The average scores of these three variables are statistically indistinguishable from each other. Political involvement was measured on a different scale (with a maximum score of 3 rather than 4), which is why it is not included in this figure. The averages of this variable are virtually equal for countries

[6] Exact measures are presented in the appendix.

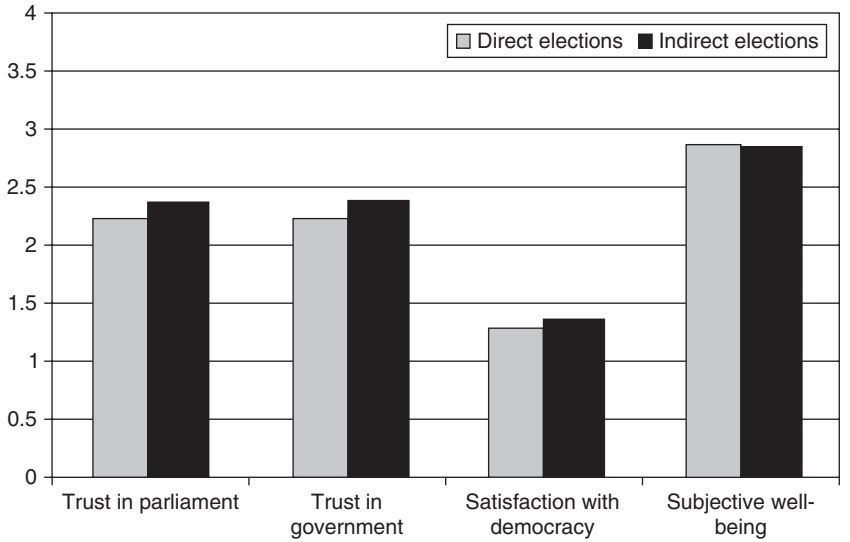

Figure 6.2. Political trust, satisfaction with democracy, and subjective well-being

with directly and indirectly elected presidents—1.92 for the former and 1.94 for the latter.

As for the trust measures, parliaments and governments in countries with indirectly elected presidents enjoy a slightly higher level of trust than their counterparts in countries with directly elected presidents. The differences, using the means comparison *t*-test, are also weakly statistically significant at the 10 percent level. It is possible that in countries with directly elected presidents, people trust the head of state at the expense of trusting those institutions that are more involved in day-to-day politics, and therefore, are also more tainted with scandals and unpopular decisions. It is, however, also possible that this weak effect is spurious and occurs because of some other variable not controlled for in the bivariate setting.

Thus, the multivariate tests will also consider the effect of other explanatory variables in addition to the selection mechanism of the head of state on the various measures of political trust, satisfaction, and involvement. As is often the case, there does not seem to be a standard set of independent variables employed when analyzing these variables—each study includes a slightly different set of controls. I will concentrate on the set of variables over which there seems to be relative consensus. Most studies include a measure of government performance, usually the level

of corruption, a measure of civic culture, such as social trust, a measure of wealth, and one of inequality (Delhey and Newton 2005; Espinal et al. 2006; Pharr and Putnam 2000; Seligson 2002). Some studies have also controlled for such indicators as ethnic fractionalization and the country's share of protestants. Given the concern with a small number of cases and few degrees of freedom, I have not included these variables because in the preliminary analyses, they were not significant and excluding them did not significantly change the effect of other variables in the model.

Table 6.2 presents the results of five different models, each considering a different dependent variable. All models are estimated using ordinary least squares regression analysis with robust standard errors. Not surprisingly, the mode of election is not significantly related to the indicators of satisfaction and involvement. Citizens in countries with directly elected presidents are not more or less satisfied with the development of democracy and their own well-being than citizens that do not have the opportunity to elect their head of state. Having the opportunity to participate in the election of a president is also not associated with increased political involvement: the level of unconventional political participation is as high (or low) in countries with direct as with indirect elections. The arguments of those who support direct elections on the grounds of increased satisfaction and participation are, thus, not supported.

As for political trust, the weak relationship evident in the bivariate analysis does not hold in the multivariate statistical tests either for trust in parliament or for trust in government. This result undermines the argument that direct presidential elections decrease or increase political disillusionment. Having the opportunity to elect the head of state is likely to have no effect on citizens' opinion of other political institutions. The recommendation about which mode of election to adopt cannot, thus, be based on expectations about its effect on democratic attitudes. No matter how disillusionment and apathy are measured, the final verdict remains the same: countries with directly elected presidents are not different from those with indirectly elected ones.

