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**FROM NATIONAL LEADERS TO POLITICIANS:
THE HEAD-OF-STATE INSTITUTION
IN SOUTHEAST EUROPEAN POST-COMMUNIST COUNTRIES
(1989-2004)^{1*}**

Any survey on publications in the field of political studies would inevitably show that analysis concentrates rather on leaders, elections and crises than on institutions and inter-institutional relations. This is because institutions are perceived as an already existing framework, as something given. Institutions and relations between them change so rarely and/or so slowly that in many cases these changes could be ignored in a short-term analysis. As it came out from my search for secondary literature especially rare are studies on the head-of-state institution. This article tries to demonstrate that such a study can be a helpful tool for the analysis of the establishment of democratic regimes in former communist countries. It can be revealing in terms of understanding authoritarian, paternalist and populist traditions in post-communist societies and their manifestation on the highest level of the political system in the recent decades. The study focuses on the evolution of the head-of-state institution in the Southeast European post-communist states (Albania, Bulgaria, Romania, the successor states of former Yugoslavia), considering other post-communist countries as controlling cases.

The main objective is to demonstrate that there is a clear tendency in post-communist countries: where stable democracies were established they are also parliamentary, while authoritarian and nationalist regimes are presidential. Central European post-communist countries opted for parliamentary regimes while most of the former Soviet republics established presidential ones. In most Southeast European post-communist countries (similar to the Central

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European ones) there is a general trend of disempowerment of the presidential institution, which could be seen as part of the process of establishment of a functioning political democracy. Second, despite conscious efforts in most of the examined countries to create a presidency “above the parties,” the presidents more and more are, and are perceived, as party representatives.

One peculiar heritage: the head-of-state institution in communist states

It is widely recognized that the formal constitutional model of the communist states was characterized by unity of powers with absolute domination of the assembly. Less attention is paid to the existence in this model of one peculiar institution – there was no one-person head of state, but a collective body in its place, most often called ‘Presidium’ after the Soviet example (Albania, initially Yugoslavia, Romania, Bulgaria), in some cases ‘Council of State’ (Poland, DDR, Romania after 1960, Bulgaria after 1971) or ‘Presidential Council’ (Hungary). Constitutionally, this collective body had the prerogatives of the head of state, but also most of those of the assembly between its sessions. At the same time, it was not a collective head of state *stricto sensu* (or ‘collective president’ as it is often called), but a body fully dependent on the assembly *de jure* and on the party leadership *de facto*.

Neither the collective body serving as head of state, nor its complete subordination to the assembly is compatible with the political organization of contemporary Western democracies. This is the first problem to be analyzed – the transition from such a collective body to a president in a parliamentary republic in the examined countries. At the constitutional level this problem was relatively easy to resolve. There was, and in many cases there still exists, another problem at the political level – the problem of the perception of the head of state as a chief policy maker. The root of this problem is that in the late communist period party leaders got elected presidents of these collective bodies, and having this position, most of them were perceived as “heads of state.” Thus, the presidential institution became closely related to the political tradition of “iron hand politics.” The perception of the head of state as the main policy maker, built during the last decades of the communist regimes, contradicted the dominant model in European countries, where this role belongs to the prime minister.

Political revolutions usually aimed to reduce one-person power – be it the French Revolution (1789), the Bolshevik Revolution in Russia (1917) or the Islamic Revolution in Iran (1979) – all of them not only changed the head-of-state institution, but also reduced dramatically its prerogatives. Initially, the importance and the prestige of the head-of-state institution in the Soviet constitutional model were intentionally limited. Therefore, till the end of the

