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SEMI-PRESIDENTIALISM: THE LOGIC OF INSTITUTIONAL CONFLICT AND
IMPLICATIONS FOR PUBLIC ADMINISTRATION DESIGN

by

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A Dissertation submitted to the
Graduate School-New Brunswick
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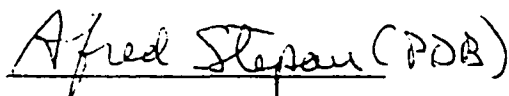
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ABSTRACT OF THE DISSERTATION

Semi-Presidentialism: The Logic of Institutional Conflict and Implications for Public

Administration Design

by OLEG PROTSYK

Dissertation Director:

Robert R. Kaufman

The dissertation examines the effects that the constitutional choice of semipresidentialism has on the political process and bureaucratic design in post-Communist democracies. The first part of the dissertation analyzes how the variation in semipresidential constitutional norms and party organization in parliament affects the functioning of major government institutions: the presidency, the legislature, and the cabinet. I introduce a multiple principal-agent analytical framework to explain the patterns of interactions among the political actors who comprise these institutions. I utilize a number of tools developed in spatial and game-theoretic modeling to generate a set of testable propositions about the effects of semipresidential constitutional norms on the politicians' behavior. Cabinet identity, cabinet stability and the likelihood of institutional conflict under semipresidentialism are found to be influenced by the specific provisions of constitutional design.

The second part of the dissertation explores the link between the design of “grand” institutions and the organization of public bureaucracy. To understand how the institutional interactions under semipresidentialism affect the organization and functioning of public bureaucracy, I rely on two research strategies. One is a comparative case study. The other is large-N quantitative analysis. Both research strategies lead to the similar conclusions: a semipresidential constitutional framework produces powerful disincentives for the presidents and prime ministers to engage in efficiency-enhancing reform of central government. The research findings show that semipresidential regimes have more cumbersome structures of central bureaucracy and larger cabinet size than parliamentary regimes. Semipresidential institutions are demonstrated to have adverse effects on a country’s ability to restructure its executive government.

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INTRODUCTION

After the collapse of state socialism many new democracies in Eastern Europe and the former Soviet Union opted for semipresidential constitutional arrangements. While the different attributes of presidential and parliamentary systems and the consequences of choosing between these two alternative constitutional frameworks have been extensively discussed, the effects of so-called “hybrid” or semipresidential institutions on the quality of democratic governance are less understood. Until recently the theoretically driven study of semipresidentialism in the context of consolidated democracies has been largely confined to the experiences of the French Fifth Republic (Duverger 1980). Several important theoretical propositions about the qualities and characteristics of the political process under a semipresidential constitutional framework have lacked systematic testing due to the scarcity of semipresidential experiences in democratic political regimes (Shugart and Carey 1992, Stepan and Suleiman 1995). The available data has also promoted skepticism about the institutional distinctiveness of semipresidentialism. Several scholars have argued that semipresidential regimes or regimes with dual executive are mainly characterized by alterations between parliamentary and presidential modes of operation rather than by a distinct or separate institutional logic (Lijphart 1992, Linz 1994).

At the same time, semipresidential constitutions are sometimes viewed as institutional solutions to particular problems. Shugart and Carey (1992) argue that a certain type of semipresidentialism can make executive-legislative relations less conflictual, ensure more constructive legislative assemblies, and increase the efficiency of

the electoral vote. Lijphart, Rogowski, and Weaver (1993) see the principles of semi-separation of powers and power-sharing executives as key mechanisms for cleavage management.

The proliferation of semipresidential regimes and the richness of institutional variation in the postcommunist world provide ample empirical material and an important additional stimulus for studying semipresidentialism. The experiences of new semipresidential democracies receive an increasing amount of attention in the literature. Several new volumes have been designed as collections of individual case studies (Taras 1997, Elgie 1999). They offer both the detailed empirical analysis and important theoretical arguments. Due to their specific format these studies focus on examining the various properties of individual cases rather than on testing some general propositions.

This dissertation contributes to the study of semipresidential regimes by formulating and testing several hypotheses about the effects that the constitutional choice of semipresidentialism has on political process in new democracies. The study's major interest is two-fold. The first goal is to examine how the variation in semipresidential constitutional norms and in party organization in parliament affects the functioning of major government institutions: the presidency, the legislature, and the cabinet. I introduce a multiple principal-agent analytical framework to explain the patterns of interactions among political actors who comprise these institutions. The second major goal is to understand how the institutional interactions under semipresidentialism affect the design and operation of the public bureaucracy. The existence of a direct link between the organization of "grand" institutions and the character of public administration is one of

the most intriguing hypotheses in the contemporary literature on the constitutional regime types (Moe and Caldwell 1994).

As the growing body of research shows, the variation in post-communist semipresidential constitutions adopted in several countries of the region reflects the differences in distribution of political power among different political groups in countries of our interest at the time of constitution making (Frye 1997; Elster 1998). Our knowledge of how semipresidential institutions have been put in place is more extensive than our understanding of the effects of these institutions on political process in transitional societies. This research is primarily concerned with contributing to a body of literature dealing with the latter problem.

The answers to the following questions are important in the context of both transitional and consolidated democracies. Does a semipresidential constitutional framework help to avoid the executive-legislative deadlock that often impairs the functioning of presidential regimes? Is cabinet formation and cabinet stability in semipresidential regimes facilitated by the fact of presidential participation in the choice of the cabinet? What determines whether patterns of cooperation or confrontation prevail in intraexecutive relations under semipresidentialism? Does the choice of semipresidentialism entail certain choices with regard to democratic polity's administrative design? Does the semipresidential constitutional setting come in a "package" with a specific structure of public bureaucracy?

The patterns of interaction between the president and legislature in the process of the cabinet formation and the cabinet's stay in office are the research focus of the first part of the dissertation (chapters 1-3). The cabinet is a focal point of governance in

semipresidential democracies and we need a better understanding of its origins, operation, and survival. Many cabinets in new semipresidential democracies lack any party affiliation. The undeveloped party systems impose only minor constraints on these cabinets' behavior in office. Given the technocratic rather than political nature of many postcommunist cabinets, specific conceptual tools are borrowed from organizational theory to explain the interests and motivations of politicians in cabinet.

The second part of the dissertation (chapters 4-5) analyzes how the semipresidential constitutions shape the motivations of politicians in the dual executive to conduct the administrative restructuring of the central government. The restructuring of executive institutions, which is a major component of public administration reform, is a high priority on the reform agenda in postcommunist countries. The choice of "grand" institutions - the constitutional design of executive, legislative, and judicial branches - is expected here to have a profound effect on how the public bureaucracy is organized and managed. The first and second parts of the dissertation are linked by a hypothesis of a close relationship between the design of constitutional framework and the structure of public bureaucracy.

A political regime is defined in this research as semipresidential if it meets classical Duverger criteria: (1) the president of the republic is elected by universal suffrage; (2) he possesses considerable executive powers; (3) there is also a prime minister and ministers who possess executive and governmental powers and can stay in office only if the parliament does not show its opposition to them (Duverger 1980). While these characteristics differentiate semipresidential regimes from 'ideal' presidential and parliamentary regimes, they obviously do not capture the differences within the category

of semipresidential regimes. Following Shugart and Carey (1992), it is hypothesized here that the variation in presidential constitutional powers over cabinet is of major theoretical importance for understanding government performance in semipresidential regimes.

Duverger's first and third criteria for classifying regimes as semipresidential are self-explanatory. The second element is rather unspecified since the term "considerable powers" can refer to the different power attributes of presidency. Shugart and Carey (1992) build their distinction between president-parliamentary and premier-presidential regimes namely on a more sophisticated understanding of the potential variation in how much power the president has over the cabinet. Premier-presidentialism, according to the authors, is characterized by a rather limited role of the president in the cabinet and over other types of appointments: the president may have the power to nominate a prime-minister and individual ministers for parliament's confirmation but he lacks the power to dismiss the whole cabinet or individual ministers.

President-parliamentary regimes, on the other hand, award greater control of the cabinet to the president: the latter has the power to appoint and dismiss the prime-minister and cabinet ministers unilaterally. The parliament under this constitutional arrangement has also the right to dismiss the cabinet. Shugart and Carey do not include the constitutional regimes where presidents need parliaments' approval for the appointment of cabinet and only have the right to dismiss into the category of president-parliamentary regimes explicitly (Portugal 1976 in their analysis). However, I will consider such regimes, which grant to the president and parliament symmetrical powers in cabinet appointment and dismissal, as president-parliamentary regimes.

Among the specific cases discussed in this research, the formal symmetry of the presidential and parliamentary power to appoint and dismiss cabinets characterize constitutional documents adopted in Russia, Ukraine, and Kazakhstan¹. A premier-presidential constitutional framework has been in place for a significant period of time in Bulgaria, Lithuania, Moldova, Poland, Romania and Russia (1991-93). The data from these two groups of countries constitutes the empirical basis of this research. Neither the president-parliamentary nor the premier-presidential set of cases analyzed in this study encompass all the relevant cases found in the postcommunist region. The availability of data and the existence of at least a moderately developed democratic setting influenced the choice of cases for this research.

The first chapter of the dissertation tries to develop a better theoretical understanding of how semipresidential institutions function. It does so by constructing the 'ideal' semipresidential setting and examining how changes in the underlying assumptions affect the strategies of political actors involved. The term 'ideal model', is used here in a Weberian sense: as an analytical tool which helps us to understand major concepts and underlying relationships, and not as an instrumental device which accounts for the empirical complexity of phenomenon under the investigation.

The major claim here is that by examining the interactions among the legislature, presidency, and cabinet through the prism of a multiple principal-agent organizational

¹ Russia after 1993 is often described in the literature as a "superpresidential" political regime (Fish 2000). A huge bureaucratic apparatus of executive power, a rule by presidential decrees, formal and informal presidential control over other branches of government and public expenditures are all described in the literature as indicators of superpresidentialism. Fish and other authors essentially rely on sociological categories to describe the political regime in Russia. In classifying Russia as a semipresidential regime, I rely on the formal constitutional criteria proposed by Duverger. For the purposes of my analysis of the effects of formal constitutional framework, it is important that the Russian constitutional arrangement meets the Duverger criteria and thus fall into the category of semipresidential regimes.

model, we can account for the patterns of competition and cooperation among different governmental institutions in semipresidential regimes. Although numerous principal-agent links characterize any constitutional setting, the political “triangle” created by the president, parliament and cabinet is central for our understanding how the operation of government in semipresidential setting differs from the functioning of government in presidential or parliamentary regimes. The focus of the research is on the political identity of the cabinet and on the cabinet’s relationship with the president and the parliament. When cabinets lack an unambiguous political identification and party affiliation, which is the case in more than fifty percent of the East European semipresidential cabinets formed between 1990-99, the formal constitutional procedures may assume even larger prominence in structuring political actors’ behavior.

The constitutional norms specifying the organization and functioning of the executive are conceptualized as the “terms of the contract” which regulate how cabinets are selected and how their performance is monitored. Both the president and the parliament, which jointly appoint the cabinet and have various monitoring and sanctioning powers, are the principals of the cabinet. Their political interests may be in conflict and their preferences with regard to cabinet identity and cabinet performance may differ. The contract details - the exact specification of constitutional norms - are the essential guidelines for understanding the strategies that the principals are likely to pursue with regard to each other and with regard to their common agent, the cabinet.

Cabinets in semipresidential regimes find themselves in a precarious situation. They face the principals, the president and the legislature, who may be rivals trying to

ensure the cabinet's compliance with their distinct objectives. Since the principals' objectives often contradict each other, the cabinet's pursuit of either principals' goals may hurt the interests of the other principal. Both principals have various means to screen the agent's behavior and sanction the cabinet's non-compliance. Constitutional provisions regulate how the principals can sanction the cabinet. Constitutions also specify which of the principals has the control of ultimate sanction against the cabinet, the cabinet dismissal. It is argued in this research that the distribution of sanctioning powers among the principals is a single most important predictor of cabinet behavior vis-à-vis the president and the parliament.

The likely lines of the institutional conflict can also be anticipated from the analysis of the cabinet's motivation under the different types of semipresidentialism. Depending on the strategies that the cabinet will take vis-à-vis its principals, the president-parliamentary divide in semipresidential regimes can be channeled along the alternative lines. When the president secures the loyalty of the cabinet, the "united" executive faces the parliament and the major institutional divide lies between the dual executive and the legislature. When the parliament controls the cabinet, intraexecutive conflict is likely to follow. The latter is characterized by political competition between the president and the cabinet over the control of the executive branch of government.

Conceptualizing the relationships between the president, the parliament, and the cabinet in terms of the multiple principal-agent model helps to elucidate why some institutional alliances are more likely than others, why the cabinet is not in the same structural position as the president and the legislature, and why the cabinet's ability to act independently is more limited than it is usually perceived. Emphasizing the

constitutionally established patterns of superiority and subordination among the principals and agents helps also to generate a set of testable hypothesis about the nature of political outcomes under semipresidentialism. Each of the following four chapters is devoted to the formulation and testing the distinct hypotheses derived from the analysis of variation in the presidential and parliamentary powers over the semipresidential cabinet.

Chapter 2 discusses how semipresidential institutions systematically affect the process by which prime ministers and cabinets are selected. What determines whether a candidate closer to the president or parliament's ideal point will become the prime minister? The issue is especially controversial when the president and the legislature belong to different political camps. Even when the president and the legislative majority are of the same political orientation, the choice of prime minister is not a trivial issue since the preferences of the president and the legislature over the cabinet can differ substantially.

A spatial model of cabinet formation is discussed at the beginning of the chapter. The predictions about the likely identity of cabinets are derived first the formal specification of a cabinet appointment game and then are tested across all cases of the cabinet formation in the postcommunist semipresidential regimes between 1991-1999. The chapter concludes by examining how the analysis of institutional factors other than immediate cabinet appointment-dismissal norms can contribute to our understanding of the outcomes of the cabinet appointment game.

Chapter 3 examines whether the distribution of cabinet dismissal powers between the president and the parliament correctly predicts the type of institutional conflict that characterizes a given semipresidential regime. Conflict between the dual executive and

the legislature is expected to be more likely in semipresidential regimes with constitutionally stronger presidents, while intraexecutive competition is more likely to take place in semipresidential regimes with constitutionally weak presidents. An answer is also proposed to the question of why premiers, who at the moment of cabinet formation were perceived as presidential confidants, later engage in conflict with the president and ally with the parliament.

The implications of a multiple principal-agent setting for cabinet stability in semipresidential regimes are discussed in the second part of the chapter. Institutional conflict is shown to be associated with the high rate of cabinet turnover. Descriptive statistical analysis are employed to analyze the variation in cabinet stability across the president-parliamentary, the premier-presidential and parliamentary regime types.

The second part of the dissertation (chapters 4 and 5) offers an analysis of the impact that the constitutional system of dual executives has on the design of the central government bureaucracy. Reforming the state administrative organization has recently become a priority on the reform agenda of the postcommunist countries. Enhancing the effectiveness and efficiency of state institutions is believed to be a necessary condition for achieving sustainable growth and equitable democracy. The efforts to restructure the organization of the central government are an important part of the administrative reform plan.

One of the consequences of the dual executive design is the cumbersome structure of bureaucracy. Semipresidential regimes are likely to produce cumbersome bureaucratic structures as a byproduct of the clash between the president and the cabinet. The

rationality of the internal organization of both the cabinet and the executive agencies suffers from the competing claims on public bureaucracy and government resources on the part of the president and the premier.

Chapter 4 examines how the variation in the level of intraexecutive conflict influences cabinet restructuring in president-parliamentary regimes. I use a comparative case study analysis methodology in this chapter in order to compare how successful central government reform has been in Russia and Ukraine. The key argument of this chapter is that the president in the president-parliamentary regime, unlike the president in the “ideal” presidential system, is much less interested in the efficient organization of government, since the economic rationalization of the central government structure necessitates the concentration of executive powers in the hands of the premier and the cabinet. Presidents in president-parliamentary regimes ultimately distrust premiers. For a variety of policy and electoral reasons, maintaining personal control over the cabinet is important for the president. Those presidents who are regularly embroiled in conflict with the premier will try to retain control over the executive through contesting the appointment of individual ministries, creating new executive agencies and staffing them with his political clients, and supporting functionally obsolete executive agencies which cater to his political needs. Premier-presidential regimes are expected to face similar type of difficulties in dismantling the Soviet-type central public administrations.

Chapter 5 compares the success of cabinet restructuring in premier-presidential and parliamentary regimes of Eastern Europe. Data on cabinet size across the countries of the region are collected and organized into a time series cross-section data set. A statistical regression model is then introduced to test the impact of a set of political

variables, including the regime type variable, on the variation in cabinet size across postcommunist countries. Chapter 5 also provides an analysis of longitudinal trends in cabinet organization across the regime types. Semipresidential and parliamentary regimes are compared over time in their ability to reduce the cabinet size and to adopt functional instead of sectoral principles of ministerial organization. The cases that have extreme values on the restructuring success variable are examined in greater detail.

As this introduction shows, understanding the effects of semipresidentialism is the objective that connects all chapters of this research. Each of the chapters, however, has its specific focus or, in methodological terms, has its own dependent variable. The research strategy employed was to include the variation in the regime type as an independent variable along with other independent variables to seek the explanations for the phenomena addressed in each individual chapter.

Chapter I

The Multiple Principal-Agent Model of the Semipresidential Constitutional Framework

The choice of constitutional system with dual executive leads to patterns of executive-legislative relations that are different from the types of executive-legislative relations found in either presidential or parliamentary political regimes. This chapter argues that study of superiority and subordination patterns produced by the hierarchical organization of government can help distinguish some major regularities in the seemingly cumbersome institutional relationships of semipresidentialism. Principal-agent analysis (Moe 1984) provides one possible theoretical grounds for developing a model of “ideal” semipresidential institutional framework, and for examining the existing semipresidential regimes found in countries of Eastern Europe and the former Soviet Union.

First, I discuss how multiple-principle agent model helps to structure interactions between the president, the legislature and the cabinet. Second, I examine how the bargaining game between the president and the legislature over choice of cabinet is influenced by constitutional framework. Third, I develop a set of hypotheses about how the variation in constitutional norms affects cabinet stability, cabinet loyalty, and forms of institutional conflict under semipresidentialism. I conclude by formulating several propositions about the effect of semipresidentialism on public policy design.

Multiple principal-agent model of semipresidential institutional relationships

In their book on European politics, which also covers new democracies in Eastern Europe, Lane and Ersson (1996) focus on political parties as the main political players that provide the cabinets of the European governments. Yet, in Eastern Europe, parties were not the only major players and, sometimes, they were not even major players. The 1990s in Eastern Europe can be characterized as a decade of political entrepreneurs who quite often lacked organized political support and meaningful political affiliation. As a result, presidents and prime ministers have persistently employed entrepreneurial strategies which call for an individual-centered analysis.

Interactions between the presidency, the cabinet and the legislature occupy the center of the political scene in semipresidential regimes.² The existence of a number of alternative ways in which these political actors relate to each other seemingly produces confusion about the lines of accountability and responsibility, the chains of command, and the patterns of hierarchical control. These confusions are usually attributed to the ambiguities of semipresidential constitutions.

² The ways in which judicial system in general and constitutional court in particular try to intervene in political process have profound consequences for the distribution of political power among the president, the cabinet and the legislature. For the purpose of analysis in this chapter, it is assumed that basic institutional powers and "rules of the game" are regulated by constitutions and other fundamental legal documents. The assumption of a non-strategic role of the courts is partially justified by the specific empirical domain of this research project. The political process in postcommunist countries, which experimented with semipresidentialism during the first years of transition, was dominated by the executive and legislative branches. Due to the law-defying legacies of Soviet period and slow adaptation of new institutional forms such as constitutional courts, judicial review, etc., the judiciary was a latecomer to the political scene where parliaments and presidents competed for power.

Several attempts to unpack this complicated set of relationships among the above-mentioned political actors and the institutions they represent take as their point of departure the search for empirical regularities. Regularities are sought in patterns of two-way interactions between president and prime minister or, alternatively, between the prime minister's cabinet and the legislature, or between president and legislature (Baylis 1996, Taras 1997).

A problematic aspect of these analyses is the lack of explicit attention to the relationships of hierarchy and mechanisms of control imposed by the specific institutional contexts. Political actors are perceived in this literature as playing in a non-hierarchical political market with each actor being endowed with a specific set of resources and each in pursuit of their own distinctive goals. For example, Baylis (1996), who tries to understand, among other things, why presidents were successful in bringing down prime ministers and their cabinets and why prime ministers usually did not succeed in their struggle against the president, examines the whole set of factors ranging from institutionally derived powers to such contextual variables as particular politicians' popularity and symbolic appeal. The implicit assumption of such an analysis is that institutional hierarchies do not deserve special attention in explaining the outcomes of intraexecutive struggle and that the discussion of these factors should have no priority vis-à-vis contextual analysis in discerning patterns of executive-legislative politics. Although knowledge of contextual factors is required to understand each particular case of intraexecutive or executive-legislative conflict, it does not directly encourage a more general analysis of this political phenomenon. It is the goal of this research to examine how specific constitutional norms, which constitute a systematic element in the inquiry,

interact with contextual factors in shaping the outcomes of political competition among the different branches of government.

Structuring postcommunist countries' experiences with semipresidentialism along theoretical lines requires that the analytical focus be shifted to the study of the hierarchical organization of government and the distinct patterns of superiority and subordination produced by this hierarchy. Presidents, cabinets and legislatures do not engage with each other in some non-hierarchical market-like political world. Their incentives and constraints, available resources and opportunities are shaped by formal structures and institutional arrangements.

Principal-agent framework of analysis. The principal-agent model refers to a specification of an organizational relationship which is characterized, first of all, by the existence of a contractual agreement between principal and agent, with the latter being employed by the former for the purpose of producing outcomes desired by the principal. First developed in the economics literature on incomplete information and risk sharing, the principal-agent framework became a major tool in organizational analysis because of its analytical elegance and applicability to a wide set of organizational phenomena (Moe, 1984).

The central theoretical concern of the model is "how the principal can best motivate the agent to perform as the principal would prefer, taking into account the difficulties in monitoring the agent's activities" (Sappington 1991). The model's major underlying assumption is the existence of a conflict of interests between principal and agent. Having goals which, most of the times, are different from those of the principal, the agent has the tendency to pursue strategies which maximize his personal goal

achievement. The agent's pursuit of his own goals takes place in the context of profound information asymmetry. This asymmetry favors the agent who benefits from the principal's inferior ability to discern the agent's true beliefs and values at the stage of agent selection and to observe the agent's actual behavior after an applicant have been hired (Moe 1984).

Since the employer-employee type of relationship can easily be seen as characterizing not only profit-making organizations but also diverse types of societal organizations including political ones, insights generated by studying the implications of the principal-agent model found their ways into other disciplines including political science. The most advanced applications of this model to the field of political science can be found in American politics' research on congressional delegation (Kiewiet and McCubbins, 1991). The focus of this literature is on the fact that the sophistication and complication of the business of government, combined with the increasing numbers of governmental tasks, necessitate some delegation of powers from the congressional body to its specialized committees and to various bureaucratic agencies. The issue of delegation raises a set of problems common to any manifestation of agency relationships: agent selection, interest reconciliation, effective monitoring and an information-revealing mechanism.

The study of intracongressional and legislative-executive delegation, as a successful application of principal-agent framework of analysis, encouraged interest in similar issues in comparative politics. With regard to the East European transition from communism the focus on delegation can bring additional insights for understanding institutional outcomes. For example, Shugart (1997) examines how the variation in the

ability of parliament to undertake collective actions influences the institutional and political strength of the presidency.

Semipresidential institutional relationships. What follows is an attempt to model the most essential relationships of semipresidentialism - interactions among president, prime minister, and parliament - in a multiple principal-agent framework. Although the proposed model simplifies the empirical richness and contextual complexity of individual cases, this attempt to formalize some essential institutional relationships should bring several advantages usually associated with modeling: the model helps to highlight the underlying assumptions, to specify the logic and to clarify major and secondary relationships in phenomena under investigation, and, hopefully, bring some counterintuitive insights in the logic of political actors' behavior. Overall, it makes empirical research more focused and better informed theoretically.

The classical principal-agent model which specifies a relationship between one principal and one agent would fail to account for one of the distinctive features of hierarchical relationships in politics: the existence of multiple principals. Unlike in bilateral principal-agent models, the actions chosen by an agent in the multiple principal-agent setting affect not just one but several other parties. These other parties may have differing preferences over actions taken by the agent. While multiple-principal arrangements take place in the different organizational settings, the usual effort on the part of organizational leaders in a business setting is to make actions of multiple principals cooperative. Cooperation is much less likely to take place in politics where competitiveness among different principals, especially in systems with the separation of powers, is built into the constitutional design.

How does the “ideal” semipresidential constitution structure the relationships among president cabinet and legislature? First of all, these relationships are hierarchical. The prime minister serves as an agent of two major principals: the president and the legislature³. He is in the center of multiple interactions that take place between the executive and legislature. This agency relationship is specified in the semipresidential constitution which makes both the president and the legislature participate in the selection of a prime minister and which stipulates the lines of the prime minister’s responsibility to each of the principals:

Figure 1.1 Superiority and Subordination Lines in Semipresidential Setting

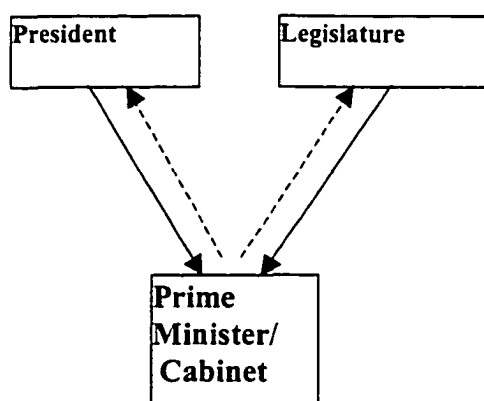


Figure 1.1 gives a simple schematic representation of the major institutional relationships in semipresidential settings. Authority to command is channeled through superiority lines that are directed to prime minister and his cabinet. Subordination lines go in the opposite direction, from prime minister to both president and legislature.

³ These principals are in the same time the agents of electorate. For treatment of this hierarchical complexity see Downs 1957, Tsebelis 1990. Political actors, discussed in this chapter, are assumed to have all other considerations of principal-agent character already included in their calculations.

The important difference of the political setting from the business one is in the procedure of the specification of contractual relations. While in a business setting both principals and agent actually bargain over the exact formulation of the contract, in the political setting the terms of contract are rigidly specified, and in advance, in the constitution. One way to capture these differences is by classifying agency as delegated or intrinsic. Delegated common agency arises when several parties delegate the right to make certain decisions to a single agent. Intrinsic common agency relationships take place when a single agent is “naturally” endowed with the right to make particular decisions which affect his principals (Bernheim and Whinston 1985). The constitution, in a political framework, is the most important document which endows the agent with a set of specific rights.

The implications of having common intrinsic agency are rather straightforward and unpleasant for principals. First, given the unavoidable conflict of interests between principals and agent, constitutional rigidity in the specification of exact terms of contract deprives principals of the important means of influencing the agent’s motivations and subsequent actions. The detailed specification of the contract also facilitates agents’ ability to rely on formal standards or indicators of performance rather than on the achievement of principals’ desired outcomes as a major measure of agent’s performance (Moe and Cadwell 1994). Second, because of the potentially conflictual nature of the relationship between principals, securing control over the agent becomes very important for both president and parliament since having a higher degree of control enhances one principal’s power position vis-à-vis the other.

The major implication of having multiple principals for the agent is the necessity to choose among conflicting goals and loyalties. Since pursuing the set of actions favored by one principal may antagonize the other principal the agent finds himself in a precarious situation. The agent's choices of cooperation with and loyalty to either of principals is likely to be conditioned, first of all, by the relative strength of each principal's constitutional control over the prime minister's selection and dismissal.

The discussion of the various mechanisms through which the principal can try to influence the agent's behavior with the goal of minimizing the agency losses highlights the following four options: contract design, performance monitoring, institutional checks and candidates' screening (Kiewiet and McCubbins 1991). The political struggle over the exact design of the semipresidential constitutional framework in the countries of Eastern Europe and the former Soviet Union was, among other things, about the terms of the contract between principals (president and parliament) and their agent (prime minister). When agreed upon and formally adopted, the constitution becomes rather rigid and difficult to amend, a construct which limits the politician's ability to experiment with contract design and various institutional checks and devices for monitoring the agent's performance. Under these circumstances, the screening mechanism becomes very important.

Screening as a major tool for securing agent's compliance. As was mentioned above, the institutional constraints on both principals' ability to influence the terms of contract, which specify the agent's responsibilities, liabilities, and schemes of reward, deprive the principals of the opportunity to tailor contract terms according to the concrete identity of the selected agent. These institutional constraints refer not only to the different

career-related aspects of an agent's functioning such as hiring, firing, and promotion, but also to the structure, formal goals, and decision procedures of organizations the agents are employed to work in.

When it is difficult to use contractual incentives to influence the agent's behavior, one partial remedy is to concentrate on the screening and selection process. Thus, under the rigid terms of constitutionally specified contracts, the selection procedure becomes an important mechanism of the principal's control of the agent's subsequent performance. Securing the selection of the "right person" as an agent has a promise of diminishing the principal's subsequent costs of making sure that the agent follows the principal's orders.

The existence of multiple principals makes the selection process more complicated than the case is in the bilateral principal-agent model because each principal has some sort of say in the agent's selection. Under the ideal semipresidential framework discussed here, there are two major elements in the appointment process. The president moves to nominate a prime minister first and legislature's approval or rejection of the presidential nominee is the second step. The formal analysis of the advantage that this procedure produces for each principal, and the likely outcomes of the appointment game under these selection rules, is discussed in the next section. This research's long-term interest, however, will be to see how the interaction of selection rules and contextual factors affects the outcomes of the appointment game.

Constitutional norms are of interest in the first place because they constitute a formal indicator which helps to measure the relative degree of influence in the selection process that each principal has under specific constitutional rules. This information, in turn, becomes helpful for determining the likely outcomes of the principals' struggle for

the control of the agent. The next section develops a hypothesis about the way the constitutional structure effects choice of cabinet.

Cabinet appointment game

The participation of the president in cabinet formation under semipresidentialism results in the appointment of cabinets that differ from the choice of cabinets if the “ideal” presidential or parliamentary constitutional framework were in place. The formal cabinet-related powers of president and parliament are expected in this research to be the best predictors of the cabinet formation outcomes. In other words, the prime minister’s location on the continuum between the ideal points of president and parliament can be predicted from the distribution of formal powers over cabinet. The contextual factors specific to each case of cabinet formation are not expected to alter the effect of formal powers’ distribution. What follows is the formal specification of the hypotheses that will be tested in the next chapter.

Hypothesis I.

The stronger the presidential powers over cabinet, the closer the choice of prime minister will be to the ideal point of president rather than parliament. Location at the ideal point depends on three powers: a) the power to nominate the prime minister; b) the power to dismiss the prime minister and his cabinet; c) the power to dissolve parliament when cabinet formation process is stalled. The presidential control of all these powers will result in the selection of a prime minister who will reflect the president’s ideal point. If the president only controls nomination

power, this will be translated into the selection of a prime minister who will be closer to the ideal point of parliament.

In the modal arrangement of a semipresidential constitutional setting, cabinet formation has the following procedure. The first step is the presidential nomination of prime minister. This type of constitutional setting gives the president an exclusive right to propose a candidate for the post of prime^{NC*} minister, thus awarding the former with the important advantage of having the initiative in the appointment game. The second step is parliament's confirmation of a candidate for prime minister proposed by the president. Since parliament can only approve or disapprove the presidential nominee and not propose its own candidate, the parliament's powers in the appointment process are negative. Given the fact that both president and parliament are involved in cabinet selection, the appointment decisions can be modeled as a product of a bilateral bargaining game between the president and the parliament. Situations when the president and the parliament have different political orientations are of primary interest here. Even when the president and the parliament belong to the same political camp, the cabinet selection process may lead to a conflict of interest as well.

Cabinet appointment decision tree. The basic sequence of decisions in the cabinet formation process can be represented in the following way:

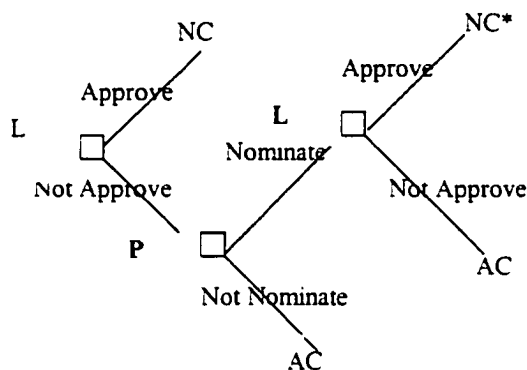


Figure 1.2 Sequence of Decisions in Cabinet Appointment Process

The decision nodes indicate moves taken by the legislature or the president. Two capital letters at the open end of lines stand for cabinet appointment outcomes. The decision tree presents both players' choices after the initial move by the president to nominate a prime minister has been already made. As the figure shows, parliament has a choice either to approve or to reject president's nominee. When parliament approves the candidate, the cabinet appointment game is over. The outcome is NC, which indicates that new cabinet is formed. If parliament does not accept the candidate, the president has a choice either to nominate a new candidate or to stay with an acting cabinet instead. The AC abbreviation indicates this outcome. After a new nomination by the president has been made, the parliament faces the same two choices, Approve or Not Approve. Approving results in NC*, which stands for another new cabinet outcome. When the Not Approve decision is taken by the parliament and the president chooses to propose a new nomination instead of having a care taking cabinet, the game will continue replicating the previous structure of choices.

The purpose of this illustration is to show that depending on preferences over outcomes the president can have different strategies in the appointment game. When the

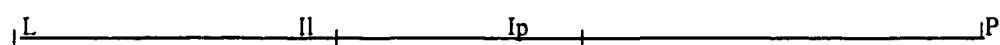
president prefers to have an acting cabinet as the outcome, he will be willing to nominate his ideal candidate even when the latter has a small chance to be approved by parliament. If the candidate is not accepted by the parliament, the candidate can still be presiding over a caretaker government until cabinet which is acceptable for both parties is formed.

Under what circumstances will a president be able to tolerate the high political costs associated with having a caretaker government instead of a fully legitimate permanent cabinet? The political environment that the president currently finds himself in has a decisive impact on the structure of presidential preferences over the possible outcomes in the cabinet appointment game. The next chapter of this dissertation discusses which contextual factors have the most important effects on the hierarchy of presidential preferences over cabinet appointment outcomes.

The power of initiative in the appointment game. The “first-move” advantage of the actor who, in accordance with the constitution, has this initiative is well analyzed in the literature on the United States president and senate’s bargaining over appropriation bills and over candidates for the positions of cabinet secretaries (Kiewiet and McCubbins 1985; Shugart and Carey 1992). A similar logic applies to the cabinet selection game under semipresidential regimes. Figure 1.3 presents schematically how the power of initiative influences the outcomes of bargaining between president and parliament. The underlying assumption is that the preferences of the president and parliament over the prime minister candidature can be mapped on one dimension. Two types of symbols, related to players’ preferences over the choice of prime minister, are used in graphic representation. First, there are two ideal points representing the ideal preferences of players, (L) for legislature and (P) for president. Second, there are two indifference

points (II) and (Ip) which signify spots at which one of the players is indifferent between filling the post of prime minister and leaving it vacant. The location of indifference points is very important for understanding both the logic of the game in general and the strategic advantage of the president's initiative in particular.

Figure I.3 The President and Parliament's Preferences over the Choice of Prime Minister, No Overlap Between the Indifference Points



When there is no overlap between the president's (Ip) and the legislature's (II) indifference points, as in Fig. 1.3, the position of prime minister remains unfilled, since the president will not be willing to nominate a candidate who is beyond his indifference point, and parliament will not approve a candidate who is not on line segment L-II. In this case the political costs of having a vacant post is lower for both players than the costs of accommodation of the other side's preferences.

Figure 1.4 illustrates the situation when the indifference points of the president and parliament overlap:

Figure I.4 The President and Parliament's Preferences over the Choice of Prime Minister, the Overlapping Indifference Points



As Shugart and Carey (1992) argue, the power of nomination is in fact the power to make a take-it-or-leave-it offer. Given the overlapping indifference points and the president's ability to discern the true location of parliament's indifference point, the

power of initiative allows the president to choose the candidate who is as close as possible to the legislature's indifference point; thus closer to the president's ideal point than any other point on the overlapping segment.

What can be said about the outcomes of the cabinet appointment game in our model? First, the necessary condition for cooperation between the president and parliament with regard to cabinet formation is the existence of a bargaining space, a line segment where their indifference points overlap. The location of indifference points depends on the magnitude of costs imposed on both players by the existence of the vacant position. Second, when cooperation takes place we expect that the outcome of the appointment game - the choice of prime minister - will reflect the preferences of president rather than the legislature. In terms of principal-agent framework, this particular structure of appointment game favors one principal, the president, over the other, parliament. Given that they have different criteria for agency selection, those employed by the president are more likely to be met.

Illustration of the argument. The formation of the first Russian cabinet under Yeltsin is probably the most publicized example of a dispute between a president and a legislature over the appointment of a prime minister in the set of East-European cases here under consideration. In June 1991, Yeltsin nominated a young reformer, Yegor Gaidar, for the post of the Chairman of Council of Ministers. The Russian parliament never accepted this nominee although Yeltsin repeatedly asked the legislature to approve Gaidar for the position of prime minister (Aslund 1996). In terms of our graphic representation, Gaidar, as a nominee for prime minister, was not on line segment L-II and thus was not acceptable to the legislature. Leaving the post vacant in the context of the

poorly specified Russian constitutional framework of 1991-92 meant that the presidential nominee had to function as an acting prime minister until a more acceptable candidate could be found. The fact that Gaidar's cabinet existed for 18 months without him ever being confirmed by parliament testified to the unusual circumstances under which the costs of leaving the prime minister's position vacant were persistently low for both branches of government.

Variation in cabinet dismissal power. How does the control of cabinet dismissal powers enter the players' calculation at the stage of the cabinet appointment? Two kinds of variation in the control of dismissal powers are of interest here. Firstly, parliament has the exclusive right of cabinet dismissal and secondly, both the president and parliament can unilaterally dismiss the prime minister and cabinet.

When a constitution grants the power of cabinet dismissal to parliament and not to the president, the latter faces the following choices. The power of initiative or a take-it-or-leave-it offer still means that the president has in his hands an important instrument to make parliament to accept a prime minister more to the president's liking. What has changed is that the subsequent survival of the cabinet is fully dependent on parliament. This change can affect the president's calculation in a profound way: he knows that the selection choices he made and the appointment outcomes he imposed on parliament may no longer stick. If parliament, at some specific point of time when the political costs of not accepting the presidential nominee were prohibitively high, confirmed a prime minister more to the president's liking, it could subsequently dismiss him when the costs of removing him do not run high. Under these circumstances, as Shugart and Carey

(1992) notice, the president faces the following choices: either he nominates a prime minister that reflects the preferences of the parliament or he nominates a candidate more to his liking and is willing to accept a high rate of cabinet turnover resulting from parliamentary dissatisfaction with the president-oriented cabinet.

What makes the president willing to accept a high rate of turnover? Or, in other words, when are the costs of a considerable turnover low for the president? While Shugart and Carey (1992) do not address these issues, this research tries to understand how other institutional factors influence the presidential calculation of costs associated with the cabinet turnover. The presidential calculations are the function of political environment the president finds himself in. Such institutional variables as the character of party system, the sequence of electoral cycle and the provisions regulating the dissolution of parliament constitute the systematic factors which influence the presidential definition of current political context. The empirical research undertaken in the second chapter of this thesis addresses these issues in details.

A different strategic environment arises when a semipresidential constitutional framework provides for symmetrical dismissal powers allowing both the president and the parliament to dismiss the prime minister and his cabinet unilaterally. In the previous scenario, parliament was empowered to dismiss cabinet. In this one, the equivalent right of the president offsets that advantage. How is the appointment game likely to be played under these circumstances?

The strategic interactions between the players can be schematically summarized in terms of two possible strategies. The first one, that can be called the strategy of confrontation, presupposes that each player is just trying to impose its preferences on the

other side given the existing constitutional constraints. The president, depending on both his tolerance level of potential cabinet turnover and the parliament's indifference point, will demand that the parliament accept a prime minister more to his liking. The higher his tolerance level, the closer to his ideal point will be his nominee. The parliament's indifference point will depend on the magnitude of political costs that the legislature will have to suffer in case of rejecting the presidential nominee.

On the other hand, both players can pursue an accommodative strategy trying to incorporate the other side's preferences in their actions. This implies that president, when proposing a nominee, will be willing to move further away from his ideal point than it is demanded by the parliaments' indifference point. And parliament, in its turn making a decision about the candidate's approval, becomes more receptive to the presidential preferences.

The pursuit of an accommodative strategy is greatly facilitated by the symmetry in cabinet dismissal powers. The realization of the fact that each side can routinely dismiss the prime minister who is favored by the other side should provide the strong incentives for cooperation in appointment/selection process. The probability of cooperation increases when the substantial rate of cabinet turnover incurs high political costs on both the president and the parliament. A prime minister who is a true compromise figure equally distanced on our schematized one-dimensional space from the president and parliament's ideal points is theoretically the equilibrium outcome of this type of appointment game. Given that political context and concomitant calculation of political costs of cabinet dismissal is constantly changing for both the president and parliament this equilibrium is likely to be very unstable.

Since dismissal, unlike appointment, does not require both sides' involvement, either side is relatively unconstrained in its ability to dismiss the prime minister when, for whatever reasons, it is no longer satisfied with his performance. The following hypothesis will be empirically tested in the third chapter of this research:

Hypothesis II. The rate of cabinet turnover will be the highest in semipresidential regimes that grant to both the president and parliament symmetrical and unconstrained powers of cabinet dismissal. Semipresidential regimes that impose constitutional restrictions on the parliamentary power of cabinet dismissal will experience the lowest rate of cabinet turnover.

Presidential power to dissolve parliament in cabinet-related matters. The cabinet appointment-dismissal game was discussed until now in the context of a separation of power between the president and parliament. The separation of power principle here is used in a restricted sense as a separation of the president and parliament's origins and survival. The principle of the separation of origins and survival means that neither the election nor the length of stay in power for both the president and the parliament is dependent on the other side's confidence. In particular, the president neither determines who gets elected to the parliament nor influences the parliament's term in office.

Most of the existing semipresidential constitutions deviate from the principle of separate origin and survival most importantly by providing the president with the right to dissolve the parliament. At the same time, the president's time in the office remains fixed and only dependent on some form of the parliament's confidence only in case of impeachment. The constitutions are usually quite explicit about the circumstances under which the president can dissolve the parliament. Here, we are concerned only with the

cabinet formation-related circumstances under which the constitution allows the president to exercise the power of dissolution. Although there is a substantial variation among the different constitutions in the exact specification of circumstances, the general rule is that the power of dissolution can be applied when the process of cabinet formation is stalemated. At the stage of cabinet dismissal, the provisions for parliament dissolution are included in some constitutions in order to restrict the parliament's ability to censure the cabinets. For example, the parliament's vote of no-confidence to the cabinet may give the president an option to dissolve the parliament.