The Slovakian Experiment

The Slovakian case offers another opportunity to investigate whether change in the mode of election corresponds to qualitative change in various measures of political participation and disillusionment. Following

Table 6.2. Presidential direct elections and political attitudes

	Trust in government	Trust in parliament	Satisfaction with democracy	Political involvement	Subjective well-being
Direct election	−0.202 (0.146)	−0.201 (0.135)	−0.183 (0.124)	−0.062 (0.065)	−0.043 (0.073)
Corruption	0.025 (0.041)	−0.060** (0.027)	−0.103*** (0.036)	−0.009 (0.028)	−0.055*** (0.016)
Democracy	0.257**(0.116)	−0.024 (0.108)	−0.064 (0.113)	0.017 (0.047)	0.006 (0.067)
Inequality	−0.012 (0.014)	−0.005 (0.011)	0.002 (0.016)	−0.014** (0.007)	0.007 (0.008)
GDP per capita (log)	0.210 (0.134)	−0.082 (0.083)	−0.051 (0.121)	−0.012 (0.047)	0.076 (0.064)
Constant	0.365 (1.625)	3.615*** (0.802)	2.570* (1.332)	2.537 (0.606)	2.286*** (0.724)
R^2	0.35	0.19	0.38	0.14	0.47
N	20	32	26	32	33

Notes: Column headings indicate the dependent variable. Table entries are unstandardized regression coefficients with robust standard errors in parentheses.
* $p \leq 0.1$. ** $p \leq 0.05$. *** $p \leq 0.01$.

trends in public opinion before and after direct elections of the head of state were adopted allows observing any effects of such change. If public opinion follows a monotonous pattern across time from the beginning of the 1990s until today, then it is reasonable to conclude that change in the mode of election did not have any noticeable effect on people's political attitudes and behavior. However, if the monotony of the series is disrupted in 1999—at the time when direct elections were adopted—then it is possible to attribute at least some of the disruption to change in the mode of electing the head of state.

Slovakian public opinion overwhelmingly favored direct presidential elections. This, in a way, provides a necessary condition for the hypothesized effect to occur: if people were indifferent about the selection method of the head of state, it is less likely that any change to this method would affect public attitudes and behavior. Before 1999, parliament in Slovakia had tried but continuously failed to pass constitutional referendum to allow direct elections of the president (Malová and Učeň 1998). Opinion polls showed that such a constitutional change was supported by 64 percent of the population (CTK National News Wire 1997). When the petition was started on the issue in 1997, it yielded an unprecedented 521,000 signatures only within a few weeks, almost 200,000 more than legally required. The speed and success of the petition campaign was widely perceived as a sign of support for the direct election. The referendum was blocked by Mečiar's government. However, a public opinion poll released later indicated that, had the referendum taken place, 57 percent of the voters would have participated and 89 percent of those would have supported the direct election (Commission on Security and Cooperation in Europe 1997).

The issue was not settled. A poll conducted in the spring of 1998 reported that two-thirds of Slovaks supported petitioning for direct presidential elections (CTK National News Wire 1998*c*). Another set of 300,000 signatures were collected petitioning parliament to put this issue on their agenda (CTK National News Wire 1998*b*). A different poll claimed that 92 percent of Slovaks would have voted for the country's president to be directly elected, while only 6 percent would have voted against it (CTK National News Wire 1998*a*) had the referendum been held. Again, however, the government blocked this initiative. Public support for direct elections, however, remained high: the latest poll available that was taken before the change to direct elections indicated that about 80 percent of respondents favored directly electing the head of state while only 10 percent supported elections by parliament (CTK National News Wire 1998*f*).

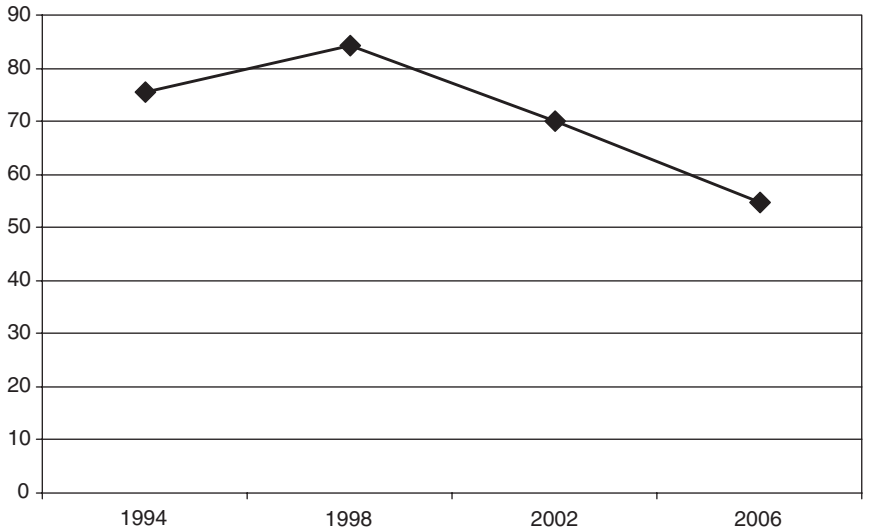

Figure 6.3. Turnout in Slovakian parliamentary elections

It took new parliamentary elections and a change in the parliamentary majority for this public preference to finally be taken into account.