Stalinist era, the president of this collective body was not the party leader himself, but usually one of the leading members of the communist party (Mihail Kalinin in USSR, Mincho Neitchev and Georgi Damyanov in Bulgaria, Sándor Rónai in Hungary (1950-1952); in some cases the position went to an intellectual that had joined the communist party (Constantin I. Parhon in Romania, 1948-1952); or a leader of one of the former allied parties (Petru Groza in Romania, 1952-1958), (István Dobi after 1952 in Hungary); or simply a respected figure such as Dr. Omer Nishani in Albania (1946-1953). The only exception in the communist bloc was Klement Gottwald in Czechoslovakia, who got elected president in 1948. In this case the presidential tradition from the interwar period starting with Tomáš Masaryk turned out to be strong enough to cause a deviation from the Stalinist model. The DDR also constituted an exception. After the merging of the communists and the social democrats in the Soviet Occupation Zone in April 1946, the leaders of the former parties, Wilhelm Pieck and Otto Grotewohl, became co-presidents of the new Socialist Unity Party of Germany (*Sozialistische Einheitspartei Deutschlands*, SED). After 1949 they became president and prime minister respectively. The third and most influential member of the leadership appeared to be the secretary general (since 1950) of the Central Committee of SED Walter Ulbricht.

At the same time, the party leader, i.e. the secretary general of the Central Committee of the respective communist party, was usually prime minister. This was the situation first with Yosif Stalin in the Soviet Union (1941-1953), and following his example Enver Hoxha in Albania (1944-1954), Josip Broz Tito in Yugoslavia (1945-1953), Georgi Dimitrov (1946-1949) and Vălko Tchervenkov (1950-1956) in Bulgaria, Gheorghe Gheorghiu-Dej in Romania (1952-1955), Bolesław Bierut in Poland (1952-1954) and Mátiás Rákosi in Hungary (1952-1953).

In the early post-Stalinist era, in an attempt to create a “collective leadership,” one was not allowed to be at the same time party leader and prime minister in the USSR, and following this example, in all other satellites. The notorious exception was Kim Il Sung in North Korea. Later this rule was disregarded once again by Nikita Khrushchev (1958-1964), but this remained rather the exception. The only East European communist leader to imitate him was Todor Zhivkov in Bulgaria (1962-1971). In specific conditions, after profound crises of the communist regimes, party leaders assumed the position of prime minister in Hungary (János Kádár in 1956-1958 and once again 1961-1965) and Poland (Wojciech Jaruzelski, 1981-1985).

In practice, periods of “collective leadership” were characterized by harsh competition for individual leadership. In most of the cases it was the leader from the Stalinist period who maintained the position of party leader and managed to eliminate newly declared critics, who had marginal positions. This was the case of Enver Hoxha in Albania, of Gheorghiu-Dej in Romania

and Tito in Yugoslavia (in fact in these cases there was no significant opposition). The same happened in the power struggle between Rákosi and Imre Nagy in Hungary (1953-1955), even if the victory of Rákosi was temporary. The triumvirate Pieck-Grotewohl-Ulbricht in DDR also remained intact, although with changing balance of power in favor of the secretary general. On other occasions a conflict occurred in the core, between a new party leader and other members of the leadership, usually headed by the prime minister of the day. The winner was inevitably the party leader. This happened in the USSR: Khrushchev – Gheorghji Malenkov (1953-1955), and Khrushchev – Nikolay Bulganin (1955-1958), and in Bulgaria Zhivkov – Anton Yugov (1956-1962).

In these “collective leaderships” eventually one man – the secretary general (often called more modestly first secretary) of the Central Committee of the respective communist party, was the winner. Still the party leader needed international legitimacy, therefore an office in the state hierarchy and in most cases he got “elected” as president of the Presidium / Council of State. At this stage the USSR was no longer the example to follow: here the two positions were assumed together only after 1977, when this was already the practice in other East European communist countries. This was the case already in DDR (Walter Ulbricht 1960-1971 and Erich Honecker 1976-1979), Romania (Gheorghiu-Dej, 1961-1965 and Nicolae Ceaușescu 1967-1974 and *ex officio* as president in the period 1974-1989) and Bulgaria (Zhivkov, 1971-1989). In Mongolia, Yumjaagiyn Tsendenbal did the same in 1974. After the death of Enver Hoxha in 1985 the same situation arose in Albania under Ramiz Alia (1985-1991). Finally, in 1985 Polish communist leader Jaruzelski exchanged his position of prime minister for the presidency of the State Council. Even if according to the constitution they were only *primus inter pares* in a collective body, the propaganda presented them as heads of state. The case of Todor Zhivkov demonstrates how effective this propaganda was: after 1989 it was not only he that pretended to be a “former head of state”, but even his political opponents perceived him as such. Hungary was the only communist country, where the party leader never assumed the position of president of the Presidential Council.