It is logical to assume that the presidential ability to threaten the survival of parliament in the process of negotiation over the composition of cabinet or the cabinet's dismissal substantially increases the presidential bargaining power vis-à-vis parliament. If at the stage of filling cabinet posts, the president can credibly threaten the parliament's survival then he is more likely to impose on parliament a candidate who will be much closer to his ideal preference than to the parliament's one. If the similar presidential threat can be applied at the stage of cabinet dismissal, then the parliament's ability to influence the cabinet's incentives and strategies diminishes. The presidential power to dissolve the parliament when the latter votes to dismiss the cabinet also implies that constraints on the presidential ability to secure and keep in office his "ideal" prime minister- namely the parliament's asymmetrical power of cabinet dismissal - can be overcome. The president has no longer to face a high rate of cabinet turnover since his power of dissolution should diminish the parliament's resolve to periodically vote the presidential favorites out of cabinet.

The underlying assumption here is that most of the time the parliamentarians will behave opportunistically, meaning they will be concerned more with maximizing their stay in power and chances of reelection than with advancing the programmatic goals that political parties they belong to declare. When the threats of parliament's dissolution are credible and the anticipated outcomes of future elections are unfavorable for the majority in parliament, then this majority is expected to acquiesce to the presidential preferences in order to secure its political survival. When the political costs of complying with the presidential will are excessively high and/or there are high chances of electoral success for the parliamentary majority in the next elections, then the parliament will be willing to face dissolution. As the Russian experience of the last years discussed later in this research shows, these types of electoral calculations made in the changing political context determine when the parliament is willing to confront the president.

Fragmented or multipolar legislation. Since in all East European cases discussed here multiparty systems emerged and in several of those cases the legislatures can be characterized as fragmented and multipolar, it is important to analyze what consequences this parliamentary fragmentation has for the cabinet appointment game. One general consequence of the shift from the bipolar to multipolar parliamentary setting is the increase in the presidential bargaining power over appointment-dismissal game. Unlike bipolar parliament, a fragmented legislature faces considerable difficulties in aggregating the preferences of numerous parliamentary factions and in identifying its ideal point with regard to the choice of prime minister and cabinet. If fragmentation is in a single dimension majority would still form around preferences of medium legislator. When there are multiple dimensions of fragmentation the aggregation of preferences is more

complicated and majority is less stable. Since different compositions of the parliamentary majority are possible, there are several potential ideal points which can characterize the legislature's preference over a candidate for the post of prime minister. The president can exploit this uncertainty, as Shugart and Carey (1992) argue, by nominating his political confidant to lead the cabinet. The presidential nominee then serves as a focal point around which the parliamentary majorities can be constructed. Fragmentation in the parliament thus can help the president to secure the appointment of a prime minister which is closer to his ideal choice than a candidate facing a one-party parliamentary majority opposite to the president.

A similar logic can be extended to the stage of dismissal. The parliamentary ability to apply the power of dismissal, whenever the former is granted to the parliament by the constitution, is effectively diminished by the degree of political fragmentation in the legislature. Although the parliament can be in opposition to the president, political fragmentation weakens the unity of this opposition. Again, fragmentation means that different parliamentary majorities are possible, including those that may tolerate much higher levels of cabinet deviation from the ideal set of policies that would be favored by a one-party party majority.

Nomination of cabinet members other than prime minister. We assumed above that the president nominates a candidate only for the post of prime minister and that the subsequent appointment-dismissal game is only about the choice of a premier. As already discussed, there are inevitable agency losses for the president in the fact that he directly influences only the selection of the prime minister but not the other cabinet members. The hierarchical relationships existing in this institutional framework make cabinet ministers

the agents of the prime minister since the latter unilaterally controls the selection mechanism used to fill the cabinet posts. The further the prime minister is from the president's ideal point, the less likely the other cabinet members appointed by the prime minister will conform to the presidential interests and goals. The chain of principal-agent relationships in this case creates additional constraints on the presidential ability to control the cabinet.

As noted before, cabinets in several semipresidential regimes discussed in this research are not party cabinets in the West European sense. They are not formed along party lines due to the underdeveloped party system, the clientelistic character of emerging parties and presidential involvement in the cabinet formation. Country specific constitutional norms and other legal documents regulating cabinet activity rather than general principles of functioning of party-based cabinets can provide some guidance for understanding how technocratic cabinets are organized and function.

When the constitution provides the president with the right to nominate not only the prime minister but also all other members of the cabinet the presidential control over the cabinet increases. The most important change is that it is no longer relatively safe to assume the existence of a cabinet led by the prime minister. While the prime minister is still the head of the cabinet under this institutional framework, his ability to direct and control individual cabinet members is effectively diminished by his inability to influence the selection of cabinet ministers. If the existing legal norms also deprive the prime minister of a dismissal sanction against cabinet ministers, then the cabinet leadership surrenders to the president.

There can be constitutional variations in the presidential control over minister's nominations or appointments. For example, in several East European constitutions provisions can be found which grant to the president a right to nominate or appoint only specific members of cabinets⁴. These are usually the key ministers such as interior, defense, and foreign affairs. Whether only few or all members of the cabinet are directly controlled by the president, the consequence is that the principle of the cabinet as a collective body subordinated to and coordinated by the prime minister is compromised. Yet in terms of presidential ability to secure a loyal cabinet and minimize agency losses, the control of only a few ministerial posts is less effective than the control of all portfolios.

Other things being equal, the presidential power to nominate or appoint cabinet ministers other than the prime minister makes the cabinet more responsive to the interests of the president and increases the probability that the president and parliament's common agents, the cabinet ministers, will take the president's side in case of conflict between the principals.

Cabinet Relationship with President and Parliament

While the first part of this chapter explored how the president and the legislature interact at the stage of cabinet formation, the second part examines what strategies the newly appointed cabinet is likely to adopt vis-à-vis its principals. Being in the position of

⁴ The initial constitutional settlement in Ukraine allowed the president to appoint ministers of foreign affairs, defense, finance, justice, internal affairs, and the heads of the committees for customs and the defense of state borders (Wilson 1997). The Little Constitution in Poland required the prime minister to seek the president's approval before naming the foreign, defense, and internal affairs ministers (Krok-Paszowska 1999).

agent for both the president and the legislature, the cabinet plays a key role in the political process. Its formal authority and powers are guarded by the constitution which prevents his principals from being entirely successful in their persistent attempts either to downplay political role of the cabinet, or to use the premier and his cabinet as easily dismissible scapegoats to whom political blame for policy failures can be reliably attributed (Holmes 1994; Baylis 1996). In the same type, the prime-minister and cabinet are not independent in their actions, they have to rely on or seek support from the principals to stay in office.

Principals who have structurally more influence over the selection process will be also more likely to secure the agent's compliance and cooperation. Thus, knowledge of the exact terms of the selection procedure should help to identify the likely scenarios of cooperation across principal-agent lines and types of major conflicts that a specific semipresidential regime is likely to develop. Two types of conflicts are theoretically interesting and empirically recurrent in cases examined in this paper: a) intra-executive which is characterized by intense confrontation between president and prime minister supported by parliament; b) executive-legislative which is characterized by conflict between legislature and united executive (when president and prime minister develop a common strategy for dealing with the legislature). The executive-legislative and intraexecutive conflicts provide two alternative channels along which political competition between the executive and legislative branches can be structured.

Hypothesis III.

The exact specification of cabinet dismissal powers will be the best predictor of the likely lines of conflict under semipresidentialism. When only the parliament

has the power to dismiss cabinet, the political system is more likely to experience intraexecutive conflict. When president and parliament have symmetrical powers of cabinet dismissal, the patterns of conflict will be mixed and will depend on the strategic calculations of prime minister. When other constitutional provisions effectively limit parliament's power of cabinet dismissal, political system is more likely to be characterized by the alliance of the president and the premier vis-a-vis the legislature and the concomitant executive-legislative conflict.

As it was already mentioned, two kinds of variation in the control of dismissal powers are of interest in this research. Firstly, parliament has the exclusive right of cabinet dismissal and secondly, both the president and parliament can unilaterally dismiss the prime minister and cabinet. The former constitutional framework is premier-presidential and the latter is defined as president-parliamentary.

When constitution grants the power of cabinet dismissal only to the legislature, a prime minister who was closer to the parliament's ideal point at the moment of the cabinet selection will be even further motivated to cooperate with parliament and take the legislature's side in the competition between president and parliament. It will be solely due to the fact that the prime minister's survival depends exclusively on the legislature. In other words, the expectation here is that the political competition between the two branches of the government under this constitutional framework will be characterized by the existence of an alliance between parliament and prime minister, that is between one of the principals and common agent. This alliance will be competing with the other principal, the president who is part of the executive.

A prime minister who is more to the president's liking is in a precarious situation. The closer his actions are to those preferred by the president, the more likely he is to be quickly dismissed by the parliament. If a prime minister does not put a major value on his stay in office, he might be willing to pursue the policy goals of the president at the risk of losing parliament's confidence. If, on the other hand, the prime minister's major goal is staying in power, he is likely to act opportunistically; that is, to pursue a course of action which maximizes his chances of staying in office. Since the maximization of his chances of staying in power or reelection is often posited as the main interest of politicians we should observe opportunistic behavior on the part of prime ministers more often than "ideological" behavior (as a close examination of East European cases later will show, under some circumstances losing his post can be a rational strategy for a prime minister to promote his political career). The expectation is that the prime minister, pursuing the opportunistic course of actions, will tend to defy his previous allegiance, distance himself from the president and seek closer cooperation with parliament. As in the scenario discussed in the previous paragraph, an alliance between parliament and prime minister is a likely outcome.

Symmetrical dismissal powers. When cabinet dismissal powers are symmetrical, what are the incentives for the prime-minister to cooperate with both principals or to ally with one of them during times of confrontation between principals? The likely consequence of symmetrical dismissal powers is an agent who is severely constrained in his actions and prefers not to ally closely with either of principals. The fact that there is symmetry in the president and parliament's dismissal powers should diminish the pro-

presidential bias⁵ in the prime minister's outlook, if the latter's first-order preference is to stay in the office

Taking actions that hurt either of principals or taking sides in conflict between them is dangerous for the prime minister's survival since the principal whose interests were hurt is likely to retaliate by dismissing the cabinet. Thus the dominant strategy for the prime minister is to avoid situations which lead to the cabinet actions hurtful for either of principals and to avoid participation in the conflicts between principals which necessitate taking sides.

Assuming that president and parliament have divergent preferences with regard to possible course of actions taken by prime minister, restrictions on the latter's ability to pursue politically engaging strategies can be presented graphically in the following way:

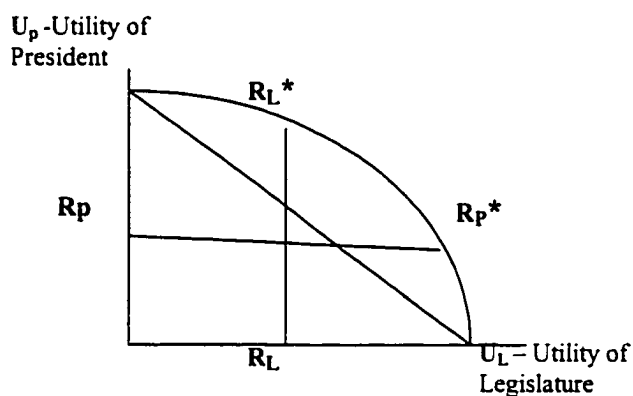


Figure I.5 Utility transformation

⁵ Such bias may exist when president has managed to translate his constitutional advantages in cabinet

The concave curve with a negative slope represent a trade-off relationship between president's and legislature's utilities derived from prime minister' actions. The curve has a negative slope, since increase in one principal's utility results in a decrease in the other principal's satisfaction from the agent's activity. Shifts from one to another point along the line costs one player in utility what the other player gains in utility from the shift. The shape of the utility curve, however, is concave indicating that for each additional utility unit that is lost by one principal, the increase in utility for the other becomes smaller and smaller.

Each principal's utility is plotted on one of the axes. When any principal's utility from cabinet activity drops below certain level the principal is no longer willing to tolerate prime minister and prefers to dismiss cabinet. Reservation points R_L and R_P specify this level for legislature and president respectively.

The reservation points, when translated on this utility transformation curve, indicate how much space for political maneuver is available for the prime minister. The smaller is $R_L^* R_P^*$ segment the more restricted is prime minister's ability to take an independent course of actions and the less stable the cabinet is expected to be. The segment's size depends on the differences in utility functions of president and parliament.

The dissolution powers of president. The formal symmetry of cabinet dismissal powers can be misleading for understanding the cabinet's behavior when the parliamentary ability to dismiss the cabinet is constrained by the constitutional provision which grants to the president the right to respond by dissolving the parliament. The presidential power of dissolution helps the president to buy the allegiance of the cabinet

appointment game into the choice of prime minister.

and makes it more likely that the latter will cater almost exclusively to the needs of this principal. Although under some specific circumstances (high political costs of supporting the existing cabinet and/or high chances of electoral success in the next election) the parliament may dismiss the cabinet and face the dissolution, the resolve demonstrated by the parliament will have an inconstant nature and is not likely to have systematic influence on the cabinet. In general, the rate of cabinet turnover is expected to be low since the dismissal of cabinet will not be persistently a dominant strategy either for the president or the parliament. The alliance of the president and the cabinet against the parliament is an expected outcome in case of executive-legislative competition.

Some constitutions also have other norms that limit the parliamentary ability to censure the cabinet. A time restriction on no-confidence vote is one type of such constitutional provisions. The constitution specifies when the parliament may raise the issue of confidence. For example, the legislature may not be able to vote the cabinet out of office before the twelve months period since the cabinet's election expires. When there are some restrictions on the exercise of the parliamentary power of cabinet dismissal this power becomes less effective instrument to ensure the cabinet's compliance.

Fragmented or multipolar legislature. The fragmentation of the parliament affects the prime minister's strategies in several distinct ways. First, support for the cabinet's policies in a fragmented parliament is more fragile than in a bipolar system. Given the diverse ideological orientations and political interests of the members of the coalition supporting the prime minister and cabinet, it is less probable that solid parliamentary support can be continually generated for the cabinet's activity. On the other hand, the cabinet deviating from the parliamentary majority's ideal point faces a less

credible threat to be dismissed by the parliament since the vote on the cabinet dismissal also requires constructing some majority. The fragmentation should allow the cabinet to act strategically vis-a-vis separate parliamentary factions and to extend efforts to selectively buy their support.

The bargaining power of cabinet vis-a-vis parliament depends on two broad sets of factors. The first includes the design of a legal framework which specifies the exact nature of relationship between the cabinet and the parliament, the character of powers each side is endowed with and the exact specification of procedures the sides have to follow. These characteristics are important because the institutional environment in which the cabinet and legislature operate may favor one side at the expense of the other. Procedures for passing legislation, for example, can not only put the powers of a bill's introduction and amendment in the hands of the cabinet but also grant to the cabinet a right to demand that parliament's vote on some pieces of legislation should be considered as a "cabinet confidence" vote meaning that rejecting a bill by the parliament entails automatic resignation of the cabinet. Procedures regulating the parliament's exercise of cabinet dismissal powers may restrict the parliament's ability to bring cabinets down by requiring an extralarge majority for a vote to be successful, by introducing the limits on how many times the issue of confidence can be brought up, by denying the parliament a right to bring an issue of no-confidence during some specific time periods: the cabinet's first six months in the office, earlier than three months after the previous no-confidence vote, etc.

The second set of factors has to deal with the characteristics of party system. Party system can consist of either predominantly programmatic or clientelistic parties (Kitschelt

1995). The parties of the former type can be characterized as program-oriented, policy committed, and competing for the voters on the basis of ideological stand and programmatic appeal. The clientelistic parties are patronage-oriented, opportunistic and build political support through delivering government-derived resources to selective political constituencies in exchange for votes.

When programmatic parties are the major ones in the party system, the party competition is about alternative political programs and public policies. The programmatic parties, which are oriented on the production of public goods, tend to produce programmatic cabinets. Even when the cabinet is less program-oriented than the parties, which can be the result of an appointment compromise between the president and the parliament, there is not much space for the cabinet's maneuver and manipulation since programmatic party factions in the parliament are more or less immune against being co-opted by the executive which is in position to distribute selective incentives.

When, on the other hand, the party system (and subsequently parliament), is dominated by clientelistic party factions, the prime minister and cabinet in general can be much more successful in manipulating a parliamentary majority. Various parliamentary factions, primarily concerned about the constant flow of resources to their constituencies, are likely to be very receptive to the cabinet's offers of club goods for their supporters or governmental positions for party leaders in exchange on factions' political support of cabinet. Thus, the prime minister and cabinet who have some relative freedom in the distribution of scarce governmental resources valued by the party factions in the parliament acquire the important leverage in dealing with one of its principals, parliament.

The understanding of this strategic advantage acquired by the prime minister is very important for further analysis given the fact that party system in many cases that this research deals with can be characterized by extensive fragmentation and clientelism. Given the amorphous structure of clientelistic party system, cabinets in such type of systems are likely to have a technocratic rather than a political character. Technocratic prime ministers and cabinet members, as a rule, do not have a political party affiliation. They are less constrained by binding ideological principles or programmatic commitments. Technocratic cabinets face the same type of political difficulties that minority cabinets in the developed party systems have to deal with. Traditional expectations about how minority cabinets function stress the cabinet's vulnerability to swings of political fortunes and a lack of leadership potential. Thinking in terms of a principal-agent approach, however, helps to bring additional insights in the functioning of technocratic governments. The shift from bipolar to multipolar party system weakens one of the principals' ability both to effectively direct the agent's activity and sanction his disobedience. Especially in a fragmented and clientelistic party environment, the prime minister is less constrained by parliament's superiority and is likely to exploit the tensions inside the parliament in order to advance his own interests. Fragmentation or polarization does not have a similar effect on the agent's relations with the other principal, the president. It may have important consequences in the choice of ally if the principals are in conflict. The expectation here is that the weakening of the agent's dependence from one of the principals makes the agent to the other principal. In other words, when the credibility of the parliament's threats of sanctions against the prime minister and cabinet

decreases because of the collective action problems inside the parliament, the cabinet is more likely to pursue a course of action favored by the president.

Semipresidentialism and public bureaucracy design

The existence of the office of president with the strong democratic legitimacy and substantial executive powers is also expected to make the politics in semipresidential regimes more personalistic than in parliamentary republics. Presidents routinely rely on patronage appointments to promote their political causes. They bring their political supporters in great numbers into the existing government agencies or try to create new agencies. Both strategies tend to lead to bureaucratic proliferation.

Institutional design of semipresidentialism also encourages political competition between president and prime minister over the control of executive branch of government. This competition also results in bureaucratic proliferation because both the president and the premier have to rely on producing politically loyal bureaucracies to succeed in this competition. Even when intraexecutive conflict is not salient the very existence of dual executive impedes the efforts to rationalize government organization by making the application of traditional management techniques, which undermine bureaucratic partisanship, politically acceptable to neither the president nor the premier.

Hypothesis IV. Periods of high intraexecutive competition in semipresidential regimes will be characterized by increase in cabinet size and by growth of central government apparatus.

Hypothesis V. Semipresidential regimes will be less successful reformers of central government than parliamentary regimes.

Both hypotheses are tested in the second part of dissertation that examines the implications of semipresidentialism for the design of public bureaucracy. The choice of “grand” institutions is believed to have a profound effect on the way how administrative institutions are consequently set up (Moe and Cadwell 1994). This claim of the existence of close relationship between the constitutional design and the makeup of executive institutions serves as a major link between the first and the second parts of dissertation.

Research constraints

Trying to find systematic empirical support for these hypotheses is complicated by several factors. First of all, there is a problem of small number of data observations. Studying the effects of constitutional variation on the cabinet formation and functioning would be more conclusive if there are more cases of cabinet appointment and dismissal to analyze. Having more observations would help to control for the effects of particular personalities, idiosyncratic events, and other contextual factors. The latter are necessary components of any empirically sound explanation of specific political outcomes, but in the same time, can obfuscate the existence of some general patterns. Discussing the difficulties in analyzing post-Soviet presidencies, Juan Linz (1997) argues that unless there were several elections of different incumbents it is difficult to differentiate between the effect of office and the personal characteristics of incumbent presidents. The data which is available is rather limited: semipresidential constitutions in most countries discussed here have been in place for a time period which encompasses only two full presidential terms and three or four parliamentary terms.

A second problem is the newness of semipresidential institutions. Some process of learning should take place before politicians will know how to react to a new set of incentives and how to behave in a new institutional environment. Before this learning takes place, politicians' actions and strategies are unlikely to follow the logic derived from the specific institutional setting. Thus, the first years after the introduction of new institutions can be characterized by misunderstandings of how new institutions actually work and miscalculations on the part of some political actors. Since the years of introduction of new institutions dominate our time set of semipresidential experiences, finding support for our theoretical arguments become even more problematic. When institutions are in flux, politicians may also be disoriented in terms of what their long-term goals are and what the appropriate strategies are. In several countries, the new constitutions were adopted relatively late in the transition, leading to the fact that many of the first presidents and parliaments structured their relations with each other and with the cabinets under an institutional vacuum. The differences in the legitimacy, political support and popularity of political leaders rather than constitutional powers and sources of influence stipulated by newly established institutional setting were decisive in determining the outcomes of executive-legislative competition over control of cabinet and governmental policies (Linz and Stepan, 1996). This leads to another issue often raised by the scholars of transitional politics: how much do institutional provisions constrain political actors? What if politics, whenever it is in interests of any powerful player, overflow institutional channels? When this becomes a considerable problem, it is difficult to talk about the systematic effects of constitutional frameworks.

Looking cross-nationally for similar semipresidential constitutional arrangements and studying their effects on political process provides some partial solutions for the data constraints problem. It does not, however, address the second and third issues. One obvious problem with a cross national comparison of institutional impacts is the difficulties in separating the effect of institutions from the variation in contextual country-specific factors. The appropriate research design methodology here is to study whether similar institutions in different national contexts affect the calculations and strategies of politicians in similar ways and whether these institutional variables play an important role in explaining political outcomes.

The “most different systems” research design, in Przeworski and Teune’s terminology (Przeworski and Teune 1970), will be used to compare how similar institutions operate in diverging political systems: those that evolve in the former Soviet republics, on one hand, and in the former satellite countries of Eastern Europe, on the other. The alternative research methodology – the most similar systems’ research design – will be discussed as well. The first major application of the latter research strategy will be to study how variation in semipresidential constitutional design affects executive-legislative relations in general and administrative reform in Russia and Ukraine, countries with rather similar starting positions. The second application of a ‘most similar systems’ research design will be employed to examine how the choice of different institutional settings – semipresidential or parliamentary constitutional framework – affects government restructuring in structurally similar Central European countries.

Conclusion

I argued in this chapter that our theoretical understanding of semipresidentialism can be improved by the explicit analysis of the patterns of superiority and subordination that arise under the dual executive design. The presidency, the cabinet and the legislature are the key institutional elements of semipresidential constitutional design. The multiple principal-agent model helps to uncover the underlying logic of the institutional relationships under semipresidentialism. Interactions among political actors who comprise these institutions are structured along the lines of superiority and subordination.

Under the semipresidential constitutional framework, the cabinet has two immediate principals, the president and the legislature. The identity of the cabinet is determined in the bargaining game between these principals. Constitutional provisions provide one of the principals, the president, with a number of advantages in the cabinet formation game. The power of cabinet nomination is the most significant advantage that the president has in bargaining over cabinet appointments. In cases when the constitution awards the president with two other kinds of formal power, to dismiss the cabinet and to dissolve the legislature in cabinet-related matters, cabinet appointment outcomes are most likely to reflect the ideal point of the president.

While in office, the prime minister and his cabinet face the difficult choices of complying with the conflicting preferences of the president and the legislature. When the principals are in conflict, the cabinet's behavior vis-à-vis them will primarily depend on where cabinet dismissal powers reside. When the legislature has the exclusive power of cabinet dismissal, which is the case in all premier-presidential regimes, the cabinet is expected to comply with the preferences of the legislature.

Formal symmetry of dismissal powers makes it more difficult to predict cabinet strategies in president-parliamentary regimes. The president-parliamentary constitution grants cabinet dismissal powers to both the president and the legislature. Whether the cabinet allies with the president or the parliament will depend on other constitutional provisions limiting the principals' ability to sanction the cabinet. Two such provisions were discussed in the chapter: the presidential power to dissolve the parliament and the time restrictions on no-confidence vote.

Given that the institutional design of semipresidentialism encourages the political use of bureaucracy it was also argued in the chapter that the constitutional choice entails certain bureaucratic characteristics. Both the personalistic character of the presidency and the dual character of the executive lead to the patronage-based politics of bureaucratic expansion. Semipresidential regimes were hypothesized to be more likely to experience the proliferation of executive agencies and cumbersome bureaucratic organization of central government than parliamentary regimes.

Chapter II

Institutional Determinants of Cabinet Formation Outcomes under Semipresidentialism

The first part of this chapter analyzes how the empirical outcomes of cabinet formation fit the theoretical expectations discussed earlier. More specifically, the primary concern here is to examine whether the choice of elected prime ministers corresponds to the hypothesized relation between the preferences of the president and the legislature.⁶ The expectations were derived from the analysis of the distribution of formal powers between president and parliament with regard to cabinet appointment and dismissal.

The second part offers the analysis of other institutional factors that had an impact on cabinet formation outcomes. I discuss three such factors. One is the effect of non-concurrent electoral cycle, which provides a “legitimacy advantage” to the most recently elected branch of government. The second is a constitutional norm specifying presidential powers to dissolve parliament when the process of cabinet formation is stalled. The third is the degree and quality of fragmentation in parliament.

Theoretical Expectations and Empirical Outcomes of Cabinet Formation

Table 2.1 below shows how postcommunist semipresidential regimes can be classified on the basis of variations in how cabinets are formed. Semipresidential regimes in the table are classified according to two constitutional criteria. The first one indicates who participates in appointment of prime minister. The second one specifies who has the

⁶ Unlike Shugart and Carey (1992), who discuss the appointment-dismissal game as a whole, the concern here is only with the appointment phase of the game since the dismissal part, as will be discussed later, can have a separate and distinct logic. This does not mean, however, that the rules of cabinet dismissal do not enter the calculations of the political principals in the appointment game.

power of cabinet dismissal. These two norms regulating the cabinet formation process are found in constitutions of all semipresidential regimes discussed in this research. When more than one constitutional framework was in place in a given country, regime change is indicated by years attached to the country's name.

Table 2.1 Cabinet Formation Powers in East European Semipresidential Regimes, 1990-1999

<i>Appoint</i>	Dismiss		
	President	Parliament	Either
President	Ukraine 95-96		
Parliament		Bulgaria	
Both		Russia 91-93 Moldova 1994- Romania Lithuania Poland 90-92 Poland 92-97 Poland 97-	Russia 93- Ukraine 91-94 Ukraine 96- Kazakhstan 93-95 Kazakhstan 95-

In a vast majority of cases, semipresidential constitutional provisions require both president and parliament to participate in the procedure of cabinet appointment. Ukraine 95-96 is the only case in the table where president was constitutionally entitled with power to appoint prime a minister unilaterally.⁷ While formally giving nomination power to president, the Bulgarian constitution strictly regulates who the president can nominate.⁸ Given that the president has no freedom in choosing the candidate for the post of prime minister, Bulgaria was classified as a case where the parliament appoints premier unilaterally.⁹ Except these two cases, the constitutions of all other regimes with popularly elected presidents require joint decisions by president and parliament to appoint a prime minister.

Semipresidential regimes in the table are more equally distributed according to the second criteria, power to dismiss. Unlike cabinet appointment, cabinet dismissal does not require joint decisions by the president and parliament. All cases, with the exception of Ukraine 1995-96, fall into two categories. The first category includes semipresidential regimes where only the parliament has power to dismiss cabinet. The second category lists regimes where both the president and the parliament have cabinet dismissal powers and can apply them unilaterally. Cabinet formation rules in the case of Ukraine 95-96

⁷ So-called "Constitutional Agreement" between president and parliament in Ukraine was signed in June 1995. The document enhanced presidential powers providing the president, among other things, with the power to appoint prime minister without seeking parliament's consent. The agreement was in force for one year and served as a temporary provision regulating executive-legislative relations before new constitution was adopted.

⁸ While according to the formal Duverger criteria Bulgaria has semipresidential regime, the exact constitutional rules regulating cabinet formation in Bulgaria follow parliamentary rather than semipresidential logic.

⁹ The 1991 Bulgarian constitution requires president to appoint the prime minister candidate nominated by the party holding the highest number of seats in the National Assembly to form a government. If the prime minister candidate fails to form a government, the constitution requires president to appoint a candidate offered by the second largest party in parliament. Only after the new candidate fails, the constitution gives president some discretion in choosing the next candidate.

and Bulgaria approximate provisions of “pure” presidential and parliamentary constitutional frameworks respectively.

Adopting Shugart and Carey’ (1992) scale of measurement, I calculate the index of presidential powers related to cabinet formation in Table 2.2:

Table 2.2 Index of Presidential Powers in Cabinet Appointment-Dismissal Game

<i>Presidential Powers over Cabinet</i>		<i>Parliamentary Powers over Cabinet</i>			
Nominate	Dismiss	Confirm	Dismiss	Total Score	Cases
2	2	-1	-2	1	Russia 93- Ukraine 91-94 ¹⁰ Ukraine 96- Kazakhstan 93-95 Kazakhstan 95-
2	0	-1	-2	-1	Russia 91-93 Moldova 1994- Romania Lithuania Poland 90-92 Poland 92-97 Poland 97-
2	2	0	0	4	Ukraine 95-96
0	0	-2 ¹¹	-2	-4	Bulgaria

¹⁰ According to the February 1992 amendments to the Ukrainian constitution the president received the right to unilaterally fire seven leading cabinet ministers. Although the president could not dismiss at his will prime minister, the presidential power of individual cabinet members' dismissal qualifies this constitutional arrangement as one that gives an effective power of cabinet dismissal to both president and parliament

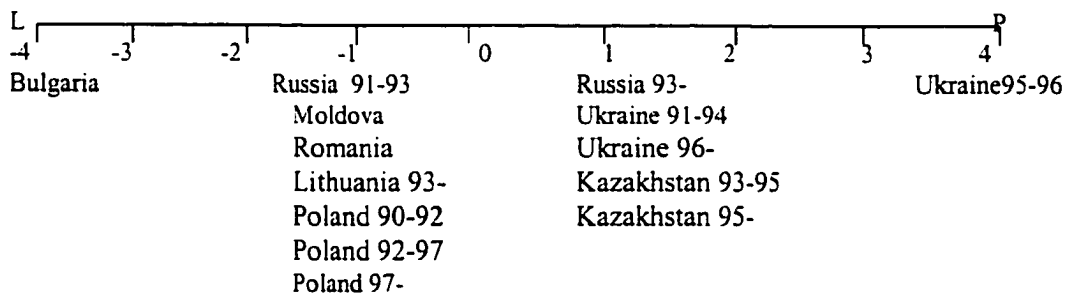
¹¹ Score for power of confirmation is -1 in all cases but the Bulgarian one where parliament has power of both nomination and confirmation.

The index is calculated on the basis of individual scores assigned to constitutional powers of the president and the parliament in cabinet related matters. The powers to nominate and dismiss a cabinet are scored a 2. The power to confirm a nominee is scored a 1. This is due to the previous chapter's assumption that controlling nomination power brings to the player strategic advantages vis-à-vis the other player who controls only confirmation power. Adding the scores of presidential and parliamentary powers in cabinet formation produces an index of presidential powers for each type of semipresidential constitutional regime.

Two major groups of semipresidential regimes have index scores of 1 and -1 respectively. The difference comes from the variation in dismissal powers. Premier-presidential constitutional regimes do not grant the power of cabinet dismissal to the president, therefore limiting the amount of influence that president can have over the executive branch of government in premier-parliamentary regimes.

The index scores from Table 2.2 can be conceptualized as our theoretical predictions about the outcomes of the cabinet appointment game in different types of semipresidential regimes. Figure 2.1 reflects our theoretical expectations as to where a prime minister will be located on the continuum between president's and parliament's ideal points:

Figure 2.1 Theoretical Expectations about Cabinet Appointment Outcomes in Different Types of East European Semipresidential Regimes



Cabinets formed in Bulgaria and Ukraine 95-96 are expected to be located at -4 and 4 , parliamentary and presidential ideal points respectively. President-parliamentary regimes are likely to have premiers at 1 , which is closer to president's than to parliament's ideal point. Prime ministers in premier-presidential regimes are expected to be at -1 , reflecting the preferences of parliament rather than president.

Studying the actual cases of cabinet formation. To see whether the distribution of cabinet appointment and dismissal powers accurately predicts the empirical outcomes of cabinet formation, the criterias for classifying actual cases of cabinet appointment have to be developed. Measuring empirically how far one or another prime minister is from a parliamentary or presidential ideal point constitutes a significant methodological problem that is addressed more extensively in Appendix 2.1 which also contains the description of indicators used for the measurement.

Evidence which helps to identify how far or close a given prime minister was to either of the principals come from either the countries' periodicals or secondary literature on a given country. An attempt was made to record how the candidate for the post of prime minister was perceived by the principals precisely at the moment of cabinet formation. This is particularly important due to the fact that after getting into office, prime ministers frequently started to pursue policies that changed both the principals' and media perceptions of premiers' allegiances and loyalties. It will be argued in the third chapter that shifts in prime ministers' patterns of cooperation with president and parliament constitute a rational strategy for premiers who find themselves in specific institutional environments.

When the president and parliament belong to the same political camp, this implies that their preferences over the choice of prime minister, ideally, should be the same. When, however, we accept the fact that even in this case there will be competition for power between the president and the legislature, then preferences of president and parliament over the cabinet will differ. Yet these differences will be less than the differences when the president and the parliament belong to opposite political camps.

Cases where the president faces a hostile majority in parliament or where there is no stable majority in the parliament will be of major interest in this research. These cases constitute a significant part of the sample, reflecting the underlying pattern of conflict in executive-legislative relations in post-communist countries. Political factors that contribute to the persistence of executive-legislative conflict in presidential regimes are also at work in many semipresidential regimes: the president and parliament have different constituencies, the electoral cycle is often disjointed, and party system is fragmented and polarized (Mainwaring 1992).

For conducting the empirical analysis and aggregating the findings, it was assumed that both in the cases when the president and the parliament belong to the same political camp and when they have different political orientations, prime minister's standing vis-à-vis president and parliament can be identified and compared to cabinet appointment outcomes in other cases. The most likely choice of a prime minister, if the "ideal" parliamentary framework were in place instead of semipresidential system, was taken as a proxy of parliament's ideal point in its bargaining with the president over cabinet.

Prime ministers' political identity: empirical outcomes. The prime minister was considered to be located closer to the president's ideal point, +, if at the moment of cabinet formation: a) the media described the then-to-be elected prime minister as being closer to the president than to parliament; and b) the prime minister who got appointed was the first candidate considered by the president for the nomination and did not belong to one of the three major parties represented in parliament and opposed to the president.

The prime minister was considered to be closer to the parliament's ideal point, -, if at the moment of the cabinet formation: a) the media has described the then-to-be-elected prime minister as an ideal choice for the parliamentary majority; and b) the prime minister has belonged to the political party or coalition having a majority in the parliament;

This classification, while still leaving a lot of space for the analyst's discretion, should provide some grounds for differentiating among the different outcomes of the appointment game. The classification is based both on "objective" criteria such as the prime minister's party affiliation and on rather subjective judgments about the prime minister's identity found in the press. The analysis of the press should partly compensate for the omission of contextual factors, and for the disregard of informal politics. For example, if the press brings to the public's attention and stresses the fact that the prime minister-elect was a long-term colleague or close friend of the president, this piece of information will influence our judgment of prime minister's stand vis-a-vis the president and the parliament. Instead of the detailed scale used by Shugart and Carey to illustrate the theoretical outcomes of appointment game, the empirical observations of appointment game outcomes are put on a less enumerated scale. The Shugart and Carey's intermediate

points were omitted from the empirical classification due to the practical difficulties of measuring minor differences in the prime minister's location vis-à-vis president and parliament.

Table 2.3 presents the scores based on the empirical classification of cabinet appointment outcomes across all semipresidential regimes discussed in this chapter. These scores are then compared to the theoretically predicted scores of the premier's location on the continuum between the presidential and parliamentary ideal points.

Table 2.3 Theoretical Expectations and Empirical Outcomes of Cabinet Appointment Game

Prime ministers	Term in the Office	Theoretical Expectation	Empirical Outcome
Russia			
Gaidar, Yegor	6/91-12/92 (acting premier)	-1	+
Chernomyrdin, Viktor	12/92-3/98	-1	+
Kirienko, Alexander	4/98-8/98	1	+
Primakov, Yevgeni	9/98-5/99	1	-
Stepashin, Sergei	5/99-8/99	1	+
Putin, Vladimir	8/99-	1	+
Ukraine			
Fokin, Vitold	12/91-10/92		
Kuchma, Leonid	10/92-9/93	1	-
Zviagil'ski, Yuhym	9/93-6/94 (acting premier)	1	+
Masol, Vitali	6/94-4/95	1	-
Marchuk, Yevhen	6/95-5/96	4	+
Lazarenko, Pavlo	5/96-6/96	1	+
Lazarenko, Pavlo	6/96-	1	+
Pustovoitenko, Valeri		1	+
Moldova¹²			
Muravschi, Valeriu	12/91-6/92		
Sangheli, Andrei	6/92-12/96	-1	+
Ciubuc, Ion	1/97-3/98	-1	+
Ciubuc, Ion	3/98 -	-1	+
Kazakhstan			
Sergei Tereshchenko	12/91-10/94		
Akezhan Kazhegeldin	10/94-10/97	1	+
Nurlan Balgimbaev	10/97-	1	+
Romania¹³			
Petre Roman	5/90-9/91	-1	-

¹² 1994-98 Moldovan parliament had the one party majority, the prime ministers, however, were consistently closer to the president's rather than to the parliament's ideal point.

¹³ In Romania, mainly due to the concurrent electoral cycle, the parliamentary and presidential elections of 1990 and 1996 produced presidents and parliamentary majorities which belonged to the same political camp. Consequently, the difference between the presidents and parliaments' ideal points was minute, or, it can be said, that their ideal points coincide in all but Vacaroiu's case. There were media reports about president Constantinescu's uneasiness in nomination of Radu Vasile in Spring 98, yet the tensions between president and parliamentary majority had intraparty character.

Teodor Stolojan	10/91-11/92	-1	-
Nicolae Vacaroiu	11/92-11/96	-1	-
Victor Ciorbea	11/96-3/98	-1	-
Radu Vasile	4/98-	-4	-
Poland			
Jan Bielecki	12/90-12/91	-1	+
Jan Olszewski	12/91-6/92	-1	-
Waldemar Pawlak	6/92-7/92 (acting premier)	-1	+
Hanna Suchocka	7/92-9/93	-1	-
Waldemar Pawlak	10/93-02/95	-1	-
Jozef Oleksy	03/95-01/96	-1	-
Włodzimierz Cimoszewicz	02/96-09/97	-1	-
Jerzy Buzek	09/97-	-1	-
Bulgaria			
Filip Dimitrov	11/91-10/92	-4	-
Liuben Berov	12/92-09/94	-4	-
Reneta Indzhova	09/94-11/94 (acting premier)	-4	+
Zhan Videnov	12/94-2/97	-4	-
Stefan Sofiansky	2/97-5/97 (acting premier)	-4	-
Ivan Kostov	5/97-	-4	-
Lithuania¹⁴			
Bronislovas Lubys	12/92-03/93	-4	-
Aldolfas Slezevicius	03/93-	-4	-
Gediminas Vagnorius	12/96-01/98	-4	-
Gediminas Vagnorius	01/98-	-4	-

¹⁴ As in Romania, the concurrent electoral cycle in Lithuania produced in the last two parliamentary and presidential elections presidents and parliaments that belong to the same political camp.

The findings from the table 2.3 are summarized below in table 2.4. The latter provides some descriptive statistics that helps to establish how well theoretical scores predict the empirical outcomes. For the purposes of presentation, theoretical scores are further simplified to include only two categories which are “+” and “-“. The “+” category indicates that prime minister is closer to the presidential rather than to parliamentary ideal point and the “-“ category signifies that premier is closer to parliament rather than to the president.

Table 2.4 Distribution of Cabinet Formation Cases

		Empirical Outcomes (N of cases, % of cases)	
		+ (Closer to President)	- (Closer to Parliament)
Theoretical Expectations (N of cases, % of cases)	+ (Closer to President)	10 (76.9%)	3 (23.1%)
	- (Closer to Parliament)	8 (28.6%)	20 (71.4%)

There were forty-one cases of cabinet formation included in Table 2.4. Given the variation in distribution of appointment-dismissal powers across semipresidential regimes, the theoretical expectation for these cases was to have 13 of 41 cabinets closer to the ideal point of president and 28 of 41 closer to the ideal point of parliament. The empirical classification indicates that 10 of 13 cabinets, which were expected to be in line with the presidential preferences, actually reflected the preferences of president, and 20 of 28 cabinets that were expected to be closer to parliament were in fact more to parliament's liking. Overall, theoretical predictions derived from the analysis of formal powers related to the process of cabinet formation were correct in 73.2% of cases. This supports the basic hypothesis about how appointment-dismissal powers affect the outcomes of cabinet formation.

Cases that do not confirm to the theoretical expectations are interesting because they can shed some light on other systematic factors that may have an impact on the process of cabinet formation. There are 11 cases of cabinet formation in table 2.4 where a substantial discrepancy exists between the theoretical expectations of where a certain prime minister should be and that prime minister's actual standing. It is important to note that these cases include only situations where the sign indicating prime minister's closeness to one of the principals is opposite the expected sign

Among the 11 cases of cabinet formation that contradict theoretical expectations there were 3 cabinets expected to confirm to the presidential preferences and 8 cabinets expected to be more to parliament's liking. The latter group includes 4 cabinets that had the status of an acting cabinet. While being in office from two to eighteen months, neither of these four cabinets went through the formal procedure of parliamentary approval. The

president appointed these cabinets and parliament either did not confirm them or did not vote on them due to their temporary status. Since there was no participation on the part of parliament in formation of these four cabinets they can not be considered as formed under the semipresidential rules and thus can not be qualified as cases that do not fit our theoretical expectations. However, one of these cabinets, Gaidar's 1991 cabinet in Russia, deserves special attention and will be included in the discussion that follows due to the extraordinary long period it held office.

The remaining eight cabinets that meet "opposite sign" criteria include: Bielecki's 1990 cabinet in Poland, three consecutive cabinets headed by Andrei Sangheli and Ion Ciubuc in Moldova, Kuchma 1992 and Masol's 1994 cabinets in Ukraine, Chernomyrdin 1992 and Primakov's 1998 cabinets in Russia. The theoretical expectation was that in premier-presidential regimes found in Poland, 1991-93 Russia, and Moldova the cabinet formation game should consistently produce the prime minister and cabinets which will be closer to the parliament's ideal point than to the president's one. In all above-mentioned cases there is agreement among analysts and in the press that cabinet formation resulted in the appointment of prime ministers who were the "president's people". A similar divergence between theoretical expectations and actual outcomes, although in the opposite direction, also characterizes three cases of cabinet formation (Kuchma, Masol, and Primakov) in the president-parliamentary regimes of Ukraine and Russia.

Explaining unexpected outcomes of cabinet formation

What were the factors that alternatively strengthened the president's bargaining power in premier-presidential regimes and parliament's power in president-parliamentary regimes? One was the effect of non-concurrent electoral cycle, which provided a "legitimacy advantage" to the most recently elected branch of government. The second was a constitutional norm specifying presidential powers to dissolve parliament when the process of cabinet formation is stalled. The third was the degree and quality of fragmentation in parliament. Parliaments that were fragmented and clientelistically structured have acquiesced more to presidential preferences over the choice of prime minister than bipolar or fragmented legislatures dominated by programmatic parties. A favorable combination of any two of these three factors can empower either president or parliament and can serve as a sufficient condition to alter the outcomes of cabinet formation.