Turnout

The stated enthusiasm about direct presidential election was followed by a relatively high participation rate in the first of these elections. About 74 percent of the electorate turned out in the first round and 76 percent in the second. This was comparable to the turnout rate in Slovakian parliamentary elections: 75 percent in 1994 and 84 percent in 1998. This enthusiasm, however, died down and turnout in the subsequent presidential election was only 44 percent in the first round and 42 percent in the second. Figure 6.3 presents the turnout trend in parliamentary elections: turnout has significantly and consistently decreased from 1998 onwards. Switching to direct presidential elections certainly does not correspond to increased political participation in terms of voter turnout. Given that negative trend in turnout is common across all postcommunist countries (Kostadinova 2003), one cannot confidently conclude that in the Slovakian case this decline in turnout is attributable to change in the method of electing the head of state. The decline could have occurred for other reasons such as general voter disillusionment.

Other cases of institutional change may be examined for illustrative purposes given that turnout data are readily available. In addition to Slovakia, Finland, France, and Moldova have changed their method of electing the head of state. Looking at turnout in parliamentary elections in these countries before and after the change was implemented allows observing whether switching to direct elections depresses turnout. However, caution should be exercised when drawing conclusions from such across-time comparison, because despite providing a situation resembling a natural experiment, extraneous variance cannot fully be controlled for. Finland is the most problematic case: until 1994, the president had been elected indirectly by an electoral college. However, the Electoral College itself was elected by voters. Thus, even if not directly, voters were still involved in presidential elections. Further, together with switching to direct elections of the president, the Finnish constitution also significantly curbed presidential powers (Arter 1999*b*). Since these changes occurred simultaneously, their separate effects cannot be determined. Therefore, although the average turnout in parliamentary elections in Finland decreased from 77 percent before 1994 to 67 percent after this date, the decrease cannot be attributed solely to the change in the way the president is elected.

France offers another opportunity to observe the consequences of the change in the way the president is elected. Unfortunately, as was the case in Finland, introducing direct presidential elections in France corresponded with other constitutional changes, which makes its independent effect hard to evaluate. France changed from electing the president by an electoral college to direct popular elections in 1962. Although the president did not gain any powers as a result of this switch, the change occurred only four years after the emergence of the Fifth Republic that introduced a powerful president (Morris 1994). When looking at the data on turnout in parliamentary elections, it is possible to observe a trend in the expected direction: the average turnout in parliamentary elections was 79 percent before the first direct presidential election in 1965 and 71 percent after that date. However, it is hard to determine the extent to which the difference in means occurs due to the introduction of direct presidential election rather than due to the greater constitutional changes that replaced the Fourth Republic with the Fifth one.

Unlike Finland, France, and Slovakia, Moldova made an opposite switch: In 2000, the country started using indirect presidential elections instead of direct presidential elections. In addition to being elected by

parliament, the president also lost the power to take part in cabinet meetings and to initiate legislation, but overall, the powers of the office changed little (Venice Commission 2000). Considering the turnout of registered voters in all four Moldovan parliamentary elections, there is an initial decrease in turnout from 1994 to 1998, with turnout levels 79 and 69 percent, respectively. In 2001, after the switch to indirect presidential elections, turnout in parliamentary elections increased by about 1 percentage point—to 70 percent. Turnout decreased again for the 2005 parliamentary election—to 65 percent—but the decrease was not as significant as in mid 1990s and considerably less dramatic than in Slovakia. Given that in postcommunist democracies, in general, turnout decreases significantly with every consecutive election (Kostadinova 2003), such a decline is not surprising, but the increase in turnout from 1998 to 2001 merits some attention. The effect is more striking when we look at turnout of the voting age population. From 1998 to 2001, after the president was no longer directly elected, turnout in parliamentary elections increased by about 7 percentage points (from 57% to 64%) and stayed at about the 2001 level for the 2005 parliamentary election as well. Overall, the case studies illustrate a negative correlation between direct elections of the head of state and turnout in parliamentary contest.

Democratic Attitudes

Following public opinion on democratic attitudes over time provides another opportunity to see whether allowing for greater public participation strengthens these attitudes, thereby also strengthening democratic practices. The New Europe Barometer has conducted surveys in Slovakia repeating similar questions across multiple years. I will first consider public support for nondemocratic alternatives. If direct presidential elections indeed strengthen democratic attitudes, then we should see decreased support for nondemocratic regime types as a result of change from indirect to direct elections. Figure 6.4 presents the share of respondents who strongly or somewhat agree that (1) the country should return to communist rule, (2) the army should rule, and (3) a strong leader should rule instead of the parliament and government.[7] Except for rule by the army, for which there has always been very little support among the Slovakian public, support for returning to communism and for having a strong

[7] Exact measures are presented in the appendix.