The leaders of the national communist regimes went further and established a presidential institution for themselves parallel to the collective body: in Yugoslavia for Tito in 1953 and in Romania for Ceaușescu in 1974. Kim Il Sung in Northern Korea did the same in 1972. In a different constitutional framework, Fidel Castro became president of Cuba in 1976, preserving the position of head of the government as well. In Czechoslovakia, party leaders after Gottwald also took on at some stage the state presidency: Antonín Novotný in 1957 and Gustáv Husák in 1975. After experiments with several different constitutional and political configurations, the same model has been imposed in China since 1991. Under the last two party and state leaders, the two positions were occupied by one person. First, Jiang Zemin, secretary general of

the Communist Party since 1989, assumed the state presidency in 1992. In 2002 Hu Jintao inherited him as secretary general, and six months later, in 2003, inherited his presidential position as well.

To sum up, the imposition of the main policy maker (the secretary general / the first secretary of the CC of the respective communist party) as “head of state” was a general trend in communist countries in the last decades of their existence. Communist regimes were by no means more authoritarian in the 1970s and 1980s than during the Stalinist period, but they became more nationalistic and *étatiste*. It is no coincidence that the leaders of these regimes were, or were considered as, heads of state or “state leaders” instead of prime ministers. As such, they appeared to be leaders of the state as a whole, remaining above everyday affairs. At the institutional level in all these countries the head-of-state institution became closely related to the authoritarian and paternalist leadership of the governing “strong man.” People expected the head of state to lead the country.

Changes after 1989. During the last years of *Perestroika*, and especially after the fall of the communist regimes, the need to reestablish a “normal,” one-person head-of-state institution, as well as a permanently working parliament became a priority on the political agenda. This was one of the most important institutional reforms, alongside the creation of constitutional courts. Constitutional changes took place shortly before or almost immediately after the fall of the old regimes, before the elaboration of entirely new “democratic” constitutions. In all cases negotiations started within the communist leadership, and in some of them representatives of the emerging political opposition were consulted. The Central European countries took the lead: in Poland one-person presidency was introduced in April 1989 according to decisions taken at the so-called *Round Table*. In Hungary the change took place in October 1989, during the commemoration of the 1956 Uprising (23 October). Czechoslovakia had a one-person presidential institution anyway, while DDR had no need to create one for several months only – the president of the newly elected parliament (Sabine Bergmann) assumed this function *par interim* from April 1990 till the reunification with the Federal Republic of Germany (October 1990). Countries where reforms went slower followed suit the next year: the USSR in February 1990, Bulgaria in April 1990, and last came Albania in April 1991. In Yugoslavia the collective presidency was preserved till the very end of the state’s existence (in fact, for quite some time after it, until 3rd October 1991), but the republics moved toward one-person presidencies earlier, starting from the first half of 1990.

Despite these rapid constitutional reforms, the establishment of normally functioning presidential institutions took much longer, and in the first half of the 1990s most of them were substantially different from those in Western European democracies. To replace the collective body serving as head of

state with a president was an easy task. The main problem was the political tradition of the “strong” head of state. In fact, the one-person presidency was even more conducive to authoritarian leadership, and there was nothing positive to be expected in the short run from the change from collective body to one-person presidency. The real challenge was to overcome this expectation, deeply rooted in the political culture.

During the first years, most important political leaders preferred to run for president, rather than for prime minister. Pre-1989 communist leaders like Gorbachov in the USSR, Jaruzelsky in Poland and Alia in Albania got elected presidents, but the same was true for new leaders from within the communist party (Petăr Mladenov in Bulgaria, Ion Iliescu in Romania) and for new anticommunist leaders (Václav Havel in Czechoslovakia, Zhelyu Zhelev in Bulgaria, Lech Wałęsa in Poland, Sali Berisha in Albania). In the republics of disintegrating Yugoslavia the same tendency was displayed, whether in the case of leaders of the local communists (Slobodan Milošević, Milan Kučan, Momir Bulatović, Kiro Gligorov) or oppositional leaders (Franjo Tuđman, Alija Izetbegovic – president of the collective state presidency in Bosnia and Herzegovina).