Recent legitimacy. Due to the variety of factors including different schedules

for presidential and parliamentary elections, the different length of office term specified in the constitution for the executive and legislature, and the extensive practice of pre-term parliamentary elections, the presidential and parliamentary elections in postcommunist semipresidential regimes frequently do not coincide. This non-concurrent electoral cycle provides a fertile ground for conflict between president and parliament. The government branch, which went through the electoral test more recently, is tempted to claim its political superiority and even to demand extraconstitutional powers on the grounds that its legitimacy has more recent origins.

The fact of more recent election increases the president's bargaining power in the appointment game by lowering the political costs that the president would incur if the post of prime minister remains unfilled or the rate of cabinet turnovers is high. Enjoying more recent legitimacy, the president is more likely to nominate a prime minister candidate who is much closer to the president's ideal point than the parliament is willing to tolerate. When this happens the indifference points of the president and assembly do not overlap and the post of prime minister remains unfilled. The president, who has the choice to appoint the acting prime minister, is likely to accept this temporary solution to the deadlock in cabinet formation process. This is because political blame for this stalemate can be easily attributed to "less legitimate" parliament which ignores the "popular will" by not supporting the presidential candidate.

The importance of more recent legitimacy of one branch of the government can be magnified if the other branch is perceived as undemocratically elected (Linz and Stepan, 1996). That was especially the case at the beginning of the transition in countries where popularly elected presidents had to exist with only partially democratic parliaments which

were elected according to the rules designed by the outgoing communist elite. Walesa's ability to gain the parliament's support for unknown Bielecki in Poland and Yeltsin's ability to keep Gaidar's cabinet in place for 18 months in Russia is partly explained by the president's political authority derived from the electoral support.

Although the consequences of the non-concurrent electoral cycle had especially great impact on the executive-legislative relations during the first years of the democratic transition, the subsequent routinization of new political practices and institutions does not always serve as a constraint on presidential claims of greater legitimacy and greater say in the formation and control of the cabinet. The functioning of premier-presidentialism in Moldova, for example, is indicative of this problem. In 1996, Petru Lucinschi, the newly elected president of Moldova, faced the political setting similar to one which produced the periods of cohabitation on several occasions in France. In 1986, president Mitterand opted for nominating Chirac for the post of prime minister. The latter represented the ideal point of legislative majority. The same scenario was repeated in 1995 when the rightist president Chirac nominated a candidate who represented the ideal point of leftist majority in the parliament. The Moldovan president Luchinschi had chosen to nominate and secure the election of a candidate who was far from the ideal point of the one party majority in 1994-98 parliament and was rather on the president's side in the partisan divide of bipolar parliament's composition. Although in no way conclusive, the important difference between two French examples and more recent Moldovan case was in the fact that both Mitterand and Chirac opted to appoint politically opposite prime ministers at the times when they were facing an opposition majority in the parliaments whose electoral mandates were more recent than the presidents'. In case of Moldova in 1996,

president Luchinschi was a new president facing two year old parliament in the appointment game.

Politicians' awareness of the importance of electoral timing for cooperation between the executive and legislative branches is reflected sometimes in the constitutional design. Besides the usual constitutional provisions requiring that the new cabinet be formed after parliamentary elections, the 1992 Lithuanian constitution stipulates that the cabinet has to "return powers" to the president after presidential election takes place. One of the goals of including this provision into the constitution was to avoid a confrontation between newly elected president and incumbent cabinet. The effect of this provision on the functioning of government, however, has been ambiguous. There is uncertainty about the meaning of the formulation "return powers". When it is understood as the resignation of cabinet then this provision is not likely to smooth the conflict between president and the parliament. Quite the contrary, the conflict over cabinet can escalate if the newly elected president demands the resignation of the cabinet and the parliamentary majority chooses to reject any alternative candidates offered by the president. Such considerations, probably, influenced the Lithuanian Constitutional Court's decision in January 1998 to rule that the constitutional provision "the cabinet returns powers to the president" does not mean the automatic resignation of cabinet but only indicates that the president has to determine whether the cabinet still enjoys the support of the legislature (EECR, V.7, N.1, 1998).

1991-92 acting cabinet of Gaidar in Russia. The Gaidar cabinet holds the record among acting or interim cabinets in East European semipresidential regimes of staying in office the longest without being approved by parliament. The cabinet, although having a

high turnover rate for individual ministers, stayed in office for eighteen months. Yeltsin, empowered by his recent presidential mandate, was not willing to submit another candidate for the legislative approval and the Russian parliament was not willing to accept Gaidar as a prime minister. Gaidar could not win support in the legislature, due to the fact that his cabinet was not representative of the parliament's political composition. Especially at the initial stage, the cabinet consisted of radical liberal technocrats who did not have any substantial political backing in either the Supreme Soviet or the Congress of People's Deputies. Each of these institutions had some legislative functions in the cumbersome structure of Russian government during the early stage of democratic transition. As Aslund (1996) notes, there were several able teams of economists ready to assume cabinet responsibilities in Moscow in Spring 1991. The choice of Gaidar's team was not dictated by some considerations of political representation or by the necessity to mobilize political support. It reflected a personal preference of Yeltsin and his advisers based on their vision of appropriate reform strategy at that period of time.

Both the president and cabinet – the constituent parts of the dual executive - faced a hostile environment in the legislature which opposed radical political and economic reforms. To perform its functions in the specific environment of executive-legislative deadlock, the cabinet had to rely on president Yeltsin's ability to get the important pieces of legislature through parliament and on his willingness to issue executive decrees, which did not require legislative approval. Ruling by decree was possible due to high popularity of the recently elected Yeltsin. The executive decree became a very important tool for overcoming the legislature's resistance towards reforms. On the other hand, reliance on executive decrees, known in the Latin American context as "decretismo"

(O'Donnell, 1994), also led to a lack of democratic participation in policy design and implementation, to the defiance of representative institutions and an excessive concentration of political power in the office of president.

When the "honeymoon" effects of Yeltsin's democratic legitimacy started to fade away, parliamentary resistance towards both the president and his acting prime minister intensified raising the political costs of supporting an interim cabinet for the president.

Presidential power of dissolution in cabinet appointment matters. The outcomes of the appointment game can be dramatically altered if the constitution provides the president with the power to dissolve parliament when the cabinet formation process is deadlocked. There is a substantial variation from country to country in the constitutional provisions specifying the exact circumstances that entitle president to use dissolution powers. This variation cuts across the semipresidential divide between president-parliamentary and premier-presidential regimes and proves to be consequential to the process of cabinet formation.

In semipresidential regimes where the president can effectively apply the threat of dissolution, the outcome of the appointment game - the choice of a new prime minister - can be anticipated to be much closer to the ideal point of the president than in semipresidential regimes where the president does not have a legal right to dissolve parliament or where his threat of using this constitutional power is not credible. As discussed in the first chapter, the presidential threat to dissolve parliament becomes credible when the political costs that the president incurs in case of using this power are low.

The Russian experience since 1993 illustrates the enormous advantages in the cabinet appointment game that the power of dissolution brings to the president. Yet, the empirical research also suggests that the presidential threat of dissolution can have a different effect on parliamentary behavior. It can give a push toward the process of coalition formation which otherwise would not be formed or speed up the crystallization of an alternative choice for the prime minister. Thus, a legislative focal point can be formed, as it happened several times in Poland, not around the candidate offered by the president but around the figure who reflects the preferences of the newly constructed majority coalition in parliament.

What factors influence whether the threat of dissolution will make the parliament accept the president's candidate or come up with their own alternative? Whose electoral legitimacy - the president's or parliament's - is "fresher" turns again to be an important political resource in the hands of one or the other side. Another important variable is the level and character of party system development as reflected in the composition of political factions in the parliament. When the parliament is fragmented and party factions are clientelistic rather than ideology based, then it is less likely that the parliament will produce an agreement on an alternative prime minister candidate. Thus, the combination of more recent legitimacy of the president, presidential power to dissolve the parliament and the fragmentation of parliament produces an interaction effect greatly enhancing the presidential ability to secure the appointment of his ideal prime minister.

Effect of dissolution threats. The formation of Kirienko's cabinet in Russia and the two consecutive cabinets headed by Ciubuc in Moldova demonstrate the impact that the presidential threat of dissolution can have on behavior of politicians in parliament. To

illustrate the importance of the political composition of the legislature, this discussion is followed by a review of cabinet appointment outcomes in Poland.

Yeltsin's nomination of young technocrat Sergei Kirienko for the post of prime minister in March-April 1998 caused a mixed response in the Russian parliament. While at the beginning of the appointment process several parliamentarian factions declared about their support of Kirienko's candidature, the further deliberations were followed by the consolidation of a parliamentary majority opposed to Kirienko's nomination (Izvestia 1998). The communist faction, the biggest one in the lower chamber of the Russian parliament, constituted the core of this opposition. Kirienko's nomination depended on getting some of the communist votes, which he failed to receive during two rounds of voting. After two unsuccessful attempts, parliament approved Kirienko's cabinet at the third try. A large group of opposition deputies changed their position during the third round and voted in favor of Kirienko's cabinet. The fear of dissolution was the reason for this particular change of position by communist deputies. This fear also explains the support of Kirienko by some other factions in the legislature.

The Russian constitution of 1993 stipulates that the president can dissolve parliament if the latter fails to confirm the president's nominee for the post of prime minister after three rounds of voting on the cabinet. Yeltsin opted to nominate the same candidate three times, leaving deputies with the choice to confirm Kirienko or to face dissolution. The majority of deputies choose the former option. The interesting question here is why opposition deputies, whose electoral prospects in the case of pre-term elections were rather high, voted for Kirienko. Two major factors explain the opportunistic behavior of the opposition deputies. First, the opposition leadership did not

have full control of the rank-and-file members of their factions. Many deputies did not want to risk their positions by going through the struggle over place in the party list or a new electoral campaign in majoritarian districts. The Russian electoral law provides for a mixed electoral system: one half of the lower chamber's deputies are elected on party lists, the other half are elected in majoritarian districts. Second, there was a conflict of interests inside the opposition leadership. While the extremist leaders of the Communist parliamentary faction argued against Kirienko's confirmation, the lower chamber's communist speaker and some committee heads were in favor of confirmation, given that parliamentary dissolution would lead to the loss of their privileged positions in the parliamentary hierarchy.

The Russian constitution of 1993 also influences the structure of preferences that parliamentary deputies have with regard to cabinet dismissal. The constitution stipulates that the parliamentary decision to dismiss a cabinet gives right to the president to dissolve parliament. This provision produces additional incentives for the president to impose his ideal choice of prime minister on the assembly, since there is a low probability that prime minister will be consequently dismissed by parliament. Thus, although parliament has the power of cabinet dismissal, presidential calculations with regard to cabinet appointment are not directly affected by the provision, allowing the parliament to dismiss the cabinet. In this sense, the cabinet appointment and cabinet dismissal stages of cabinet formation can be relatively independent. Under president-parliamentary constitutional frameworks similar to one found in Russia since 1993, presidential strategies with regard to cabinet appointment are much more dependent on provisions which enable president to threaten parliamentary survival than on the parliamentary power to dismiss cabinet.

In premier-presidential regimes, where parliamentary powers with regard to cabinet dismissal are much less restricted, the presidential calculations are different since the chances of a presidential cabinet being dismissed by parliament are much higher. In the case of the premier-presidential regime in Moldova in 1997, president Lucinschi was trying to secure the appointment of Ciubuc, his ideal candidate for the post of premier, despite parliamentary opposition to this candidate. Lucinschi had “fresher” electoral legitimacy than parliament and was willing to tolerate the political costs of potential cabinet turnover. The fact that the president was just newly elected and enjoyed a high degree of popularity among the electorate made the opposition in parliament more acquiescent to presidential choices. When new parliamentary elections led to the emergence of a different coalition majority in parliament and Ciubuc’s cabinet had to resign, president Luchinschi chose to nominate Ciubuc for a new term and won parliamentary approval. The fact that Luchinschi was able to impose his preferences on the stable parliamentary majority with more recent electoral legitimacy, and in a political system which granted to president only very limited dissolution powers, can be explained by specific political circumstances of that time. The president and new parliamentary majority belonged to the same political camp, thus the difference between president’s and assembly’s ideal points was not as dramatic as when the president and parliament belong to the opposite political camps. The presidential bargaining power was also enhanced by the fact that Ciubuc was an incumbent prime minister with relatively good performance record (EECR 1998).

Presidential powers to dissolve parliament in matters not related to the process of cabinet formation. The president, to increase his leverage in the cabinet appointment

game can be tempted to use any type of dissolution powers provided for him by the constitution. The argument here is that the threat of dissolution can be transferred from one issue area to another.

Quite frequently constitutions provide presidents with the right to dissolve parliaments under circumstances other than deadlock in cabinet formation. Stalemate in the legislative process is one such circumstance. When the passing of an important piece of legislation is blocked, the constitution writers' thinking went, the threat of dissolution may help to overcome disagreements, encourage cooperation among political actors involved, and secure uninterrupted functioning of the law making process. For example, the Moldovan constitution of 1994 empowers president to dissolve parliament when the passing of a draft law has been deadlocked for three months. The Polish constitutional amendments of 1990 and the Constitutional Acts of 1992 and 1997 grant to the president the power to dissolve parliament if the latter was not able to approve the budget within three or, according to the 1997 constitution, four months of its submission.

The critics of entitling the president with the right to dissolve parliament argue that the existence of such provisions can unjustifiably empower the president at the expense of parliament. Instead of facilitating consensual law making, such a constitutional norm may lead to undemocratic pressure on parliament to pass laws and decrees privileging the president and ignoring the interests of other actors in legislative process.

President Walesa's successful attempts to bring down Pawlak's cabinet in March 1995 and secure the appointment of several presidential confidants to important ministerial position in the successor cabinet illustrates how the power of dissolution in

non-cabinet matters can be used by president to influence the outcomes of cabinet formation.¹⁵ By not signing the tax law and thus delaying the passage of new budget, Walesa blocked the legislative process and explicitly threatened to dissolve the legislature after the three months' term allowed for the budget deliberations would expire. The threat of dissolution was used by the president as a bargaining chip to demand from the left coalition majority in parliament the dismissal of Pawlak's cabinet in the hope of securing a new cabinet which would be more responsive to the needs of the president. The parliamentary majority, which was unsatisfied with Pawlak's cabinet because of its own reasons, opted to compromise with the president and passed the vote of no confidence.

The absence of dissolution powers in constitutional design and its consequences for cabinet formation process. One of the empirical regularities that helps to highlight the importance of dissolution powers in the cabinet formation process is the persistent differences in the outcomes of the appointment game in Russia and Ukraine. While the Russian and Ukrainian president-parliamentary regimes follow the same cabinet formation scheme, the Russian president is much more successful than his Ukrainian counterpart in securing the selection of a prime minister who is closer to his ideal point.

The difference in cabinet appointment outcomes stems from the fact that the Russian president, who had an opportunity to tailor the Russian constitution according to his own interests, is legally more powerful than the Ukrainian one. One of the main advantages of the Russian president lies specifically in his extensive ability to use dissolution powers. The absence of dissolution provision in the consecutive Ukrainian

¹⁵ The Polish "Small constitution" of 1992 required the prime minister to consult the president with the regard to the appointment of three cabinet ministers: internal affairs, national defense, and foreign affairs. These portfolios became known as presidential portfolios. Control over these portfolios was a major issue

constitutional arrangements is a major factor for explaining why presidential control over the cabinet in Ukraine is weaker.

Theoretically, a president-parliamentary arrangement that does not award the effective dissolution power to the president has both advantages and disadvantages over those president-parliamentary regimes that do. One of the advantages is a higher likelihood that the prime minister will be the consensual figure which reflects a true compromise between president and parliament. The prime minister is then less likely to be a presidential confidant imposed on parliament and later sabotaged by alienated parliamentary factions. The assembly's fixed term in office may also serve as an advantage. When the potential usurpation of power by the president is a major concern for the functioning of a political system, parliament, whose term in office is fixed and cannot be shortened, may represent an effective check on the executive abuse of power. This separation of the executive and legislature's origins and survival powers was Madison's solution for how to avoid tyranny on behalf of one branch of government.

The disadvantages of not having dissolution powers can be portrayed as a mirror image of the advantages. First, the process of cabinet formation can be stalemated especially when parliament is politically unstructured or extremely fragmented. Parliamentary deputies in these settings face a serious collective action problem, because they lack strong incentives, which the threat of dissolution is likely to produce, for cooperation with each other and the president. Second and more generally, when not tyranny but non-governability is perceived as a major threat to the functioning of political system, the absence of effective mechanisms to ensure cooperation inside the legislature

underlying the conflict between Walesa and Pawlak's cabinet.

and constructive relations between parliament and other political institutions can further the malfunctioning of political system.

The arguments about the drawbacks and the benefits produced by this specific constitutional provision are a part of more general discussion in the literature on political economy of transition about the consequences of having a strong executive (Haggard and Kaufman 1995). This literature stresses the importance of distinguishing among the different phases of transition. In our particular case, the fact of having a stronger president was beneficial for the pace of political and economic reforms at the initial stage of the democratic transition in Russia. The economic literature on liberalization and privatization of the Russian economy stresses the crucial role that the presidential involvement in these matters played (Shleifer and Boyko 1995). Ukraine, on the other hand, is well recognized in the same literature as a reform laggard. Strong presidency with its majoritarian tendencies is more likely to become a liability during the later phases of transition when consolidation of reforms requires broad political support and involvement.

Fragmentation in parliament and cabinet formation. The literature discussing the experiences of semipresidential regimes emphasizes the importance of party system characteristics for understanding the actual functioning of semipresidentialism (Linz 1997; Stepan and Suleiman 1992). The political party system, which is shaped by societal cleavages, electoral laws and parties' internal organization, has a major impact on the organization and functioning of the legislative body.

The theoretical proposition advanced in the first chapter's analysis of a model semipresidential setting stated that if the president faces a fragmented multipolar

parliament, he is likely to secure the appointment of prime minister closer to his ideal point compared to a president who faces a unified and opposite majority in the legislature. The argument why this would be the case was suggested by Shugart and Carey (1992) who described the causal mechanism in the following way. The fragmentation of parliament makes the aggregation of legislators' preferences over the choice of a prime minister, and arrival at the parliament's ideal choice, more problematic. Building on Arrow's argument about instability of social choice (Arrow 1951), it can be also added that a fragmented parliament's choice of prime minister can prove to be very unstable. Potential instability is due to the fact that various parliamentary factions can act strategically and build majority coalition around the different candidates for the post of prime minister. The president can exploit these uncertainties and use his power of nomination to choose a candidate that would represent a focal point around which a parliamentary majority can be constructed.

Prime ministers' political identity: empirical indicators. Two categories were used in the previous table to classify the cases of cabinet formation. Cabinets were identified as located closer to the ideal point of the president or located closer to the ideal point of the legislature. It was sufficient for the purposes of the analysis of appointment-dismissal rules to distinguish only two categories of cabinet formation outcomes.

To examine the effects of parliamentary fragmentation on cabinet identity a more elaborate classification of cabinet formation outcomes is required. The fragmentation of parliament is not expected to change the sign indicating whether the premier is closer to the president or the legislature. The fragmentation is hypothesized, however, to have an effect on how close the choice of cabinet is to the ideal point of the president or the

parliament. Both the president and the legislature may secure the selection of cabinets that would exactly reflect the ideal point of either of them rather than just being closer to one or the other's ideal point.

Following Shugart and Carey (1992) I assume that the fragmentation in parliament increases bargaining power of the president in the process of cabinet formation. I expect that when the president faces a fragmented multiparty parliament in cabinet appointment game the cabinet will be closer to the ideal point of the legislature (-) in premier-presidential regimes and will be at the ideal point of the president (++) in president-parliamentary regimes. When the president faces an opposite stable majority than the cabinet is expected to be at the ideal point of the legislature (--) under premier-presidential framework and closer to the ideal point of the president (+) under president-parliamentary frameworks.¹⁶

The cabinet is considered to be located at the president's ideal point (++) if at the moment of cabinet formation: a) the media described the then-to-be elected prime minister as an ideal choice for the president; b) the appointed prime minister was the first candidate considered by the president for the nomination; and c) the prime minister did not belong to any of the three major parties represented in parliament and opposed to the president.

The cabinet is closer to the ideal point of the president (+) - that, is not at the president's ideal location but still closer to the ideal of the president rather than the

The outcomes of cabinet appointment game will diverge from these expectations when the president is willing to tolerate high cabinet turnover or an empty post of prime minister. As it was argued above, the level of tolerance depends on timing in non-concurrent electoral cycle and on presidential ability to influence the parliament's behavior through the control of dissolution procedure.

parliament - if at the moment of the cabinet formation: a) the media described the prime minister as being closer to the president than to parliament; b) the prime minister did not belong to any of the three major parties represented in parliament and opposed to the president.

The cabinet is at the parliament's ideal point (--) if at the moment of the cabinet formation: a) the media described the then-to-be-elected prime minister as an ideal choice of the parliamentary majority; b) the prime minister belonged to the political party or coalition that secured the approval of the cabinet in the parliament;

The cabinet is considered to be located closer to the ideal point of the legislature (-) - that is, not at the parliament's ideal point, but still closer to the parliament's ideal point rather than to the president's one - if at the moment of the cabinet formation: a) the media believed this was the case; b) the prime minister, while not the first choice of the government party or coalition, was politically affiliated with that party or coalition.

Parliamentary composition. One way to classify the character of parliamentary composition can include the following categories: the president may coexist with an unstructured parliament, a structured fragmented parliament, or a parliament with a stable one party or coalition majority. The term unstructured refers mainly to the first postcommunist parliaments in countries where the political party system was an embryonic stage of development at the moment of the first free or partially free elections. Parliamentary composition is coded structured multipolar when the majority of deputies in parliament belongs to organizationally formalized and clearly delineated political party factions, neither of which controls the majority of votes itself or in stable coalition with other parties. The existence of a stable one party or coalition majority, which is usually

based on a clearly identified ideological or programmatic position, is what differentiates this type of parliamentary composition from the previous two. The legislative majority can be also constructed in unstructured and structured fragmented parliaments, yet this majority will be unstable and fragile due to the lack of cohesion and existence of multiple divisions inside and among parliamentary factions. It will be also a situational majority defined not by the overall ideological stand but by the issue-specific circumstances.

To analyze the impact of parliamentary composition on the outcome of appointment game Table 2.5 below summarizes the data on parliamentary majority and parliament's position vis-à-vis president.

Table 2.5 Parliamentary Majority and Its Relationship with President

President	Parliament	Parliamentary Composition	Relationship with President Are parliamentary majority and president of the same political orientation?	Cabinet	Cabinet's Orientation at the Moment of Selection
Russia Yeltsin 6/91-12/93* ¹⁷	5/91-9/93	unstructured	no	Gaidar 6/91-12/92 Chernomyrdin 12/92-3/98	++ (ideal choice for president) + (closer to president)
Yeltsin 12/93-	12/93-12/95	fragmented	no	Chernomyrdin	
	12/95-	fragmented	no	Kirienco 4/98-8/98 Primakov 8/98-5/99 Stepashin 5/99-8/99 Putin 8/99-	++ - (closer to parliament) ++ ++
Ukraine Kravchuk 12/91-7/94	03/90-03/94	unstructured	no	Kuchma 10/92-9/93 Zviagil'ski 9/93-6/94 (acting pm) Masol 6/94-4/95	- + -
Kuchma 8/94-5/95* Kuchma 5/95-5/96*	03/94-03/98	fragmented	No	Marchuk 6/95-5/96 Lazarenko 6/96-6/97 Pustovoitenko	++ +

¹⁷ sign * indicates not the end of the presidential term in the office but the change in country's constitution or specific constitutional arrangement regulating executive-legislative relations.

Kuchma 6/96-	03/98	Fragmented	no	7/97-	+
Moldova Snegur 12/91- 07/94* 07/94- 12/96	03/90-03/94	unstructured	no	Sangheli 6/92-12/96	+
	03/94-03/98	one party majority	No		
Lucinschi 12/96-			No	Ciubuc 1/97- 3/98	++
	03/98-	coalition majority	yes	Ciubuc 3/98-	++
Kazakhstan Nazarbaev 12/91- 01/93* Nazarbaev 12/93- 03/95* Nazarbaev 03/95-	03/90-12/93	unstructured	no	Tereshchenko 03/91-05/94	
	03/94-03/95	fragmented	No	Kazhegeldin 10/94-10/97	+
	12/95-	Fragmented	No	Balgimbaev 10/97-	++
Romania ¹⁸ Ion Iliescu 5/90-10/92	5/90-10/92	one party majority of National Salvation Front (NSF)	yes	Roman 5/90- 9/91 Stolojan 10/91-11/92	ideal for both president and parliament ideal for both president and parliament
Ion Iliescu 10/92- 11/96	10/92-11/96	fragmented	No	Vacaroiu 11/92-11/96	-
Constantin	11/96-	coalition	yes	Ciorbea	ideal for both

¹⁸ In Romania, mainly due to the concurrent electoral cycle, the parliamentary and presidential elections of 1990 and 1996 produced presidents and parliamentary majorities which belonged to the same political camp. Consequently, the difference between the presidents and parliaments' ideal points was minute, or, it can be said, that their ideal points coincide in all but Vacaroiu's case. There were media reports about president Constantinescu's uneasiness in nomination of Radu Vasile in Spring 98, yet the tensions between president and parliamentary majority had intraparty character

escu 11/96-		majority		11/96-3/98 Vasile 4/98-	president and parliament --(ideal for parliament)
Poland Walesa 12/90- 10/92* 10/92- 11/95	6/89-10/91	fragmented	no	Bielecki 12/90-12/91	++
Kwasniew ski 11/95-					
	10/91-9/93	fragmented	no	Olszewski ¹⁹ 12/91-6/92 Suchocka ²⁰ 7/92-9/93	-- --
	9/93-9/97	coalition majority	no yes	Pawlak 10/93- 3/95 Oleksy 3/95- 2/96 Cimoszewicz 2/96-9/97	-- - ideal for both president and parliament

¹⁹ After nominated by Walesa DU's leader Geremek gave up the efforts to form cabinet lacking the parliament's support.

²⁰ One month after being nominated by Walesa Polish Peasant Party's leader Pawlak resigned because of lack support in the parliament.

	9/97-	coalition majority	no	Buzek 9/97	--
Lithuania Brazauskas 02/93- 12/97	11/92-11/96	one party majority one party majority of Homeland Union (Lithuanian Conservatives) HU(LC)	yes opposite	Lubys 12/92- 03/93 Slezevicius 03/93-	ideal for both president and parliament
	11/96-	One party majority	no	Vagnorius 12/96-	--
Adamkus 1/98-			no	Vagnorius 12/96	--

Sources: Data from East European Constitutional Review (1992-99), Europa World Year Book (1990-1999); author's calculations

A summary of findings from this table is presented in Table 2.6 below. Table 2.6 groups the cases of cabinet formation according to two dimensions, parliamentary composition and cabinet location. Numbers in the cells indicate how many cabinets fall into each category. To distinguish the cabinets that were formed under premier-presidential and president-parliamentary constitutional rules the labels “premier-presidential” and “president-parliamentary” are attached to the numbers in the cells. The table includes only those cases of cabinet formation where the preferences of the president and the legislature over the choice of cabinet diverge. Unless there are explicit media accounts of conflict over the choice of cabinet, it is assumed that the preferences of the president and the parliamentary majority, which share the same party identification, do not differ.

Table 2.6 Parliamentary Composition and Cabinet Formation Outcomes: Distribution of Cases, 1991-99 (Number of Cases and Regime Type)

Parliamentary Composition	Location of Cabinet			
	+ (Closer to President)	++ (Ideal for President)	- (Closer to Parliament)	-- (Ideal for Parliament)
Bipolar	1 (premier-presidential)	2 (premier-presidential)	1 (premier-presidential)	5 (premier-presidential)
Fragmented	3 (president-parliamentary)	4 (president-parliamentary) 1 (premier-presidential)	2 (premier-presidential)	2 (premier-presidential)
Unstructured	1 (premier-presidential) 1 (president-parliamentary)	2 (president-parliamentary)	2 (president-parliamentary)	

The data provided in the table indicates that there are mixed evidences for the hypothetical relationship between parliamentary composition and cabinet appointment outcomes. Bipolar composition characterized some legislatures only in premier-presidential regimes. Nine cabinets were formed in parliaments that had bipolar composition. Five of nine cabinets were at the ideal point of parliament. This confirms the expectation that the outcomes of cabinet formation in premier-presidential regimes will reflect the ideal point of parliament whenever the president faces an opposite stable majority in bipolar parliament.

No similar pattern of cabinet location can be distinguished in fragmented parliaments. Both in president-parliamentary and premier-presidential regimes the outcomes of cabinet formation were almost equally distributed between alternative categories of cabinet location. In president-parliamentary regimes, where fragmentation was expected to help the president to secure the selection of his ideal candidates, four cabinets reflected the ideal of the president and three cabinets were only closer to the president's ideal point. In premier-presidential regimes, where fragmentation should have prevented the legislature from securing the selection of its ideal cabinet, two cabinets were closer to the parliament's ideal point and two reflected the parliament's ideal point.

The outcomes of the cabinet appointment game were even more diverse when president had to deal with unstructured legislatures. The expectations for cabinet location in unstructured parliaments were similar to the expectations for cabinet location in fragmented legislatures. Table 2.6, however, shows that the actual location of cabinets in unstructured legislatures runs contrary to the theoretical projections for both president-parliamentary and premier-presidential regimes.

Since cabinets formed in fragmented parliaments constitute the largest category in the table the effects of fragmentation deserve further consideration. The table indicates that two premier-presidential cabinets in cases where the president had to deal with fragmented legislatures turned out to be on the assembly's ideal point. This is a puzzling finding. The explanation for this finding should be sought not in the degree but in the quality of party fragmentation

Ideological versus clientelistic fragmentation in parliament. The Polish and Russian experiences under Walesa and Yeltsin's presidencies illustrate how the variation in the degree and quality of parliamentary fragmentation influences the presidential strategies in the appointment game and how it shapes the other aspects of president-parliamentary interactions.

After the 1990 presidential elections, Walesa managed to win the support of the semi-democratically elected parliament for his choice of Prime Minister. The fact that parliamentary deputies approved Jan Krzysztof Bielecki, an unknown politician and a leader of the minor Liberal-Democratic Congress, is partly explained by the tacit consent of parliament to tolerate the newly elected president's desire to have a prime minister who would be the most convenient figure for the president (Jasiewicz 1997). The conciliatory stand of parliament was due to the legislature's problematic legitimacy. Given the fact that the 1989 parliamentary elections were not entirely democratic and actually guaranteed the communists and their allies 65 percent of seats in the Sejm, the lower chamber of parliament, the parliament members opted to approve the presidential candidate.

The situation changed after the 1991 parliamentary elections. A new parliament, possessing both full democratic legitimacy and a recent electoral mandate, had no intentions to satisfy presidential ambitions and follow his preferences in forming the cabinet. Composed of more than thirty political entities with the strongest party controlling only 13.5 percent of seats, this parliament faced insurmountable difficulties in aggregating preferences and overcoming the collective action problem. The theoretical expectation for this type of environment was that the presidential nominee will become a focal point around which some parliamentary majority can be constructed. Walesa's ideal preference was to continue with Bielecki's cabinet but several parliamentary factions were uncompromisingly opposed to the incumbent cabinet. Walesa chose to nominate Bronislaw Geremek, the leader of the Democratic Union parliamentary faction, whose candidacy did not find the support in parliament either. After these repeated failures to form the new cabinet, the informal initiative in the process of cabinet nomination passed from the president to parliament. The coalition of five parties emerged which favored a minority cabinet headed by Jan Olszewski, the leader of the Center Alliance. Walesa reluctantly had to nominate Olszewski to the post of prime minister in December 1991. This round of the appointment game was thus characterized by the fact that the informal nomination initiative resided in parliament.

The story repeated itself when a new round of cabinet formation took place after Olszewski's resignation in June 1992. Unexpectedly for many observers, Walesa proposed Waldemar Pawlak, the leader of the Polish Peasant Party, as the new prime minister. Facing the lack of support for his candidate in the parliament, Walesa threatened to call for new parliamentary elections if a compromise about the formation of cabinet

was not reached. The presidential threat of dissolution did not make political factions in parliament accept the presidential candidate but, quite to the contrary, stimulated a new round of negotiation and the formation of a coalition which proposed its own candidate for the post of prime minister, Hanna Suchocka of the Democratic Union. Walesa's formal nomination of Suchocka followed the formation of Suchocka-led post-Solidarity coalition.

In both cases, the presidential nomination initiatives did not help to construct a working majority which would be supportive of the president in parliament. The initial cabinet nominations suggested by the president were not supported and the cabinets that were eventually formed acted in opposition to the president. Intense intra-executive competition followed the formation of both cabinets.

Why did the presidential choice of a prime minister become a focal point for majority construction in Russia and not in Poland? The variation in behavior that political parties exhibited during the process of cabinet is an important variable which contributed to the diverging political outcomes. Ideologically structured, although very fragmented, party factions in 1991-93 Polish parliament, which had a "fresher" electoral mandate than the president elected in December 1990, were able to produce a viable alternative to the presidential choice of prime minister. Politically and organizationally, the more amorphous parliamentary factions in the 1991-93 Russian parliament faced more acutely the problem of collective action and were more willing to accept the presidential choice of cabinet.

Greater legitimacy of parliament and the presence of ideologically oriented and organizationally disciplined factions may thus impose a check on the president's ambition

to influence the process of cabinet formation in order to have full control of the cabinet. The presidential choice of prime minister is more likely to be a focal point for constructing a parliamentary majority when the electoral legitimacy of president is of more recent origins and parliamentary organization is structured along clientelistic rather than programmatic lines.

Institutional variation and dismissal stage of cabinet formation

Discussing the logic of the appointment game at the beginning of this chapter, the argument was made that provisions regulating cabinet dismissal enter the presidential calculations at the stage of cabinet appointment. Presidents were hypothesized to be constrained in their ambitions to secure the selection of their most preferred candidates for prime minister by the fact that parliaments in all semipresidential regimes have the power to dismiss the cabinet. The empirical analysis undertaken in later sections of this chapter has shown that quite often presidents did manage to secure the appointment of prime ministers which were much closer to the presidential ideal point than the theoretical model would suggest. This evidence suggests that under specific circumstances presidents are more likely to accept the risks that loyal prime ministers will soon be dismissed by parliament and are more willing to tolerate a considerable rate of cabinet turnover. The timing of presidential and parliamentary elections, constitutional norms granting to the president the power of assembly dissolution, and the degree and type of parliamentary fragmentation were all contributing factors which explain why

some empirical outcomes of appointment game diverged from the theoretically expected outcomes.

What follows below is the analysis of how the same set of factors influences the calculations and strategies of politicians at the dismissal stage of cabinet formation. While appointing the cabinet does not require any specific justification - there is functional need in having *a cabinet* - the reasons for cabinet dismissal are always cabinet-specific. These reasons can be conceptualized as based on some external or internal shocks affecting the functioning of cabinet.. External shocks may encompass a number of exogenous factors such as intense labor protests, high rates of inflation, or waste in government spending, all of which symbolize specific policy failures (Laver and Shepsle 1996). The internal shocks are produced by the constitutional founders of cabinet, the president and parliament. The analysis of external shocks and their impact on the fate of cabinets is beyond the scope of this research. Here we focus on the variation in factors which are internal to the constitutional framework

Electoral cycle and cabinet stability. The fact that the cabinet in semipresidential regimes is constituted by the common efforts of the president and parliament has some important consequences for determining what length of office term is to be considered normal for cabinet. Does the election of a new president or parliament in countries with a nonconcurrent electoral cycle signify that old “contract” signed by two principals to produce the incumbent cabinet has expired? Does it also imply that change either in the presidential office or in the legislature should automatically lead to the resignation of cabinet?

In all premier-presidential regimes, the cabinet has to resign after a new round of parliamentary elections. Cabinet resignation is a constitutional norm common to both premier-presidential and parliamentary regimes. The issues of whether presidential elections should lead to the resignation of an incumbent cabinet turn out to be more problematic both for constitutional theory and political practice. Many premier-presidential regimes, which are characterized by a high degree of parliamentary control over the cabinet, opted not to consider the election of the president as a sufficient reason for cabinet resignation. The ambiguity in the formulation of constitutional norms regarding cabinet resignation, however, was not entirely avoided.

The issue of cabinet resignation became the source of conflict between the executive and legislation in Lithuania. The 1991 Lithuanian constitution stipulates that the cabinet has to return powers to the new president after a presidential election takes place. The norm was expected to help to avoid the conflict between the newly elected president and incumbent cabinet. Discussion about the interpretation and the exact meaning of this norm was initiated by Vagnorius' cabinet during the presidential campaign in Autumn 1997, when the prospects of a new president coming to office made the continuation of Vagnorius cabinet's stay in power problematic.

The issue was considered in the Constitutional Court which ruled that the ambiguous wording "cabinet has to return powers" does not mean that cabinet has to resign after a new president has been elected. The ruling notes that cabinet rests on the confidence of the legislature, and as long as the parliament supports the cabinet, the latter can remain in the office. "To return powers" was interpreted as merely a right for the president to check whether the cabinet still has the confidence of the parliament. Whether

this constitutional court's ruling will be a sufficient constraint on presidential ambition to control the cabinet depends on the routinization of this norm into political practice. Interestingly enough, the candidate who led in the polls in the presidential campaign of 1997 was campaigning for an increase of presidential powers over the cabinet and for the strengthening of the presidential role in legislative process. The fact that he lost less than one percent of votes to the candidate who won the election indicates that option of having a president with higher non-legislative and legislative powers is not totally discarded in the Lithuanian political discourse.

President-parliamentary constitutions in Russia, Ukraine, and Kazakhstan require the cabinet's resignation after presidential elections take place. Whether this norm encourages the coexistence of the newly elected president with parliament or, to the contrary, has a tendency to alienate the legislature and lead to conflict over cabinet formation is difficult to investigate empirically due to data limitations.

Both in Russia and Kazakhstan, where this constitutional norm has been in place since 1993, the second round of presidential elections led to the reelection of incumbent presidents that opted to reappoint the incumbent cabinets. In Ukraine, the new president took office after the 1994 presidential elections, but it did not trigger the resignation of cabinet since constitutional provisions requiring resignation were adopted only in the new constitution in June 1996.²¹

²¹ The second Ukrainian president Kuchma co-existed with the cabinet inherited from parliament's contract with the previous president for almost nine months. This coexistence did not mean, however, that the president accepted the continuing concentration of executive functions in the hands of cabinet selected without his participation. Strategies that the Ukrainian president used to acquire the control of executive in 1995-96 will be discussed in the next chapter dealing with the nature and consequences of intra-executive

Cabinet dismissal-related dissolution powers of president. Shugart and Carey's (1992) major criticism of president-parliamentary regimes is directed on the constitutional provision that allows both the president and parliament to dismiss cabinet. This so-called symmetry of dismissal powers, according to the authors, provides no incentive for negotiation and compromise for either of principals at the stage of cabinet dismissal and leads to the "confused" responsibility on the part of cabinet leader and cabinet members. Among president-parliamentary regimes discussed here, only Ukraine systematically experienced this type of problem.

Comparative analysis of the exact design of constitutional framework in Ukraine and two other president-parliamentary regimes, Russia 93- and Kazakhstan, reveals striking differences in the degree of presidential control of dissolution powers. Both the 1993 Russian and two consecutive Kazakh constitutions, which were designed almost single-handedly by the countries' presidents, give the presidents the option of dissolving parliament when the latter votes no-confidence in the cabinet. In Ukraine 1991-95, the amendments to the old Soviet constitution explicitly prohibited the president from dissolving parliament under any circumstances. The Ukrainian president Kuchma, whose bargaining power in the constitution-making process was much weaker than that of Yeltsin or Nazarbaev, was also unsuccessful in securing cabinet dismissal-related dissolution powers in the new constitution adopted in June 1996.

Although the parliamentary deputies' fear of dissolution was not the only major factor which contributed to the high cabinet stability both in Russia and Kazakhstan during the first years of transition, the presidential ability to threaten parliament's survival

conflict.

undoubtedly made cabinet dismissal much costlier for the deputies in the Russian and Kazakh legislatures than for the politicians in the Ukrainian parliament.²²

To modify parliament's behavior the threat of dissolution should be credible in two possible senses. First, a president who threatens parliament with dissolution should be likely to dissolve parliament if the latter passes a vote of no-confidence. Credibility of the threat in this sense depends on the political costs the president will have to bear if he decides to dissolve parliament. The lower these costs are, the higher the credibility of presidential threat is. Second, there should be a high probability of the diminished chances of reelection for the majority of parliament members. Especially in clientelistically-based party systems, higher uncertainty about the outcomes of the next parliamentary elections breeds parliament members' compliance with presidential preferences regarding the cabinet's stay in power.

The majority of premier-presidential constitutions do not give the president the power to dissolve parliament when the latter votes cabinet out of office. Lithuania and Poland 92-97 are the examples of premier-presidential regimes that, on the contrary, threaten the legislature's own survival when the parliament votes cabinet out of office. Their respective constitutions give to the president two options for reacting to a vote of no confidence in parliament: either to accept the resignation of cabinet and nominate a new prime minister, or to dissolve parliament. In case of the Small Constitution of 1992 in Poland, these options were available for the president only if parliament passed a non-

²² The examining of the effects of the dissolution threat on the willingness of parliament to dismiss cabinet is, however, a difficult project from the methodological point of view since the alleged outcome of dissolution threat is not some actions taken by parliament but rather inactions, namely the absence of actions directed on ousting the cabinet.

constructive vote of confidence, that is, if parliament voted the cabinet out of office without naming its successor.

By threatening the survival of the legislature in office, the president, who at the appointment stage of cabinet formation managed to secure a prime minister closer to his ideal choice, can make his cabinet choices stick when a parliamentary majority is fragmented and concerned more about its survival than about policy issues. The existence of an ideologically coherent and stable majority in parliament implies very often that the political costs of dissolution are prohibitively high for the president, thus making the presidential threats of dissolution not very credible.

Parliamentary fragmentation and cabinet stability. Politically weak cabinets are the products of parliamentary fragmentation. The fragmentation in parliament makes the support for incumbent cabinet unstable. A majority constructed at the time of cabinet selection may rapidly disintegrate when random external shocks such as specific policy failures make supporting the cabinet unattractive or politically costly for some of the political factions in parliament. Alternatively, some parliamentary faction may succeed in building a situational majority around another candidate for the post of prime minister and vote the incumbent cabinet out of office. According to both lines of reasoning, these cabinets which do not rest on a stable and disciplined majority in parliament are not as well suited as majority cabinets to withstand both external policy shocks and strategic manipulation on the part of cabinet challengers. They are also expected to stay in office for shorter periods of time.

One way to test this hypothesis is to examine how variations in parliamentary fragmentation under the same constitutional framework correlate with cabinet stability²³. As **Table 2.5** shows, the following parliaments had a disciplined one-party or coalition majority which was stable during the whole period that parliament was in office: Moldova 94-98; Romania 90-92, 96-; Poland 93-97, 97-; Lithuania 92-96, 96. All these parliaments coexisted or continue to coexist with one or, at most, two cabinets. The only exception was the 1993-97 Polish parliament where coalition majority of Democratic Left Alliance (SLD) and Polish Peasant Party (PSL), while remaining the ruling coalition during the whole office term, lived with three consecutive cabinets. The fact that the

²³ A more detailed analysis of factors influencing cabinet stability in semipresidential regimes is undertaken in chapter 3 of this research. Parliamentary fragmentation is only one the determinants of the rate of cabinet turnover.