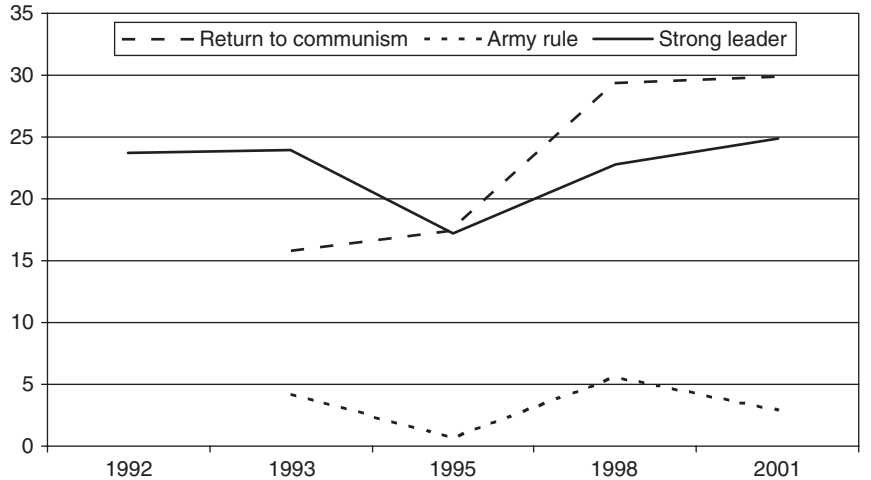

Figure 6.4. Support for nondemocratic alternatives, Slovakia

leader do not show a distinct decrease after 1999 when direct presidential elections were adopted. Indeed, support for a strong leader even increases a little. Of course, the time series is very short and the survey is not a panel, thus the inferences that can be drawn based on these data are going to be imprecise. However, there seem to be no grounds for rejecting the null hypothesis that direct presidential elections are not related to democratic attitudes.

Figure 6.5 further considers public disillusionment—another undesirable development that direct presidential elections have been argued to remedy. Disillusionment is measured by trust in different political institutions including parliament, political parties, the prime minister, and the office of president itself. The figure presents the average of each indicator for the year listed. All indicators range from 1 (no trust) to 7 (great trust). For all of these measures of trust, the trend is noticeably negative from 1998 to 2001. This negative change in the trend is especially evident in the case of trust in parliament and in political parties: both of these trend-lines are fairly flat throughout the 1990s, but then sharply drop off after 1998. Trust in the president also sees a sharp decline from 1998 to 2001, yet this trend has been more turbulent in general. Confidence in the prime minister is lower in 2001 than in 1998, but since we have no information about this variable prior to 1998, it is difficult to draw any reliable conclusions from this difference. The combined evidence from all the trust measures is very consistent and fails to provide support

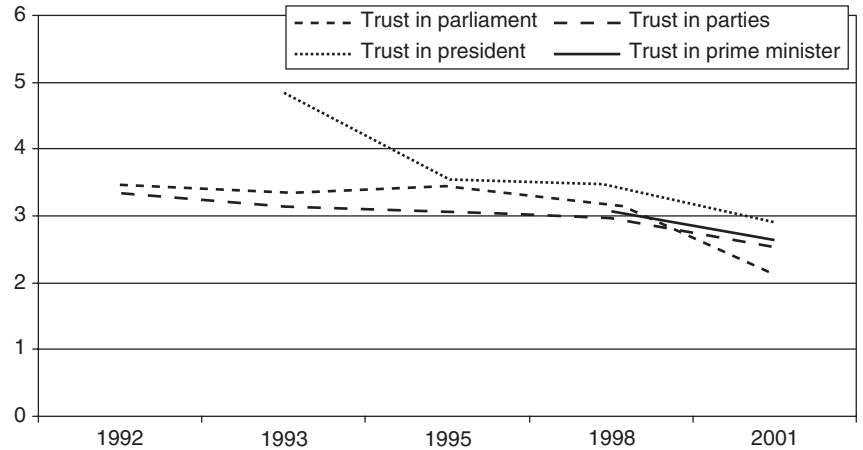

Figure 6.5. Trust in political institutions, Slovakia

for the argument that direct elections decrease citizens' disillusionment. Indeed, there is consistent evidence of increased disillusionment with all of these political institutions. Attributing this effect to direct presidential elections is, of course, less than straightforward. There may be other factors accounting for the decline in trust—as with turnout, citizen satisfaction with government has been declining in most modern democracies (Klingemann and Fuchs 1998; Pharr and Putnam 2000). Thus, more data is needed for concluding with any confidence that there is a negative effect between direct presidential elections and citizen satisfaction with government. For current purposes, showing a null effect is sufficient to undermine the argument that direct election should be preferred because of their positive effects on democratic attitudes.