Very clear was the tendency to appoint a national leader as president in successor states of dismembered federations (USSR, Yugoslavia; but not in Czechoslovakia). The success of Franjo Tuđman is symptomatic. A strong president in these cases could be regarded as a symbol of the return to statehood. The feeling of regaining sovereignty explains to some extent the public expectation to have a strong head of state. This expectation was stronger than the will to abolish the one-person leadership.

On the whole, there were a number of more or less successful attempts to establish presidential regimes by strong national and/or party leaders (Milošević, Tuđman, Iliescu, Berisha). In other cases the first presidents were disappointed of their incapacity to influence political life in the direction and to the extent they wanted (Havel, Wałęsa, Zhelev). In an effort to save the federation of Czechs and Slovaks, Havel (albeit a pronounced supporter of the parliamentary model) demanded enlarged presidential powers in 1991. Wałęsa did the same in order to pursue reforms. Even after the end of his mandate Zhelev remained an advocate of the presidential system.

Around a decade later, the situation was already different. Instead of presidents, prime ministers became the leading policy makers in most of these countries: Fatos Nano in Albania, Ivan Kostov and Simeon Saxe-Coburg-Gotha (till 2005) in Bulgaria, Zoran Đinđić in Serbia, Ivica Račan and Ivo Sanader in Croatia, Adrian Năstase in Romania (till 2004), Branko Crvenkovski, Ljubco Georgievski and again Branko Crvenkovski (till 2003) in Macedonia, Janez Drnovšek in Slovenia (till 2003), Milo Đukanović (since 2002) in Montenegro (the last three must also be considered as presidents).

“Weak” or “strong” president: why is it so important?

The history of political democracy shows that the establishment of democratic regimes could be achieved either through complete disempowerment of the head of state in favor of the lower chamber of the Parliament (as in Great Britain), or through leaving the executive power in the hands of a head of state elected on a regular basis (as in the United States of America) and assigning legislative power to the Parliament. From this perspective the choice between parliamentary and presidential models in post-communist countries may seem an issue of rather limited importance.

Here we need to leave for a while the SEE context and have a general look at the post-communist space. The comparison with other former communist states in Central Europe and the former USSR demonstrates how important the problem is. In these “new democracies” democratic regimes are only parliamentary. The usually high approval of their presidents does not correlate with a greater power, and even less with a willingness to expand it. In all Central European states, parliamentary regimes were established; their constitutional and political forms were similar to those existing in Western Europe. After heated discussions and two referenda, as early as 1990 a purely parliamentary regime was opted for in Hungary. Despite several interventions of the first democratically elected president Árpád Göncz in moments of crisis, one cannot speak about presidentialism in Hungary. The country was the first in Eastern Europe to adopt the German constitutional model of *Kanzlerdemokratie*.

In the first years after 1989 the situation was not so clear in the other two Central-European countries. The charismatic dissident Václav Havel was elected president by the last communist parliament and in the first years he was seen as the political leader of Czechoslovakia. Havel’s political influence decreased due to the dissolution of Czechoslovakia, when he found himself in the position of the last defender of the former federation and not in the guise of a founder of the new Czech Republic. This role, as well as the position of the main policy maker, was assumed by Prime Minister Václav Klaus.

In Poland a presidential institution with large prerogatives was created before the first multi-party elections. It was designed for the communist leader Jaruzelsky with the intention of softening the transition and preventing radical changes. The leader of the anticommunist opposition, Lech Wałęsa, did not run for the Parliament in 1989 and waited for the presidential elections in order to run directly for president (December 1990). Another key figure of *Solidarność*, the first post-communist prime minister of the country, Tadeusz Mazowiecki, also participated in the presidential elections. Obviously, the presidency was seen as the main decision-making office. This perception

turned out to be wrong and shortly afterwards, during one of the governmental crises, Wałęsa even proposed that he assume the position of prime minister – a proposal which was not taken seriously. After the victory of the former communists in the 1993 parliamentary elections, the president found himself opposed to a majority of different political orientation. The election of their candidate Alexander Kwasniewsky in the 1995 presidential elections put an end to the ambitions of Wałęsa to dominate the executive domain from the presidential office. The new president did not have the political influence and the personal charisma to pursue a similar behavior. Finally, a purely parliamentary regime was imposed *de jure* with the adoption of the new constitution in 1997.