Polish constitutional framework of 1992-97 was semipresidential provides some explanations for this cabinet instability. As Jasiewicz'(1997) excellent account of Walesa's presidency indicates, the Polish president, facing a hostile majority in the parliament, played the crucial role in organizing the chain of circumstances which made the parliamentary majority vote out of office two consecutive cabinets of the same political orientation as the ruling majority.

The importance of considering the role of president for explaining cabinet stability or instability is even more pronounced in president-parliamentary regimes. There is no correlation between fragmentation in parliament and cabinet turnover rate in Russia and Kazakhstan. As it was already discussed, the presidential ability to threaten parliament's survival if the latter votes the cabinet out of office constitutes a formidable constraint on willingness of parliament members to dismiss cabinet in semipresidential regimes of Russia 93- and Kazakhstan.

Another constitutional device used to discourage volatility in the parliamentarian support of cabinet is a norm of a constructive no-confidence vote. Several premier-presidential constitutions in the region require the parliament to name cabinet's successor in order to have vote of no-confidence successfully carried out. A constructive no-confidence vote is the only option for cabinet dismissal left for the parliamentary deputies in the 1997 Polish constitution. The 1992 small constitution allowed the parliament to dismiss the cabinet without naming its successor. For the designers of new Polish constitution, the dismissal of Suchocka's cabinet carried by a single vote in the parliament in May 1993, became an important learning experience in this respect.

The provision of a constructive no-confidence vote is also responsible for the surprising cabinet stability in the fragmented 1992-96 Romanian parliament. A minority cabinet headed by politically unaffiliated economic official Vacaroiu included the members of the presidential party Democratic National Salvation Front (DNSF) and technocrats. Nominated by president Iliescu who chose non-partisan Vacaroiu in a hope to construct a pro-presidential majority in parliament, Vacaroiu's cabinet was supported by DNSF faction and several smaller groups in parliament. When the initial support for the cabinet disintegrated, the opposition carried five motions of no-confidence, all of which were unsuccessful in constructing a majority around the alternative choice of cabinet. Vacaroiu's cabinet stayed in office till the end of parliamentary term.

Conclusion

This chapter has analyzed whether the empirical outcomes of cabinet formation fit the theoretical expectations advanced in the previous chapter. It was argued in the first chapter of this research that the cabinet location depends on the distribution of cabinet appointment-dismissal powers between the president and the legislature. The empirical analysis undertaken in this chapter has supported the basic hypothesis about how formal constitutional powers affect the outcomes of cabinet formation. In more than seventy percent of cases the empirical outcomes conformed to the theoretical expectations based on the spatial model of cabinet location. The fit between the theoretical predictions and the actual outcomes was similarly high both in cases where the premier was expected to be closer to the president's ideal point and where the model predicted the premier to be closer to parliament's ideal point.

I have argued that the effects of other institutional factors explain a divergence between theoretical expectations and actual outcomes in the remaining cases of cabinet formation. One of these factors was the effect of non-concurrent electoral cycle, which provided a “legitimacy advantage” to the most recently elected branch of government. The second was a constitutional norm specifying presidential powers to dissolve parliament when the process of cabinet formation is stalled. The third was the degree and quality of fragmentation in parliament. Parliaments that were fragmented and clientalistically structured have acquiesced more to presidential preferences over the choice of prime minister than bipolar or fragmented legislatures dominated by programmatic parties. I have also shown that the same set of institutional factors influences the calculations and strategies of politicians at the dismissal stage of cabinet formation.

Chapter III

Intraexecutive Conflict and Cabinet Stability

The research on how the different branches of government relate to each other in democratic settings highlights the importance of understanding the executive-legislative relations in both presidential and parliamentary forms of government. The scholars of semipresidentialism are also interested in understanding the dynamic of intraexecutive relations (Duverger 1980; Stepan and Suleiman 1995). Given the salience of interactions between president and prime-minister in the overall functioning of the political system, semipresidential regimes are often labeled as regimes with a dual executive. The term is somewhat misleading since there is a substantial ambiguity about whether the presidency should be regarded as a part of the executive or as an institution that stands apart from the executive branch of government. Several East European semipresidential constitutions have separate constitutional articles explicitly specifying the “unaffiliated” status of the president²⁴. However, since many powers awarded by the semipresidential constitutions to the presidents functionally belong to the domain of executive responsibilities, the usage of the term “dual executive” can be justified.

This chapter examines how the variation in presidential and parliamentary powers over the cabinet, and in the degree of parliamentary fragmentation, affects the probability of intraexecutive competition in semipresidential regimes. Intraexecutive relations deserve a special consideration because of the impact they have on two other important

²⁴ The political and legal debates regarding what branch of government the president should belong to have taken place since the beginning of 1990s. Largely due to the popular discontent with the functioning of the executive branch, incumbent presidents have developed an interest in distancing themselves from the cabinets in the eyes of electorate. This evolution has been reflected, for example, both in the 1993 Russian and 1996 Ukrainian constitutions which specify the special legal status of president who does not belong to

concerns of this research. First, conflictual intraexecutive relations are expected to have an adverse effect on cabinet stability. Whether intraexecutive competition is associated with a higher rate of cabinet turnover is examined in the second part of this chapter. Second, intraexecutive competition is expected to constitute the major obstacle for the restructuring of the central government. The effects of intraexecutive conflict on the character of central government reform in semipresidential regimes are examined in the next chapter.

Intraexecutive dynamics, in turn, are largely determined by the relationship between the president and parliament. Intraexecutive conflict is one possible manifestation of underlying executive-legislative structural divide that characterizes semipresidential regimes. Competing political legitimacies, rigid terms of office, differing electoral bases, and often opposite ideological orientations of the president and parliament are in-built characteristics of semipresidential constitutional frameworks which lay the grounds for the potential conflict between the president and parliament. Different political or ideological orientations of the president and legislature substantially increase the chances of such conflict.

Intraexecutive conflict is defined here as political competition between president and premier over the control of the executive branch of government. Parliamentary support is the foundation on which premier claims the authority to control the executive branch of government. As argued in the first chapter, given its subordinate status, the cabinet cannot act on its own, it has to seek the support of its principals. When the principals are in conflict, the cabinet has to choose between conflicting political

any of three branches of government in the respective political systems.

allegiances. Having a stable and internally coherent majority in parliament makes it more likely that the cabinet, which is partly the product of that majority's choice, will follow the preferences of the parliamentary majority. Intraexecutive conflict takes place when the president in his quest for control of the executive has to face the premier who is backed by the legislature.

Political conflict is structured along the alternative lines when political process in semipresidential regime is characterized by the recurrent alliances between president and premier vis-à-vis parliament. When the premier chooses to pursue the interests of the president rather than those of parliament, the dual executive is a "united" executive. The major line of conflict is then between the united executive and parliament. The term executive-legislative conflict is reserved here for this type of political phenomenon characterized by the salience of the executive-legislative divide and subdued nature of intraexecutive competition.

It is the argument of this chapter that in order to understand whether a particular semipresidential regime is more likely to experience the intraexecutive or the executive-legislative type of political conflict one has to examine the exact features of semipresidential constitutional design. Control of cabinet dismissal powers is a key element for understanding the likely alliances among three institutional players – president, parliament, and cabinet – under semipresidentialism. The character of parliamentary composition – degree of political fragmentation – is another important variable that mediates the effect of cabinet dismissal provisions.

Technocratic and minority cabinets: agent's incentive structure in dealing with competing principals.

When a stable and coherent majority prevails in parliament and the parliament has unilateral power to dismiss cabinet, cabinets pursue the interests of the parliamentary majority. Even if the cabinet was initially the compromise outcome of strategic interactions between the president and parliament, it is likely to drift during its tenure in office to the ideal point of parliament.

Cabinets face quite a different political environment when they lack stable majority support in parliament. Politically weak cabinets are not uncommon in postcommunist democracies. **Appendix 3.1** at the end of this chapter indicates the political status of prime minister and cabinet type for all cabinets in eight East European countries that have experimented with semipresidential constitutional design. Of 41 cabinets formed during 1990-99 period 25 cabinets did not have formal political affiliation and 4 cabinets were either single party or coalition minority governments. Cabinets whose political identity is not formally defined are often described as technocratic governments. They are usually composed of policy experts and state bureaucrats and are expected to demonstrate a higher degree of immunity from partisan political pressure²⁵. The downside of the absence of clear party affiliation is the inherent political weakness of technocratic cabinets. They have to rely on a situational majority in the legislature and what support they can count on is always conditional.

²⁵ The lack of political partisanship was perceived by some analysts as an advantage of technocratic cabinets facing the task of introducing unpopular measures. As Haggard and Kaufman (1995) argue, the same feature of technocratic cabinets turned into a major liability when the task of reform consolidation required the broad political support for governmental policies.

Technocratic cabinets are mainly the products of fragmented parliaments. When a stable one party or coalition majority exists in parliament, such majority can only rarely acquiesce to a politically unaffiliated cabinet. Control of cabinet portfolios is the goal of politicians. At the same time it is also a tool for achieving other political objectives that party may have. Only when political parties are internally and politically weak they might delegate the executive power to the technocratic government.

The conceptualization of relationships among the president, parliament and cabinet in terms of the principal-agent organizational model is beneficial primarily for the analysis of the functioning of technocratic cabinets. The model in chapter 1 highlights the potential for the alternative alliances that the cabinet can be engaged in when the president and parliament are opposed to each other. It also specifies what rules of the “contract” – semipresidential constitution – have the largest impact on the agent’s behavior.

The technocratic cabinet’s loyalty is expected to depend largely on sanctioning rules provided by the constitution. Cabinet dismissal is the most powerful sanctioning instrument against the premier. Premier-presidential constitutional regimes, which grant cabinet dismissal powers exclusively to parliament, are thus expected to have cabinets that would consistently stay loyal to parliament. An alliance between president and premier against parliament is highly unlikely. If political conflict over the control of executive takes place under premier-presidentialism, it is likely to be expressed in the form of intraexecutive competition. The president would be facing a premier who relies on the support of parliament.

It is more difficult to anticipate likely coalitions in president-parliamentary regimes. A President-parliamentary constitutional framework provides both president and parliament with the unilateral right to dismiss the cabinet. The fact that both principals can sanction the premier's behavior makes the distribution of cabinet dismissal powers a less effective predictor of both the cabinet's likely strategies and the resulting political conflict. When there are additional constitutional provisions which impose substantial constraints on the ability of either of the principals to censure the cabinet, cabinet dismissal provisions can provide some theoretical guidance. For example, because the 1993 Russian constitution severely limits parliamentary discretion over cabinet dismissal, we would expect Russian political practice to be characterized by the united stand of president and premier against the legislature. Executive-legislative, rather than intraexecutive competition, should shape the Russian politics.

The analysis of constitutional provisions, on the other hand, cannot tell us much about the likely patterns of conflict in president-parliamentary regime of Ukraine where the presidential and parliamentary powers of cabinet dismissal are symmetrical and unconstrained. For guidance here, we need to examine what other political factors influence the premier's strategies in dealing with the principals who have symmetrical powers of cabinet dismissal.

Instances of high level of intraexecutive conflict in semipresidential regimes of Eastern Europe.

Intraexecutive conflict was previously described as political competition between the president and prime-minister over the political use of resources available to the

executive branch of government in general and over control of cabinet appointment policies in particular. There are several methodological issues related to the measurement of intraexecutive conflict. First, what should be considered an instance of intraexecutive conflict? A narrow definition of intraexecutive conflict is adopted here. A high level of intraexecutive conflict defines the co-existence of the president and the cabinet when there is an open and recurrent contestation either by the president or premier over cabinet appointments, and/or policies adopted by the executive government.

The potential for controversy between the president and prime-minister over individual cabinet appointments is especially large in president-parliamentary systems where the “technocratic” and not the party representation principle predominates in the formation of cabinets. The technocratic principle is formally based on the selection of cabinet candidates according to their individual qualifications for specific governmental positions. Other things being equal, this principle offers more opportunities for presidential discretion in cabinet nominations than the cabinet formation process which gives the parties with the largest number of seats in the parliament the right to form one party or coalitional cabinet. As discussed in the previous chapter, whether the technocratic or the party representation principle is used for the formation of the cabinet depends on the character of the party system.

Media and scholarly accounts of intraexecutive relations were used to identify the cases where the high level of political contestation characterized the co-existence of the president and the cabinet. For president-parliamentary regimes, public statements by presidents that explain the presidential official rationale for initiating cabinet dismissals were also examined. The type of conflict we are interested in capturing, however, was not

the only cause of cabinet dismissal initiated by the president. Cabinet dismissals caused by policy failures, cabinet internal disagreements, etc. were not counted as dismissals triggered by the intraexecutive political competition²⁶.

Comparative cross-country analysis of intraexecutive relations was facilitated by the fact that East European Constitutional Review publishes quarterly country reports that include the detailed accounts of executive-legislative relations in postcommunist region. **Appendix 3.2** lists all semipresidential cabinets in eight Eastern European countries and indicates the level of intraexecutive conflict during the incumbency of each cabinet. When no major disagreements between the president and parliament with regard to appointment and policy issues were reported the intraexecutive relationship was considered to be harmonious. Episodic conflicts which arose from specific issues were qualified as indicating the low level of conflict. When tensions between president and premier were persistent and evolved not around one or few specific issues but around the general principles of subordination and accountability in the executive, the level of conflict was considered to be high.

Another measurement problem arises when one considers the possibility of latent and covert intraexecutive contestation. Hidden conflicts cannot be captured with such indicators as media accounts or politicians' public statements. Hidden conflicts, however, signify that intraexecutive competition is subdued. As such, it will have a lesser effect on the functioning of the political system. Hidden conflicts denote the potential or structural

²⁶ The reasons for policy failures may vary greatly making it difficult to make any reasonable judgements about the likely length of office term for any particular cabinet. Factors such as flawed policy designs, implementation obstacles, or unexpected exogenous shocks can all contribute to the cabinet's policy failures and ultimate survival in the office.

predisposition of the semipresidential regime toward political conflict based on intraexecutive competition

Table 3.1 below summarizes the empirical data on the instances of pronounced intraexecutive conflict in the East European semipresidential regimes. The cases are denoted by the name of the premier during the tenure of which the intraexecutive competition took place.

Table 3.1 Cases of High Level of Intraexecutive Conflict in East European Semipresidential Regimes, 1991-99²⁷

		Parliamentary Composition	
		Stable Majority	Fragmented
Type of semipresidential regime	President-Parliamentary		Russia 95 (Primakov cabinet) Ukraine 93 (Kuchma cabinet) Ukraine 96 (Marchuk cabinet) Ukraine 97 (Lazarenko cabinet) Kazakhstan 97 (Kazhegeldin cabinet)
	Premier-Presidential	Poland 94 (Pawlak cabinet) Poland 95 (Oleksy cabinet)	Poland 92 (Olszewski cabinet)

²⁷ The purpose of this table is to list all cases of intense intraexecutive competition found in my sample of semipresidential regimes. Two dimensions, regime type and parliamentary composition, are provided only to illustrate how the cases are distributed along two principal dimensions. There is no claim made that a certain combination of regime type and parliamentary composition causes intraexecutive competition. Since regime type and parliamentary composition are not the independent variables, this table is not an example of selecting on the dependent variable. Including both the cases of high and low levels of conflict in Table 3.1 would make the presentation difficult given that there are more than thirty cases of low level of intraexecutive conflict that would need to be included in the table.

The table shows that two political regimes were especially prone to the intraexecutive competition: the premier-presidential regime in Poland and the president-parliamentary regime in Ukraine. In Poland, the high level of intraexecutive conflict characterized most of Walesa's incumbency as president. The persistence of intraexecutive competition in Poland is attributed by analysts to the unwillingness of president Walesa to accept premier's leadership in executive matters (Taras 1997). From the perspective of this research, it is interesting to note that in the quest for the control of executive, the Polish president had challenged not only the relatively weak minority coalition government led by premier Olszewski but also Pawlak and Oleksy's cabinets which relied on the support of a stable coalition majority in parliament. The implications of the Polish case for the arguments advocating a premier-presidential constitutional solution as a remedy against the executive-legislative deadlock are discussed later in the chapter.

The table also indicates that president-parliamentary regimes have experienced several instances of intense intraexecutive competition as well. Given that party systems in president-parliamentary regimes were not able to produce stable parliamentary majorities, all president-parliamentary cabinets in the table fall into the category of governments which were formed by fragmented parliaments. Instances of intraexecutive competition in Ukraine constitute the majority of cases in the upper right corner of the table. The President-parliamentary regimes of Russia and Kazakhstan have experienced the open confrontation between president and premier during the tenure of only one cabinet in each country. The finding that intraexecutive competition was rare in case of

Russia and Kazakhstan supports the hypothesis that intraexecutive competition in certain types of president-parliamentary regimes will be highly unlikely. What has to be explained is the dramatic difference in the number of intraexecutive conflicts in Ukraine in comparison to Russia and Kazakhstan.

Intraexecutive competition in president-parliamentary regimes.

Two broad sets of arguments will be advanced here to explain the difference in the extent of intraexecutive competition in Ukraine and Russia. The first one examines the differences in the constitutional design of president-parliamentary regimes focusing on the exact specification of presidential powers over the cabinet and parliament. The second analyses the structure of incentives that the premier in a technocratic cabinet has in a president-parliamentary system.

Presidential powers over cabinet in semipresidential regimes. As it was previously stated, president-parliamentary regimes with higher degrees of presidential control over the cabinet are expected to be less prone to intraexecutive competition. Presidential control over cabinet is understood broadly here to include both the presidential powers with regard to cabinet appointment/ dismissal and the presidential right, if the constitution grants it, to dissolve parliament in cabinet related matters.

The more the president is in control of cabinet formation the less likely is intra-executive conflict. The logic behind this argument is that the president with a higher level of control over cabinet selection is able, first, to secure the selection of a prime-minister who is close to his ideal point, thus minimizing the extent of potential differences between them and, keeping the premier from the defecting during cabinet tenure by

threatening the premier's survival in office and making parliamentary threats to the premier's survival less credible.

By the degree of the presidential control over cabinet, all semipresidential regimes discussed in this research can be grouped into three major categories. The first one includes president-parliamentary regimes which grant dissolution powers to the president in cabinet-related matters; the second category consists of president-parliamentary regimes which do not grant dissolution powers to the president; and third encompasses all premier-presidential regimes which, by definition, deny the president the right to dismiss cabinet and, as a rule, provide him with only very limited power to dissolve parliament²⁸.

Table 3.2 shows how the semipresidential regimes discussed in this research differ in terms of the president's ability to dissolve the legislature when the latter decides to vote no-confidence in cabinet:

²⁸ Under the premier-presidential constitutional framework, the presidential powers to dissolve parliament can be applied primarily at the stage of cabinet appointment. Constitutional specification of exact circumstances and detailed procedures for using these powers further limit room for presidential discretion. For example, the Lituanian constitution specifies that the president may dissolve the parliament on his own only when the latter fails to adopt a decision on the new program of the cabinet within 30 days of its presentation, or if the parliament twice in succession disapproves of the Government program within 60 days of its initial presentation (Art.58).

The variation in cabinet appointment-related dissolution powers of the president, can be very substantial among premier-presidential regimes. The changes in the Polish constitutional norms in 1990, 1992 and 1997 illustrate this point. The constitutional amendments of 1990 allowed the president to dissolve the parliament if the latter failed to confirm the cabinet in three months. Interim or "small" constitution of 1992 required already several rounds of vote on cabinet formation, alternating the right to nominate prime-minister between president and parliament, and only after those alternative rounds failed to produce the cabinet the president could dissolve the parliament. The constitution of 1997 preserved the previous procedure of cabinet formation but decreased the number of rounds or turns, during which the right of nomination was alternated between the president and parliament, from five to three. The parliament's failure to approve cabinet during those rounds leads to the dissolution of parliament by the president.

Table 3.2 Presidential Control over Cabinet in the East European Semipresidential Regimes, 1991-99

		Is There Constitutional Provision Enabling President to Dissolve Parliament in Case of No-Confidence Vote?	
		YES	NO
Type of semipresidential regime	President-Parliamentary	Russia 93- Kazakhstan 93-	Ukraine 91-94 Ukraine 96-
	Premier-Presidential		Moldova 94- Romania Lithuania Poland 90-92 Poland 92-97 Poland 97- Russia 91-93

Both Russia 1993- and Kazakhstan 93- fall into the category of semipresidential regimes with strong presidential control over cabinet. The image of relatively peaceful intraexecutive coexistence can be formed if one examines the empirical account of president-premier relations in these two countries. The intraexecutive politics have been persistently dominated by the presidents who have had final say in major appointment and policy decisions²⁹. Disagreements between the president and prime-minister were not salient issues in press coverage of the executive branch of government and were not perceived by political analysts as consequential for the functioning of the executive. When the dismissal of the cabinet was initiated by the president, the reasons cited as grounds for the presidential decision included performance failures and policy mistakes but not the allegations of political disloyalty of the prime minister and his cabinet. Overall, the level of intraexecutive conflict was low.

Both the amendments to the Soviet-era constitution of Ukraine, which provided the legal basis for the functioning of the executive during 1991-95 period, and the new constitution of June 1996, provide the president with rather limited presidential powers over the cabinet. Unlike the 1993 Russian or 1993 and 1995 Kazakh constitutions, Ukrainian constitutional arrangements did not supplement the formal symmetry of the president and parliament's powers over cabinet appointment and dismissal with a constitutional clause which grants the president the effective right of dissolution. When

²⁹ The Russian president's actual control of the executive after his reelection in 1996 can be legitimately questioned. On several occasions, especially in 1998 and 1999, Yeltsin's inability to guide the cabinet was a recurrent topical issue in the Russian politics. The lack of leadership on the part of president in those instances, however, does not have any institutional causes, it can be solely attributed to the poor health

the president cannot threaten parliament's survival, the cabinet truly faces the problem of confused or dual loyalty. In president-parliamentarian constitutions (such as the Ukrainian one) which do not provide the president the right to dissolve parliament in cabinet-related matters, we expect the higher level of conflict between president and prime-minister, and consequently some cabinet dismissals to be initiated by the president.

Table 3.3 below summarizes findings about the reasons for cabinet dismissals in Russia and Ukraine.

conditions of the president.

Table 3.3 Cabinet Dismissals in Russia and Ukraine, 1991-99

Cabinet	Cabinet Dismissal initiated by		Reasons for Dismissal
	President	Parliament	
Russia			
Guider, Yegor	yes	No	policy failures
Chernomyrdin, Viktor	no	yes	policy disagreements
Kirienko, Sergei ³⁰	yes	yes	policy failures
Primakov, Yevgeni	yes	No	intraexecutive political competition
Stepashin, Sergei	Yes	No	Policy failures
Ukraine			
Fokin, Vitold	no	yes	policy failures
Kuchma, Leonid	yes	No	intraexecutive political competition
Zviagil'ski, Yuhym	yes	No	policy failures
Masol, Vitali	yes	No	Policy failures
Marchuk, Yevhen	yes	No	intraexecutive political competition
Lazarenko, Pavlo	no	No	adoption of new constitution
Lazarenko, Pavlo	yes	No	Intraexecutive political competition

³⁰ In case of Kirienko cabinet's resignation, both principals of cabinet - president and parliament - are cited as initiators of cabinet dismissal because the magnitude of August 1998 financial crisis exacerbated by the cabinet policy failures deprived Kirienko cabinet of any political support. President Yeltsin who strongly supported Kirienko's candidacy just a few months ago could no longer back Kirienko cabinet since the

Three of seven cabinets in Ukraine were dismissed by the president because of the intense political competition between the president and the premier. The Premiers' attacks on presidential control of the executive were officially cited among the presidential reasons for cabinet dismissal in all three cases. The dismissal of only one cabinet by the Russian president can be qualified as an outcome of intraexecutive political competition during the same period of time in Russia. The Russian president, whose extraordinary powers are derived from the constitution he designed for himself, has been consistently able to avoid intraexecutive conflict that characterized the functioning of semipresidentialism in Ukraine during most of the 1990s. Given that the other two cabinets dismissed in Ukraine were interim or acting cabinets, the intraexecutive competition constitutes the primary reason for the cabinet dismissal and the resulting government instability in Ukraine.

Why do prime ministers defect?

Intraexecutive political competition in president-parliamentary regimes leads, as a rule, to the dismissal of the premier by the president. Assuming that staying in office is the first-order preference for the prime minister, it is irrational for the latter to contest openly the president's leadership of the cabinet. It is certainly political suicide for the premier in the president-parliamentary regimes with strong presidential control over cabinet, as Russia and Kazakhstan. It is also true in Ukraine where the actual symmetry of the presidential and parliamentary power over cabinet dismissal would suggest that the

crisis raised the president's political costs of supporting the cabinet to the prohibitively high levels.

premier's dominant strategy should be to "balance" the preferences of president and parliament and to avoid contesting presidential control over the executive branch of government.

Yet in both types of regimes, though at different rates, premiers defect. What follows is an empirical investigation of why it happens. Table 3.3 indicates that the political conflict with the president was cited as a reason for the dismissal of the following five cabinets: Kuchma, Marchuk, and Lazarenko's cabinets in Ukraine, Kazhegeldin in Kazakhstan, and Primakov in Russia. Marchuk, Lazarenko and Kazhegeldin cabinets at the time of their appointment were considered to be very close to the president, which makes the fact of their subsequent conflict with president especially puzzling.

The explanation for the premiers' "defection" should be sought in the specific structure of the incentives that the president-parliamentary framework produces for prime-ministers, and in the premiers' subjective calculations of the political strength of the presidents they dare to challenge.

One issue that immediately emerges from examining the details of intraexecutive competition in all cases considered here is the presidential ambition of the premier. Under president-parliamentary arrangements adopted in Russia, Kazakhstan and Ukraine, the presidency is the office that is vested with the highest degree of power and prestige. While in premier-presidential regimes the larger share of executive powers is awarded by the constitution to the prime-minister and political practice drifts toward a higher degree of prime-ministerial control over the executive branch, president-parliamentary regimes

experience both formal and informal consolidation of executive power in the hands of president³¹. The post of president thus is the most desired one for ambitious politicians.

The office of prime minister, on the other hand, does not have a similar promise of prestige and power for the office-seekers. What it does, however, is it immediately promotes its holders to the position of national recognition and wields in their hands some substantial powers over the state apparatus. Those are very important assets especially for political systems which are dominated by personalistic political networks and where both national and local politics are organized around clientalistic rather than ideological appeals. Prime ministers, because of their control of government resources and name recognition on the national level, have the ability to organize electoral coalitions and party machines for seeking the highest office. In other words, serving as a prime minister has a potential to put the politician in the race for presidency.

An ambitious premier's incentives to comply with the president can be further limited by a host of institutional and contextual factors. A President serving only the first term and hoping to be re-elected for the second is likely to use the prime-minister as a shield to defend himself from the different sort of political contingencies and crises and not as a likely successor whose political standing should be defended and promoted. The political popularity of the president is one of the contextual variables affecting the premier's behaviour. The weaker the president is politically the higher are the premier's incentives to contest the presidential leadership of the executive. Conflict with the

³¹ While in the cases of Russia and Kazakhstan the overwhelming leadership of the president over the cabinet does not leave room for doubt about the direction in which the respective regimes have evolved during the last five or six years, the experiments with semipresidentialism in Ukraine produce a more mixed record with rather limited formal and informal advantages acquired by the president vis-a-vis the premier.

president, under above-mentioned circumstances, is in the interests of prime minister who has already exploited the advantages of being in office to promote his political standing. What kind of evidence can be summoned to support this line of reasoning?

It is difficult to determine empirically the primary motivations of prime ministers which led them to the political confrontation with the president. The political behaviour of premiers after their cabinets' resignation, however, can be to some extent indicative of their motivations while in office. Two types of evidence can be considered as providing some support for the arguments offered above: former premiers' participation in presidential races and their efforts to build political party machines both to support their presidential bids and, more generally, to serve for preference aggregation and representation of various interests.

Four of five former premiers whose dismissal from office was classified above as an outcome of intraexecutive competition in president-parliamentary regimes had entered the presidential race challenging the incumbent presidents' determination to renew their electoral mandate. Appendix 3.2 contains the candidates' list for the presidential elections in Russia in 1996, in Kazakhstan in 1999, and in Ukraine in both 1994 and 1999. The Ukrainian record is the most telling. In the 1994 Ukrainian presidential elections the former Prime Minister Kuchma, who during his time in office in 1992-93 repeatedly contested the presidential leadership of cabinet, faced the incumbent president Kravchuk in the run-off and won with the comfortable margin (Kuzio and Wilson 1997). Marchuk and Lazarenko, rebellious premiers during president Kuchma's term in office, were seen as major contenders of the incumbent president Kuchma during the 1999 presidential

elections³². In case of the 1999 Kazakh presidential elections, the former premier Kazhegeldin perceived by democratic media as the only real challenger to president Nazarbaev's control of presidency was excluded from the race on dubious legal grounds. The procedural issues of Kazhegeldin's registration for the presidential race were brought up, according to many analysts, with the sole purpose to exclude Kazhegeldin from the race (EECR 1999).

It was argued here that prime-ministers may opt for open political confrontation with the president when intraexecutive conflict and the premier's dismissal which follows increase the premier's chances to win the office of president in the next presidential elections. Additional motivation for the confrontational stand vis-à-vis the president is the backing of an already existing political force opposed to the president. Primakov's cabinet in Russia had support from the communist party. Primakov's cabinet was a compromise struck between president Yeltsin, whose bargaining power during the cabinet formation process was severely damaged by the August 1999 crisis, and parliament opposed to him; but the political strength of the cabinet stemmed from the organized support of the Communist faction in parliament (EECR 1999).

The data on party affiliation of presidents and prime ministers in president-parliamentary regimes is offered in Appendix 3.1. Although the state apparatus and not party politics has generated thus far the main presidential contenders in the regimes under consideration, the growing maturity of political parties and their increasing ability to

³² Marchuk became an independent political figure engaged in rivalry with the president during the term of "constitutional agreement" which granted the president the unilateral and exclusive right to appoint and dismiss cabinets. Understanding that the president has no constraints on his ability to sanction the cabinet was a common knowledge which, however, did not deter premier Marchuk from acting against the president's interests. After his resignation from the post of prime-minister Lazarenko was also described in

produce political (and not technocratic candidates) for the premiership may change the dynamics of intraexecutive relations in president-parliamentary regimes.

Intraexecutive conflict in premier-presidential regimes

While in president-parliamentary regimes it is premiers who challenge the presidential leadership over the executive branch of government, the principal executive powers in premier-presidential regimes lie in the hands of cabinets and it is presidents who challenge premiers' authority over the executive. Although cabinet appointment under premier-presidentialism requires presidential participation, cabinet survival depends solely on the legislature. In view of some authors this constitutional arrangement should be conducive to the non-conflictual functioning of the political regime's executive and legislative institutions (Shugart and Carey 1992). Unlike president-parliamentary regimes, they argue, premier-presidential regimes should avoid the problem of confused loyalty by clearly making cabinet survival dependent exclusively on the legislature.

The empirical record of premier-presidential regimes discussed below, however, shows that the premier-presidential constitutional framework does not safeguard against the political conflict between the president and the cabinet when they belong to the different political camps. As with president-parliamentarism, the reasons for conflict are structurally determined. They stem from the institutional design which provides for the dual character of the executive. On the one hand, providing for the presidential participation in the appointment of cabinet constitution makes the popularly elected president a principal of the cabinet. On the other, it expects him to abstain from trying to

media as a potential presidential candidate. His name does not appear on the list of presidential candidates

influence the premier's behaviour when the latter is in office. Polish president Walesa's confrontation with the premiers is one of the most illustrative examples of the presidential defiance in Eastern Europe. Walesa had challenged his prime ministers' leadership during the office term of both fragmented 1991-93 and left-dominated 1993-97 parliaments. The expectation that the president will routinely comply with the terms of the semipresidential contract and abstain from attempts to renegotiate that contract³³, or rely on informal influence.

The political structure of parliament, one of the key variables discussed in the first chapter, has been the major factor influencing the dynamics of intraexecutive relations in premier-presidential regimes (Skach 1999). The political party system has been more advanced in premier-presidential than in president-parliamentary regimes and, as such, has had a larger effect on the functioning of the executive. **Appendix 3.2** classifies legislatures according to the composition of the parliamentary majority, differentiating among unstructured, fragmented, and bipolar assemblies.

The low level of intraexecutive conflict was expected to characterize the functioning of premier-presidential regimes where a stable one-party or coalition majority in parliament had the same political orientation as the president. Shared political orientation is operationalized in this case as affiliation with the same political party or coalition. The same political orientation diminishes the room for potential conflict by reducing the differences in opinions about cabinet policies and appropriate people to

primarily because of the damage that allegations of corruption and nepotism did to his reputation.

³³ The contract - constitution - was a product of complex negotiations among the different forces occupying the political scene at the moment when the constitutional draft was proposed, bargained over, modified, and finally accepted. The ability of the president to negotiate the exact terms of the contract varied and depended most immediately on the strength of political support the incumbent president or the most likely

conduct those policies. The experience of the French Fifth Republic is regularly cited in this respect due to the fact that the functioning of dual executive in that premier-presidential system was non-conflictual whenever the president and premier belonged to the same political coalition (Linz 1994, Stepan and Suleiman 1995). At the same time, the fact of belonging to the same political camp does not necessarily imply that intraexecutive conflict will be entirely absent. The competition over the exact distribution of powers between the president and prime-minister still remains possible especially if the political coalition or party they come from is unstable or lines of intraparty authority are unclear.

In the East European cases, belonging to the same stable, majority party was conducive to intraexecutive peace. That was the case in Lithuania where president Brazauskas had a harmonious relationship with both the Lubys and the Slezevicius' cabinets. Both premiers and the president belonged to the postcommunist Lithuanian Democratic Labor Party (LDLP) that held the majority of seats in the 1992-96 Lithuanian parliament. LDLP was stable and disciplined party with strong disincentives for leading party members to defect from its ranks. President Brazauskas was an undisputed leader of LDLP. These are the factors that are also important for understanding intraexecutive relationships in Lithuania during that period.

A similarly high level of intraexecutive cooperation characterized the initial period of the Romanian transition from Chausescu's socialism. Both president Ilescu and premiers Roman and Stolojan were members of National Salvation Front (NSF) which controlled a majority of seats in the 1990-92 parliament. However, one of the important

candidate for the presidency had in the assembly adopting the constitution.

differences in the dynamics of party support for the executive in Lithuania and Romania was the fact that the unity of NSF, which included ideologically diverse and undisciplined factions, rapidly disintegrated. The incentives for president and premier to cooperate are much less compelling when they are members of different parties which formed a coalition than when they belong to the same political party. President Constantinescu's strong preference to continue to work with Ciorbea's cabinet rather than to accept a new cabinet formed by Vasile and supported by a majority of coalition members illustrates the point for the case of Romania (EECR 1999). Similar tensions inside the ruling coalition took place in Moldova when after Alliance for Democracy and Reform 's (ADR) victory in the 1998 parliamentary elections, president Lucinschi, the coalition leader, refused to nominate a prime-minister candidate which coalition members previously agreed upon (EECR 1999).

In cases where the president and prime minister did not belong to the same political camp, the record on the instances of intraexecutive conflict was mixed. As it was already discussed in chapters 1 and 2, presidents facing fragmented and a politically poorly structured legislature can exploit the lack of coordination in the legislature and secure the appointment of a prime minister that is closer to their liking than to the parliament's ideal point. At the moment of cabinet selection, premiers in those cases were perceived as presidents' confidants. While in office they continued to cooperate more with the president than with parliament although only the latter formally controlled the ultimate sanction which could have been imposed on premiers, the power to dismiss cabinet. Part of the explanation for premiers' behaviour under these circumstances lies in the inability of assemblies to sustain parliamentary coalitions and impose non-compliance

costs on cabinets. Premiers lacked strong and consistent political backing in the parliament and thus were more vulnerable to presidential efforts to increase influence over the executive. President Iliescu's cooperation with premier Vacaroiu vis-à-vis the 1992-96 fragmented Romanian parliament and the Moldavian president Snegur's more or less systematic collaboration with Sangheli's cabinet during the 1990-94 unstructured parliament's term in office illustrate this type of intraexecutive coexistence. In general, the political practice of these premier-presidential regimes has been ambivalent with regard to answering the question of where the ultimate executive authority resides.

Different dynamics characterized intraexecutive relations in political systems where presidents faced fragmented but mature and ideological political parties. One indicator of the maturity of a party system is its ability to propose and secure the appointment of party-affiliated candidates for the post of prime minister. Unlike the above-mentioned Romanian and Moldavian technocratic premiers who came from the governmental administrative offices, the Polish party system was capable of supporting party politicians as cabinet leaders. All Polish premiers after 1989 had strong party affiliations. Having structured political support in the legislature changes the motivations of premiers and makes them more assertive in assuming control over the executive branch. Whether political conflict between premier and president will be intense in such a situation depends on the position taken by the president. The latter can either acquiesce or try to contest the premier's cabinet leadership. President Walesa, with regard to both Olszewski and Suchocka's cabinets during the 1991-93 extremely fragmented parliament's term in office, pursued the latter type of strategy. The intraexecutive competition which intensified after the 1993 parliamentary election produced the left

coalitional majority in parliament that, in turn, put postcommunist Pawlak's cabinet in charge of the executive. President Walesa's political strategies ultimately contributed to the fall of the two left cabinets led by Pawlak and Oleksy.

Having the cabinet supported by the parliamentary majority opposed to president did not turn out, however, to be a sufficient condition for the high level of intraexecutive conflict even in Poland. President Kwasniewski's rather peaceful coexistence with Buzek's cabinet supported by the opposite coalitional majority of center-right parties illustrates the latter point. The understanding of presidential motivations and likely behaviour under these circumstances is thus a key for our ability to anticipate the extent of intraexecutive conflict between the president on the one hand and the premier, who is supported by parliament which is antagonistic to the president, on the other.

Peaceful cohabitation of the president and premier who belong to the opposite political camps characterized the functioning of the semipresidential regime in the French Fifth Republic on several occasions. However, there were only a few instances of cohabitation in France. This limits the possibility for any generalization about regularities in intraexecutive relations under cohabitation. The absence of explicit intraexecutive conflict in the French cases can be partly explained by specific contextual factors, which encouraged the president to accept the premier's leadership of the executive. As Shugart and Carey (1992) summarize Pierce's (1990) argument, the peaceful cohabitation during 1986-88 in France was facilitated by the following specific factors: policy consensus on major issues between President Mitterrand and Prime Minister Chirac, the short prospective time horizon for cohabitation and the electoral incentives of both sides.

Pierce's (1990) analysis serves as a reminder that any theoretically-based arguments about the likely behaviour of presidents and premiers during cohabitation are of limited value whenever these arguments do not take into account the political context. At the same time, it should not be discarded that institutional variables based on party system characteristics³⁴, time in the electoral cycle's period and the freshness of the electoral mandate have systematic effect on the calculations of the president and other political actors in semipresidential systems.

In conclusion, it is important to note that the evolution in patterns of intraexecutive and executive-legislative relations tends to proceed along the alternative routes in different East-European premier-presidential regimes. Some regimes routinize the political practice of the premier's dominance over the cabinet, while others keep open to the question of whether the president or premier ultimately controls the cabinet. Routinization of premier-presidentialism in line with the political practice of the French Fifth Republic seems to be further under way in Poland and Lithuania than in Romania and Moldova. In any of these cases it is difficult to talk about the established political practice since the incumbent presidents in all these countries are only the second presidents to serve under the premier-presidential constitutional framework.

Given the frequent claims from the different sides of the political spectrum in premier-presidential regimes to change the constitution, the constitutional framework itself does not seem to be conducive to arrival at an equilibrium point, which would

³⁴The exact configuration of party system is influenced by the number of factors including the underlying societal cleavages, historical legacy of party development, and contemporary set of rules and norms which regulate party behavior. Namely rules and norms are properties of institutional framework which conditions the ways how parties are internally organized, how they compete with each other, and how they get elected (electoral laws).

satisfy the majority of political players. The fierce debates during the 1997 Lithuanian presidential campaign about the proper scope of presidential power are one of the recent manifestations of the fact that the existing rules of the game are still contested. The debates in Lithuania were initiated by one of the most likely candidates to win the presidential elections. Arturas Paulauskas, the presidential candidate who in the course of his campaign argued for broader powers to be awarded to president, lost his presidential bid in the second round of elections by less than one percent of votes (EECR 1998). The 1999 referendum on strengthening presidential control over the executive in Moldova, which was initiated by president Lucinschi, is another example of challenging the constitutional status quo (1999 EECR).

The growing variation in the trajectories of regime development is, in its turn, partly conditioned by the nature of party politics. In countries where disciplined and ideologically based parties structure political party system, cabinets formed by these parties assume full leadership over the executive. In countries where an unstable and unstructured political party system has large problems in producing strong party-based cabinets, presidents have the opportunity to exploit the lack of coordination in parliament and claim leadership over the executive. These claims of the president, however, are not met in parliament with the willingness to delegate or transfer the additional executive powers to the president, as Shugart (1997) seems to argue. The parliamentary members are rather more willing to transfer some powers to the premier whom they can ultimately hold accountable. Other things being equal, the intraexecutive conflicts are more likely in semipresidential regimes which produce fragmented legislatures because fighting an

organized parliamentary majority is politically more costly for the president than trying to impose his preferences on a fragmented and clientelistically structured parliament.

Intraexecutive conflict and cabinet stability

As the previous analysis has shown, the low level of intraexecutive competition has characterized the functioning of two distinct types of semipresidential regimes found in the postcommunist region: president-parliamentary regimes with the strong presidential control over cabinet and premier-presidential regimes which were able to produce a parliamentary majority and a president of the same political orientation. The low level of intraexecutive conflict was initially expected to be highly correlated with cabinet stability because the factors, which are important in constraining intraexecutive competition, also affect cabinet turnover.

In president-parliamentary regimes with strong presidential control over the cabinet, presidents who are constitutionally empowered to secure the loyalty of the prime-minister and his cabinet lack incentives to initiate the procedure of cabinet resignation. They also have powerful means - dissolution powers - to restrain the incentives of parliament to dismiss the cabinet. The bias toward cabinet stability was thus expected to be built into the design of this type of president-parliamentary system. The principal reasons for cabinet dismissals under this institutional framework are major policy failures, which raise the political costs of supporting the incumbent cabinet both for the president and parliament to prohibitively high levels³⁵. Only when political costs

³⁵ One way to understand how the cabinet dismissal game is played between the president and parliament under these circumstances is to examine how political crises caused by policy failures changes the preferences and incentives of the players. First, we can assume that a crisis changed the preference order only for the parliament. The president prefers to keep the incumbent cabinet in office and the political costs of parliament dissolution are lower for him than the costs of having his cabinet dismissed. For the

associated with policy failures rise substantially will the president be willing to dismiss the cabinet on his own or to accept the parliamentary initiative on cabinet dismissal.

In premier-presidential regimes where the president and parliamentary majority belong to the same political camp, the potential for structurally induced intraexecutive political competition that can lead to cabinet instability is mitigated by the shared political program and party discipline. Majority status that a party or coalition enjoys in the legislature also serves as a major source of political support for the cabinet and ensures the latter's ability to withstand exogenous policy shocks which could lead to the resignation of the cabinet.