Overall, the Slovakian natural experiment leaves us with the null hypothesis. There is simply no solid evidence that adopting direct presidential elections would increase political participation and democratic attitudes or decrease political disillusionment. Making the case in favor of direct presidential elections on the grounds that it strengthens democratic practices is appealing and carries a lot of symbolic weight, but it remains empirically unsubstantiated. As we have seen, this is the case even if people express a strong desire for having a say in the election of their head of state. Causes of disillusionment are likely to be much more complex and convoluted with no simple remedy provided by allowing direct presidential elections.

Conclusions

That elections function as instruments of democracy is a common argument in political science (Powell 2000). Elections are inherently valuable in the democratization process for strengthening democratic attitudes and values (Lindberg 2006). Policymakers also commonly assume that allowing more elections generates more democracy, thereby strengthening democratic practices and increasing the citizen's sense of efficacy. It is on these grounds that introducing direct presidential elections are often justified as a valuable institutional choice regardless of any consequences of this choice to the functioning of the system.

The empirical analyses in this chapter have significantly undermined this assertion. Much of the effect of direct presidential elections on political attitudes remains undetermined. There is no evidence that direct elections strengthen citizen satisfaction with democracy, political institutions, or their subjective well-being. There is also no definitive evidence that these elections undermine democratic attitudes. Holding or not holding popular presidential elections is simply not relevant when it comes to evaluating the regime.

Where introducing direct presidential elections appears to have a substantial systematic effect is political participation. Voter turnout in parliamentary elections tends to be about 7 percentage points lower when citizens are asked to participate in presidential elections in addition to the parliamentary ones. If one believes that turnout is an indicator of the strength of democratic practices, then introducing direct presidential elections potentially weakens, rather than strengthens, these practices. Whether this effect is inherently good or bad depends on one's own value judgment. Lower turnout elections can be considered undesirable because they tend to be less egalitarian. Those who have more resources and can bear the additional cost of voting will influence the course of public policy more than those with fewer resources. For others, however, lower turnout may simply be a price that must be paid in order to make the office of president subject to direct democratic control. The purpose here is not to take a stance in the normative debate, but simply to alert institutional designers that such a cost may exist.

7

Conclusions

This book has studied presidents in parliamentary systems. It was inspired by the ongoing constitutional debates in a variety of countries over whether or not the head of state should be elected by direct popular vote. The book has addressed several arguments about the potential effects of the method of electing the presidents that often appear in such debates. In this chapter, I summarize the main findings and elaborate on their implications, both practical and theoretical.

The book first evaluates the common argument that direct elections enhance presidents' legitimacy, thereby increasing their activism and encouraging authoritarian tendencies. Activism was defined as presidential use and overuse of his or her legislative and non-legislative powers. One of presidents' most fundamental powers is their role in government formation. The main conclusion from the quantitative cross-national analysis of presidential intervention in cabinet formation showed no difference between directly and indirectly elected presidents. The former are not more likely to exercise influence over government formation process than the latter. Additional analysis, using a variety of methods—case studies, comparative analysis, and a natural experiment—revealed that this conclusion is robust and also generalizable to other presidential powers. There was no evidence that the method of election is responsible for inflating presidential activism in terms of initiating or blocking legislation, making appointments, engaging in foreign policy and using symbolic politics. Indirectly elected presidents are as likely to interfere in governance as their directly elected counterparts. Similarly, presidents elected directly by the people and supposedly commanding direct popular mandate are often simply figureheads rather than significant sources of executive power.

Cross-national and cross-temporal differences in presidential activism do exist, however. This activism of presidents, be they directly or indirectly elected, depends on political opportunity framework—the institutional strength and partisan composition of other institutions, especially parliament and government. Presidents become more influential and active when parliament is fragmented and government controls an unstable majority or no majority. Presidents are also more active when they are ideologically opposed to the government and parliamentary majority. Thus, rather than the constitutional features pertaining to the selection mechanism of the office holder itself, it is the institutional and partisan context in which the president operates that defines his or her role in the functioning of the regime.

The second issue that the book addresses is the nature of the presidential elections. Those opposing direct presidential elections have done so on the grounds that direct elections become partisan, polarizing, and divisive, while indirect elections are supposedly quiet compromise deals resulting from elite-level negotiations and bargaining. The evidence, however, speaks against distinguishing between directly and indirectly elected presidents on these grounds. I find direct presidential elections not to be much different from their indirect counterparts. Direct presidential elections are not necessarily more partisan, competitive, and confrontational than indirect elections. The latter, at the same time, can become highly contentious affairs, involving public campaigns, and divisive of the society at large.

The analysis also provides a rationale for why these elections, direct or indirect, become heated: parties accrue benefits from holding the office of the president. The party of the head of state adds, on average, 6 percentage points to its vote share in legislative elections. Such a coattails effect is similar for systems with directly and indirectly elected presidents and provides parties ample incentive to compete for the office despite its low powers. Furthermore, the qualitative analysis also shows that parties value the office of the president, regardless of the method by which it is filled, not only because of these electoral benefits but also as a tool to influence policymaking. Even though the powers of the office are generally weak, they have proven to be decisive on several occasions.