On the other hand, one can see a number of presidential regimes in the former Soviet Republics, obviously with the exception of the Baltic States. All other countries are ruled either by strong presidents, or by presidential dictatorships: Eltzin and Putin in Russia, Alexander Lukashenko in Belarus, Leonid Kuchma in Ukraine (till December 2004, replaced by Viktor Yushchenko), Nursultan Nazarbayev in Kazakhstan, Askar Akayev in Kyrgyzstan (till March 2005), Islam Karimov in Uzbekistan, Turkmenbashi Saparmurad Niyazov in Turkmenistan (till his death in December 2006), Eduard Shevarnadze in Georgia (now replaced by Michail Saakashvili, who is still a “strong” president), Geidar Aliev and his son Ilham Aliev in Azerbaijan. In most cases leaders of the local communist parties created a presidency for themselves before free parliamentary elections (just as Jaruzelsky did in Poland).

There is a clear empirical “correlation” in the post-communist countries: democratic development is associated with parliamentary regimes while authoritarian, conservative and nationalist regimes tend to be presidential republics. The only clear exception is the authoritarian and nationalist leader Vladimír Mečiar serving as prime minister (not president) in Slovakia three times in the period 1990-1998. Finally, as if he wished to confirm the rule, he also ran in the presidential elections in 1999 (the first direct presidential elections in Slovakia) and 2003. The next objective is to explain this “correlation.”

Some studies in political science claim that a strong parliament is more appropriate in terms of representing the voters’ will than a strong president, because in the second case only the majority is represented, while in the parliament minorities also have their representatives. In the case of a strong parliament compromises and negotiations between majority and minority/minorities, and even the formation of a new governing majority are possible. Without completely rejecting this explanation, in this specific group of cases, causes and effects must be examined in the opposite direction. In other words, it was not so much presidential systems that led to authoritarian regimes, but authoritarian regimes were those that created strong presidential institutions for their leaders; it was not powerful presidents that became

dictators, but dictators were those who imposed themselves for presidents. In fact, most of the constitutions of these states were initially parliamentary or semi-presidentialist. The formal transition to a presidential regime took place only later (in the Russian Federation in 1993, in Belarus in 1994, a more moderate transition occurred in Ukraine in 1996)², while some remained *de facto* presidential regimes with a non-presidential constitution (Serbia under Slobodan Milošević).

The non-communist SEE countries. Developments in the non-communist states in Southeastern and Southern European countries with relatively recent democratic regimes show conformance with the tendency of disempowerment of the head of state (with the exception of Cyprus).

It is in Turkey that one could detect the transition in the long run. The almost irreversible beginning took place in 1950, when, after the end of the one-party system, the opposition Democratic Party won the elections. Its leader Celal Bayar got elected president and left his party office. His former deputy Adnan Menderes became the new party leader and prime minister, and in this configuration he appeared to be the real policy maker. This was a dramatic reversal compared to the situation under the first two presidents – Mustafa Kemal [since 1934 Atatürk] and İsmet İnönü, who wielded undisputed political power. The tandem Bayar-Menderes remained in power till the military *coup d'état* in 1960. Since then, with the exception of direct military regimes immediately after the coups, prime ministers have been in charge of day-to-day politics. A new development was the “demilitarization” of the presidential institution after 1989. After four consecutive high-ranking military officers (and a total of 6 out of 7 presidents to that point), since then three civil presidents have been elected already (Turgut Özal, 1989-1993, Süleyman Demirel, 1993-2000 and Ahmed Necdet Sezer since 2000). Given the strong political influence of the army, this change also contributed to the relative disempowerment of the president. Despite the ambitions of some of them to transgress their prerogatives (initially Evren, to a large extent Özal), the figure in charge of executive power remained the prime minister.