Table 3.4 below summarizes the information on the rate of cabinet turnover in both semipresidential and parliamentary regimes in Eastern Europe during 1991-99 period. For the purpose of presentation, the data is organized on country- rather than regime type- basis. Although several countries in the sample have lived through the regime change, required data adjustments are minor and, when implemented as described later in the text, do not alter in any meaningful way findings on the length of cabinet tenure presented in the table.

parliamentary majority, a vote of no confidence in the cabinet, and not the parliament's survival in office, is now the priority (due to the fact, for example, that not reacting to cabinet policy failures triggers the withdrawal of support from their constituencies). The game is then played in the following way: parliament votes no confidence, the president dissolves parliament and new legislative and cabinet elections follow. Another scenario may have the presidential preferences changed: the president still prefers to keep the cabinet in office but the costs of parliament's dissolution are higher than the costs of not reacting to parliament's move to dismiss the cabinet. It follows: parliament votes no confidence; president nominates a new cabinet and abstains from the dissolution of parliament. The change in either player's preferences thus leads to a change in the status quo. A politically opportunistic parliament, which is interested most of all in its own survival, may exploit the presidential unwillingness to dissolve the legislature to its own advantage. Having the right knowledge about whether the presidential threat of dissolution is credible or not is the crucial piece of information for parliamentary deputies that would like to vote cabinet out of office without risking their own survival.

Table 3.4 Average Cabinet Tenure in the Postcommunist Countries, 1991-99

Country and Regime Type	Number of cabinets since 1991	Average Length of Cabinet Stay in Office (months)
President-parliamentary		
Russia	7	15.4
Ukraine	8	13.5
Kazakhstan	3	35
Average for president-parliamentary regimes	6	21.6
Average for president-parliamentary regimes* (not including Kazakhstan)	7.5	14.5
Premier-Presidential		
Lithuania	9	12
Moldova	7	15.4
Poland	7	15.4
Romania	5	21.6
Average for premier-presidential regimes	7	16.1
Parliamentary	5	21.6
Czech Republic		
Estonia	8	13.5
Hungary	4	27
Latvia	8	13.5
Slovakia	6	18
Average for parliamentary regimes	6.2	18.7

President-parliamentary regimes as a group show the lowest rate of cabinet turnover, the average cabinet stay in office amounts to 21.6 months. This number, however, is largely the function of very high cabinet stability in Kazakhstan. Given the dismal record of democracy in this country, it would be biased to make the inferences about the functioning of president-parliamentary institutions from the sample that is so heavily influenced by the performance of a rather undemocratic regime. When Kazakhstan is excluded, the average length of cabinet stay in office for president-parliamentary regimes drops to the lowest level among three types of constitutional regimes represented in the table.

Given the true symmetry of cabinet dismissal powers in Ukraine, the high rate of cabinet turnover in Ukraine does not come as unexpected. Unlike the Ukrainian constitution, the Russian constitution grants to the president much stronger powers with regard to cabinet. The presidential power both to secure the selection of a loyal cabinet and to limit the legislature's ability to dismiss the cabinet, however, did not result in the higher stability of cabinets in Russia. The rate of cabinet turnover in Russia was almost as high as in Ukraine.

At the same time, the patterns of cabinet change differ substantially between the two countries. While in Ukraine premiers changed every year, premier Chernomyrdin led the cabinet in Russia for 63 months from December 1992 to March 1998³⁶. The frequent change of premiers has taken place only during the last two years of Yeltsin's presidency.

³⁶ The fact that Chernomyrdin's premiership lasted more than five years should not be taken as testimony to the remarkable stability the Russian during that period. The rate of turnover was very high on the level of deputy premiers and individual ministries. It has never reached, however, the 50% threshold to be qualified as a change of cabinet.

Five different premiers were in office in Russia between the beginning of 1998 and the end of 1999.

The average length of cabinet stay in office for premier-presidential regimes was 16.1 months. Romania was the only premier-presidential regime where cabinet stability was very high; partly due to the beneficial effects of a concurrent electoral cycle. Cabinets in parliamentary regimes lasted on average 18.2 months during the same 1991-99 period. The difference in the constitutional design may have some role to play in explaining these outcomes. While presidents in president-parliamentary regimes do not have formal powers to dismiss cabinets they have repeatedly used informal means to influence the destiny of cabinets with which they had difficulties coexisting. Both in Poland and Moldova, presidents undermined the tenure of several cabinets. President Walesa's actions directly contributed to the fall of two leftist cabinets and were an important factor in the downfall of several other cabinets in Poland. In Moldova, president Luchinski was able to capitalize on his more recent electoral legitimacy and force the resignation of long-standing Sangheli's cabinet. In Lithuania, the 1998 presidential elections threatened Vigorous' cabinet stay in office. It is important to note that in several of these cases the presidents contributed to the downfalls of cabinets that were backed by the stable coalition majority in parliament.

Romania was the only premier-presidential regime with a relatively low rate of cabinet turnover. The Romanian cabinets lasted on average 21.6 months. Higher cabinet stability in this country can also be attributed partly to effects of the institutional setting. Romania is the only premier-presidential regime with a concurrent electoral cycle. Simultaneous presidential and legislative elections in 1996 produced a parliamentary

majority and a president from the same political coalition. This dramatically diminished the grounds for political confrontation between president and premier during the last four years of premier-presidentialism in Romania.

One way to disentangle the effects of regime type, parliamentary fragmentation and electoral cycle on cabinet stability is to develop a statistical regression model which would include all above-mentioned factors as independent variables. The simple descriptive statistics used for the analysis undertaken in this chapter should be treated as a first step in the direction of methodologically more sophisticated analysis.

Conclusion

This chapter has elaborated the concept of intraexecutive conflict. Intraexecutive political competition between the president and the prime-minister is built upon the executive-legislative divide which characterizes both semipresidential and presidential regimes. The salience of intraexecutive conflict under semipresidentialism was shown to depend on the extent of presidential and parliamentary control over cabinet and on the nature of parliamentary composition.

In Russia and Kazakhstan, president-parliamentary regimes with strong presidential control over the cabinet, the presidents have been able to secure the cabinet's compliance and to deter the premiers from challenging presidential leadership over the executive. As a result, the dual executive was united most of the time. Executive-legislative rather than intraexecutive conflict characterized the functioning of political institutions in these semipresidential regimes.

The weaker presidential control over the cabinet in Ukraine's president-parliamentary regime led to the mixed patterns of institutional conflict and cooperation. Periods of intraexecutive competition and cooperation alternated depending on the premiers' willingness to risk their tenure in office. Seemingly suicidal political behavior on the part of some premiers took place in both types of president-parliamentary regimes. To explain this behavior I analyzed the structure of incentives that a prime-minister faces under president-parliamentary constitutional framework. The premiers' willingness to risk the survival of their cabinets does not contradict the power maximization assumption about the politicians' behavior when the presidential ambitions of the premiers are taken into consideration.

Given that the survival of the cabinet under a premier-presidential constitution depends solely on parliament, the premiers in premier-presidential regimes lacked any incentives to collaborate with the presidents. Whenever conflict between the president and the parliament took place, the cabinet was on the side of the parliament. The presidents repeatedly tried to contest the premier's leadership over the executive. It was expected that the presidents are more likely to claim the leadership over the executive when they face fragmented legislatures. The Polish experience indicates, however, that the existence of a stable parliamentary majority opposed to the president may not be sufficient to deter the presidents from striving for higher control over the executive.

The presidential ability to influence (either formally or informally) the cabinet's stay in office can be an important source of cabinet instability in semipresidential regimes. In both president-parliamentary and premier-parliamentary regimes, presidents that were unhappy about the particular cabinets used various means to speed up the fall of

those cabinets. Descriptive analysis, undertaken in the end of the chapter, showed that there is a substantial difference in the cabinet turnover rate between semipresidential and parliamentary regimes.

Chapter IV

Intraexecutive Conflict and Central Government Reform

The 1997 World Bank Report The State in the Changing World cites the organization of the central machinery of government in Ukraine as an example of extremely inefficient cabinet structure (World Bank 1997). Much of cabinet inefficiency is attributed in the report to the existence of the Apparat of the Cabinet of Ministers which has the authority to direct the work of individual or line ministries. The existence of this intermediate link between the cabinet leader and line ministries leads to the paradoxical situation when the bureaucrats from the apparat give orders to the cabinet ministers. The World Bank Report is primarily concerned with the negative effects of this state of affairs on the performance and political responsibility of the Ukrainian cabinets.

D'Anieri, Kravchuk and Kuzio (1999) discuss other aspects of the functioning of central government in Ukraine. Overlapping policy jurisdictions, "hollowness" of cabinet ministries, and the exclusionary character of decision making are cited as the major problems that administrative reform in Ukraine has to address. The authors attribute the origins of these problems to the institutional legacies of the Soviet period and to the ambiguity and confusion produced by the separation-of-powers regime.

The case of central government reform in Ukraine can also be used for a somewhat different purpose. I examine how constitutionally-induced strategies of presidents contribute to the persistence of executive institutions and policies that are inefficient from organizational and economic points of view. Inefficient institutions and policies endure not only because of bureaucratic self-interest or adherence to the status

quo but also because of politicians' interest in preserving them. Semi separation of powers is not confusing for the major political players: it imposes a certain structure on political competition and provides the players with a set of clear incentives and goals. The prevalence of political disincentives to conduct cabinet restructuring, it will be argued here, is the major reason for the lack of structural changes necessitated by the concept of administrative reform.

The central hypothesis that will be evaluated here on the basis of both Russian and Ukrainian experiences can be formulated in the following way: the higher the level of intraexecutive conflict between the president and the prime minister, the less likely is the rationalization of cabinet organization. This rationalization includes such measures as concentration of executive powers in the hands of the prime minister and ministers, as well as reduction in the number of cabinet ministries and their functional reorganization. The hypothesis about the relationship between the level of intraexecutive conflict and delays in cabinet restructuring is examined both longitudinally (low and high levels of conflict across time in Ukraine) and crossnationally (low and high levels of conflict in Russia and Ukraine).

This chapter analyzes what effects the president-parliamentary constitutional design has on the motivations and abilities of politicians to conduct administrative restructuring at the cabinet level³⁷. The importance of reorganization of central government is often discussed in the literature on administrative reform as one of the

³⁷ The argument developed in this chapter examines only president-parliamentary regimes, the political dynamic of administrative reform under premier-presidential framework deserves separate discussion and will be discussed in the next chapter.

cornerstones in the complex task of reforming public bureaucracy (Sundakov 1996; Kravchenko 1997; World Bank 1997). First, I examine the goals that central government reform tries to accomplish. Second, I analyze motivations that presidents and prime ministers - two types of political actors with the most immediate interest in the specific design of executive institutions - have and political strategies they employ with regard to administrative reform. Then the decision-making process and structural composition of the cabinet in Ukraine, allegedly one of the worst in the region in terms of institutional efficiency and effectiveness, are analyzed through the prism of intraexecutive competition. Whether the lower degree of intraexecutive competition was consequential for the pace and design of central government's reform in Russia concludes the discussion of the effects of intraexecutive competition on the process of administrative restructuring.

Administrative reform on the level of central government

In the literature on political economy of reforms, administrative reform is sometimes conceptualized as constituting a public good (Geddes 1994). Implementation of changes in how civil servants are selected, how state institutions are designed, and how policy process is organized has the promise of benefiting all members of society by making bureaucracy more efficient in the delivery of goods and services to the public. At the same time, there are several problems with initiating administrative change. Political efforts needed to undertake the reforms, for example, may be disproportionately large relative to the benefits acquired by their initiators. In other words, politicians who are potential providers of reform face, for whatever reasons, prohibitive costs of undertaking reform measures. Or, even when the cost-benefit calculation is not prohibitive, reform-

minded politicians may not be able to secure cooperation of other important actors with strong “free-rider” preferences. In any case, however, politicians which operate in a democratic setting experience pressure to reform bureaucracy. This pressure stems from the strong normative belief that it is a democratic government's obligation to provide all citizens with equal or non-discriminatory access to goods and services delivered by the state.

Administrative reform in the postcommunist countries is also seen as an instrument to cope with the practice of excessive state involvement in political, economic and social spheres. The pervasive administrative intervention by the state in all aspects of societal life was one of the organizational principles in all socialist countries (Kornai 1992, Jowitt 1992). While the concept of administrative reform is multifaceted and includes, among other things, such diverse issues as introducing meritocratic rules for civil servant selection/promotion and changing the public perception of bureaucracy, this chapter deals with one specific aspect of reform: the restructuring of the executive branch of government.

The core set of measures to rationalize the organization of central government and concrete policy recommendations for their implementation are rather uncontested in the literature on administrative reform. These measures include several important transformations: from the sectoral to the functional principle of cabinet organization, from government preoccupation with productive activities to the exercise of regulatory functions, from the dominance of bureaucracy to the enhanced role of individual ministers in cabinet policy-making. Combating the excessive diffusion of executive and legislative powers, reducing the number of bureaucratic agencies which control or inspect

entrepreneurial activities, and separating clearly the prerogatives of central and local levels of government are also often cited as major requirements for the efficient organization of government (World Bank 1997, Sundakov 1997)³⁸.

Sectoral organization of government was one of the major legacies of the Soviet administrative system. Individual ministries and other central bodies of the executive power were organized according to sectoral rather than functional criteria. The latter principle assumes that performing such general functions of government as regulating economy, finance, education, etc. should be a rationale for the creation of individual ministries and other central governmental bodies³⁹. The socialist system, on the contrary, favored the detailed management of economic and social activities and prioritized the close control of all production processes. For example, branch ministries under socialism were routinely involved in all aspects of economic activities in which state-owned enterprises of their respective sectors were engaged.

The other important element of the socialist administrative legacy was the great importance of central administrative agencies that coordinated the work of individual ministries. The central governmental bodies such as the cabinet apparatus and central

³⁸The extent of unanimity or consensus regarding the proper ways to reform the executive branch of government should not be exaggerated. Like the 1980s' "Washington consensus" about the proper strategies to deal with the developing countries' challenges of financial stabilization and structural adjustment (Haggard and Kaufman 1992), the current agreement about the proper ways to conduct administrative reform in postcommunist states is theoretically based in the neoliberal economic literature and politically supported by the Western governments and international development agencies. For alternative views, see the literature on institutional economics and economic sociology. The ideas which represent these traditions of thinking and the application of these ideas toward postcommunist experiences can be found respectively in Amsden, et.al .1995 and Stark and Bruszt 1998).

³⁹Purely functional organization of cabinet, which implies that ministries and other executive bodies are created only when there is a functional necessity to do so, is unattainable. First, there is more than one way to implement the principle of functionality in the concrete institutional design of cabinet. Second and more important, other than efficiency criteria factors may play the key role in determining how many and what kind of individual ministries any given cabinet consists of. Political factors which influence the ministerial structure of the cabinet include bargaining among political parties which belong to the governing coalition

planning committees were vested with much greater powers than were similar bureaucratic agencies in the market economies. As a result of bureaucratic dominance, the individual ministries were deprived of any real power to undertake a major policy initiatives in sectors or industries that they managed. These bureaucratic bodies constituted the backbone of communist party control over state administrative agencies, and their remnants, due to their strategic position in postcommunist cabinets, serve as a stronghold of resistance to overall cabinet restructuring⁴⁰.

There is a substantial amount of economic literature on consequences that the persistence of sectoral organization of government and the dominance of bureaucratic apparatus have for the policy making process in transitional countries (Aslund 1995, Shleifer and Boyko 1997, Sundakov 1997). Since economic ministries have not entirely separated production functions from regulatory ones they remain associated with a few major enterprises in the industry they deal with. These enterprises are, as a rule, partially or fully state-owned. Ministries' preoccupation with assisting their old clients discourages the development of private sector enterprises and a competitive market environment. The formal and informal association of ministries with major old enterprises in their respective industries also encourages special interest lobbying and the capture of the regulators by the regulated. From the persistence of sectoral divisions it also follows that compartmentalization of decision making has a tendency to endure and to inhibit the development of a cohesive government. Compartmentalization of decision-making contributes to the dynamics of continuing growth in the size of the government as well.

over portfolio distribution, intra-party compromises or competition, perceived political urgencies, etc.
⁴⁰ Personal communication with Bohdan Krawchenko, the vice-president of the Ukrainian Academy of Public Administration, August 1997.

The dominant position of specific bureaucratic institutions in the structure of executive government - as it has been a case with cabinet apparatus in Ukraine - inhibits the efficiency of the decision-making process in several ways. First, being an intermediate structure between the office of prime minister and individual ministries the apparatus of the cabinet slows the communication and coordination both between the prime minister and cabinet ministries and among individual ministries. Collective decision-making by politically accountable cabinet ministers is substituted with bureaucratic management exercised by the cabinet apparatus. It also follows that the lack of transparency in decision making will be another consequence of the cabinet's activities being managed by its apparatus. Third, the prevalence of apparatus bureaucracy effectively limits the role that individual ministries play in developing and implementing policies in their respective sectors. It also encourages the persistence of parallel cabinet structures thus creating additional obstacles for the revision of government functions and for the dismantling of redundant bureaucratic agencies.

While as mentioned sectoral organization of ministries and preeminence of apparatus in cabinet decision-making are part of institutional legacy of socialism, the other problems with the institutional design of the executive have more recent origins and can not be fully attributed to path dependency or the institutional "stickiness" of postcommunist bureaucracy. These new problems are the outcomes of democratization in government organization and functioning. They include such issues as proliferation of new bureaucratic structures and confusion about the exact lines of accountability, coordination and subordination for both new and old bureaucratic agencies. Diffusion of

executive and legislative authorities is one of the terms employed in the economic literature to summarize these issues (Sundakov 1997)⁴¹.

Diffusion of executive authorities inside the executive branch of government is, as this chapter will argue, a product of semipresidential constitutional setting which enables both the president and prime minister to claim the right of control over the executive government. The parallel and competing channels of bureaucratic coordination is one immediate consequences of the lack of the unified leadership. Okun'kov (1998), in one of the most comprehensive treatments of postcommunist presidencies, shows how the regional leaders and enterprise managers exploit the dual nature of the executive government in Russia. Depending on political circumstances and the character of their personal connections, the lobbyists target either the presidential administration or cabinet. Both administration and cabinet produce executive orders and regulations to address the same type of issues, thus adding to the confusion and disorientation of lower-tier bureaucracies.

Effective governance, on the other hand, requires organizational coherence and streamlined structure of central government (World Bank 1997: Ch.5). In the "ideal type" of the effective organization the leadership of cabinet is exercised from the office of the head of the cabinet, the prime minister. The premier, not the president, coordinates and

⁴¹ The governmental decision-making process, according to this perspective, is characterized, first of all, by the diffusion of executive and legislative authorities. The executive branch of government has not only executive but also quasi-legislative powers, as does the legislature. The fact that there is no clear separation and concentration of authority, according to Sundakov, has three major channels through which it affects the functioning of the government: 1) there is no clear distinction between the political and the civil service aspects of governmental administration which, in turn, complicates the conduct of consistent overall policy and highly politicizes the technical-level staff of ministries; 2) the second channel is the high burden of coordination that diffusion of power places on a relatively weak civil service; 3) delays in the emergence of stable legislative environment are prolonged.

supervises individual ministries, committees and other central government agencies. Overlap of responsibilities or functions among ministries and other central central bodies of executive power is minimal. A majority of governmental agencies have the same legal status. Only those agencies where the specific conditions of operation necessitate their unique treatment by legal system or political authorities enjoy special status. The executive agencies provided with this status may not be explicitly included in the structure of the cabinet or subordinated in organizational and policy matters to the cabinet leadership⁴².

The analysis of the effects of the lingering Soviet bureaucratic structures and administrative innovations brought by regime change is coupled in the economic literature with the examination of reasons for the persistence of the socialist administrative legacy and for the adverse character of new administrative developments. The dominant economic explanation of why the organizational inefficiencies in the cabinet organization have a tendency to persist focuses on bureaucracy itself.

The lack of radical reform on the cabinet level - as well as general difficulties with implementing an administrative change - is attributed to bureaucratic resistance and institutional inertia (Sundakov 1997; Krawchenko 1997). Bureaucrats may not like the change because of many reasons. One argument emphasizes that bureaucracy resists restructuring because the latter threatens civil servants' job security. Even when the consequences of the change are not perceived by civil servants as straightforwardly negative for their job prospects, bureaucrats exhibit a status-quo bias which is their way

⁴²A country's central bank would be a good example of governmental institution which, as a rule, has a special status. The central bank usually enjoys both substantial degree of autonomy in monetary policy matters and high level of organizational coherence. For the analysis of factors influencing the extent of

of coping with the uncertainties of any transformation (Raquel and Rodrik 1991) The change also requires substantial efforts on the part of bureaucracy but does not promise significant rewards. The previous investments of time and energy in learning the old "ways of doing things" become depreciated. In addition, institutional memory embodied in administrative norms and practices make the learned modes of bureaucratic functioning, standard operating procedures, sticky and difficult to amend.

While bureaucratic resistance undoubtedly is an important factor for explaining the delays in restructuring, this explanatory picture ignores the role played by political principals of bureaucrats or, to describe it more accurately, it assumes that politicians are either hostages of bureaucrats or they have no particular interest in the reform. This "politicians as hostages" model is derived from the fact that bureaucrats possess superior knowledge and expertise in administrative matters which enable civil servants to manipulate politicians for their own advantage, either material or non-pecuniary with the latter being often derived from the bureaucrats' technocratic vision of proper policies. The argument about non-interested politicians assumes that the latter have no particular stakes in administrative reform because it does not affect their political power or electoral prospects. These politicians may inhabit different institutions - parliament, cabinet, local governments - and their interests in or lack of concerns about administrative change will be informed by the positions they occupy in those institutions and by the effects of the administrative change on their interests.

Neither of these approaches, however, explicitly considers the role that the presidents, the most powerful political actors in president-parliamentary regimes, play in

Central Bank independence, see Maxfield 1997.

the course of cabinet restructuring. The following section examines the presidential incentives with regard to cabinet reform.

President's goals and control over cabinet.

The president-parliamentary constitutional framework, unlike the presidential one⁴³, does not grant to the president the full control of the cabinet. The president's ability to exercise leadership over the cabinet is undercut both by his limited role in cabinet appointment and by the dual character of cabinet subordination or, to use Shugart and Carey's terminology, by symmetry of presidential and assembly powers over cabinet appointment and dismissal (Shugart and Carey 1992). Yet it is vital to the president for both policy and electoral purposes to have a loyal cabinet. First, cooperation between the president and cabinet facilitates the implementation of programs which the president considers the most important for him in terms of delivery of public goods and services either already introduced to or expected by the population. The successful implementation of these programs generates political support which, however, does not secure or guarantee his chances of reelection⁴⁴. To be successful in reelection bidding requires from

⁴³The presidential constitutional framework refers here to the "ideal" model of constitutional arrangement which would allow the president to form his cabinet unilaterally. Several prominent presidential regimes obviously do not fall into this category. The US constitution, for example, requires that presidential nominees for the cabinet positions be approved by the Senate.

⁴⁴There is an old discussion in the literature on the political leadership about whether the re-election motive is the executive's first-order preference. Margaret Levi (1988), for example, articulates a tacit consensus when she argues that whatever the leader's goals and motives in politics are, to further these goals he first needs to win the elections and regain the office. It is safe to assume that the chief executive's preoccupation with his own re-election or election of his designated successor, while not a behavioral law, will be a major driving motive of the leader's behavior. Re-election has turned into the only legitimate way to retain power in postSoviet countries where unconsolidated but still hegemonic democratic environment requires some sort of observance of formal democratic attributes.

the incumbent, as well as from other presidential contenders, additional efforts to create or sustain an electoral political machine and to secure the cooperation of interest groups. Both tasks can be more easily achieved by the presidents in postcommunist democracies by tapping governmental resources and distributing scarce goods and special favors such as jobs, subsidies, legal privileges in exchange for political support and the votes. Since the cabinet manages most of the resources available for the purposes of the executive branch of government, the control of cabinet is crucial for the president. This consideration constitutes the second major reason for the president to be interested in control over the central government.

It is important to note here that assuming that a presidential candidate has to rely on a party machine and on interest groups in order to win the elections is not unproblematic. Mature political party support for presidential candidates is often absent in both Latin American and postSoviet presidential elections frequently dominated by charismatic political leaders who lack organized political party support. The first democratic presidential elections in the majority of former Soviet republics were dominated by the "above-party" presidential candidates playing the card of national arbiters (Holmes 1994, Linz and Stepan 1996). Yet, at least in the largest postSoviet semipresidential republics, Russia and Ukraine, there is a growing tendency to foster the creation of an organized political force in the form of political parties or blocs specifically designed to serve as electoral vehicles for the incumbent presidents. This can be attributed to the political learning that takes place in the region and is based on the understanding of the changing political environment where having a robust electoral

machine becomes one of the requirements for being competitive in the political marketplace.

The presidential dependence on interest groups is questioned on the grounds of special institutional capacity of the presidency to withstand interest group pressure. Unlike legislators - whose electoral success depends on the support of special interests - the president, due to his broad electoral constituencies, is better able to resist particularistic claims (Moe 1994). Two considerations, however, should be taken into account while analyzing presidential autonomy. First, presidents may well resist the pressure of individual groups but they are ill-equipped, as Haggard and Kaufman (1995) show, to cope with the concerted pressure or the prospects of mass defection on the part of interest groups in times of economic crises. Second, the degree of presidential immunity may also vary depending on the role and weight the interest groups have in the political life of society. In postSoviet countries, the weakness of the political party system, professional associations and other formal institutions of interest representation facilitates the informality and elitism of the political process, thus increasing both the importance of well positioned and organized groups and president's dependence on them.

A simultaneous pursuit of strategies that maximizes both the delivery of public goods and the distribution of particularistic benefits for the selected constituencies is unfeasible for the president. These goals are in a trade-off relationship as the resources available to the president are naturally limited. As Barbara Geddes (1994) shows with reference to Latin American experiences, the optimal way for the president to secure his political survival and reelection has not been in trying to achieve exclusively one of these

two goals but in combining the pursuit of both of them in a manner which is most likely to increase his immediate political support.

A number of considerations which are taken into account by the president to determine the "right" or "optimal" mix of policies he is willing to pursue is largely determined by the context. In any situation, however, the relative weight of public and club good elements in the package the president offers will systematically depend on such variables as the extent of democratic consolidation⁴⁵ in general and the level of organized political party support to the president in particular. The less consolidated or open/transparent the political system and the smaller the party machine the president can rely on, the higher incentives he has to distribute state resources in a way which helps special interests and not general welfare⁴⁶.

Presidential control over cabinet appointment and administrative restructuring

Whatever the president's strategies are, the president needs the cooperation of the cabinet to pursue his policies. The identity of the cabinet leader - the prime minister under president-parliamentary constitutional framework - is not solely a function of presidential preferences over possible candidates but rather a result of an appointment game between the president and parliament. As it was already argued in the first chapter of this

⁴⁵The vast literature on democratic consolidation offers several ways of conceptualising more precisely and operationalizing a notion of democratic consolidation. Linz and Stepan (1996) offer an elaborated qualitative discussion of the subject specifying the five arenas of a consolidated democracy. The quantitative measures of consolidation are discussed in numerous publications dealing with the design and analysis of "New Democracies Barometer". See, for example, Rose and Haepfer (1994).

⁴⁶A more systematic account of how an organized political party support shapes the presidential strategies will be given in the next chapter. The positive effect of the political party's backing on the president's ability to undertake administrative reform will be contrasted with Geddes' (1994) conceptualisation of president's affiliation with the established political party as a factor that has negative implications for the chances of meritocratic reform of civil service.

research, the outcome of this game - whether the prime minister is closer to the president's or parliament's ideal point - will systematically depend on constitutional provisions which enable the president to influence the preferences of the legislature in the appointment game. The presidential power to dissolve parliament in the case of cabinet formation deadlock is a major constitutional provision of this kind.

Due to this variation in constitutional norms, presidents will be able to secure the selection of loyal prime ministers on a regular basis only under some president-parliamentary constitutional frameworks and not under others. A president who is more insecure about the loyalty of prime minister with whom he has to co-exist will extend more efforts to find other ways to exert his influence on the cabinet. These efforts can be applied in different directions such as creating new/ supporting old executive structures and agencies, claiming exclusive right over the key ministries, and contesting the appointment of individual ministers. It is the argument of this chapter that these presidential efforts will have an adverse effect on the attempts to rationalize the administrative system and to make cabinet organization more efficient.

As the previous chapter shows both Ukrainian presidents have faced much more intense political rivalry on the part of prime ministers than their Russian counterpart. **Appendix 4.1** provides the data on the instances of intraexecutive competition for both Ukraine and Russia. Two criteria were used to determine whether the co-existence of the president with a particular premier was characterized by the intraexecutive political competition. Political analysts' judgments on whether the president or the legislature initiated the cabinet dismissal constituted the first criteria. When the dismissal initiative

belonged to the president, the second question asked was: were political conflicts over the control of the executive cited as a reason for the cabinet dismissal? While there is not much variation in the Ukrainian cases on the first criteria⁴⁷, the cited reasons for cabinet dismissal vary substantially.

Even the prime ministers, who were perceived as the presidential confidants at the moment of cabinet selection, openly contested during their incumbency the president's control over the executive branch of government (Wilson 1999). So if the hypothesis about the adverse effects of intraexecutive competition on the probability of efficiency-enhancing cabinet restructuring has some merit, structural or organizational inefficiencies of the central cabinet in Ukraine should be more profound than in Russia.

At the same time, the intensity of intraexecutive competition in Ukraine fluctuated depending on political circumstances and the stages of constitutional development (Wise and Pigenko 1999). The next section argues that the most radical efforts to reform cabinet organization in Ukraine were initiated or supported by the president only when there was no political confrontation between the president and the prime minister.⁴⁸ The absence of intraexecutive conflict was largely due to the prime minister's choice to acquiesce to the presidential leadership. During the periods when the intraexecutive

⁴⁷ Wilson (1999) argues that all Ukrainian cabinets have technically been removed by the president rather than parliament. While Fokin's cabinet was voted out of office by the legislature, the rest of cabinet dismissal cases unquestionably fall into the pattern that Wilson describes. The fragmented character of the parliamentary composition and the opportunistic behavior of several factions in the consecutive Ukrainian legislatures have contributed to the weak ability of parliament to control the cabinet.

⁴⁸ Administrative reform initiatives are often attributed in the literature to the foreign donors (Nunberg 1998). The external pressure to reform the organization of central government has undeniably played a critical role in initiating bureaucratic restructuring throughout the region. Conditionality of World Bank, IMF, and other international donors represents, however, only one of the determinants of the success in cabinet restructuring. The analysis of the interests and strategies of the domestic politicians is also an important part of the bureaucratic restructuring story. Given that the international pressure has been systematically applied throughout the 1990s, the analysis of domestic politics helps to explain the exact character and timing of bureaucratic reforms.

tensions were high, the president considered any efforts to rationalize the structure of central bureaucracy as empowering the rival premier and directly threatening the presidential control over the executive.

In Ukraine, the presidential efforts to maintain his influence in the cabinet have included: providing the political support for the Apparat of Cabinet of Ministers, contesting the cabinet appointment powers, creating the new executive agencies and supporting the old ones staffed with the president's supporters. Each of these presidential strategies is discussed separately in the next section of this paper.

In Russia, where the threat for the presidential leadership was minor most of the time, the president was less threatened by the efforts to restructure central government. This permitted more rational organization of cabinet. Cabinet restructuring in Russia, however, has been incomplete. Given that the potential for intraexecutive conflict is built into president-parliamentary constitutional design, the Russian president favors only the partial restructuring which does not threaten the foundations of his control over cabinet.

Cabinet Restructuring in Ukraine

Sectoral organization of ministries

Enhancing regulatory capabilities and dismantling productive functions remain one of the major direction of reform on the level of individual ministries⁴⁹. This aspect of ministerial reform hinges on the adoption of the functional principle of cabinet organization. While negative effects of lingering sectoral composition of government for

⁴⁹ In the Soviet-type political economies, the sectoral ministries had the right to appoint the top managers of enterprises, to determine production targets and investment plans, to set prices for goods, to allocate inputs and to instruct enterprises about where to deliver their outputs (Schleifer and Treisman 1998).

the success of economic deregulation and private business development were already discussed at the beginning of this chapter, the reasons why the sectoral or branch ministries endure need to be further explored. The argument of this section is that the speed and scope of individual ministries' restructuring is affected by intraexecutive competition.

The sectoral organization of the cabinet implies the existence of a larger number of central government agencies than the functional one. Having a large number of central bodies of executive power increases patronage resources available for the politicians. When due to the low level of party system development, both the president and prime minister have to rely on bureaucratic agencies rather than on political parties in pursuing their political goals, then their stakes in preserving the existing structure of cabinet are high. Political importance rather than technical merits of bureaucratic bodies will serve as the primary criterion for competing politicians' assessments of executive agencies. Both the president and prime minister will try either to "capture" politically important agencies by appointing their confidants to head these agencies or to create new bureaucracies if the old ones can not be engaged politically or have already been captured by the other side. Neither of the politicians will be willing to give up their confidants and abolish the agencies headed by their supporters, even if the former are obsolete from the technocratic point of view, when such a move has the potential to weaken one executive leader's political position vis-à-vis the other. Intraexecutive political competition is thus likely to be channeled along the lines that reinforce old structures.

Given this chapter's preoccupation with the consequences of intraexecutive competition, the changes in the number and character of cabinet ministries rather than in

the overall number of central executive bodies (ministries, state committees, state directorates, etc.) are the most important for the argument. Cabinet ministries are the most powerful executive agencies in the structure of government and their political loyalty, secured through the system of patronage appointments, is the most relevant political resource for both parts of executive leadership, the president and prime minister, when they are engaged in the competition over the control of the executive branch.

Instead of capturing the change only in the number of ministries, as Prynts and Baziuk (1998) did in their analysis of cabinet organization in Ukraine, the numbers of cabinet members in the consecutive Ukrainian cabinets are compared in table 4.1 below. Cabinet membership is a more inclusive category than the cabinet ministerial composition. The defining characteristics of a cabinet member is the right of cabinet vote. Besides deputy prime ministers who supervise and ministers who actually head individual ministries, heads of other major executive agencies can have the status of a minister and, thus, be cabinet members. For example, Lazarenko's cabinet in summer 1996 included four deputy prime ministers, twenty six ministers and committee heads on border control, customs, state property, internal security and antitrust regulation (Kosonotska and Tomenko 1996). Cabinet members themselves rather than ministries they lead (or, in case of deputy or vice prime ministers, supervise) are important political resources of presidents or premiers competing for the control of the executive. And, as it will be shown with regard to the head of Apparat of Cabinet later in this chapter, even a cabinet minister without any portfolio may exercise a considerable power over the cabinet operations.

Table 4.1 Structural Changes in Cabinet Organization in Ukraine

Ministry	Principle of Organization (functional or sectoral)	Cabinets			
		Masol (6/94-4/95)	Marchuk (6/95-5/96)	Lazarenko (6/96-8/97)	Pustovoitenko (9/97-12/99)
Agriculture	f/s	*	*	*	*
Coal Mining	S	*	*	*	*
Culture	S	*	*	*	*
Defense	F	*	*	*	*
Economy	F	*	*	*	*
Education	F	*	*	*	*
Emergency	S	*	*	*	*
Energy	F	*	*	*	*
Environment and Nuclear Safety	S	*	*	*	*
Family and Youth	S	*	*	*	*
Finance	F	*	*	*	*
Fishery	S	*	*	*	*
Trade	S	*	*	*	*
Foreign Affairs	F	*	*	*	*
Forestry	S	*	*	*	*
Health	F	*	*	*	*
Industry	S	*	*	*	*
Information	S	*	*	*	*
Internal Affairs	F	*	*	*	*
Justice	F	*	*	*	*
Labor	F	*	*	*	*
Migration	S		*		
Military Industry	S	*	*	*	*
Minister of Cabinet		*	*	*	*
Prime minister		*	*	*	*
Science	S	*	*	*	*
Social Security	F	*	*	*	*
Statistics	S	*	*	*	*
Telecommunications	S	*	*	*	*
Transportation	F	*	*	*	*
Deputy Prime minister (number)		6	8	4	4
Other agencies with the status of a ministry (number)		5	5	5	5
Total Members of Cabinet		40	43	37	29
Level of Intraexecutive conflict		medium	high	high	low

The table lists all ministries, ministry-level executive agencies, and numbers of deputy prime ministers for every cabinet in Ukraine between 1994 and 1999⁵⁰. The total number of cabinet members in each of four cabinets is then compared. The last row of the table shows how conflictual the intraexecutive relationships were between the president and premier during each cabinet's office term. Indicators of intraexecutive conflict and their values for the different cabinets were considered in the third chapter of this study.

As was already discussed in the previous chapter, the years of 1996 and 1997, the time period of two consecutive cabinets headed by Marchuk and Lazarenko, were characterized by the intense competition between these premiers and the president. Marchuk's cabinet membership, according to the author's calculation, amounted to forty three persons. According to some other estimates, Marchuk's cabinet included as many as forty one ministers and eight deputy prime ministers (Krawchenko 1997). The large number of deputy prime ministers especially reflects both the unconstrained presidential ability to appoint cabinet members during the 1995-96 constitutional accord period and his fear of losing control over the executive to the increasingly rival premier. Preventing the premier from concentrating the executive powers in his hands was one of the major reasons why the president choose to proliferate the deputy premier positions.

Lazarenko's cabinet, in line with the presidential decree of August 17th 1996, consisted of 36 members plus prime minister. (Kosonotska and Tomenko, 1996). The substantial reduction in the size of cabinet was not, however, a result of purposeful efforts

⁵⁰ The first cabinet that Lazarenko has headed was not included in the table because here were no substantial changes in the structure of the cabinet during this period due to the constitutional debates which took place at that time and had to specify, among other things, structure and responsibilities of cabinet. The first Lazarenko cabinet lasted less than sixty days during May-June 1996. It had to resign when the new

on the part of the president and prime minister to downsize the government. As the table shows, the most significant change came from the reduction in the number of deputy prime minister positions from eight to four. This was due to the fact that the new constitution, adopted on June 28 1996, has limited the number of deputy prime ministers to four. There are no specifications in the constitution regarding the number of ministries and ministry-level agencies whose heads have the status of a cabinet member.

The drastic cut in the number of cabinet members did not happen until 1998. Peaceful coexistence between president and new premier was a major factor that rendered cabinet restructuring, pressure for which has been built up since 1994, possible. Formed in the summer of 1997 Pustovoitenko's cabinet proved to be loyal to the president during the new cabinet's more than two years in office. Pustovoitenko's complacency with the president and willingness to ally with the president in all presidential disputes with the parliament led to the consensus view among analysts of Ukrainian politics that Pustovoitenko's cabinet was a "president's cabinet" (Den', Zerkalo Nedeli, 1997-98)⁵¹. Not being caught in the competition over the control of executive, the president became more interested in undertaking the reduction in cabinet size and more capable of securing the prime minister's compliance in this matter. As of May 1999 the total number of cabinet members was twenty nine and the number of ministries was reduced first to

constitution was adopted on June 28, 1996.

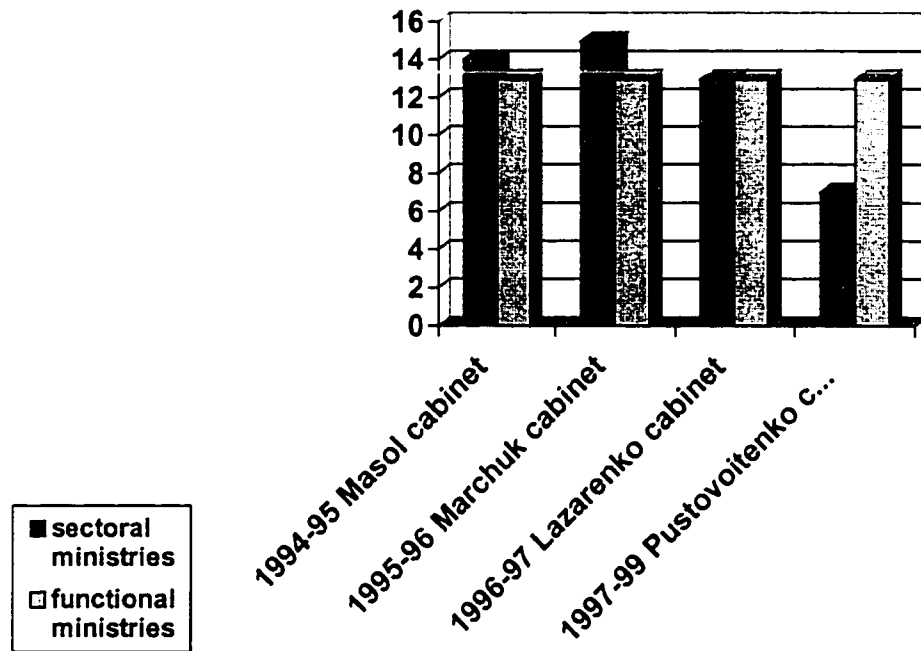
⁵¹ The factors that contributed to Pustovoitenko's steady allegiance to president Kuchma include, according to the Ukrainian press' accounts, personal ties, common regional background and shared work experience (Zerkalo Nedeli, Kyiv Post, 1997-98). Privileging such a type of personal networks' explanation underestimates, however, the importance of the political situation that Pustovoitenko found himself in. As the analysis undertaken in the previous chapters suggest the identity of parliament has a major impact on the behavior of premier. Pustovoitenko's cabinet did not face any major challenges on the part of either of two parliaments with which it had to coexist. Neither legislature was able to produce a credible threat of no-confidence vote either because of parliament's internal divisiveness and fragmentation or because of cabinet's ability to secure separate parliamentary factions' support by providing them with selective

twenty one in 1998 and then to 18 in 1999. While the cabinet membership in Ukraine is still larger than in the Western and Central European where the average cabinet has 18-21 members (World Bank 1997b), the reduction in the size of the cabinet in Ukraine during Pustovoitenko's office term represents a major departure from the Soviet tradition of central cabinet organization.

The table also captures the dynamic of change from the sectorally organized cabinet to the functionally oriented one. There is an attempt in column 2 in the table to classify all the ministries according to functional/sectoral criteria. The cabinet columns then indicate whether a given ministry was or was not in a cabinet, thus allowing us to compare the number of ministries which have had sectoral rather than functional reasons for their existence for every cabinet in the table. More than fifty percent of ministries in the first three cabinets during 1994-97 were sectorally based. Only in 1998, during Pustovoitenko cabinet's term in office, the share of sectoral ministries dropped to around thirty percent. Figure 4.1 below illustrates this dynamic:

incentives to cooperate.

Figure 4.1 The Change in the Number of Sectoral Ministries in Ukraine



The division of responsibilities among deputy prime ministers has also changed over time reflecting both the process of cabinet adaptation to the new market environment and political imperatives of the moment. Appendix 4.1. at the end of the chapter illustrates the flexibility of cabinet organizational structure by comparing the demarcation of deputy prime minister responsibilities in Lazarenko's cabinet at the beginning of the office term, July 1996, and at its midpoint, December 1996. Duties assigned to deputy premiers, unlike the maximum number of deputies, are not rigidly specified in any legal document, thus allowing the president and prime minister some degree of flexibility in "tailoring" deputy premiers' responsibilities to the concrete personalities of politicians. For example, at the beginning of the Lazarenko cabinet's term one of the candidates for the post of vice premiers was a liberal academic economist and the other had an agricultural background, thus the positions of deputy premier responsible for economic reform and the agroindustrial complex were created. When these politicians later left the cabinet, the deputy prime ministers' duties were reassigned. In December 1996, the first deputy prime minister was supervising so-called "power ministries" of defense, interior, etc. and three other deputy premiers were dealing respectively with the economy, social policy, and educational and cultural matters.

A more comprehensive way to capture the dynamic of changes or their lack in the structure of central bodies of executive power in Ukraine is to examine the overall size of the executive measured by both the number of central executive bodies and the number of civil servants employed in the executive. Additionally, to see whether the shift from the sectoral to functional principle in the organization of executive is taking place, the character of the executive agencies and the distribution of sector- and function-based

agencies needs to be explored.