Instead of the method of election, the main factor responsible for lowering the heat of the contest is the incumbency effect. When a popular incumbent president is running, serious challengers do not usually enter the race and the result is a quiet contest with little divisive campaigning

or controversy. The incumbency effect, again, works similarly in the case of directly and indirectly elected presidents. In sum, like presidential activism, the nature of presidential elections depends not on the constitutional choices pertaining to the selection mechanism of this institution, but on the broader political context in which the presidents operate.

The third prevalent issue regarding the presidential elections concerns its potential effect on strengthening democratic practices. Proponents of direct elections have argued that allowing people to choose their head of state will increase their political involvement, their feeling of political efficacy, and their trust in the system. The analysis found no empirical confirmation of this hypothesis. In fact, the additional election increases voter fatigue and decreases turnout in parliamentary elections by about 7 percentage points. Since direct presidential elections are no more likely to decrease citizen disillusionment with the government and strengthen democratic practices than indirect elections, I conclude that these systems have indistinguishable effects on democratic attitudes. The noticeable effect of introducing additional elections on voter behavior, however, merits the attention of institutional designers.

Practical Implications

The main practical implication of the findings is that the focus of constitution designers on the election mechanism of the head of state is largely misplaced. For many important aspects of the functioning of the regime, this selection mechanism has little, if any, effect. Presidents are presidents, regardless of how they come to power. If the concern is over inflated presidential activism, then indirect elections do not necessarily provide a remedy: Presidents selected by parliament or by an electoral college are as likely to become activist as their directly elected counterparts. If the concern is over the nature of elections, then again indirect elections can become as partisan, polarizing, and competitive as direct popular ones. Parties simply have a strong incentive to hold the presidency and therefore contest the election regardless of how it is filled. Similarly, if the concern is over strengthening democratic practices, direct elections are not an effective tool because, for the most part, the selection method has little influence on people's democratic attitudes and behavior. Indeed, if anything, direct elections may have a negative impact on some democratic practices such as voter turnout.

The findings of this study suggest that rather than focusing on the method of election, the constitution designers should consider more basic decisions such as whether to have an office of the president at all or how to craft its powers. The mere presence or absence of a president already alters the dynamics of the parliamentary regime and the powers of the office set clear limits to presidential activism.

The results of the analysis further imply that the institutional context in which the president operates should also be an important consideration when designing the office. Factors such as electoral system, party system fragmentation, rules of government formation, all of which largely determine the strength of parliament and government, can and should be taken into account. For example, if the electoral system favors bigger parties and the party system is fairly consolidated one would expect to have a relatively strong parliament with low levels of fragmentation. The same factors also influence the strength of government—the more consolidated the party system the less fragmented the governing coalitions. Further, if the rules of government formation require an investiture vote, the likelihood of minority governments decreases and stronger governments are formed as a result. It is not the goal of this book to go into detail about these other institutional effects, but the point is that this context created by other institutions is worth taking into account when designing presidencies. If these rules allow for a relatively strong legislature and executive, presidential powers can also be relatively extensive. If these other institutions, however, are likely to become fragmented, unstable, and weak, presidents may have the opportunity to become more activist in using their policy tools, and the constitution designers may therefore want to curb their powers.

The reader should note, however, that the purpose of this book has not been to suggest how parliamentary systems should be designed or to offer a description of a blueprint for success of the office of a head of state. The main focus of this study has been on finding empirical regularities rather than delving into normative debates. Therefore, I have not provided prescriptions about whether a parliamentary system should have any head of state, how the office should be elected, or what its powers should be. The piece of advice this book gives to policymakers is that on positive grounds, there is little reason to debate about the selection mechanism of the head of state, on normative grounds there still may be. This book is not able and has not attempted to solve those normative debates.

Theoretical Implications

In addition to the practical relevance, the findings of this study also have important theoretical implications both for the study of political institutions and democratic theory. First, the results of this study significantly undermine the logic of treating indirectly elected presidents as non-actors similar to hereditary heads of state. These presidents can influence the functioning of the regime as much as their directly elected counterparts. As we have seen, indirectly elected presidents can have significant impact on policymaking and government formation, and competition to this office can be fierce given the potential electoral payoffs of the office to parties. Lumping indirectly elected presidents together with constitutional monarchs is thus not justified empirically.