In the case of Greece there is a longer parliamentary tradition, but the existing political framework is more recent. The turning point was the constitutional reform of 1986, which curtailed the prerogatives of the president. But even under the “semi-presidential” variant of the constitution of 1975, the political system in Greece functioned as parliamentary. Prime Ministers Konstaninos Karamanlis in the years 1974-1980 and Andreas Papandreou after 1981 were the indisputable policy makers. The first president serving under the “semi-presidentialist” 1975 constitution, Konstantinos Tsatsos, was an academic without ambitions to dominate the political scene. The only problematic pe-

2 Massias (1999), 293, 416, 457.

riod remains the time of the *Nea Demokratia* government at the beginning of the Karamanlis presidency (May 1980 – October 1981), when the president was the most influential political figure. The success of PASOK in the 1981 elections marginalized Karamanlis in terms of day-to-day politics and reinforced the parliamentary model. The strong majority of PASOK prevented the president from using his large prerogatives. The constitutional reform from 1986 formally abolished these prerogatives and codified the already existing parliamentary model. The next presidents, including Karamanlis during his second term (1990-1995), had mostly ceremonial functions.

The comparison with the other new democracies from the mid-1970s in Southern Europe – Portugal and Spain – shows a similar trajectory. The head of state had a greater role during the first years after the end of the dictatorships: King Juan Karlos and “the first democratic president” of Portugal, Gen. Ramalho Eanes (1976-1986). In the following years, the domination of the parliament, the parliamentary majority and its leader (i.e. the prime minister), became more pronounced. An example in point is the case of Mario Soares in Portugal: he was a “weak” president (1986-1996) after being a “strong” prime minister.³

Constitutional developments

Constitutional arrangements and their consequences. Constitutional texts are very similar across countries in the part dealing with presidential prerogatives. Most of them are designed to establish a parliamentary regime and therefore they give rather ceremonial functions to the president. In the SEE these were the constitutions of Croatia (till 2000) and Romania, which envisaged relatively larger prerogatives and could be defined as ‘semi-presidential’ – the president could appoint a government, but later it is subject to parliamentary approval and control.

Most former communist countries in the region opted for the direct election of the president (Romania, Bulgaria, Macedonia, Serbia, Montenegro, Croatia, Slovenia). Still, prerogatives of directly elected presidents are not significantly larger, than in those where the president is elected by the parliament (Albania, Federation of Yugoslavia). Compared to other directly elected presidents, those in Bulgaria and even Romania appear to have extremely limited prerogatives.⁴ However, the choice of direct or parliamentary election was not without consequences.

3 H. Roussillon, in: Bockel, Roussillon, Teziç, eds. (2000), 134.

4 Shugart, Carey (1992), 155.

Direct elections required political candidates and political campaigns and thus made elections not only a party affair, but also a matter of party mobilization (Bulgaria, Romania, Macedonia). The direct presidential election legitimated nationalist leaders –Tuđman and at some stage Milošević. Similar was the situation in Cyprus: Rauf Denktaş in the Turkish part, and *toute proportion gardée*, Tasos Papadopoulos in 2003 on the Greek side. Direct presidential elections were the preferred scene for populist (George Gantchev 1991 and Bogomil Bonev in 2001 in Bulgaria; Simeon Saxe-Coburg-Gotha was prevented from participating in 2001) and ultra-nationalist candidates (Vojislav Šešelj in Serbia in 1997 and 2002 (in both years two elections took place), replaced by Tomislav Nikolić in 2003 and 2004; Corneliu Vadim-Tudor in Romania (especially in 2000).

Election by the parliament also demanded party support, but not party mobilization. Therefore the choice of the candidates followed a different logic. In some cases a compromise was needed and a more modest figure (Crhistos Sartzetakis during the mandate 1985-1990; Konstantinos Stephanopoulos for two mandates 1995-2005; Karolos Papoulias since 2005 in Greece), and even a non-politician got elected (the president of the Constitutional Court Ahmed Necdet Sezer in 2000 in Turkey; the retired general Alfred Moisiu in Albania in 2002). This was a result of the lack of a sufficiently strong parliamentary majority for a party candidate, but in the long run, it could help the establishment of a *Kanzlerdemokratie*. On the other hand, the parliamentary election did not exclude the election of a politically “strong” president – Sali Berisha (1992, 1997) and Slobodan Milošević (1997 as president of Yugoslavia). In established parliamentary systems it was very often an outgoing prime minister, and not a new leader, who got elected president (Karamanlis in Greece; Özal and Demirel in Turkey).