Quite substantial differences in the number of central bodies of executive power cited by the analysts complicate the exact comparison. For example, for the year of 1996, Krawchenko (1997) reports that the Ukrainian government consisted of 112 central agencies which included ministries, state committees, state directorates, etc. The World Bank's (1997) estimate is more than 110, and Prynts and Baziuk's (1998) number is 84. The latter offer the most comprehensive treatment of changes in the composition of central government from 1996 through 1998. The total number of executive bodies, according to their estimate, varied from 84 in 1996 to 75 in 1997 and back to 84 in 1998.

This data indicates there is no clear trend in the direction of downsizing the executive branch. While the number of central bodies of executive powers remains stagnant, the same study shows the substantial decline of expenditures planned in the budget for the executive branch of government in 1998. While in 1996 and 1997 they amounted to 550 mln. and 640 mln. hryvnas respectively, the number for 1998 is 392 mln⁵². These changes probably reflect the general trend of the decline in governmental expenditures due to the fiscal crisis of the state⁵³. In the same time, the operational expenditures of the cabinet of ministers after bouncing to 22 mln. hryvnas in 1997 from 1,9 mln in 1996 remained at approximately at the same level in 1998 (Prynts and Baziuk 1998).

⁵² These numbers include the expenditures on central executive bodies, their local branches, regional and local state administrations.

⁵³ Given the rather constant number of executive agencies during 1996-98 period, one immediate consequence of the almost 40 % cut in the 1998 expenditures on the executive branch will be a drastic decline in real wages of civil servants employed in the executive. The civil service's compensation scheme, which is already not competitive with the level of salaries in the private sector, will thus experience another stress causing further demoralization of bureaucracies and deterioration of public services they deliver.

The persistence of sectoral rather than functional organization of the cabinet in Ukraine has several explanations. As already discussed, bureaucratic resistance is strengthened by the support of strong managerial lobby of old industrial and agricultural enterprises. Due to the lack of radical privatization reforms and enforceable bankruptcy procedures, these enterprises remain viable and use sectoral ministries as one of the channels to exercise pressure on the state⁵⁴. In this sense, the lack of radical economic reforms is both cause and effect of the sectoral ministries' endurance. It is a cause because the slow transformation of the economy does not produce sufficient upward pressure to reform the executive institutions. At the same time, the lack of reform is a consequence of strong reform resistance partially sponsored by the executive agencies formed according to the sectoral principle.

Policy analysts also emphasize the different versions of collective action problems and crisis management patterns as factors impeding administrative change. While the reform opposition is numerous and well aware of its interests, the reform proponents are few in numbers and disoriented. Societal support, due to the collective action problem, is inactivated and dispersed. Cabinet and legislative policy makers who have to guide the implementation of changes are caught in every day management routine. Preoccupation with the current situation and crisis management forces the decision-makers to concentrate on the immediate causes of problems, making the introduction of institutional or structural reforms even more problematic⁵⁵.

⁵⁴ The author's interview with Ivan Rozputenko, the Chair of Economics and State Finance Department, the Ukrainian Academy of Public Administration.

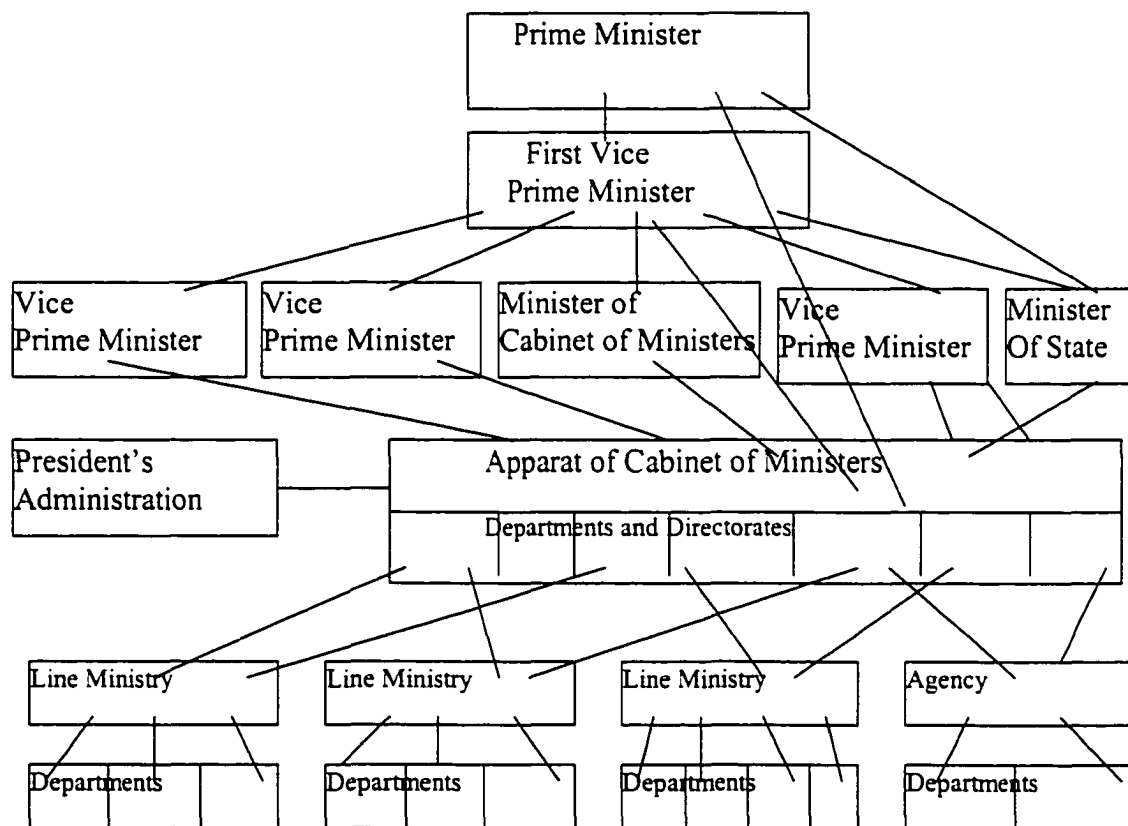
⁵⁵ The author's interviews with Serhiy Bereslavskiy and Dmytro Lutsenko, policy experts, IRIS Institutional Reform and the Informal Sector Project at the University of Maryland; Olha Lukashenko, administrative reform expert, Office of the Vice-Prime Minister of Ukraine (Kyiv, July 1999).

The dynamic of political competition inside the executive, however, may offer additional insights into the politics of sectoral reform. The endurance of sector-based executive agencies, unlike the cabinet apparatus's decision-making prominence discussed next in the text, is not determined by the conscious choices of the politicians in the executive. Yet, there is a mutual reinforcement between the persistence of sectoral executive agencies and partisan use of bureaucracy by the president and prime minister engaged in intraexecutive competition.

The Role of Apparatus of Cabinet of Ministers

The World Bank (1997) study, which deals with the issues of state reform, emphasizes the importance of efficient organization of the cabinet for the improvement of the government's capacity to formulate and implement effective policies. Much of the inefficiency in cabinet organization in Ukraine, the report argues, has been created by the Apparatus of Cabinet of Ministers which, because of its functions, size, and strategic position in the structure of government, has a major influence on how the cabinet functions. The figure 4.2 below shows the structure of the Ukrainian cabinet in 1997.

Figure 4.2 Cabinet Structure in Ukraine, 1997



Source: Adopted from World Bank 1997

Graphical representation helps us to understand why the Apparat was able to exercise unexpectedly large influence on the cabinet decision-making process. Serving as an intermediary among the various bureaucratic agencies both on the horizontal and vertical levels inside the cabinet, the bureaucracy of the Apparat transmitted and circulated the numerous flows of commands and information both along the hierarchical chain from the prime minister to the individual ministries and among the individual ministries. As a result of this catch-all intermediation and redundant coordination, the cabinet decision-making process was characterized by a lack of responsiveness and flexibility. The principles of transparency and accountability in the work of government were also compromised since both the origins of decisions and procedures for arrival at those decisions were frequently lost in bureaucratic complexity of the cabinet.

The Apparat not only intermediated but also regulated cabinet activity through issuing instructions, regulations, and resolutions which either had binding character for or should have been executed by ministries and other central executive bodies. The diminished role of both individual ministries and collegial bodies formed by those ministries in the cabinet decision-making process was thus another consequence of the inflated importance of the Apparat (Krawchenko 1997). One of the basic principles of democratic government - the elected officials' leadership and control over the technocratic appointees - was actually reversed in the Ukrainian cabinet where the Apparat bureaucrats have developed the authority to direct the work of individual ministries and, in fact, have been issuing orders to the cabinet ministers.

The position of the Apparat in the Ukrainian cabinets contrasted with the role played by cabinet office secretariats in most OECD countries. The size of these

administrative bodies supporting policy formulation and coordination is small because most inter-departmental coordination is done by ministries and departments before policies are agreed by governmental ministers. In the UK, for example, the Cabinet Office Secretariat has less than 50 staffers. In France, where the Secretariat General is also responsible for reviewing bill drafts prior to their being submitted to parliament as well as following up the implementation of cabinet decisions, there are less than one hundred civil servants employed in the Secretariat. In Ukraine, in contrast, the cabinet apparat was the largest cabinet ministry in 1996. It had 34 departments and 1100 staff, while the Ministry of Agriculture, for example, had 32 departments and 650 staff (Report No. 16344-UA, World Bank 1996).

Despite the obvious inefficiencies associated with the Apparatus this governmental structure has persisted through 1997-98. Although the Apparatus has implemented some changes, these changes have been directed to modifying internal organization and controlling personnel growth rather than on the more radical task of reforming the agency's goals and methods. At the time of the 1997 World Bank study the Apparatus employed over 800 civil servants. One of the first cabinet resolutions regarding the size of the Apparatus of Cabinet of Ministers established the number of personnel in the Apparatus at 456 in 1992. The number of this agency's employees had a tendency to grow, reaching at maximum about 1200. In 1998 the number was reduced to about 800. The most recent government resolution dated August 19th 1998 orders a decrease in the number of employees in the Apparatus to 690⁵⁶. Similarly to the changes in personnel, the

⁵⁶ The dynamics of personnel growth and organizational change as well as the account of government resolutions dealing with the Apparatus of Cabinet of Ministers can be found in Roman Didenko's MA thesis "Problems of Administrative Reform: the Case of Ukraine" (unpublished paper, Budapest: CEU 1999)

organizational modifications inside the agency lacked strategic direction; they were undertaken to achieve small efficiency gains through rationalization of internal structure and management rather than to change the agency's overall purpose and methods of operation (Didenko, 1999).

This situation can be described in terms of bureaucratic resistance to change or in terms of the lack of interest on the part of politicians in reforming this particular aspect of cabinet organization. Yet to say that politicians have an interest in not changing the particular administrative status quo is not the same as to say that they do not care about this issue. That the former has been the case with president's position regarding the Apparat's reform in Ukraine is discussed below.

Creating, dismantling, or modifying central bodies of executive power is, according to the 1996 Constitution, the exclusive prerogative of the president (Constitution of Ukraine: Article 106). Thus any substantial structural or organizational changes in cabinet require presidential confirmation. **The president had opposed the changes in the responsibilities and powers of the Apparat because they would have led to diminishing the role that the Apparat played in the organization of decision-making process in the Cabinet. The diminished role of the Apparat, under the specific political and legal circumstances of the executive politics in Ukraine during 1991-98⁵⁷, would have reduced the president's influence in the cabinet.**

Understanding why the Apparat of Cabinet of Ministers had become a presidential stronghold in the cabinet requires an examination of two important political developments in the recent political history of Ukraine. The first one is the dynamic of

⁵⁷ The president in Ukraine controlled the powers to create and dismantle executive agencies since 1991. In

conflict between the Ukrainian presidents and prime ministers. The second one is the leadership appointment patterns in the Apparatus.

The analysis undertaken in the previous chapter of this research shows that president-premier relationships in Ukraine are fraught with conflict and political competition. Four of seven cabinet resignations were to a significant extent the outcome of intraexecutive political competition. The discussion in the previous chapters also indicates that at the stage of cabinet formation neither of the Ukrainian presidents had an easy time securing the selection of his ideal candidate as a prime minister. The existing president-parliamentary framework has induced the politicians in the Ukrainian executive to take the confrontational stands.

While heading the cabinet in 1992-93, then-premier Kuchma competed with president Kravchuk for control over the executive branch of government and for the redistribution to the cabinet of legislative powers claimed by the president in the process of bargaining with the parliament (Haran' 1997). After being elected president, Kuchma faced intense power competition from two consecutive premiers, Marchuk and Lazarenko. Given the president's difficulties in having his confidant appointed as a prime minister and in securing the loyalty of the prime minister during the premier's time in office it was only rational for the president to try to exert his influence on cabinet through the appointment of presidential confidants to the individual ministries and key bureaucratic agencies. Since the Apparatus of the Cabinet of Ministers has been strategically positioned inside the government, president Kuchma managed to secure that the same close confidant of his occupied the office of the head of Apparatus under the

this respect, the 1996 Constitution served as a formal confirmation of the existing practice.

consecutive prime ministers and cabinets⁵⁸. The appointment of individual ministers under the current Ukrainian constitutional framework, as it was already mentioned, is a separate game from the one played by the president and parliament over the premier's appointment. To appoint a minister of his cabinet, the premier has to nominate a candidate and the president will have to approve the former. The president used his power of confirmation, among other things, to bargain over a candidate for the apparat leader.

An official title of the head of the Apparatus in Ukraine is Minister of Cabinet of Ministers. A cabinet minister without portfolio would be the equivalent of this position in the literature on comparative government. It would be, however, a very problematic equivalent given the fact that the Ukrainian minister without portfolio controls very substantial resources and heads a much more powerful organization than cabinet ministers with similar titles in most semipresidential democracies.

The same person, Valeri Pustovoitenko, headed the Apparatus of Cabinet of Ministers in four of eight Ukrainian cabinets since 1991. The first time he was appointed to the post of cabinet minister without portfolio during Kuchma's premiership in 1992-93. A number of factors help to identify Pustovoitenko as a close confidant of Kuchma already at that point of time. First, the position of Minister of Cabinet was the first office that Pustovoitenko held at the level of central government; before that he served as a mayor of Dnipropetrovsk, a very important industrial center but still just one of twenty five regional centers in Ukraine. Second, Dnipropetrovsk was also a place where Kuchma made a career as a director of Pivdenmash, the major rocket factory in the USSR. Thus both regional and professional ties of Pustovoitenko to Kuchma explained

⁵⁸ The reasons and consequences of persistence in office, despite the high rate of cabinets' turnover, of

the Pustovoitenko's ascendance to the cabinet position. Content analysis of the Ukrainian press shows that there is an unanimous agreement among analysts about the personal loyalty of Pustovoitenko to Kuchma throughout all of Pustovoitenko's tenures in the cabinet office ("Zerkalo Nedeli", "Kyiv Post"1999)⁵⁹. The fact that Pustovoitenko was president's first choice for the post of prime minister after the Lazarenko's cabinet dismissal underscores the point about the personal ties between these two politicians.

Pustovoitenko's premiership lasted for twenty seven months which is the cabinet stability record for Ukraine. His cabinet stayed in power longer than any of eight previous cabinets in Ukraine since 1991. The premier's compliance with the presidential leadership over the executive is the primary reason for cabinet stability. The president's confidence in the premier's loyalty also explains why dismantling the Apparatus took place only during Pustovoitenko's incumbency. Being secure about the premier's political support, the president no longer needed to support the omnipotence of the Apparatus to control the cabinet.

To conclude, reducing the Apparatus's role in the cabinet's decision making would have undermined the position of one of the closest political confidants of the president and ultimately diminished presidential influence on the cabinet at the time when president

several other key ministers will be discussed in the next section.

⁵⁹ The important role that personal social networks have played in making political or any other type of career both in the USSR and postSoviet successor states has become a subject of much research. See, for example, Ledeneva, Alena Russia's Economy of Favors : Blat, Networking, and Informal Exchange (Cambridge University Press 1999); Dinello, Natalia "Financial-Industrial Groups and Russia's Capitalism" in Micgiel, John, ed., Perspectives on Political and Economic Transitions after Communism (Institute on East Central Europe, Columbia University 1997). The binding power of personal loyalties, clan or group conformity, informal trust-based agreements and other attributes of social networks should not be exaggerated. The political career of another of president Kuchma's confidants, the former prime minister Pavlo Lazarenko, illustrates the point. Having the same regional and professional ties to Kuchma and being as much Kuchma's protégé as Pustovoitenko is, prime minister Lazarenko opted for open confrontation with president Kuchma when Lazarenko's political and economic interests came into conflict with those of the president.

repeatedly faced the political challenge on the part of premiers. Thus, however desirable the reform of Apparatus from a technical point of view, it could not find the political support on the part of president when the latter was insecure about the loyalty of the prime minister.

The discussion of this particular aspect of cabinet restructuring was undertaken here to illustrate the importance of political interests of the president for understanding the dynamic of administrative changes. The argument here is not that president is opposed to administrative reform in general. As was argued at the beginning of this chapter, administrative reform constitutes a kind of public good that the president has an electoral interest to provide. But the presidential efforts will be conducive to the reform plans as long as the latter do not clash with his immediate political concerns about control of the executive. In terms of cost-benefit analysis, the costs of restructuring the Apparatus were prohibitive for the president. Demolishing the Apparatus was more consequential for presidential ability to control the cabinet than any benefits derived from the improved organizational efficiency of the cabinet.

The president's fear of intraexecutive competition and legal status of executive agencies

Changing the role of Apparatus, however important, represents only one aspect of the conflict of interests between the president and prime minister. Other problems which affect the design and functioning of the executive include the contentious issues of

individual ministries' subordination, special status of certain governmental agencies, ministries' reform and reorganization.

Provisions of unilateral appointment. Given the permanency of potential threat of political rivalry on the part of prime minister, the president under a president-parliamentary framework has incentives to institutionalize his presence in cabinet. Having an exclusive unilateral right to appoint certain cabinet ministers is one way of institutionalizing the president's presence in cabinet decision-making. The president's appointees are more likely than cabinet members (whose appointment requires joint decisions of president and premier) to be guided in their activities at the cabinet by the interests of the president.

The immediate motive for the first Ukrainian president Leonid Kravchuk's attempts to secure his exclusive control over the key ministerial portfolios was to limit parliament's ability to exercise political pressure on the executive. Parliament exercised control over the cabinet by influencing the premier's choices of candidates for major cabinet positions. Kravchuk managed to obtain the parliaments' approval for the change in his powers over the composition of the cabinet in Spring 1992. According to the revised Constitution, the president received a right to propose not only the prime minister but also seven leading ministers of state for parliament's confirmation. These seven nominations included ministers of foreign affairs, defense, finance, justice, internal affairs, and the heads of the committees for customs and the defense of state borders. This provision was effective until the adoption of new constitution in June 1996 and turned to be very useful for presidents Kravchuk and Kuchma' ability to sustain their influence over cabinets at times when the latter were headed by rival premiers. As Wilson (1997)

notices both Ukrainian presidents guarded this right jealously against several prime ministers' attempts to assume fuller control of cabinet nominations.

Creating new executive agencies and defining their status. Another presidential strategy to secure a higher degree of control over the executive agencies was to grant to new executive agencies a special status which effectively took them out of control of the prime minister. The creation of new executive agencies, the prerogative of president, has been a powerful resource in the hands of president which has been used both for enhancing administrative capacities of the state and for the political goals of empowering himself institutionally vis-à-vis the prime minister.

The proliferation of new governmental agencies, in many cases, is a result of new problems and challenges that transition to democracy and market economy forces the state to deal with. Many government institutions and the functions they routinely perform in market-based democracies are either new for postcommunist countries or they existed in very different form. For example, the creation of central and local branches of State Tax Administration was dictated by the acute necessity to create tax collection institutions after the disintegration of old economic system led to the collapse of state revenues and the government's inability to finance budget expenditures. On these grounds, it would be problematic to argue that the desire to change the balance of executive powers between the president and premier is a major motive behind the president's decisions concerning the creation of new governmental bodies. However, one aspect of agency proliferation where presidential political motivation of this kind can be discerned is the issue of new agencies' subordination. When there are no technical or economic rationales for keeping a newly created agency out of the cabinet's structure and

lines of subordination but the official status granted to such an agency by the presidential degree does not make this agency accountable to the premier, than the legitimate suspicions about political motives in the agency's design can be formed.

To trace the political origins of some new agencies is often methodologically difficult because of challenges involved in gathering the appropriate information about the exact circumstances that led to the creation of agencies. These challenges which are inherent in any type of research examining the issues of institution building and personnel appointments are multiplied by the Soviet-type lack of transparency and abundance of secrecy surrounding decision-making in this sphere. It constitutes a problem especially for dealing with central government bodies with status lower than cabinet ministry: state committees, directorates, and departments. There is more information available about ministry-level positions. For example, the Lazarenko's second cabinet (6/96-8/97) did not include in its structure three newly created agencies whose heads had a status of minister: State Tax Administration, National Agency of Reconstruction and Development, Committee on Industry and Energy Complex. The presidential degree regulating the structure of the cabinet in Ukraine at that point did not mention those agencies (Kosonotska and Tomenko 1996).

The story of the National Agency of Reconstruction and Development illustrates the argument advanced here. The analysis of periodicals helps to identify the Head of National Agency of Reconstruction and Development as a president's confidant who previously headed the Ministry of Economics and, after resignation from that post, was appointed as a head of newly created National Agency of Reconstruction and Development. It is difficult to find an economic rationale for not including this agency in

the structure of cabinet. The absence of any functional necessity in a separate existence of such an organization is illustrated by the subsequent changes in this agency's goals and responsibilities. Under the same leadership, it turned, in less than a year, into National Agency of European Integration and, after the issues of European integration were transferred to the foreign ministry, its title and responsibilities changed for the third time ('Zerkalo Nedeli' 1998).

Whether the primary motive for the creation of this agency was the presidential desire to consolidate his control over the flows of foreign investments or to keep a loyal political supporter in the political game by creating an office for him is difficult to disentangle. Both motives were important and the latter consideration - to secure a job for his client - probably explains the exact timing of this agency's creation. Both considerations were also aimed at the achieving one goal, securing the president's influence over the executive. In this sense, intraexecutive competition over control of the executive is an additional stimulus for dispersing patronage appointments by the president.

Creating new agencies and shaping them in ways he likes is an easier strategy for the president to secure some control over the executive than trying to recapture the old institutions and bodies of the executive power. The latter ones, due to the very fact of their existence, have already developed vested interests both inside and outside of them, in preserving the ways these institutions and agencies are organized and function. Since the political costs of changing some old administrative institutions and bureaucratic organizations can be prohibitively high to the president, the anticipation of these costs induces the president to create new agencies with the latter often engaged in duplicating

the functions of the old agencies. The logic of presidential actions under the president-parliamentary framework is somewhat similar to the one that Moe (1994) detects in presidential systems. What is absent under the presidential constitutional framework, however, is the constraints imposed on the president by the very existence of the office of prime minister. Geddes (1994) shows difficulties that the president faces when the individual ministries in presidential regimes are controlled by his political opponents. No minister in presidential system, however, has organizational means and political standing available for the prime minister in president-parliamentary regimes.

Given Moe's argument, one possible criticism of focusing on intraexecutive competition is that the president's motivations for agency creation and particular design is caused not by the potential threats of the premier's competition but by the ultimate fear of the legislature. The presidential fear of the premier would be the mere extension of the presidential fear of the legislature if the latter had perfect ability to monitor cabinet and ensure premier's full compliance. Under the president-parliamentary framework, however, it is often very problematic to assume that parliaments, especially fragmented ones, has a close to perfect ability to impose its interests on the cabinet. The cabinet's dependence on parliament varies across the cases and so does the character of institutional conflict. In many cases intraexecutive competition can not be reduced to executive-legislative conflict.

Qualities of cabinet decision-making under intraexecutive conflict. Focusing for now on the dynamic of relations between the president and premier, several immediate consequences that intraexecutive political competition over control of cabinet ministries has for the quality of executive decision-making process are mentioned below. First of

all, dual intraexecutive control over the executive bodies creates problems for both the effectiveness and efficiency of cabinet operations. The assumption here is that effective governance requires streamlined structure of the central government with all central executive bodies reporting to the prime minister. The leadership of the cabinet should be exercised from one center which co-ordinates and supervises individual ministries, committees and other central government agencies. When some of individual ministries or other central agencies are not explicitly included in the structure of the cabinet and/or report to the president but not to the prime minister in their organizational and policy matters, then co-ordination and policy making in cabinet are impeded, different agencies perform the same tasks, and parallel flows of decisions and information persist.

Second, the individual ministers, who are formally subordinated to both the president and the prime minister, face a similar kind of dilemma that the premier experiences in his interactions with the president and the legislature. Having multiple principals whose interests diverge makes the ministers, explicitly subordinated to both the president and prime minister, develop a set of motivations which are hindering rather than conducive to the achievement of any policy goals envisioned by the principals.

Third, in president-parliamentary systems where presidents have an exclusive right to nominate/appoint and dismiss individual ministers, the principle of cabinet as a collegiate body accountable to parliament is heavily compromised. In other words, the executive decision-makers are not held accountable for policy failures in a systematic, predictable way. In Ukraine, as in other postSoviet countries, certain ministers stay in the office while prime ministers and their cabinets come and go. The preservation of continuity and stability in the discharge of important executive functions is often cited as

a justification for compromising the collective accountability of the cabinet. What is often ignored is the heavy costs that this state of affairs entails for the political responsibility of the cabinet, parliamentary capacity to influence the executive policies, and ultimately for citizens' ability to differentiate and choose among the alternative political programs and politicians associated with them.

Cabinet Restructuring in Russia

The Russian president also has fears of political competition on the part of a premier. These fears, however, are not as acute as those of the Ukrainian president. The provisions of the 1993 constitution, which was tailored by Yeltsin to fit his immediate political needs, allow the Russian president to threaten parliament with dismissal when the latter disagrees with the president regarding the issues of cabinet formation and cabinet stay in office. Given these provisions, the position of a premier is likely to be occupied, most of the time, by a person who is close to president's ideal point.

The likelihood that parliament will approve the president's ideal choice of premier depends, among other things, on political costs that president has to endure in cases when he tries to impose his choice of prime minister on the legislature and on the premier's willingness to risk its own survival. These two factors are contextual and there are no legal means which would secure the president's ability to have his ideal prime minister candidate approved all the time by the legislature. Nor has the president constitutional means, other than ultimate dismissal, to keep a compromise premier from being politically disloyal and from seeking parliament's support. The formation and subsequent functioning of Primakov's cabinet, already discussed in the second chapter, illustrates

these types of threats that even a very powerful Russian president faces because of the dual nature of the executive in the Russian institutional setting.

Distrust of a premier, one can expect, should make the Russian president engage in behavior similar to that of the Ukrainian president. The president should jealously guard his rights to appoint and dismiss individual ministers; create, reorganize and dismantle ministries and other central bodies of the executive power; and make certain executive bodies directly accountable to him by assigning them a special legal status and taking them out of premier's control. In short, the president should attempt to create institutional safeguards of his control of the executive branch. The persistence of parallel administrative structures, the lack of cohesion and flexibility in the executive, diffusion of decision-making powers, and, ultimately, the lack of clear patterns of responsibility for making executive decisions will be the consequences of the presidential actions for the design and functioning of central public administration.

Yet the absence of intraexecutive competition as intense as in the case of Ukraine is an important characteristic of the political environment that the Russian president found himself in during the period of 1991-97. This environment, in turn, was a function of stronger presidential powers, both constitutional and political (or contextual), in Russia as compared to Ukraine. Yeltsin did not only coexist peacefully with both Chernomyrdin and Kirienko's cabinets but was also practically uncontested in his leadership over cabinet appointment and structural matters. The low level of intraexecutive conflict thus should have allowed the president and prime minister to extend more concerted efforts to reform the organization and functioning of the executive government.

In general, there are two complementary claims made here. First, the Russian intraexecutive relationship, due to its low conflict nature, is more conducive to cabinet reform than the Ukrainian one. Second, the president is ultimately unwilling to render the full control of the executive to the premier and this unwillingness impedes the rationalization of the executive government. Empirical support for both of these claims is discussed in two consecutive sections below.

Reforming central government

While the dual character of the executive leadership under semipresidentialism constitutes an obstacle for enhancing the efficiency of cabinet organization, the prospects for streamlining the cabinet structure are much worse when the president and premier are caught in intraexecutive political conflict. The latter situation was illustrated by the Ukrainian difficulties of restructuring. How the absence of intraexecutive political rivalry during president Yeltsin's coexistence with Chernomyrdin and Kirienko's cabinets affected the cabinet reform in Russia is discussed below.

Despite the continuous diffusion of executive powers and cumbersome structure of deputy premier positions, the reform of central government in Russia went further than in Ukraine and the concerted efforts on the part of the president and the premier contributed to this advancement. The reform efforts were directed at increasing the role of individual ministries in policy making, reducing the number of ministries, shifting from the sectoral to the functional principle in their organization, and on changing the ways of the cabinet apparatus's involvement in cabinet functioning and policy coordination.

The most important cabinet restructuring measures in Russia to date took place during 1997. The timing of reform testifies to the importance of intellectual trends and to the role of international developmental institutions dealing with the issues of economic transformation in postcommunist countries. 1997 was a year when the World Bank and other international organizations dealt extensively with the issue of administrative reform as a necessary component of economic transition which should accompany the reform measures on privatization, financial stabilization, and structural adjustment of economy. The 1997 World Bank Report, published yearly, has the title The State in the Changing World and has devoted a considerable amount of attention to measures to improve the efficiency of state internal organization and on the restructuring of central government.

President Yeltsin's 1997 address to parliament has a similar focus on the necessity to undertake the reform of public administration as a major priority for the Russian government (Rossiiskie Vesti, March 6 1997). The title of his address, "Order in the Government - Order in Society", has reflected the growing awareness on the part of the executive leadership of impediments that the persistence of the Soviet-style public bureaucracy has created for the process of transformation in Russia. The presidential address was followed by a number of decrees dealing with several aspects of central government restructuring.

This contrasts with the Ukrainian president's approach to cabinet restructuring. Already in 1996 in the presidential address to the Ukrainian parliament, president Kuchma emphasized the need for the fundamental reform of the structure of central government as a major factor in improving government performance⁶⁰. Yet no substantial

⁶⁰ World Bank Mission Report cites one abstract from the presidential address where the president discusses

cabinet reform measures were initiated by the Ukrainian president during 1996 and 1997, which were the years when president was engaged in intense intraexecutive conflict with two consecutive premiers.

The incremental reduction both in the size of cabinet and in the number of central governmental agencies was one of the important consequences of the presidential decree-making in Russia. The change from 1996 - a year of the presidential election - to 1999 - was significant. The above-mentioned July 18, 1996 presidential decree, according to which Chernomyrdin was re-appointed as a cabinet head after the 1996 presidential elections, contained a provision that a prime minister has 11 deputy prime ministers. The same decree specified the structure of the executive: 24 ministries, 19 committees, 18 federal agencies and 5 other central executive agencies (the Decree of the President of the Russian Federation, July 18, 1996). The March 17, 1997 decree N. 249, which followed the presidential address to parliament in 1997, reduced the number of deputy premiers from 11 to 8 and abolished 5 ministries and federal committees (the Decree of the President of the Russian Federation, N. 249, March 17, 1997). By the beginning of 1998, a total number of central executive agencies in Russia was 61 as compared with 81 central executive agencies (according to the conservative estimate) in Ukraine (Prynts and Baziuk 1998). Given the fact that the Russian economy is much more diversified in terms of sectoral activity and roughly three times as big as the Ukrainian one, this finding is

the lack of improvement in the management of science despite the proliferation of science-related agencies including the State Committee on Science and Technology, the State Patenting Department, the State Innovation Fund, the State Committee on Metrology, the Ukraine National Information Agency, the Academy of Science, etc. (Ukraine Public Sector Reform Loan, Preparation Mission Report, World Bank 1997).

especially illustrative of the different dynamic in the restructuring of the executive in two countries.

The persistence of the executive agencies organized along sectoral rather than functional lines has been characteristic as much for the Russian as for the Ukrainian public administration during the first years after the breakdown of the Soviet Union. Yet, the transformation of sectoral or branch agencies in Russia has taken place on a faster pace. This is reflected both in a smaller total number of executive agencies and in the nature of agencies that are abolished or reorganized. The agencies that were abolished according to the March 17, 1997 presidential decree N. 249, for example, included the ministry of industry, the ministry of defence industry, state committees on paper industry and fishery, and the information policy committee. The ministries of information and construction lost their status and were reorganised into state committees (the Decree of the President of the Russian Federation, N. 249, March 17, 1997,). Before being abolished or transformed each of these agencies was engaged in practices incompatible with those that orthodox economic theory prescribes to the governmental agencies in a market economy. These agencies' sectoral orientation and interventionist policies have made them the obvious candidates for abolition when the idea of efficiency-enhancing reform of cabinet has become popular among policy-makers.

The apparatus of the cabinet has also undergone several changes reflecting a new perception of appropriate role and functions that this specific agency has to play if the structure of cabinet is to become more efficient and market-friendly. Already in March 1996 the cabinet issued an order N. 505 "Measures to Reduce the Size of Apparatus of Council of Ministers" (the Order of the Council of Ministers of the Russian Federation,

N. 505, March 30, 1996). The order introduced a limit on the maximum number of civil servants that can be employed in the apparat, spelled out new organizational structure, and specified the number of deputies that the head of the apparat should have. A number of civil servants employed in the apparat was limited to 1270. A comparison with Ukraine where the apparat of the cabinet during the same year of 1996 employed between six and eight hundred people suggests that a relative weight of the apparat in the Russian cabinet was smaller than in the Ukrainian one. This suggestion is based on assuming an approximately similar size of cabinet relative

to a number of public sector employees and given the fact that the Russian public sector is approximately three times as big in absolute terms of employment as the Ukrainian one.

The next cabinet order regulating the structure and activity of the apparat was issued in April 1997 (the Order of the Council of Ministers of the Russian Federation, N. 484, April 8, 1997). This cabinet document was an intellectual offspring of the administrative reform plan outlined in the 1997 presidential address to parliament. A shift from the sectoral to the functional principle of the apparat's internal organization was specified in the order as a major element of the apparat's reform. The cabinet order also put in place a new structure designed to make the apparat in general, and its departments in particular, more responsive to the needs of individual ministries in coordination and communication.

The Statute of the Apparatus of Council of Ministers, introduced by another cabinet order, contained the provisions that further specified the duties and responsibilities of the apparat in the light of new functional tasks (the Order of the Council of Ministers of the

Russian Federation, N. 604, June 18, 1998). The apparat, according to the Statute, was to provide the organizational support for the cabinet. The apparat's organizational efforts, directed at facilitating the work of the cabinet, were confined in the document to such activities as preparation of auxiliary materials for cabinet meetings, processing cabinet correspondence, and coordination of cabinet interactions with the other institutions of government. Although the Statute also granted some controlling functions to the apparat, the exercise of controlling powers was neither specified in terms of domain nor procedurally defined. In sum, the Statute further diminished the ability of the apparat to intervene in the work of individual ministries and to impose its own preferences on the political superior.

The fact that all legal documents regulating the activity of apparat had the status of cabinet orders - not presidential decrees - and were solved in routine cabinet manner indicates the absence of political interest on the part of president in apparat matters. No evidence of presidential political involvement in the apparat-related issues have been reported in the press. The political standing of the head of the apparat was effectively diminished by the 1997 presidential decree N.249 which established a new structure of the cabinet (the Decree of the President of the Russian Federation, N. 249, March 17, 1997). According to the decree, the head of the apparat no longer enjoyed the status of a deputy prime minister but still retained the position of a federal minister.

Installing institutional safeguards of presidential control over the executive.

The president's distrust of a premier and the consequent attempts by the president to enhance or, at least, to preserve the executive powers awarded to him by the

constitution are best discerned in law- and rule-making that the president is routinely engaged in. Since the constitution includes only the most basic and essential provisions, there is a need to elaborate constitutional provisions in order to specify further the rules and norms, or, to assign to the political actors the residual rights which should guide them in the situations which are not covered in the constitution (Frye 1994). The way that general constitutional norms regulating president-cabinet relationship are interpreted in presidential decrees and orders is indicative of the goals and concerns that the president has with regard to the design and functioning of the executive.

The Russian constitution of 1993 gives to the president several instruments to influence cabinet formation and structure. Regarding the former, the president appoints a premier subject to the consent of the lower chamber of the Russian parliament, appoints and dismisses deputy premiers and federal ministries who should be nominated by the premier, and also has the unconditional right to dismiss the premier and his cabinet (Art. 83). The President also has a major say in how the structure of cabinet is set up. The newly-appointed premier has to submit to the president the proposal on the structure of central bodies of executive power (Art. 112). The presidential decree then turns the premier's proposal into law.

In the same time, the 1993 constitution does not give to the president any exclusive control over the executive agencies and does not contain clauses which could be interpreted as allowing the president to create unilaterally federal bodies of executive power except for the Security Council of Russian Federation (Art. 83). Regarding other aspects of presidential control of the executive, the constitution also mentions, but without any specific elaboration, that the president should "supervise the conduct of the

foreign policy of the Russian Federation” (Art.86) and “endorse the military doctrine of the Russian Federation” (Art. 83). In these areas, the constitutional powers of the president are the usual powers attributed to the head of state. They include the rights to appoint and dismiss the supreme command of the armed forces; to appoint and recall, after consultations with the respective committees or commissions of parliament, diplomatic representatives of the Russian Federation to foreign states and international organizations (Art. 83).

Yet, the fact that the constitution allows the president to issue decrees and executive orders, without limiting their scope or domain and only restricting them to being non-contradictory to the constitution and federal laws, creates an opportunity for the president to regulate residual situations according to his preferences. At the same time, the presidential veto power and the upper chamber’s involvement in the legislative process form substantial obstacles to the ability of the State Duma, the lower chamber of the Russian parliament, to structure the residual matters of executive governance to its liking.

One way that the Russian president formalizes or institutionalizes his control over the executive is through the issue of decrees which regulate the activity of key federal ministries. These decrees tend to deal with such major issues of agencies’ functioning as specification of goals and objectives, definition of functions and responsibilities, restrictions on the exercise of powers, etc. The important part of these documents is the specification of the lines of superiority and subordination. As one of the most detailed Russian-language studies of the presidency, Okun’kov’s Prezident Rossiiskoi Federatsii, indicates the presidential decrees do not allow for the clear separation of authority

between the offices of the president and the prime minister with regard to the individual executive agencies (Okun'kov 1996). Both the president and premier can issue orders to these agencies, request information from them, and authorize their actions. There is no clear guidance either in the constitution or in the presidential decrees regulating the functioning of the executive which would help to separate the exact domain of presidential powers and prerogatives as opposed to those of the cabinet.

Okun'kov's study cites the evolution of the executive power on the regional level to illustrate how the dual nature of administrative leadership and political management of the executive is reinforced by the presidential decrees regulating the activity of regional state administration. For example, one of such decrees stipulates that the state administrations of the Russian Federation members are subordinated to both the president and cabinet "in issues that fall under the authority of the Russian Federation and under the joint jurisdiction of the Russian Federation and the subjects of the Russian Federation" (the Decree of the President of the Russian Federation, October 3, 1994). Initially, the presidential ability to exercise control over the executive leadership of the Russian regions was mainly based on the political practices which have developed since 1991. Insufficient reliability of such a foundation for the continuation of the presidential ability to influence the executive, according to Okun'kov, explains the presidential efforts to transform his informal and practice-based authority over the executive into the legal powers of both normative and procedural character.

A pattern similar to the one mentioned in Okun'kov's study is evident in the presidential decrees and executive orders regulating the work of individual ministries and the organization of the cabinet in general. Regarding the individual ministries, for

example, the August 16, 1996 Presidential Decree subordinates twelve of the total sixty six ministries and other central executive agencies directly to the president (the Decree of the President of the Russian Federation, N.1177, August 14, 1996). The Statute of Ministry of Internal Affairs, one of these twelve executive agencies, was issued later in the form of a presidential decree and stipulated that “the Ministry is subordinate to the president of the Russian Federation in matters regarding his authority under the Constitution of the Russian Federation and through legislative acts of the Russian Federations, and is also subordinate to the Government of the Russian Federation” (the Decree of the President of the Russian Federation, July 18, 1996). The wording of the document is indicative of underlying distribution of authority over the control of the key executive agency. The major statement of the cited paragraph is that the ministry is subordinated to the president; subordination to the cabinet is not the major but only the additional relationship that the ministry is involved in.

Regarding the overall organization of the cabinet, the president has established the practice of endorsing the modification of the central government’s structure every time that significant changes in the personal composition of the cabinet take place or new cabinet is elected. While the Russian constitution stipulates that the power to appoint deputy prime ministers and federal ministries, nominated by the premier, belongs to the president, neither the constitution nor the 1997 law on the cabinet deals explicitly with issues of structure. In practice, the presidential decrees regarding cabinet structure specify the exact number of the first deputy prime ministers and deputy prime ministers, list the number and the titles of federal ministries and other central executive agencies included in the system of the federal executive power.

The fact that the number of both the first deputy prime ministers and deputy prime ministers, for example, vary substantially from one cabinet to another indicates the president's usage of the power to restructure a cabinet as an important patronage resource in the changing political environment. Depending on the latter, it turned out to be in the president's interests to have several first deputy prime ministers and as many deputy prime minister positions as there were politicians representing the important societal groups which president sought to co-opt by appointing their representatives in the cabinet.

The tendency to have a cabinet, which is overcrowded with deputy premiers, received some amount of attention from analysts studying Russia. The Russian cabinet after the 1996 presidential elections, for example, had three positions of the first deputy prime ministers and eight of deputy prime ministers reflecting, to some extent, the presidential need to reward his supporters in the presidential race (Boilard 1998)). The frequent changes in cabinet leadership on the level of both first deputy premiers and deputy premiers in the turbulent 1993, according to Mau, testified to the president's policy of co-opting the influential politicians and balancing among the competing interests both in the Congress of People's Deputies, a representative body, and in the parliament (Mau 1996). In any political context, as the Russian president has found out, the benefits from the presidential ability to be flexible with the structural design has outweighed the costs of organizational inefficiencies imposed by the constantly changing structure of the executive government.

Although the proliferation of deputy premier positions in Russian cabinets during 1991-98 primarily reflected presidential bargaining with the most influential

parliamentary factions and societal groups, there were also some conflicts, not explicitly stated, between the president and the premier regarding the cabinet structure. The existence of these tensions can be traced in several cabinet restructuring proposals of the premier which did not find presidential support. The differences in opinion during 1997, which is the most important year for the central government reform in Russia to date, can serve as an example. The prime minister Chernomyrdin's proposal to reduce the number of the first deputy prime ministers from three to one was initially supported by the president (the Decree of the President of the Russian Federation, N. 211, March 11, 1997). Yet, the two presidential decrees which dealt with the issues of cabinet restructuring and personal appointments later that year specified that the prime minister has two first deputies (the Decrees of the President of the Russian Federation, N. 250 and 251, March 17, 1997). As the analysis of the Russian periodicals shows, both of the first deputy ministries, Boris Nemtsov and especially Anatolij Chubais, were considered to be the president's confidants and were in opposition to premier Chernomyrdin at the moment of their appointment (Komersant 1997).

The active participation of the president in executive matters and the parallel existence of presidential and premier's government is not what some proponents of semipresidentialism in Russia hoped for (Yegorov 1996). The 1993 constitution provides the president with special status which put him aside or "above" the executive. The constitution stipulates that the president does not belong to any branch of government but coordinates the work of all branches. Coordination and resolution of disputes among the different state authorities, and not the everyday management of the executive, are,

according to the constitutional experts, the major function of the president under the constitutional framework of 1993 (Okun'kov 1996).