The finding that direct elections alone do not make presidents active and powerful also has implications for understanding presidential regimes. It entails that presidential direct mandate and the separate source of legitimacy of the executive may not necessarily be important for differentiating between presidential and parliamentary regimes, contrary to what many earlier studies assume (Elgie 1998; Lijphart 1999; Sartori 1997; Stepan and Skach 1993). Factors other than the election mechanism of the executive may account for the performance of different democracies. Recent studies of regime type have, indeed, suggested that the broadly accepted defining features of regime types are often irrelevant for understanding the functioning of the regime (Cheibub and Limongi 2002) and when classifying regimes the selection mechanism of the executive is now often disregarded (Cheibub 2007).

A second and related theoretical implication concerns classifying countries as semi-presidential or parliamentary. The analysis here has shown that in several areas of interest to policymakers and constitution designers, these regimes function in a similar manner, thus undermining the analytical usefulness of the theoretical division between regimes according to the method of electing the head of state. Furthermore, it is not only that the method of elections does not explain differences in the functioning of the regimes but also that the same mechanisms—the role of other institutions and partisan interests—account for the phenomena of interest, such as presidential activism and the nature of elections in both systems. This is not to say that dividing regimes based on the method of electing the head of state is never justified—the analysis here simply shows that it may not always be necessary.

Semi-presidentialism remains a poorly defined concept with some authors classifying countries based on the method of election, and/or presidential powers, or how the regime functions (see Elgie 1999*b*). This has led to a situation where the classification of countries differs from study to study—a practice that has made several authors question the usefulness of the concept (Bahro et al. 1998; Lijphart 1997; see Elgie 1999*b* for a review). For theoretical development, it is more fruitful to be less concerned with ex ante classification of regimes but to start the analytical process from the dependent variable—the phenomenon to be explained (see also Elgie 2004). This approach alleviates the existing confusion over whether and how the selection method or presidential powers should be the basis of classifying regimes and allows estimating the separate effect of both variables. It also leaves less room for assumptions and more for actual empirical testing. Recent studies of presidentialism versus parliamentarism have made a similar point by arguing that classification of regimes ex ante is less informative and often also misleading than directly evaluating the effect of the variables that supposedly make presidential democracies different from parliamentary ones (Cheibub 2007; Cheibub and Limongi 2002; see also Samuels 2007). Such an approach has led to questioning the relevance of differentiating between presidentialism and parliamentarism to understand how the democratic system functions and whether it survives. Even if regime type matters, relying on simple ex ante classification renders this explanation a black box, unable to justify why it matters. In accord with these studies, the findings here call for more critical evaluation of the basis for and the overall usefulness of classifying regimes.

A third theoretical implication of the study is that in order to understand the functioning of a specific office, institutional scholars should pay more careful attention to interdependencies between different institutions and actors rather than just to the characteristics of the office under study. The analysis demonstrated that rather than the method of election (i.e., the characteristic of the office), the opportunities and incentives provided by the strength of other offices and their partisan constellation help us to understand presidential activism. Similarly, the nature of presidential elections is not necessarily a function of the characteristics of that office, but depends on partisan incentives. In sum, the role of the president in parliamentary regimes, whether directly or indirectly elected, can be better understood in the institutional and partisan context rather than in isolation.

This insight again echoes the recent findings in studies of presidentialism versus parliamentarism, which argue that regime types do not have built-in efficiencies or inefficiencies. Rather, the broader institutional and ideological circumstances also affect how presidential and parliamentary systems operate. These contextual factors and interdependencies often render the regime type per se insignificant for understanding a regime's performance and survival (Cheibub 2007; Cheibub and Limongi 2002). Appreciating contextual factors and interdependencies, thus, helps to understand the functioning of institutions in general, not just presidents in parliamentary systems.

The results of this study are also important in the context of democratic theory, emphasizing the importance of popular elections to the functioning of democratic institutions. Democratic elections are widely accepted as conferring politically legitimate mandate to the government. Legitimacy, in turn, is the foundation of governmental power and authority. Yet, legitimacy has mostly remained an abstract theoretical concept with no clear empirical measure and the theoretical argument about its relationship to power and authority has therefore not been subjected to a direct test. This book offers one such test. If the politically legitimized mandate conferred by elections serves as the basis of political power, then rulers with a direct electoral mandate should be more compelled to exercise political power.

The findings here, however, suggest that legitimating via popular elections does not inflate the power of the president in parliamentary systems. A mandate to exercise power can be derived differently and does not necessarily result from popular elections. The analysis in this book has shown that rarely do directly elected presidents refer to the popular mandate to justify their intervention in governing, while at the same time, indirectly elected presidents often justify their actions by referring to what they perceive to be the public interest or public preference. The causal path from elections to legitimation and the exercise of authority is, thus, less straightforward than is commonly assumed.