The president's reluctance to live up to these expectations is partly explained by the lack of any power resources other than those of the executive that the president could rely on if he is to coordinate and facilitate the smooth functioning of the overall government. The absence of organized political party support substantially weakened the presidential ability to rely on the mechanisms of party-mediation in conflict resolution. Alternative sources of presidential power in conflict resolution - head of state credentials, moral authority, or personal charisma - do not provide a stable ground for solving political conflicts or coordinating diverse government activities. It also turned out to be quite unrealistic to expect that the president, empowered by the direct electoral mandate and very substantial legislative and non-legislative powers, would abstain from active involvement in the executive politics and would assume a non-partisan position as an "above party" arbiter.

As the content analysis of the presidential decrees show, instead of surrendering his executive powers to the premier in order to strengthen cabinet policy making functions, independence and responsibility, the president has pursued strategies which ensure the continuation of his influence and control over the executive. With regard to the individual executive agencies, the president has engaged in the regulation of their activities and the creation of norms which institutionalize the exact patterns of cabinet members' accountability to the president. Presidential decrees specify both the individual agencies' responsibilities to the president (such as order execution, reporting, consulting, etc.) and presidential powers with regard to the executive bodies (such as the rights to

give commands and orders, set criteria for evaluation, impose sanctions, etc.). With regard to the overall structure of cabinet, the president has opted for flexible rather than rigid institutional arrangements which allow him to modify cabinet structure every time the changing political circumstances require re-distribution of deputy premier positions and cabinet portfolios among the competing political actors.

While the cabinet reform measures in Ukraine were stalled by the recurrent instances of intraexecutive conflict during both president Kravchuk and Kuchma's terms in office, the intraexecutive peace in Russia facilitated several important changes, especially during 1997, in the organization and operation of the central government. These changes have included a substantial reduction of the size of cabinet; abolishing a large number of executive agencies whose functions became redundant or obsolete; significant progress in the functional reorientation of central bodies of executive power; and reorganization of the cabinet apparatus according to technical rather than political criteria.

Focusing on the low level of intraexecutive conflict, only one element of politics in Russia, does not imply that the main credit for undertaking the cabinet reforms should be attributed to the fact that the president and prime ministers were not engaged in conflicts with each other. Intraexecutive peace was rather a permissive condition which made the key politicians in the executive more responsive to the various forms of pressure for administrative reform. These pressures have been generated by economic and social reforms which preceded administrative change, by the position of regional authorities whose power became embodied in the principle of constitutional federalism,

and by the international donor community which consisted of both Western governments and international financial institutions.

The preoccupation with the level of intraexecutive conflict in this chapter in general does not imply either that harmonious intraexecutive relations may fully alleviate presidential disincentives to make the structure of the cabinet more efficient. Uncertainty about the political loyalty of a prime minister will keep both the Russian and Ukrainian presidents from dismantling the institutional safeguards of their influence over cabinet and will induce the presidents to sacrifice further the structural and organizational efficiency of the executive for the sake of their political safety. These actions on the part of the presidents constitute a serious obstacle for the market-friendly evolution of central government organization in both countries.

Conclusion

The existence of a close relationship between the design of the constitutional framework and the structure of public bureaucracy is one of the major hypotheses of this dissertation. To find out whether there is any empirical support for this hypothesis, Chapter 4 offered the comparative analysis of the political dynamics of bureaucratic restructuring in Russia and Ukraine. The president-parliamentary constitutional framework has regulated the functioning of semipresidential regimes in both countries most of the time during the 1990s. Due to built-in potential for intraexecutive competition, the presidents faced powerful disincentives for advocating the rationalization of central government organization. As a result, both regimes face similar problems in the design of public bureaucracy: diffusion of the executive powers between

the office of president and cabinet; proliferation of bureaucratic agencies with overlapping functions; poor coordination and duplication of functions among executive agencies.

At the same time, the chapter argued that there are substantial differences between Russia and Ukraine in the success of administrative restructuring. These differences are traced to variation in the patterns of intraexecutive relations between the two countries. Due to differences in constitutional design, presidential control over the cabinet is much stronger in Russia than in Ukraine. The Russian president was more willing to launch serious efforts to restructure central bureaucracy because he was secure in his leadership over the executive. Unlike their Russian counterpart, both Ukrainian presidents faced numerous challenges to their leadership on the part of the prime ministers.

Significant reforms of central bureaucracy in Ukraine were introduced only during the lasting period of intraexecutive cooperation. These reforms have included a substantial reduction of the size of the cabinet; abolishing a large number of executive agencies whose functions became redundant or obsolete; significant progress in the functional reorientation of central bodies of executive power; and reorganization of the cabinet apparatus according to technical rather than political criteria. Intraexecutive peace was a permissive condition which made the president and the key politicians in the executive more responsive to the various forms of pressure for administrative reform.

Chapter V

Cabinet Organization and Central Government Reform in Premier-Presidential Regimes

The discussion in this chapter is organized around two interrelated topics. The first section discusses how a premier-presidential constitutional design affects the administrative restructuring of the central government. Cabinet restructuring in premier-presidential and parliamentary regimes is first compared by analyzing the ministerial composition of respective governments. A statistical model is developed later in the text to estimate how the cabinet size in Eastern European democracies is affected by variation in the constitutional design of the executive, the party composition of cabinets, and the institutional legacies of the communist period. While coalition formation and the party composition of cabinets is one of the most advanced research areas in comparative politics (Laver and Schofield 1990; Laver and Shepsle 1994), there are virtually no theoretically informed studies on the political determinants of cabinet size. By examining whether the size of cabinet is systematically related to a set of political variables, this chapter makes an attempt to theorize about cabinet organization.

The second section of the chapter examines the temporal dimension of cabinet restructuring and evaluates the progress achieved by individual countries in reforming executive government. The experience of premier-presidential regimes is compared to the experience of parliamentary systems. A discussion of the impact that institutional evolution of premier-presidential regimes has on the direction and speed of central government reform concludes the chapter.

Intraexecutive competition under a premier-presidential constitutional framework

The common theoretical framework that underlies the discussion in all chapters of this research project stresses the importance of patterns of cooperation and conflict among major institutional players (presidents, prime-ministers, and parliaments) for understanding the dynamics of administrative reform. The interests of these actors with regard to administrative restructuring are shaped by their institutional positions and their strategic interactions with other players. The previous chapter examined how political competition between the president and the premier under president-parliamentary constitutional framework made the efficiency enhancing restructuring of the central government less likely. The same analytical focus maintained in the current chapter: the premier-presidential constitutional design is expected to have the adverse effect on the countries' ability to restructure their executive government. The different set of methodological tools and different data is however used to test this hypothesis.

Similarly to president-parliamentary regimes, premier-presidential regimes have built-in incentives for intraexecutive competition. The prospects of, or actual, intraexecutive conflict affect the president and the premier's choices with regard to cabinet restructuring and shape their reform agenda. Although limited executive powers, awarded to the president by the premier-presidential constitutions, effectively diminish the president's ability to intervene in matters of cabinet functioning, the president plays the important role at the stage of cabinet formation that enables him to effect cabinet composition and size. This may result in cumbersome cabinet organization because the

diverging preferences of the president and the legislature have to be incorporated under the same institutional umbrella of the cabinet.

Most literature dealing with cabinet formation in parliamentary regimes with elected presidents assumes that the presidential role in nomination of the prime minister is not strategic (Laver and Shepsle 1996). In those Western European democracies where the president, as head of state, designates someone to lead the process of government formation, presidential participation is considered to be of very limited importance⁶¹. As it was shown in chapter 2, the presidential power to nominate a prime-minister candidate is an important factor in determining the outcome of the cabinet formation process in premier-presidential regimes. The existence of a popularly elected presidency with the considerable legislative and non-legislative powers has a systematic effect on how cabinets are formed. Presidential involvement in executive matters is not only limited to selection of personalities, presidents aspire to influence the choice of cabinet organizational structures and executive procedures. To examine the effects of presidential involvement in executive matters in premier-presidential regimes, the characteristics of cabinet organization in premier-presidential systems will be compared with those of parliamentary systems.

I expect that premier-presidential regimes will be less successful in cabinet restructuring than parliamentary regimes. The president's participation in cabinet formation and the logic of dual executive arrangement, which encourages intraexecutive competition for the cabinet control, have an adverse effect on the efforts to reduce the size of cabinet, to change the structure and function of

⁶¹ As Laver and Shepsle (1996) observe: ‘.. we are aware of no scholarly treatment in the government

ministries, and to consolidate executive powers inside the cabinet. Given these qualities of premier-presidential constitutional design, a systematic relationship is expected between the regime type variable (premier-presidential/parliamentary regime) and government performance in cabinet restructuring. It is also hypothesized here that the type of constitutional regime will be significant in predicting the success of cabinet restructuring even after controlling for other potential explanatory variables such as the size and the ideological orientation of the ruling coalition in parliament.

Regime Type and the Size of Cabinet.

Comparison of cabinet size under different constitutional designs can serve as one test of theoretical predictions regarding the effects of variation in institutional framework on the process of administrative restructuring. Reforming the cabinet involves, among other tasks, dismantling the old socialist-type machinery of government, introducing functionally-based cabinet structure with more efficient internal organization and clearly defined policy areas, restructuring and liquidating sectoral ministries and other bodies of executive power. Reducing both the number of cabinet portfolios and the overall number of cabinet members is considered in the literature on public administration reform as one of the necessary steps for increasing the managerial efficiency of the executive branch of government (World Bank Annual Report 1997; Kravchenko 1997; Nunberg 1999). The need to reform and downsize certain aspects of cabinet organization is rather similar across the postcommunist countries and allows for broader comparative analysis and

formation literature of the role of the head of state, strategic of otherwise" (p.52).

necessitates using statistical techniques to test the hypotheses suggested in this chapter. Measuring the cabinet size also provides important information with regard to the temporal dynamic of administrative reform at the level of the central government.

Two measures of cabinet size are explored here. First is the number of ministerial portfolios in cabinet. The ministry is the major structural component of cabinet organization. The number of portfolios is a sum of all ministerial structures found in any given cabinet. The second measure is the number of cabinet members. This measure includes both the heads of ministries and politicians who have status of a cabinet member but do not preside over an executive agency. These politicians can serve as deputy prime-ministers, ministers without portfolio, etc. The right to vote on matters requiring collective decision-making by the cabinet is the defining characteristic of cabinet membership. While the number of cabinet members is not as good measure of administrative change as the number of cabinet portfolios, the former number provides some indication on how diffused the decision-making in cabinet is. The literature on administrative reform characterizes cabinet decision-making in post Soviet governments as very defused (Sundakov 1995).

To see whether the empirical trend supports theoretical expectations of divergence in cabinet size across the different types of constitutional regime, the data on the size of cabinets formed in selected East European countries during 1990-1999 period has been collected in Appendix V.I. **Table 5.1** below offers the summary of findings about the size of cabinet in premier-presidential and parliamentary regimes. This table and the regression analysis undertaken later in the text do not include the observations on cabinet size from president-parliamentary regimes of Russia and Ukraine. Due to the

extremely cumbersome structure of central governments in these countries, the data on cabinet organization from these largest post Soviet republics is not quite comparable with the rest of the sample. During the first half of the 1990s the Russian and Ukrainian cabinets had at least twice as many ministries as any other East European cabinet. Including the observations from these two countries in the data set would bias the statistical results in favor of the argument about the adverse effect of dual executive arrangement on cabinet restructuring.

Table 5.1 Average Size of Cabinet in Postcommunist Countries of Eastern Europe, 1990-99⁶²

Type of Constitutional Regime	Country	Number of Cabinet Portfolios	Number of Cabinet Members
President -Parliamentary			
	Kazakhstan	27	29
	Russia	30	32
	Ukraine	33	37
<i>Average for president-parliamentary regimes</i>		<i>30</i>	<i>33</i>
Premier-Presidential			
	Lithuania	17	18
	Moldova	18	20
	Poland	19	20
	Romania	22	25
<i>Average for premier-presidential regimes,</i>		<i>19</i>	<i>21</i>
Parliamentary			
	Czech Republic	15	17
	Estonia	13	15
	Hungary	14	17
	Latvia	14	15
<i>Average for parliamentary regimes, 1990-1999</i>		<i>14</i>	<i>16</i>

Source: Data from Europa World Year Book, World Political Handbook

⁶² To calculate the country's averages only cabinets formed after parliamentary elections were counted. Since each of the countries represented in the table went through three or four rounds of democratic elections, the similar number of cabinets in the case of each country, three or four, provided the basis for calculating the averages⁶². On the basis of country's averages, the average indicators for premier-presidential and parliamentary regime types were determined.

The numbers in the third column represent the average number of cabinet portfolios or line ministries for each country. The numbers in the last column include both the cabinet ministers responsible for individual portfolios and other politicians who had the official status of cabinet member. Only full cabinet members who had an unrestricted right to vote in cabinet matters were included.⁶³ Appendix V.I at the end of the chapter contains data on the number of portfolios and the membership of 68 cabinets found in premier-presidential and parliamentary regimes that are included in the table 5.1 since 1990.

As the table shows, parliamentary regimes had consistently smaller cabinets than premier-presidential regimes. The average number of cabinet portfolios was 14 in parliamentary regimes and 19 in premier-presidential regimes. The difference in the average number of cabinet members between these two regime types was of the same magnitude, parliamentary cabinets had on average 16 members and the comparable number for premier-presidential cabinets was 21. The only significant outlier in the sample was Romania where both cabinet portfolios and cabinet membership averages were substantially higher than in the rest of premier-presidential regimes, 22 portfolios and 25 cabinet members respectively. Even excluding the case of Romania, both indicators remain substantially higher for premier-presidential regime type in comparison with parliamentary regimes.

⁶³ State secretaries, first deputy ministers and other politicians are regarded as members of the cabinet in several East European countries. Their right to vote in cabinet matters, however, is limited largely to the specific issues which fall under the jurisdictions of their cabinet ministries or departments. Excluding cabinet members with restricted voting rights from the table 5.1 allows me to discuss more comparable numbers of political decision-makers in a cabinet.

How important are those differences in cabinet size? The change even in one portfolio is meaningful because it affects both the cabinet structure and cabinet decision-making process. The introduction or abolition of a ministry changes how policy areas are defined and who the principal decision-makers are. It also has the potential to empower or weaken certain bureaucratic and political interests. From the organizational point of view, the larger the cabinet the more difficult it is to coordinate tasks and make decisions. Other things being equal, more diffusion in executive responsibilities brings less effectiveness in cabinet decision-making.

How to explain the differences in cabinet size? One could expect that underlying structural characteristics of individual countries influence the cabinet organization. Countries that have a lot in common are more likely to have similar cabinets. The geographic location, as a proxy of underlying similarities, however does not provide immediate answers. The differences in the cabinet size cut across geographic areas and regional characteristics. **Table 5.2** rearranges data on cabinet size according to the sub regional division.

Table 5.2 Cabinet Size and Regional Division

Region	Country	Regime Type	Average Cabinet Size (Cabinet Portfolios/Cabinet Members)
Baltic	Estonia	Parliamentary	13/15
	Latvia	Parliamentary	14/15
	Lithuania	Premier-Presidential	17/18
Central Europe	Czech Republic	Parliamentary	15/17
	Hungary	Parliamentary	14/17
	Poland	Premier-Presidential	19/20
	Slovakia	Parliamentary	16/18
South-East Europe	Bulgaria	Parliamentary	15/16
	Moldova	Premier-Presidential	18/20
	Romania	Premier-Presidential	22/25

Source: Data from Europa World Year Book, World Political Handbook,

For the researcher interested in examining the effects of political institution, Table 5.2 indicates that the research process can be facilitated by the existing variation of constitutional forms. Countries as similar with respect to several basic political and socio-

economic indicators as Estonia, Latvia, and Lithuania or as Czech Republic, Hungary, and Poland have opted for substantially different organization of governmental institutions. While Estonia, Latvia, Czech Republic and Hungary adopted at the very beginning of their democratic transition a parliamentary constitutional framework, the Lithuanian and Polish constitutional frameworks approximated a premier-presidential ideal type of constitutional design. By standards of comparative cross-country research, the underlying structural similarities among countries belonging to the same sub regional group are rather substantial. These similarities make it more legitimate to use Przeworski and Teune's most-similar systems research design technique to examine whether the existing variation in constitutional design of executive institutions has a traceable effect on character of administrative reform in general and on cabinet restructuring efforts in particular.

Countries may also experiment with constitutional setting. The rules for cabinet formation in general and for the presidential involvement in this process in particular have changed in some postcommunist countries several times during the 1990s. These constitutional experiments further encourage questioning the conventional wisdom that both the organization (size) of cabinet and the choice of constitutional framework are predetermined by underlying structural characteristics of country.

Political variables in studies of cabinet organization

How do political factors influence the observed differences in cabinet size? The comparative politics literature on cabinet formation does cover this problem. The literature's focus is on the allocation of portfolios among the parties which constitute a

ruling coalition (Laver and Schofield 1990, Laver and Shepsle 1996). The administrative structure of cabinet is exogenous to vast majority of cabinet formation studies found in the literature. The number of ministries and ministries' jurisdiction are assumed to be pre-established and constant. Political competition among parties during cabinet formation process is about how to distribute this fixed number of pre-defined portfolios.

What these models of cabinet formation process do not address is how the different continuums of policy areas are sliced into separate portfolios jurisdictions and what determines the number of those portfolios in the first place. They do not say what factors, if any, can have systematic influence on whether, for example, one integrated ministry will deal with the various issues of social policy or several individual ministries (social welfare, labor, family and youth, etc.) will divide social policy spectrum in separate domains. Answering this question is important because, as several studies sponsored by IMF and World Bank indicate, the way the jurisdictions are defined or divided bears a substantial impact on how policy formulated and implemented (Sundakov 1995).

The lack of interest in the cabinet formation literature to the structural aspects of cabinet organization is partly explained by the lack of variation in how the core portfolio jurisdictions are defined across the countries. Cabinets invariably include ministries of finance, foreign affairs, justice, defense, etc. This persistent similarity in the core structure of cabinet does not encourage the efforts to examine how political competition in the process of cabinet formation affect the very structure of cabinet (Laver and Shepsle 1996)⁶⁴. Yet, as table 5.1 indicates the number of cabinet portfolios and thus the cabinet

⁶⁴Acknowledging that the problem of cabinet portfolio composition is undertheorised, Laver and Shepsle

structure do vary substantially. Appendix V.II also shows that there is a significant variation in how policy areas and ministries responsible for those areas are organized in East European countries.

Political determinants of cabinet size: statistical model.

Data in Tables 5.1 and 5.2 indicates that when cabinet size in semipresidential and parliamentary regime is compared, the cabinets formed in semipresidential regimes have consistently larger size. To see whether the regime type is a statistically significant predictor of cabinet size or other variables such as cabinet type (single party or coalition cabinet) and size of pre-1989 cabinet (cabinet size during the communist period) account for the differences in size of cabinets in new East European democracies, statistical analysis is proposed below.

Three sets of institutional factors that are hypothesized to be important in explaining the variation in cabinet structure are included in the model: regime type, cabinet type, and cabinet organization during communist period. To evaluate the significance of these factors across the number of cabinets formed between 1990 and 1999 in the Central and East European countries, the observations on cabinet size were organized in time-series cross-sectional data which is characterized by “pooling” observations together: it is assumed that the size of cabinet is characterized by the same regression equation at all points in time and across the countries. There are ten

stress the fact that the substantive structure of core cabinet portfolios remains remarkably similar across West European democracies. They argue that the key policy jurisdictions are determined by factors other than country-specific party competition over cabinet formation.

panels/sections which contain observations on the size of newly formed cabinets in each individual country.

The observations are collected on quarterly basis. Given the fact that new cabinets are not formed on quarter, annual or any other type of regular time period, there is a number of missing observations in the data set. Table 5.3 at the end of the chapter lists non-missing data observations on cabinet formation in East European countries on quarterly basis. The number of non-missing observations varies across the countries. For example, there were seven cabinets formed in Poland since 1991 and only four cabinets formed in Hungary during the same period of time.

The collected data thus approximates a pooled set of non-continuous time series with unbalanced structure (Palmer and Whitten 1999). To estimate this data with least squares regression models, two data transformation techniques are used. First, Beck and Katz panel-corrected standard errors are calculated (Beck and Katz 1995). Missing observations are estimated and included to balance the structure of data set. Balancing the structure of the data facilitates estimation of panel-corrected standard errors. As Beck and Katz show in a number of statistical experiments, ordinary least squares regression model produces efficient and accurate estimates of variable parameters when panel-corrected standard errors are used to estimate sample variability⁶⁵. Second, a lagged dependent variable is introduced to correct for serial correlation complications of the error process. While panel-corrected standard errors help to account for panel heteroscedacity and

⁶⁵ One of the assumptions of ordinary least squares is the presence of "spherical" errors. Time-series cross-section data is characterized by complicated error structure: error terms may have different variances across the units (panel heteroscedacity) and may be dependent on each other (serial and spatial correlation). Standard errors calculated from nonspherical error terms are inaccurate in estimating the variability of parameter estimates, which prohibits the correct computation of confidence intervals and statistical tests.

spatial correlation of error terms in the data set, they do not help to eliminate serial correlation of errors. The latter dynamic is modeled with a lagged dependent variable⁶⁶.

Units of analysis: cabinets in East and Central European countries. The number of observations is 68. This number includes all the cases of cabinet formation in countries represented in Table 5.2. The data set pools thirty-two quarters from 1990 to 1999 across ten countries. Given the scarcity of systematic data on cabinet reshuffles, only the change of prime-minister was used as an indicator of new cabinet formation⁶⁷.

Dependent variable: cabinet size. Two alternative specifications of the dependent variable are used for regression analysis. The first dependent variable is the number of cabinet portfolios. The second is the number of cabinet members. Both variables are continuous. The range for the first variable is 12-28. The range for the second is 13-32. Using these alternative specifications of dependent variable should provide additional insights in the relationship between politics and cabinet structure. The second dependent variable, the number of cabinet members, is anticipated to be more sensitive than the first dependent variable, the number of cabinet portfolios, to the influence of a set of political variables. It is easier for the politicians to manipulate with cabinet membership numbers than to create or dismantle ministerial structures.

Independent variables:

1) *Regime type:* a dichotomous variable which takes on a value of 0 when the cabinet is formed under a parliamentary constitutional framework and a value of 1 when

⁶⁶ Beck and Katz (1995a) provide a detailed discussion of options for handling serial correlation. Treating cross-sectional complications of data via a lagged dependent variable has several advantages vis-à-vis treating the same dynamics via calculating and transforming serially correlated errors. Stimulation of clear thinking about the underlying logic of the model is the most important of those advantages.

⁶⁷Other indicators of cabinet change that can be found in the literature on OECD countries include:

cabinet formation takes place under a premier-presidential constitution. The size of the cabinet is expected to be positively correlated with the change from 0 to 1 in regime type.

A semipresidential institutional arrangement is expected to make cabinet restructuring, which is understood here as reducing the number of cabinet portfolios, more difficult because of two interrelated factors. First, the president may have direct interest in preserving the existing ministries and creating new executive agencies. The presidency is a highly personalistic office. The existing ministerial structures and new executive agencies can be an important patronage resource for the president to reward his political supporters or to fortify his influence over the executive branch, assuming that the partial control of cabinet appointment powers enables the president to secure some of the cabinet portfolios for his political confidants. The reduction of cabinet size substantially decreases the president's ability to rely on this crucial patronage resource.

Second, cabinet restructuring is likely to be impeded by intraexecutive competition between the president and the prime-minister. Even when preserving some old administrative structures is not in the best interests of these political actors, the persistence of an old cabinet structure with a large number of ministries can be the unintended consequence of a power struggle over control of cabinet. Since cabinet restructuring has substantial consequences for the distribution of power over the executive, both the president and the prime minister may have to adhere to the status quo to avoid radicalization of intraexecutive conflict.

2) *Cabinet type.* For the purposes of this analysis, cabinets are classified into three categories: minority cabinets, single party majority cabinets, and coalition majority

simultaneous change of four or more cabinet ministers, party withdrawal from the cabinet, and inclusion of

cabinets. This classification is introduced to explore whether the different types of cabinets have a significant effect on cabinet size. The prevailing intellectual trend in postcommunist countries, which is magnified by the pressure from international organizations and donor countries, is to rationalize cabinet organization. The reduction of the number of cabinet ministries is one component of such rationalization. Cabinet type may influence how this pressure for restructuring is translated into actual policies.

A single party majority cabinet is used here as a reference category for creating two dummy variables. One dummy variable is for the coalition majority cabinets and the other is for the minority cabinets. Each cabinet that is a coalition majority cabinet will have a score of 1 on a dummy variable called “*coalition majority cabinet*”; all other cabinets will have a score of 0 on this variable. The “*minority cabinet*” variable assumes the following values: 1 – when the cabinet is a minority cabinet; 0 – when the cabinet is not a minority cabinet.

Single party majority cabinets, due to the character of their political composition, are expected to experience minimal internal pressure for portfolio or membership proliferation. They are also more likely to eliminate the obsolete ministerial structures. The leadership of the party, due to the party’s majority status, has the power to change the structure of cabinet. It does not need to create new portfolios. It is most likely to satisfy all the needs of rewarding its key members without incurring the costs of portfolio or membership proliferation, which is by appointing key party politicians to head the existing ministries. A single majority party has a plenty of resources to do that: it controls all portfolios and membership position in the cabinet.

a new party in the cabinet.

Coalition majority cabinets are expected to experience more internal pressure for portfolio and membership proliferation than one party majority cabinets.⁶⁸ They are also likely to be less responsive to the outside pressure to reduce the number of cabinet portfolios. Cabinet portfolio and membership positions are the reason why parties join the coalition in the first place. Parties participating in the coalition are interested in maximizing the number of portfolios they control.⁶⁹ Bargaining among coalition participants over the allocation of portfolios may encourage portfolio or membership proliferation in order to satisfy the cabinet ambitions of all parties in the government. Since the coalition controls the majority of votes in parliament, it can add the additional cabinet positions without experiencing immediate political backlash in the legislature.

The expectations about how the minority status of the cabinet affects the cabinet size are mixed.⁷⁰ Minority cabinets are politically weak cabinets. They do not control the majority of votes in the legislature. To avoid losing the tacit support of the parliamentary

⁶⁸ The first postcommunist cabinets, which were based on the support of unstructured democratic coalition in respective parliaments, acted with regard to their internal organization as if they were coalition majority cabinets. With no fiscally-based constraints on cabinet size during the initial stage of democratization, creating new portfolios or awarding the status of a cabinet member (deputy prime-minister, minister without portfolio) was an easy way for the first postcommunist governments to accommodate diverse political groups that were important during the transition.

⁶⁹ Assuming office-seeking motivations on the part of political parties does not mean that parties do not have policy driven goals. Although a number of theories explicitly privilege explanations based on either office-seeking or policy-seeking motivations and the major theoretical divide between coalition building theories evolves around this problem (Laver and Schofield 1990), parties can be envisioned as having mixed motives regarding cabinet formation. With regard to their major policy priorities and respective portfolio jurisdictions parties' behavior will be directed on the maximization of preferable policy output even when this entails the decision to transfer the control of the key portfolios to other parties. With regard to other cabinet portfolios, which are non-critical for the party's electoral chances, the party will always prefer to control them rather than not. It will do so because each cabinet portfolio is an important political resource which can be used for patronage purposes.

⁷⁰ The minority category also includes cabinets that were formed on a "technocratic" rather than on a political party basis. The lack of identifiable political affiliation was assumed as an indicator of minority status. Other things being equal, the technocratic cabinets have more difficulties than the party-based cabinets in attracting and sustaining political support.

majority they may be less likely than other types of cabinets to experiment with the cabinet structure.

The very fact that the minority cabinet gets into the office, on the other hand, may be explained by the favors it offers to the various parliamentary factions in exchange for their support. Due to the underdeveloped party system, the large number of minority cabinets in new democracies is not party-based. Technocratic cabinets, which are the minority cabinets without any party affiliation, bargain with the parliamentary factions over the choice of technocrats for cabinet positions. Parliamentary factions prefer some technocrats to others. Creating new cabinet portfolios or membership positions for these technocrats can be one way how minority cabinet survives in the office.

3. *Pre-1989 cabinet size*. This is an ordinal variable which assumes the following values: 1- if the size of the cabinet in a given country during the last communist government was below one standard deviation from a *pre-1989 cabinet size* mean for the countries included in the sample; 2 - the size of the cabinet was within one standard deviation from the mean; 3 - the cabinet was above one standard deviation from the mean. A positive correlation with the dependent variable is expected in the case of this variable.

The variable is intended to capture the effects of path dependence on cabinet size. Countries with larger number of cabinet ministries during the communist period are expected to continue to produce larger cabinets and to encounter more difficulties in attempts to reduce cabinet size. The sectoral structure of communist governments had created several types of beneficiaries who developed vested interests in the existing

cabinet organization. Ministerial bureaucracies and the societal groups to which they cater have developed alliances which have blocked efforts to reorganize the cabinet structure. In several states, the bureaucracy of the industrial ministries and state enterprise managers allied the oppose reform at the beginning of the transition (Schleifer and Treisman 1998). Consolidating or eliminating sectoral ministries or any other central bodies of the executive branch whose functions had become obsolete after the transition to a market economy proved to be a difficult task. It is especially challenging in the countries that inherited a more distorted structure of government.

Statistical model

This section contains details of several procedures used for the statistical analysis undertaken in this chapter. These procedures include: defining regression equation for cabinet size measures, specifying models with two alternative measures of cabinet type variable, estimating panel-corrected standard errors, and exploring unit effects. Stata statistical software package was used for time-series cross-section analysis of data.

Regression analysis

The relationship between cabinet structure and a set of political variables is characterized by the following regression equation:

$$y_{i,t} = a + b_1x_{1,t-1} + b_2x_{2,t} + b_3x_{3,t} + b_4x_{4,t} + b_5x_{5,t} + e_{i,t} \quad (1)$$

where $y_{i,t}$ is the measure of cabinet size for country i at time t . Two measures of cabinet size are the number of cabinet portfolios and the number of cabinet members. X_1 is a

lagged dependent variable, cabinet size for country i at time $t-1$. X_2 is a regime type variable, x_3 is a coalition majority variable, x_4 is a minority cabinet variable, and x_5 is a pre-1989 cabinet size variable, and $e_{i,t}$ is an error term.

The regression equation for alternative specification of a cabinet type variable, the number of cabinet parties, has the following form:

$$y_{i,t} = a + b_1 x_{1,t-1} + b_2 x_{2,t} + b_3 x_{3,t} + b_4 x_{4,t} + b_5 x_{5,t} + e_{i,t} \quad (2)$$

where two terms that make the equation 2 differ from the equation 1 are x_3 , which now measures the number of parties in cabinet, and x_4 , which is a dichotomous variable indicating whether cabinet has majority or minority status.

Panel-corrected standard errors

OLS standard errors are inaccurate in the presence of non-spherical error process found in time-series cross-section data sets. Estimates of the sampling variability of the OLS parameters are thus incorrect. Using panel-corrected standard errors allows to correct the OLS standard errors and thus produce more accurate estimates of the variability of the OLS estimates of b .

Following Palmer and Whitten (1999), Greene's (1997) notation of asymptotic covariance matrix is adopted:

$$Est.Var[b] = \left(\sum X_i' X_i \right)^{-1} \left(\sum_i \sum_j (e_i' e_j / T_{ij}) X_i' X_j \right) \left(\sum X_i' X_i \right)^{-1}$$

where e_i and e_j are the least squares residual vectors and X_i and X_j are the regressor matrices for countries i and j , and T_{ij} is the number of common cabinet formation (non-

missing) observations. The panel-robust standard errors are calculated by taking the square roots of the diagonal elements in $\text{Est. Var}[b]$. The new command in Stata statistical package allows to calculate these standard errors for the unique structure of pooled uneven time series.

Empirical results

Table 5.3 presents empirical findings of regression analysis. In Model 1, the *Number of Cabinet Portfolios* is the dependent variable. Model 2 regresses the *Number of Cabinet Members* on the same set of independent variables.

Table 5.3 The Least-Squares Models of Cabinet Size with Panel-Corrected Standard Errors

<i>Explanatory variables</i>	Model 1 (Number of cabinet portfolios as dependent variable)	Model 2 (Number of cabinet members as dependent variable)
Previous Number of Cabinet Portfolios	0.429*** (.073)	—
Previous Number of Cabinet Members	—	0.405*** (.064)
Regime Type	3.349*** (.792)	3.464** (1.065)
Pre-1989 Cabinet Size	-.324 (.268)	-0.417 (0.356)
Coalition Majority Cabinet	-1.054 (.705)	-0.667 (.993)
Minority Cabinet	.972 (.771)	1.147 (1.087)
Constant	8.772*** (1.022)	10.214 *** (1.299)
R ²	0.662	0.573
N	65	65

Notes: Panel-corrected standard errors are given in parentheses below the least squares coefficients.

***p < 0.001, **p < 0.05, *p < 0.10 (two-tailed tests for the variable coefficients)

Lagged dependent variables were included in the regression analysis to account for serial correlation. The parameter estimates for the lagged dependent variable, *Previous Number of Cabinet Portfolios* and *Previous Number of Cabinet Members* in Models 1 and 2 respectively, are highly significant and positive. *Regime Type* is a political variable of major interest here given the hypothesized effects of constitutional choices on the organization of governmental institutions. The parameter estimate for *Regime Type* was highly significant in the expected direction. The change from 0 to 1 in the value of regime type variable, which was coded as 0 when regime was parliamentary and 1 when it was premier-presidential, leads to 3.4 portfolio and 3.5 cabinet member increase respectively in Models 1 and 2. This means that cabinets in premier-presidential systems have 3.4 more portfolios and 3.5 more cabinet members than parliamentary systems. The statistical model thus provides additional support for the theoretical claim that the choice of constitutional framework, parliamentary or premier-presidential, has a significant effect on cabinet size.

The data set used for these regression analyses include cases of cabinet formation that took place in the same country but under different constitutional regimes. These constitutional experiments further encourage questioning of the conventional wisdom that both the organization (size) of the cabinet and the choice of constitutional framework are predetermined by the underlying structural characteristics of country.

Table 5.4 also indicates that neither *Coalition Majority Cabinet* nor *Minority Cabinet*, two dummy variables introduced to control for cabinet type, had a significant effect on cabinet size. Finding that there is no relationship between type of government coalition and cabinet size is contrary to the expectation that both the number of cabinet

portfolios and the number of cabinet members will be affected by the type of the cabinet in office. Given the mixed expectations with regard to the effect of minority cabinet in the first place, finding that parameter estimate for *Minority Cabinet* is not significant does not represent unexpected result

These statistical findings are a function of specific choices in coding. Classifying cabinets as coalition majority cabinets or minority cabinets was complicated by the conceptual difficulties in defining cabinet types of newly formed governments at the beginning of 1990s. Coding technocratic cabinets, which had no formal political affiliation, as minority cabinets was due to the theoretical expectation that both technocratic cabinets and party-based minority cabinets will have similar incentives with regard to changing the cabinet size. The similar difficulties characterized the coding of coalition majority cabinets. The first postcommunist cabinets were formed by parliaments that lacked clear party identification. Democratic opposition, which won the first round of postcommunist election in many countries included in the data set, consisted of diverse political factions and embryonic parties. Conceptualizing broad-based coalitions produced by the first wave of democratic elections as coalition majority governments was one way to classify those amorphous government majorities.

An alternative way to code cabinet type is to examine how many parties, which are the building blocks of government support in parliament, participate in the cabinet through the control of portfolios or/and cabinet membership. The more parties included in the cabinet, the higher the pressure for portfolio and membership proliferation. Besides the number of parties included in the cabinet, the level of parliamentary support enjoyed by the cabinet may affect cabinet size dynamics. Two cabinets with the same number of

parties may act differently with regard to issues of cabinet organization depending on their majority or minority status. As it was argued before, coalition majority cabinet is expected to be more likely to proliferate cabinet portfolios than coalition minority cabinet. Because the former controls the majority of seats in the legislature it can better tolerate the political costs associated with the decisions to add new portfolio or membership positions. To control for this possibility a dummy variable for majority or minority status of the cabinet is introduced

Table 5.5 presents two statistical models with an alternative specification of the cabinet-type variable. *Cabinet-Type* here is an interval level variable that denotes the number of parties participating in a cabinet. *Minority Government* is a dummy variable that indicates majority or minority status of the cabinet.

Table 5.4 The Least-Squares Models of Cabinet Size with Panel-Corrected Standard Errors: Specification II (Cabinet type variable specified as number of parties in government)

<i>Explanatory variables</i>	Model 1 (Number of cabinet portfolios as dependent variable)	Model 2 (Number of cabinet members as dependent variable)
Previous Number of Cabinet Portfolios	0.467** (0.141)	—
Previous Number of Cabinet Members	—	0.494*** (0.109)
Regime Type	3.409** (1.063)	3.077** (0.919)
Cabinet Type (Number of parties in government)	-0.183 (0.245)	0.342 (0.295)
Minority Government	-0.143 (0.625)	-0.088 (0.796)
Pre-1989 Cabinet Size	-0.295 (.214)	-0.380 (0.420)
Constant	7.768** (2.285)	-0.088 ** (0.796)
Adjusted R ²	0.717	0.691
N	63	63

Notes: Panel-corrected standard errors are given in parentheses below the least squares coefficients.

***P<0.001, **p < 0.05, *p < 0.10 (two-tailed tests for the variable coefficients)

The parameter estimates of the lagged dependent and the regime type variables in Table 5.5 do not differ substantially from the estimates of these variables in Table 5.4. The lagged dependent variables are statistically significant in the expected direction. Change from 0 to 1 in the value of regime type variable is associated with 3.4 more portfolios and a 3.1 member increase in cabinet size. *Regime Type* is significant at the $p < 0.05$ level. Whether the constitutional regime is premier-presidential or parliamentary has a significant effect on cabinet composition under the different specifications of the control variables.

The alternative specifications of the *Cabinet Type* variable did not lead to finding a statistically significant relationship between the number of parties in the cabinet and cabinet size. The *Cabinet Type* variable was significant neither in the cabinet portfolio nor the cabinet membership model. The *Minority Government* variable, introduced to control for majority/minority status of the cabinet, was not significant either. The hypothesis about the relationship between cabinet type and cabinet size was initially formulated on the basis of empirical observations of cabinet formation in individual cases. As Tables 5.4 and 5.5 show, statistical analysis used to test this hypothesis across the universe of cases of cabinet formation in ten East European countries has not provided any empirical support for this hypothesis. The finding that cabinet-centered coalition politics, which was operationalized either as a type of government coalition or as a number of government parties, does not affect size and organizational structure of the cabinet should be taken with caution. One immediate difficulty in conceptualizing and measuring coalition politics should be taken into account. Given the limited time span of

democratic government in the postcommunist states, data collected for this analysis is heavily influenced by cases of cabinet formation at the beginning of the transition when democratic rules and procedures for forming cabinets were only partially developed and were inconsistently applied. Cases of cabinet formation where party stratification of political players and formal guidance for cabinet formation were ambiguous or inconsequential constitute a significant portion of data set examined here. This portion, however, can not be excluded from the analysis without substantially limiting our ability to employ statistical methods for data analysis.

Temporal dimension of cabinet restructuring

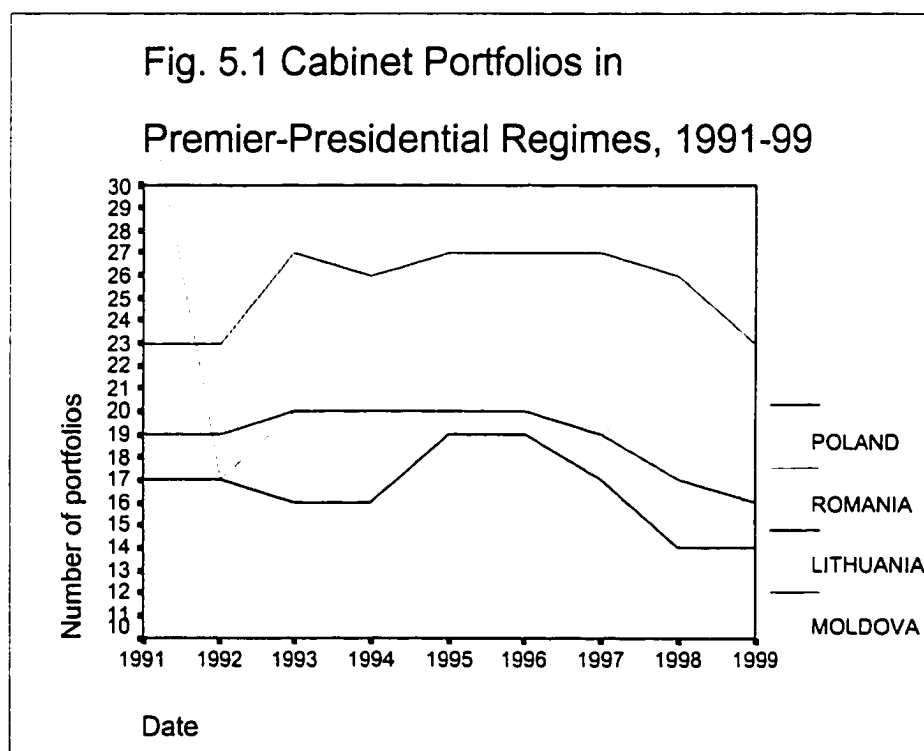
To better understand the dynamics of organizational evolution of the executive government in postcommunist countries, the statistical analysis offered in the previous section should be complemented by the discussion of longitudinal trends in cabinet size and composition across the region. Postcommunist governments inherited cabinet structures characterized by a large number of sectoral ministries and by the dominance of a bureaucratic apparatus. The democratic opening and the necessity to reward diverse political groups with cabinet positions to ensure their cooperation in the process of transition were contributing to further proliferation of ministerial portfolios and bureaucratic agencies. As the process of consolidation of democratic institutions has taken place, new challenges have been created by the administrative inefficiencies of the state.

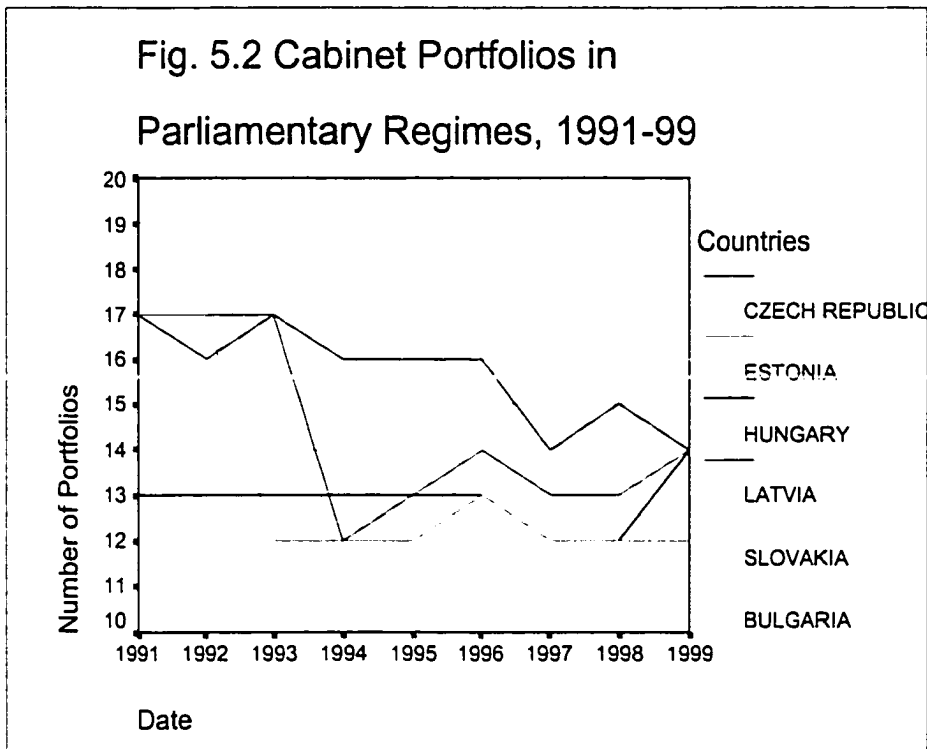
As discussed in Chapter 4, the literature on state reform emphasizes the importance of rational organization of the central government (World Bank 1997,

Nunberg 1999). Rationalization of cabinet structure has required, among other things, the abolition of sectoral ministries, the reorganization of existing functional ministries, and consolidation of executive powers in the cabinet. Reducing the size of the cabinet can serve as a proxy for these various measures to make the organization of the central government more efficient.

At the beginning of the transition, the size of cabinets in Eastern Europe was larger than average size of cabinets across the OECD countries. While there is no established view on the optimal size of the cabinet, state reform literature advocates cabinets with a smaller number of ministries and a smaller total cabinet membership. The World Bank cites in several reports the experience of smaller OECD countries, which have between 14-20 cabinet members, as guidelines for postcommunist countries (World Bank 1997a).

Figures 5.1-5.4 below capture the dynamics of change in the number of cabinet ministries and in cabinet membership in postcommunist countries during 1991-1999 period. Although the changes in cabinet size did not follow a temporal logic, for the purposes of cross-country comparison the observations on cabinet size are organized on a yearly basis. Some countries, due to high cabinet turnover and frequent government reform initiatives, have experienced more instances of change in cabinet size, while others have lived with cabinets of the same size over a period of several years.





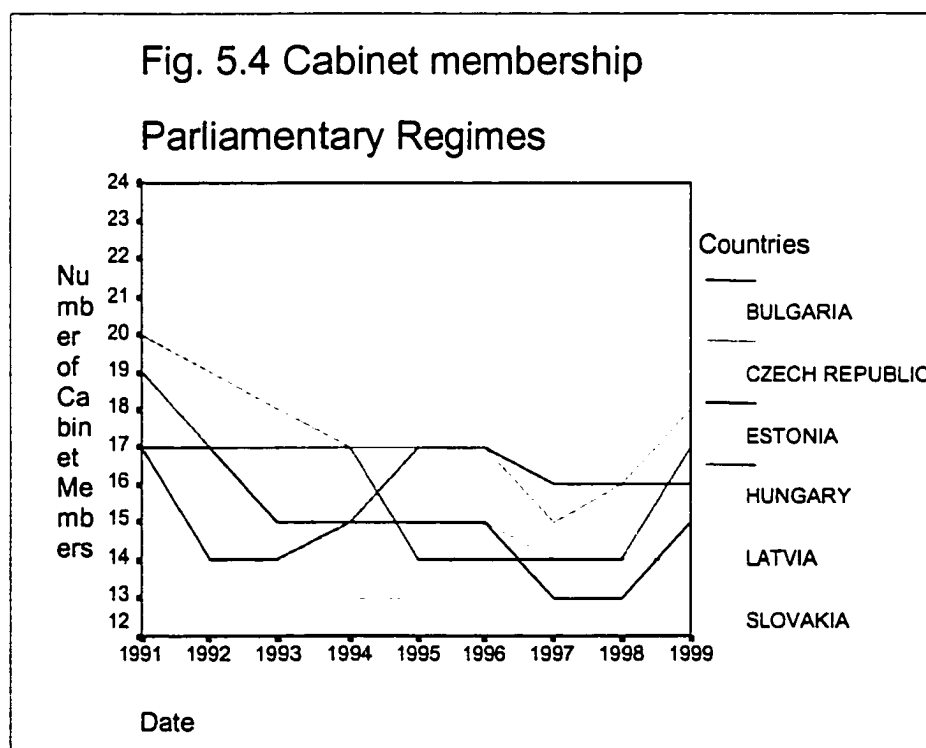
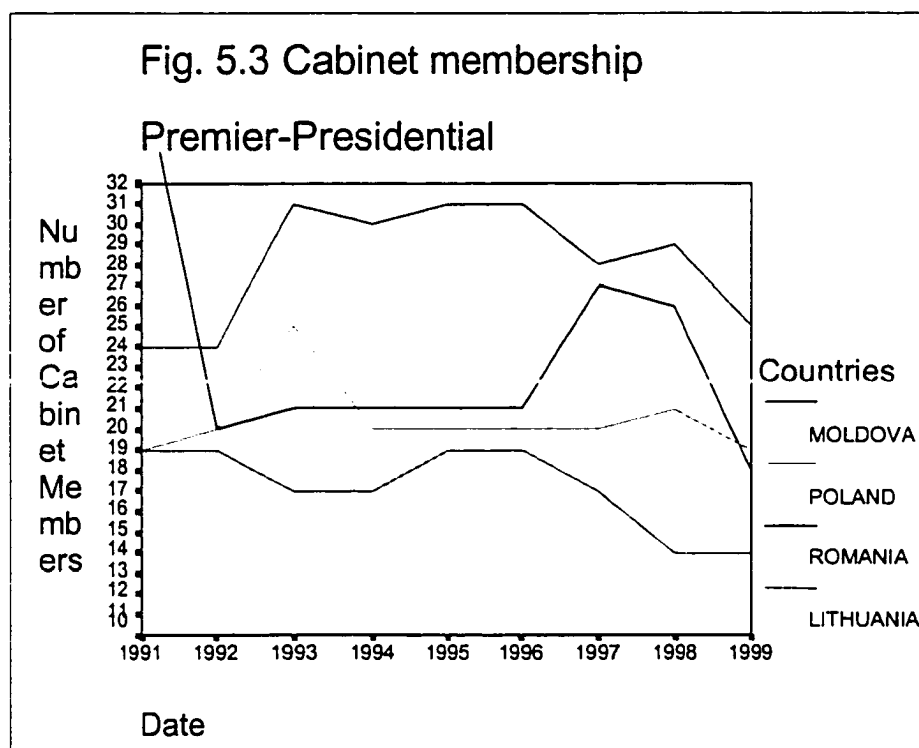
Most Central and East European countries had the highest number of ministries around 1990-91, at the beginning of the democratic transition. During the following years the majority of countries saw a substantial decline in the number of cabinet ministries. By 1999, eight of ten countries discussed in this research had a smaller number of ministries than in 1991. Two countries in the sample, Moldova and Bulgaria, had in 1999 similar or larger cabinets than in 1991. The Bulgarian cabinet in 1999 had one more ministry in comparison with the 1991 Bulgarian cabinet. Given the fact that Bulgaria started the decade with the second smallest cabinet in the region, this change represents only minor increase. In the case of Moldova, this country's cabinet in 1999 has as many ministries as its cabinet in 1991. In this particular case, however, the measurement was complicated by the fact that the major executive departments and committees are included along with ministries as separate executive bodies in the structure of the cabinet in Moldova.

Countries in Figures 5.1 and 5.2 are grouped according to regime type. Some similarities in the restructuring dynamics among countries belonging to either the premier-presidential or the parliamentary group of regimes are evident in these charts. Figure 5.2 indicates that during 1992-94 period four of six parliamentary regimes, which are analyzed on this chart, had experienced a substantial reduction in the number of ministries. While there was some fluctuation in the size of cabinets during the second half of the 1990s, all parliamentary regimes, with the exception of Bulgaria, demonstrated the ability to maintain cabinets with considerably smaller numbers of ministries in comparison to the beginning of decade.

Premier-presidential regimes were less effective in downsizing government. Figure 5.1 shows the dynamics of change in cabinet size in four premier-presidential

regimes. Three of them did not experience any significant reduction in number of cabinet portfolios during the first half of 1990s. To the contrary, Poland and Moldova even saw an increase in number of portfolios during this period. Romania was the only country which experienced the drastic reduction in cabinet size at the beginning of decade. The magnitude of change was influenced by the fact that the number of cabinet portfolios in the first postcommunist government in Romania was exceptionally high. The incremental reduction in the number of ministries has started in Poland, Lithuania, and Romania only in the second half of the 1990s, partially as the response to the challenges of European integration.

Figures 5.3 and 5.4 below contain the annual data on cabinet membership in the same set of East European countries. Given the fact that cabinet membership in all countries has not been limited only to the portfolio holders, the cabinet membership numbers are consistently larger than portfolio numbers across all countries in the dataset. In a very limited number of cabinets, the membership and portfolio numbers coincide.



The dynamics of change in cabinet membership parallel the changes in portfolio numbers presented in Figures 5.1 and 5.2. There was no decrease in number of cabinet members in three of four premier-presidential regimes until the years of 1997-98. Romania was again the exception due to the exceptionally large number of cabinet members at the beginning of 1990s. Graphs in Figure 5.3 are, however, somewhat steeper than those in Figure 5.1. This reflects the general tendency for cabinet membership to have less rigid structure than portfolio organization requires. Cabinet membership numbers are more likely than portfolio numbers to be amended for various political needs. The latter point finds some additional support in Figure 5.4. The substantial increase in the number of cabinet members took place in four of the six parliamentary regimes during 1998 and 1999, reflecting coalition-building needs in the aftermath of parliamentary elections. Despite this increase, the cabinet membership numbers remain lower for parliamentary regimes when they are compared as a group to premier-presidential regimes.

Conclusion

This chapter has used a different set of tools to test the hypothesis about a close relationship between constitutional design and the structure of public bureaucracy. While the previous chapter applied the comparative case methodology to explore the hypothetical link between constitutional design and bureaucratic organization, this chapter relied on statistical techniques and on the different set of cases to explore essentially the same problem.

The specific question that the analysis in this chapter addressed was how the different types of political regime affect cabinet size. A time-series cross section data set was constructed to include observations on cabinet size in all cases of cabinet formation in four premier-presidential and six parliamentary regimes of Eastern Europe. The observations on cabinet size in president-parliamentary regimes were not included in the initial test in order to avoid statistical bias in favor of the hypothesis.

The expectation that premier-presidential regimes will have larger cabinets than parliamentary regimes was supported by the statistical significance of mean differences in cabinet size between premier-presidential and parliamentary regimes. The regression analysis showed that constitutional regime type was a significant variable in predicting cabinet size even after introducing controls for institutional legacy and type of governing coalition. The hypothesis about the impact of cabinet type on the politicians' willingness to proliferate cabinet portfolios and cabinet membership did not find support in the statistical analysis.

The chapter has also examined temporal trends in cabinet restructuring in Eastern Europe. The first postcommunist cabinets had the largest size both in parliamentary and premier-presidential regimes. As the first postcommunist decade proceeded, the majority of parliamentary regimes have experienced a downward trend in cabinet size. There was no comparable reduction in the size of the cabinet across premier-presidential regimes. The analysis of empirical data has also indicated that there is substantial fluctuation in the size of cabinets across time and space. The latter finding encourages additional research on the determinants of cabinet organization.

CONCLUSION

The direction that this research project took was influenced by two important considerations. The first one was the interest in developing a theoretical framework for the analysis of institutional relationships under semipresidentialism. The second one was the opportunity to utilize the vast amount of new empirical data which emerge from the new semipresidential regimes of Eastern Europe. A dialogue between theoretical ideas on semipresidentialism and new empirical evidences characterized all stages of writing this dissertation.

The theoretical framework developed in this project is, to some extent, a reaction to several dominant trends in the current scholarship on semipresidentialism. One is the excessive reliance on the model of the French Fifth Republic, both as a normative and an empirical reference point. When put in the same data set with the East European semipresidential regimes, the French Fifth Republic is an outlier on several critical dimensions such as the character of parliamentary composition, division of executive responsibilities, and the institutionalization of cohabitation practice.

The second pattern, which is intimately related to the first one, is to conceptualize the semipresidential regime as a political system which alternates between the presidential and parliamentary modes of operation. The third one is to retreat to describing the functioning of a semipresidential regime as a “messy” institutional relationship whenever the French analogy fails. Part of this pattern, which is usually found in case studies of postcommunist countries, is to attribute various political

outcomes to the political actors' confusion about their interests and the rules of the game under the newly established semipresidential constitutional framework.

I argued in the first chapter of this research that institutional relationships under semipresidentialism are much less confusing than some empirical accounts of recent postcommunist experiences suggest. These relationships have also a distinct logic which can not be reduced to the alteration between presidential and parliamentary modes of the functioning of political institutions. Understanding how semipresidential regimes function requires explicit attention to the constitutionally-specified patterns of superiority and subordination.

A multiple principal-agent framework of analysis imposes structure on the relationship between the presidency, the cabinet and the legislature. Interactions among political actors that inhabit these institutions occupy the center of the political scene in semipresidential regimes. The constitutional framework specifies the powers and responsibilities of political actors and provides a solid starting point for the analysis of motivations of the politicians that have different institutional affiliations.

The attention to the regulatory function of constitutional provisions is not a substitute for the analysis of another regulatory mechanism, party politics. Yet it is the argument of this research that politicians' behavior in the environment of a weakly institutionalized party system is more structured by formal constitutional rules than by political party links. Twenty-five of forty-one cabinets formed during 1990s in semipresidential regimes included in this study did not have any formal party affiliation and were essentially "technocratic" governments lacking organized political party

support. The specific institutional environment of the semipresidential regime shaped the behavior of both “technocratic” and party cabinets.

Under a semipresidential constitutional framework, the cabinet has two immediate principals, the president and the legislature. The identity of the cabinet is determined in the bargaining game between these principals. Constitutional provisions provide one of the principals, the president, with a number of advantages in the cabinet formation game. The power of cabinet nomination is the most significant advantage that the president has in bargaining over cabinet appointments. In cases when the constitution awards the president with two other kinds of formal power, to dismiss the cabinet and to dissolve the legislature in cabinet-related matters, cabinet appointment outcomes are most likely to reflect the ideal point of the president. When the president does not control these two powers, other institutional factors may still tilt the outcomes of the cabinet appointment game in favor of the president. In the vast majority of cases, the cabinets that were formed in semipresidential regimes differed from what they could have been if a parliamentary constitutional framework was in place.

While in office, the prime minister and his cabinet face the difficult choices of complying with the conflicting preferences of the president and the legislature. I argued that when the principals are in conflict, the cabinet’s behavior vis-à-vis them depends primarily on where cabinet dismissal powers reside. When the legislature has the exclusive power of cabinet dismissal, which is the case in all premier-presidential regimes, the cabinet complies with the preferences of the legislature. When there is a formal symmetry of dismissal powers, which is the case in president-parliamentary regimes, the cabinet’s behavior is conditioned by the existence of other constitutional

provisions limiting either of the principals' ability to sanction the cabinet. Two such provisions were discussed in the first chapter: the presidential power to dissolve the parliament and the norm of the constructive no-confidence vote.

Given that the institutional design of semipresidentialism encourages the political use of bureaucracy it was also argued in the chapter that the constitutional choice entails certain bureaucratic characteristics. Both the personalistic character of the presidency and the dual character of the executive lead to the patronage-based politics of bureaucratic structures. Semipresidential regimes were hypothesized to be more likely to experience the proliferation of executive agencies and cumbersome bureaucratic organization of central government than parliamentary regimes.

Chapter 2 examined how the formal distribution of cabinet appointment and dismissal powers between the president and the legislature affect the bargaining over cabinet and cabinet identity. The spatial model introduced at the beginning of the chapter helped to form theoretical predictions regarding prime minister's location on the continuum between the president and parliament's ideal points. An alternative scale for classifying the actual outcomes of cabinet formation was developed on the basis of the empirical criteria. The actual outcomes matched the theoretical predictions in more than seventy percent of cases of cabinet formation. . This supports the basic hypothesis about how appointment-dismissal powers affect the outcomes of cabinet formation.

I also argued in the chapter that the effects of other institutional factors explain a divergence between theoretical expectations and actual outcomes in the remaining cases of cabinet formation. One of these factors was the effect of non-concurrent electoral cycle, which provided a "legitimacy advantage" to the most recently elected branch of

government. The second was a constitutional norm specifying presidential powers to dissolve parliament when the process of cabinet formation is stalled. The third was the degree and quality of fragmentation in parliament. Parliaments that were fragmented and clientelistically structured have acquiesced more to presidential preferences over the choice of prime minister than bipolar or fragmented legislatures dominated by programmatic parties.

Chapter 3 has elaborated the concept of intraexecutive conflict. Intraexecutive political competition between the president and the prime-minister is built upon the executive-legislative divide which characterizes both semipresidential and presidential regimes. The salience of intraexecutive conflict under semipresidentialism was shown to depend on the extent of presidential and parliamentary control over cabinet and on the nature of parliamentary composition.

In Russia and Kazakhstan, president-parliamentary regimes with strong presidential control over the cabinet, the presidents have been able to secure the cabinet's compliance and to deter the premiers from challenging presidential leadership over the executive. As a result, the dual executive was united most of the time. Executive-legislative rather than intraexecutive conflict characterized the functioning of political institutions in these semipresidential regimes.

The weaker presidential control over the cabinet in Ukraine's president-parliamentary regime led to the mixed patterns of institutional conflict and cooperation. Periods of intraexecutive competition and cooperation alternated depending on the premiers' willingness to risk their tenure in office. Seemingly suicidal political behavior

on the part of some premiers took place in both types of president-parliamentary regimes. To explain this behavior I analyzed the structure of incentives that a prime-minister faces under president-parliamentary constitutional framework. The premiers' willingness to risk the survival of their cabinets does not contradict the power maximization assumption about the politicians' behavior when the presidential ambitions of the premiers are taken into consideration.

Given that the survival of the cabinet under a premier-presidential constitution depends solely on parliament, the premiers in premier-presidential regimes lacked any incentives to collaborate with the presidents. Whenever conflict between the president and the parliament took place, the cabinet was on the side of the parliament. The presidents repeatedly tried to contest the premier's leadership over the executive. It was expected that the presidents are more likely to claim the leadership over the executive when they face fragmented legislatures. The Polish experience indicates, however, that the existence of a stable parliamentary majority opposed to the president may not be sufficient to deter the presidents from striving for higher control over the executive.

The presidential ability to influence (either formally or informally) the cabinet's stay in office can be an important source of cabinet instability in semipresidential regimes. In both president-parliamentary and premier-parliamentary regimes, presidents that were unhappy about the particular cabinets used various means to speed up the fall of those cabinets. Descriptive analysis, undertaken in the end of the chapter, showed that there is a substantial difference in the cabinet turnover rate between semipresidential and parliamentary regimes.

The second part of the dissertation explored the link between the design of constitutional framework and the structure of public bureaucracy. The hypothesis about the existence of a close relationship between the organization of “grand” institutions and the character of public administration was initially formulated on the basis of the presidential and parliamentary regimes’ experience (Moe and Caldwell 1994). To find whether there is any empirical support for this hypothesis in the context of semipresidential democracy, **Chapter 4** offered a comparative analysis of political dynamics of bureaucratic restructuring in Russia and Ukraine. The president-parliamentary constitutional framework has regulated the functioning of semipresidential regimes in both countries most of the time during 1990s. Due to built-in potential for intraexecutive competition, the presidents faced powerful disincentives for advocating the rationalization of central government organization. As a result, both regimes face similar problems in the design of public bureaucracy: diffusion of the executive powers between the office of president and cabinet; proliferation of bureaucratic agencies with overlapping functions; poor coordination and duplication of functions among executive agencies.

At the same time, the chapter argued that there are substantial differences between Russia and Ukraine in the success of administrative restructuring. These differences are traced to variation in the patterns of intraexecutive relations between the two countries. Due to differences in constitutional design, the presidential control over the cabinet is much stronger in Russia than in Ukraine. The Russian president was more willing to launch serious efforts to restructure central bureaucracy because he was secure in his

leadership over the executive. Unlike their Russian counterpart, both Ukrainian presidents faced numerous challenges to their leadership on the part of the prime ministers.

Significant reforms of central bureaucracy in Ukraine were introduced only during the lasting period of intraexecutive cooperation. These reforms have included a substantial reduction of the size of the cabinet; abolishing a large number of executive agencies whose functions became redundant or obsolete; significant progress in the functional reorientation of central bodies of executive power; and reorganization of the cabinet apparatus according to technical rather than political criteria. Intraexecutive peace was a permissive condition which made the president and the key politicians in the executive more responsive to the various forms of pressure for administrative reform.

Chapter 5 used the different set of tools to seek answers to the question of whether the choice of semipresidential constitutional framework comes in a “package” with certain features of bureaucracy. While the previous chapter applied the comparative case methodology to explore the hypothetical link between the constitutional design and bureaucratic organization, this chapter relied on statistical techniques and on a different set of cases to explore essentially the same problem.

Given the theoretical expectation that constitutional regimes with a dual executive have a tendency to proliferate bureaucratic structures, a statistical model was introduced in chapter 5 to test whether regime type is a significant predictor of cabinet size. A time-series cross section data set was constructed to include the observations on cabinet size in all cases of cabinet formation in four premier-presidential and six parliamentary regimes of Eastern Europe.

The expectation that premier-presidential regimes will have larger cabinets than parliamentary regimes was supported by the statistical significance of mean differences in cabinet size between premier-presidential and parliamentary regimes. Regression analysis showed that constitutional regime type was a significant variable in predicting cabinet size even after introducing controls for institutional legacy and type of governing coalition. The auxiliary hypothesis about the impact of cabinet type on the politicians' willingness to proliferate cabinet portfolios and cabinet membership did not find support in the statistical analysis.

The chapter also examined the temporal trends in cabinet restructuring in Eastern Europe. The first postcommunist cabinets had the largest size both in parliamentary and premier-presidential regimes. As the first postcommunist decade proceeded, the majority of parliamentary regimes experienced a downward trend in cabinet size. There was no comparable reduction in the size of cabinets across premier-presidential regimes. The politics of the dual executive should be held partially responsible for the weaker ability of premier-presidential regimes to restructure their cabinets.

The analysis of empirical data has also indicated that there is substantial fluctuation in the size of cabinets across time and space. The comparative politics literature on cabinet formation assumes that the number of cabinet ministries is constant and has nothing to say about the political determinants of cabinet organization. Although cabinet type variables were not significant in predicting cabinet size in the statistical model discussed in the chapter 5, the substantial variation in how the core portfolio jurisdictions are defined across the countries and time periods encourages additional research on the politics of cabinet structure.

The impact of the dual executive arrangement on the structure and functioning of the lower levels of government is another promising area in the research program on the constitutional regime type and bureaucracy. What are the preferences that politicians, which belong to the different branches of government, have with regard to the design of local government? How does the structure of local government affect the institutional competition on the level of central government? Exploring the answers to these questions would be the logical extension of the discussion undertaken in the second part of this dissertation. Given the contemporary emphasis on the democratic virtues of deconcentration and decentralization, these issues are especially important topics to address in further research.

With regard to the theoretical and empirical concerns raised in the first part of the dissertation, the impact that the party system has on the nature of the relationship between the presidency, the cabinet, and the legislature is of primary importance. As this dissertation argues, the effects of the constitutional design are mediated by the party system. Party fragmentation in parliament is one area of research where collecting additional observations and theorizing about the impact of fragmentation can improve our understanding of how semipresidentialism works. The experiences of the first postcommunist parliaments, which were either unstructured or highly fragmented in the vast majority of cases, have shaped this dissertation's analysis. Additional observations generated by the new rounds of parliamentary elections in the region may provide more variation on the character and extent of parliamentary fragmentation. Collection and analysis of these data would help to develop more a nuanced understanding of the impact

of party fragmentation on the functioning of government institutions under semipresidentialism.

The strengthening of the party system can also have a direct impact on the president's role in semipresidential regimes. The evolution of party politics might lead to the decline of the importance of the presidency in the political process. This decline might be more profound than the Linz' formula of alteration between the presidential and parliamentary modes of semipresidentialism suggests. Alternatively, presidents may try to use party machines as vehicles to campaign for the introduction of presidential systems of governance. Both scenarios have far-reaching consequences for executive-legislative relations in particular and democratic governance in general. The question of whether semipresidential constitutional design provides an institutional equilibrium point for democracies-in-the-making is of great theoretical and practical importance. This invites additional intellectual efforts to study how semipresidential democracy works.

APPENDICES

Appendix 3.1 Postcommunist Presidents and Prime Ministers: Party Affiliation and Occupation

Presidents	In Office	Party Affiliation ¹	Occupation ¹
Russia			
Yeltsin, Boris	6/91-	np	Parliamentary Chairman of the Russian SFSR
Putin,	3/00-	np	Prime Minister of Russian Federation
Ukraine			
Kravchuk, Leonid	12/91-7/94	np	Parliamentary Chairman of the Ukrainian SSR
Kuchma, Leonid	7/94-	np	President of the Ukrainian Industrialists' Union (UIIE)
Moldova			
Snegur, Mircea	12/91-12/96	np	Parliamentary Chairman of the Moldavian SSR
Lucinschi, Petru	12/96-	np	Parliamentary Chairman of the Republic of Moldova
Kazakhstan			
Nursultan Nazarbaev	12/91-03/95*	np	Parliamentary chairman of the Kazakh SSR
Nursultan Nazarbaev	03/95-01/99	np	President of Kazakstan
Nursultan Nazarbaev	01/99-	np	President of Kazakstan
Romania			
Ion Iliescu	5/90-10/92	NSF	Political party leader
Ion Iliescu	10/92-11/96	Party of Social Democracy in Romania (PSDR)	President of Romania
Emil Constantinescu	11/96-	Democratic Convention (DC)	university professor
Poland			

Lech Walesa	12/90-11/95	np	trade union leader
Aleksander Kwasniewski	11/95-	Democratic Left Alliance (SLD)	political party leader
Bulgaria			
Zhelju Zhelev	01/92-10/96	Union of Democratic Forces (UDF)	party coalition leader
Petar Stoianov	10/96-	UDF	party activist
Lithuania			
Algirdas Brazauskas	02/93-12/97	Lithuanian Democratic Labor Party (LDLP)	party leader
Valdas Adamkus	01/98-		

Prime-Ministers

Russia			
Gaidar, Yegor	6/91-12/92 (acting minister)	prime np	economist
Chernomyrdin, Viktor	12/92-3/98	np (till 4/95) OHR (since 4/95)	economic official
Kirienko, Alexander	4/98-8/98	np	economic official
Ukraine			
Fokin, Vitold	12/91-10/92 ft. !!!	np	economic official
Kuchma, Leonid	10/92-9/93	np	state enterprise manager
Zviagil'ski, Yuhym	9/93-6/94 (acting minister)	prime np	state official
Masol, Vitali	6/94-4/95	np	economic official
Marchuk, Yevhen	6/95-5/96	np	state official
Lazarenko, Pavlo	5/96-6/96	np	state official
Lazarenko, Pavlo	6/96-	np	state official
Pustovoitenko, Valeri		np	state official
Moldova			
Muravschi, Valeriu	12/91-6/92		

Sangheli, Andrei	6/92-12/96	np	state official
Ciubuc, Ion	1/97-3/98	np	economic official
Ciubuc, Ion	3/98 -	centrist party member	economic official
Kazakhstan			
Sergei Tereshchenko	12/91-10/94	np	state official
Akezhan Kazhegeldin	10/94-10/97	np	state official
Nurlan Balgimbaev	10/97-	np	economic official
Romania			
Petre Roman	5/90-9/91	NSF	interim prime-minister
Teodor Stolojan	10/91-11/92	NSF	state official
Nicolae Vacaroiu	11/92-11/96	np	state official
Victor Ciorbea	11/96-3/98	Christian Democratic-National Peasant Party(CD-NPP)	city mayor
Radu Vasile	4/98-	(CD-NPP)	CD-NPP official
Poland			
Jan Bielecki	12/90-12/91	Liberal-Democratic Congress	party leader
Jan Olszewski	12/91-6/92	Center Alliance	party leader
Waldemar Pawlak	6/92-7/92 (acting prime-minister)	Polish Peasant Party (PSL)	party leader
Hanna Suchocka	7/92-9/93	Democratic Union	party activist
Waldemar Pawlak	10/93-02/95	PSL	party leader
Jozef Oleksy	03/95-01/96	SLD	the speaker of the Sejm
Włodzimierz Cimoszewicz	02/96-09/97	np	
Jerzy Buzek	09/97-	Solidarity Electoral Action (AWS)	university professor/party activist
Bulgaria			
Filip Dimitrov	11/91-10/92	UDF	party coalition leader
Liuben Berov	12/92-09/94	np	economist

Reneta Indzhova	09/94-11/94 (acting prime-minister)	np	economic official
Zhan Videnov	12/94-	Bulgarian Socialist Party (BSP)	party leader
Lithuania			
Bronislovas Lubys	12/92-03/93	LDLP	?/party activist
Aldolfas Slezevicius	03/93-	LDLP	party activist
Gediminas Vagnorius	12/96-01/98	Homeland Union (Lithuanian Conservatives) HU(LC)	party leader
Gediminas Vagnorius	01/98-	HU(LC)	prime-minister

Appendix 3.2 Parliamentary Majority and Its Relationship with President

President	Parliament	Parliamentary Composition	Relationship with President Are parliamentary majority and president of the same political orientation?	Cabinet	Cabinet's Orientation at the Moment of Selection	Level of intra-executive conflict
Russia Yeltsin 6/91- 12/93* ¹	5/91-9/93	unstructured	no	Gaidar 6/91- 12/92 Chernomyrd in 12/92- 3/98	4 (ideal candidate for president) 0/1 (neutral)	low low
Yeltsin 12/93-	12/93-12/95	fragmented	no			low
	12/95-	fragmented	no	Kirienco 4/98-8/98 Primakov 8/98-5/99 Stepashin 5/99-8/99 Putin 8/99-	4 0/-1 4 4	Low high Low Low
Ukraine Kravchuk 12/91- 7/94	03/90-03/94	unstructured	no	Fokin ??? Kuchma 10/92-9/93 Zviagil'ski 9/93-6/94 (acting pm) Masol 6/94- 4/95	-1 (pro- parliament) 1 -1	Low High Low High
Kuchma 8/94-	03/94-03/98	fragmented	No	Marchuk 6/95-5/96	1	High

¹ sign * indicates not the end of the presidential term in the office but the change in country's constitution or specific constitutional arrangement regulating executive-legislative relations.

5/95*				Lazarenko 6/96-6/97	1	High
Kuchma 5/95- 5/96*				Pustovoitenko 7/97-	1	Low
Kuchma 6/96-	03/98	Fragmented	no			
Moldova	03/90-03/94	unstructured	no	Muravschi 12/91-6/92		
Snegur 12/91- 07/94*				Sangheli 6/92-12/96	0/1	Low
	03/94-03/98	one party majority	no			
Lucinschi 12/96-			no	Ciubuc 1/97-3/98	4	Low
	03/98-	coalition majority	yes	Ciubuc 3/98-	4	Low
Kazakhstan	03/90-12/93	unstructured	no	Tereshchenko 03/91-05/94		low
Nazarbaev 12/91- 01/93*						
Nazarbaev 12/93- 03/95*						
Nazarbaev 03/95-						
	03/94-03/95	fragmented	no	Kazhegeldin 10/94-10/97	1	high
	12/95-	Fragmented	No	Balgimbaev 10/97-	4	low
Romania ²	5/90-10/92	one party majority of	yes	Roman 5/90-9/91	ideal for both president and parliament	Low
Ion Iliescu 5/90- 10/92		National Salvation Front (NSF)		Stolojan 10/91-11/92		low

² In Romania, mainly due to the concurrent electoral cycle, the parliamentary and presidential elections of 1990 and 1996 produced presidents and parliamentary majorities which belonged to the same political camp. Consequently, the difference between the presidents and parliaments' ideal points was minute, or, it can be said, that their ideal points coincide in all but Vacaroiu's case. There were media reports about president Constantinescu's uneasiness in nomination of Radu Vasile in Spring 98, yet the tensions between president and parliamentary majority had intraparty character

					ideal for both president and parliament	
Ion Iliescu 10/92-11/96	10/92-11/96	fragmented	no	Vacaroiu 11/92-11/96	0/-1	low
Constantin 11/96-	11/96-	coalition majority	yes	Ciorbea 11/96-3/98 Vasile 4/98-	ideal for both president and parliament -4	Low
Poland Walesa 12/90-10/92* 10/92-11/95	6/89-10/91	fragmented	no	Bielecki 12/90-12/91	4	low
	10/91-9/93	fragmented	no	Olszewski ³ 12/91-6/92 Suchocka ⁴ 7/92-9/93	-1 -1	High low

³ after nominated by Walesa DU's leader Geremek gave up the efforts to form cabinet lacking the parliament's support.

⁴ After nominated by Walesa Polish Peasant Party's leader Pawlak resigned after one month in office because of lack of support in the parliament.

Kwasniewski 11/95-	9/93-9/97	coalition majority	no	Pawlak 10/93-3/95	-4	High
			yes	Oleksy 3/95-2/96	-1	High
				Cimoszewicz 2/96-9/97	ideal for both president and parliament	Low
	9/97-	coalition majority	no	Buzek 9/97	-4	Low
Lithuania Brazauskas 02/93- 12/97	11/92-11/96	one party majority	yes	Lubys 12/92-03/93		Low
				Slezevicius 03/93-	ideal for both president and parliament	Low
	11/96-	One party majority	no	Vagnorius 12/96-	-4	Low
Adamkus 1/98-			no	Vagnorius 12/96	-4	Low

Appendix 4.1 Intraexecutive Political Competition in Russia and Ukraine, 1991-99

Cabinet	Cabinet Dismissal initiated by		Reasons for Dismissal
	President	Parliament	
Russia			
Guider, Yegor	Yes	No	policy failures
Chernomyrdin, Viktor	No	yes	policy failures
Kirienko, Sergei ⁵	Yes	yes	policy failures
Primakov, Yevgeni	Yes	No	intraexecutive political competition
Stepashin, Sergei	Yes	No	Policy failures
Ukraine			
Fokin, Vitold	No	yes	policy failures
Kuchma, Leonid	Yes	No	intraexecutive political competition
Zviagil'ski, Yuhym	Yes	yes	policy failures
Masol, Vitali	Yes	No	Policy failures
Marchuk, Yevhen	Yes	No	intraexecutive political competition
Lazarenko, Pavlo	No	No	adoption of new constitution
Lazarenko, Pavlo	Yes	No	Intraexecutive political competition
Pustovoitenko, Valeri	No	Yes	Policy failures

⁵ In case of Kirienko cabinet's resignation, both principals of cabinet - president and parliament - are cited as initiators of cabinet dismissal because the magnitude of August 1998 financial crisis exacerbated by the cabinet policy failures deprived Kirienko cabinet of any political support. President Yeltsin who strongly supported Kirienko's candidacy just a few months ago could no longer back Kirienko cabinet since the crisis raised the president's political costs of supporting the cabinet to the prohibitively high levels.

Appendix 4.2

The Composition of Lazarenko's Cabinet in Ukraine (As of July, 1996)

Cabinet Leadership/Supervision	Ministry	Principle Organization	of
First Vice Prime Minister	Internal Affairs	Functional	
Vice Prime Minister (economic reforms)	Defence	functional	
Vice Prime Minister (agriculture)	Justice	functional	
Vice Prime Minister (social policy)	Mining Industry	sectoral	
	Forestry	sectoral	
	Energy	functional	
	Environment and Nuclear Safety	sectoral	
	Transportation	functional	
	Military-Industrial complex	functional	
	Economy	functional	
	Foreign Economic Relations and Trade	sectoral	
	Industry	sectoral	
	Finance	functional	
	Agriculture	functional	
	Agroindustrial Complex	sectoral	
	Fishery	sectoral	
	Statistics	sectoral	
	Social Security	functional	
	Labor	sectoral	
	Emergency and Chernobyl' Matters	sectoral	
	Health	functional	
	Culture	branch/sectoral	
	Education	functional	
	Family and Youth	interbranch/sectoral	
	Information	branch/sectoral	
	Science and Technology	branch/sectoral	

Appendix 4.3

The Composition of Lazarenko's Cabinet in Ukraine (As of December, 1996)

Cabinet Leadership/Supervision			Ministry	Principle of Organization
First Minister	Vice Prime Minister	Prime Minister	Internal Affairs	functional
			Defense	functional
			Justice	functional
			Mining Industry	sectoral
			Energy	sectoral/functional
			Environment and Nuclear Safety	sectoral
			Transportation	sectoral/functional
Vice Prime Minister (economy)	Vice Prime Minister (economy)	Vice Prime Minister (economy)	Economy	functional
			Foreign Relations and Trade	sectoral
			Economic Industrial Policy	sectoral
			Finance	functional
			Agroindustrial Complex	sectoral
			Agriculture	functional
Vice Prime Minister (social policy)	Vice Prime Minister (social policy)	Vice Prime Minister (social policy)	Labor and Social Policy	functional
			Emergency and Chernobyl' Matters	sectoral
			Health	functional
Vice Prime Minister (education and culture)	Vice Prime Minister (education and culture)	Vice Prime Minister (education and culture)	Education	functional
			Family and Youth	sectoral
			Science and Technology	sectoral
			Culture	sectoral
			Information	sectoral

Source: The presidential degree (December 14th, 1996)

In 1996 Lazarenko's cabinet, for example, the obvious liquidation candidates, if cabinet to be organized according to the functional principle, would have included:

mining industry, industrial policy, information, science and technology, statistics, etc. Several ministries had clearly overlapping responsibilities. For example, Environment and Nuclear Safety Ministry was supervised by the First Prime minister and Ministry of Emergency and Chernobyl' Matters was under the supervision of the Vice Prime Minister in social matters. Optimization of the structure of cabinet thus would have also entailed several mergers.

Appendix 5.1 Portfolio Composition and Policy Jurisdictions in East European Cabinets

	Poland 05.1999 (Buzek)	Poland 05.1997 (Cimosz evicz)	Poland 09.1995 (Oleksy)	Poland 08.1994 (Pawlak)	Poland 07.1993 (Suchoc ka)	Poland 05.199 2 (Olsze wski)	Poland 07.199 1 (Biele ckiy)
Dep. PM ⁶					2		
Agriculture	*	*	*	*	*	*	*
Commerce							
Construction				*	*	*	*
Culture	*	*	*	*	*	*	*
Defense	*	*	*	*	*	*	*
Economy	*	*					
Education	*	*	*	*	*	*	*
Emergency Matters							
Energy							
Environment and Nuclear Safety	*	*	*	*	*	*	*
Family and Youth							
Finance	*	*	*	*	*	*	*
Foreign Affairs	*	*	*	*	*	*	*
Foreign Economic Relations and Trade			*	*	*	*	*
Government Administration	*	*	*	*	*	*	*
Health	*	*	*	*	*	*	*
Industrial Policy			*	*	*	*	*
Information							
Internal Affairs	*	*	*	*	*	*	*
Justice	*	*	*	*	*	*	*
Labor and Social Policy	*	*	*	*	*	*	*
Mining Industry							
Treasury	*	*					
Privatization			*	*	*	*	*
Public works							
Security							
Science and Technology							
State revenues							
Telecommunica s	*	*	*	*	*		*

⁶ Deputy prime ministers are included into a separate category only if they do not hold a cabinet portfolio.

Territorial development			*				
Trade							
Transportation	*	*	*	*	*	*	*
Without portfolio	2	3					
Other	1	1	2	2	2	2	
Total	19	20	20	20	22	19	19

	Czech Republic 09/1995	Czech Republic 02/1999	Hungary 09/1995	Hungary 02/1999	Bulgaria 09/1995	Bulgaria 01/99
Dep. PM	1					
Agriculture	*	*	*	*	*	*
Commerce						
Construction						
Culture	*	*	*	*	*	*
Defense	*	*	*	*	*	*
Economy	*			*	*	
Economic competition	*					
Education	*	*		*	*	*
Emergency Matters						
Energy						
Environment and Nuclear Safety	*	*	*	*	*	*
Family and Youth				*		
Finance	*	*	*	*	*	*
Foreign Affairs	*	*	*	*	*	*
Foreign Economic Relations						
Government Administration		*		*		*
Health	*		*	*	*	*
Industry	*		*		*	*
Internal Affairs	*	*	*	*	*	*
Justice	*	*	*	*	*	*
Labor and Social Policy	*	*	*	*	*	*
Mining Industry						
Treasury						
Privatization	*		*			
Public works						
Security						
Science and						

Technology						
State revenues						
Telecommunications						
Territorial development		*			*	*
Trade		*			*	*
Transport	*	*	*	*	*	*
Without portfolio		1	1	2		
Total	16	15	14	17	16	16

	Estonia 09/1995	Estonia 01/1998	Latvia 09/1995	Latvia 05/1999	Lithuania 07/1992	Lithuania 07/1993
Dep. PM					1	
Agriculture	*	*	*	*	*	*
Commerce						
Construction					*	*
Culture	*	*	*	*	*	*
Defense	*	*	*	*	*	*
Economy	*	*	*	*	*	*
Education		*	*	*		
Emergency Matters						
Energy					*	*
Environment and Nuclear Safety	*	*	*	*		
European Integration				*		
Family and Youth						
Finance	*	*	*	*	*	*
Foreign Affairs	*	*	*	*	*	*
Foreign Economic Relations					*	
Forestry					*	*
Government Administration					*	
Health					*	*
Industry						
Internal Affairs	*	*	*	*	*	*
Justice	*	*	*	*	*	*
Labor and Social	*	*	*	*	*	*

Policy						
Mining Industry			*			
Treasury						
Privatization						
Public works						
Security						
Science and Technology						
State revenues						
Telecommunications					*	*
Territorial development						
Trade					*	*
Transport	*	*		*	*	*
Without portfolio	3	2		1	3	
Total	14	14	12	14	22	16

	Lithuania 05/1998	Lithuania 05/1999	Romania 07/1992	Romania 07/1993	Romania 02/1998	Romania 05/1999
Dep. PM						
Agriculture	*	*	*	*	*	*
Construction	*				*	
Culture	*	*	*	*	*	*
Defense	*	*	*	*	*	*
Economy	*	*	*			
Education	*	*	*	*	*	*
Energy						
Environment and Nuclear Safety	*	*	*	*	*	*
European Affairs	*					*
Family and			*	*	*	*

Youth						
Finance	*	*	*	*	*	*
Foreign Affairs	*	*	*	*	*	*
Foreign Economic Relations						
Government Administration	*	*	*	*	*	*
Health	*	*	*	*	*	*
Industry			*	*	*	*
Internal Affairs	*	*	*	*	*	*
Justice	*	*	*	*	*	*
Labor and Social Policy	*	*	*	*	*	*
Mining Industry						*
Minority						
Privatization						
Public works				*	*	*
Reform				*	*	
Security			*			
Science and Technology				*	*	
State revenues						
Telecommunications	*		*	*	*	
Tourism				*	*	
Trade		*	*	*		
Transport	*		*	*	*	*
Relations with parliament			*	*	*	
Without portfolio						
Total	17	14	20	22	22	18

	Moldova 07/1993	Moldova 01/1998	Moldova 05/1999			
Dep. PM	1	2	2			
Agriculture	*	*	*			
Commerce	*					
Construction	*					
Culture	*	*	*			
Defense	*	*	*			
Economy	*	*	*			
Education		*	*			
Emergency						

Matters						
Energy						
Environment and Nuclear Safety			*			
Family and Youth	*					
Finance	*	*	*			
Foreign Affairs	*	*	*			
Foreign Economic Relations	*					
Government Administration			*			
Health	*	*	*			
Industry	*	*	*			
Internal Affairs	*	*	*			
Justice	*	*	*			
Labor and Social Policy	*	*	*			
Mining Industry						
Treasury						
Privatization		*				
Public works		*				
Security	*	*	*			
Science and Technology	*					
State revenues						
Telecommunications		*				
Territorial development			*			
Trade	*					
Transport	*	*	*			
Without portfolio	*	*				
Total	22	20	19			

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