In conclusion, the main purpose of this book has been to offer systematic empirical assessment of the arguments in one of the most heated constitutional debates—whether the head of state in parliamentary systems should be directly or indirectly elected. In fulfilling this task, the book communicates a clear and consistent message: The selection mechanism of the head of state is largely inconsequential to the functioning of the parliamentary regimes. This sets clear boundaries to what the book

has been set up to accomplish. Although I have outlined some obvious implications of its conclusions to several areas of research, the book does not pretend to overthrow major theories or provide complete answers for how constitutions should be designed. Rather, its practical ambitions are limited to this specific institutional choice. Its theoretical contribution amounts to challenging some widely accepted assumptions about the role of the president in parliamentary systems and to calling for further debate as well as more careful theorizing about this institution and democratic legitimacy.

APPENDIX

Chapter 6 Data Sources

1. Aggregate analysis of turnout

Variable label	Description	Source
Turnout	Percent of registered voters who participated in a given parliamentary (lower house) election.	International Institute for Democracy and Electoral Assistance, http://www.idea.int/vt/; websites of election commissions
Compulsory voting	Coded "1" if abstention is legally sanctioned, "0" otherwise.	Ibid.
District magnitude	An average number of candidates elected from any electoral district	Golder (2005), Tavits (2008*b*)
Personal vote	Coded "1" if the electoral system allows voting for an individual candidate (e.g., single member plurality and open-list proportional representation) and "0" otherwise.	Tavits (2007*b*)
Effective number of parties	The number of parties weighted by their vote share.	Golder (2005)
Federal	Coded "1" for countries with federal structure, "0" otherwise.	Griffith and Neerenberg (2005)
Closeness	Difference in the vote shares of two parties with the most votes.	Europe: Parties and Elections at www.parties-and-elections.de; Africa: http://africanelections.tripod.com/; Latin America: http://pdba.georgetown.edu/
Concurrent elections	Coded "1" if presidential and parliamentary elections are held at the same time, "0" otherwise.	Various
Founding elections	Coded "1" for the first democratic elections, "0" otherwise. The pre-1973 sample includes only Western Europe.	Freedom House at http://www.freedomhouse.org

(*cont.*)

Appendix

(*Continued*)

Variable label	Description	Source
Democracy	The average score of political rights and civil liberties. The pre-1973 sample includes only Western Europe, coded "1" for the entire period.	Ibid.
GDP per capita		Penn World Tables
Secondary school enrolment	Measured as a percent of total population.	World Bank, World Development Indicators
Life expectancy	Measured at birth.	Ibid.
Urbanization	The percent of total population living in urbanized areas.	Ibid.
Population		Penn World Tables

2. Analysis of political disillusionment
Measures of the dependent variables, World Values Survey IV

Variable label	Survey question	Value range
Trust in government	"Could you tell me how much confidence you have in [government]: is it a great deal of confidence, quite a lot of confidence, not very much confidence or none at all?"	1 = "none at all" 4 = "a great deal"
Trust in parliament	"Could you tell me how much confidence you have in [parliament]: is it a great deal of confidence, quite a lot of confidence, not very much confidence or none at all?"	1 = "none at all" 4 = "a great deal"
Satisfaction with democracy	"On the whole how satisfied are you with the way democracy is developing in our country?"	1 = "not at all satisfied" 4 = "very satisfied"
Political involvement (The variable is an average of all five indicators of involvement.)	"I'm going to read out some different forms of political action that people can take, and I'd like you to tell me, for each one, whether you have actually done any of these things, whether you might do it or would never, under any circumstances, do it. a) signing a petition b) joining in boycotts c) attending lawful demonstrations d) joining unofficial strikes e) occupying buildings or factories"	1 = "would never do" 3 = "have done"
Subjective well-being	"Taking all things together, would you say you are very happy, quite happy, not very happy, not at all happy?"	1 = "not at all happy" 4 = "very happy"

Measures of independent variables

Variable label	Description	Source
Corruption	2005 Corruption Perception Index, recoded so that high values indicate higher level of corruption.	Transparency International at www.transparency.org
Social trust	Country averages to the World Value Survey question asking whether most people can be trusted	World Values Survey IV
GDP per capita	The latest year for which the data are available.	Penn World Tables
Inequality	GINI index	United Nations Development Program
Democracy	The average of Freedom House indicators of political rights and civil liberties as of 2005.	Freedom House at www.freedomhouse.org

3. Political attitudes in Slovakia, New Democracies Barometer

Variable label	Survey question	Value range
Support for non-democratic alternatives	"Please indicate the extent to which you agree with the following statements:	1 = "strongly agree" 2 = "somewhat agree"
Return to communism	We should return to Communist rule	
Army rule	The army should govern the country	3 = "somewhat disagree"
Strong leader	It is best to get rid of Parliament and elections and have a strong leader who can quickly decide everything."	4 = "strongly disagree"
Trust in institutions	"Please indicate the extent to which you trust the following political institutions:	1 = "no trust at all" 7 = "great trust"
Trust in parliament	Members of parliament	
Trust in parties	Political parties	
Trust in president	President	
Trust in prime minister	Prime Minister"	

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