Possible re-election was limited to one mandate (two mandates in total), which is a common practice.⁵ In post-communist countries more attention was paid to this restriction, because it was seen as a guarantee that new leaders will not stay for too long in power. This was related to the perception that the president is “the strong man” and to the debates about the “mandate principle” at the end of the communist regime. In the SEE region Slobodan Milošević was the only one who successfully avoided that restriction: after the end of his second mandate as president of Serbia he became president of Yugoslavia.

An important question is why constitution makers gave limited powers to the presidents and yet envisaged direct election. We must take into account the

5 Still in some parliamentary regimes (Italy, Israel, Greece and even France), there is no such restriction: Beyme (1999), 318. The only exception from this restriction in the region is KKTC (Turkish/Northern Cyprus), where the same president, Rauf Denktaş, has served since the state's formal institution (till 2005). On the other hand, no reelection is permitted in Turkey, and an attempt to introduce it in 2000 failed.

eclectic way of thinking that dominated in the first years after the fall of communist regimes. It is also manifested in the process of elaboration of the new constitutions. The principles of parliamentarism, a Soviet type assembly and presidentialism were mixed in many of the “new democratic constitutions.” This eclecticism could be seen in the first attempts of the communist leadership to create a one-person head-of-state institution. In a similar manner, the constitutional reform in the USSR from 1988, the discussions in Politburo of the Bulgarian Communist Party in 1989,⁶ and the institutional arrangement in early post- 22nd December Romania envisaged no clear difference between head of state and head of the legislative body: the president of the state had to be at the same time president of the parliament. Obviously, this was a relic from the old Soviet system where a parliamentary body exercised the functions of head of state.⁷

At later stages one could see this eclectic character of the arrangements concerning the president manifesting itself in contradictory provisions on two main issues: 1) The president is directly elected but has limited powers (Bulgaria, Macedonia, Slovenia, Serbia, Montenegro); 2) In a direct election presidential candidates need strong party support to win, but the winner is supposed to break relations with his/her party (especially in Romania, but also Bulgaria, Macedonia, Slovenia). A rather exotic decision was to create the position of vice-president in a parliamentary republic: in Bulgaria and for some time in Macedonia (for less than a year during 1991).

Later constitutional reforms. At later stages constitutional reforms reduced the presidential powers in some of the examined countries. In Bulgaria this happened with the constitution of July 1991, which replaced in this respect the constitutional amendments of April 1990. In Albania the adoption of the new constitution in 1998 clearly defined the limited prerogatives of the president. Less than a year after the death of Tuđman, the Croatian constitution was revised and among other changes presidential prerogatives were significantly reduced (November 2000). During the constitutional reform in Romania in 2003 there were also proposals to reduce presidential power. These cases could be seen as part of a more general trend. Constitutional reforms reduced presidential prerogatives in several “new democracies”: Portugal in 1982, Greece in 1986 and Poland in 1997. The Czech constitution from 1993 also attributed less power to the president than the Czechoslovakian one. After long preparations, in 2000 Finland abandoned the semi-presidential regime existing since its independence in favor of a purely parliamentary one.⁸

The rare cases of extending the presidential prerogatives were clearly relat-

6 Central State Archive, 1-b / 68 / 170-89 / f. 29, 104: Meetings of Politburo on 25th and 29th August 1989.

7 Cf. Massias (1999), 193-194.

8 Lütticken, Pfeil (2003).

ed to a general shift towards authoritarianism and conservatism in political life. This has proved to be a general trend in the post-Soviet space: Russia, Ukraine, Belarus, and the Republics in Central Asia and the Caucasus. In 1982 the Turkish constitution extended presidential prerogatives compared to the previous one from 1961, although without renouncing the parliamentary model. On the whole, this new constitution was considered a big leap backward in terms of civil liberties. In post-communist countries in SEE we must consider the Croatian constitution of 1990, which gave extended powers to the already elected president Franjo Tuđman. A case that deserves attention was the unsuccessful attempt of the Albanian president Sali Berisha to impose through a referendum in 1994 a new constitution stipulating large presidential prerogatives. Still, the best illustration remains the extension of the prerogatives of the president of the Federal Republic of Yugoslavia in 2000, during the last year of Milošević's regime.

From all these examples it could be seen that presidential prerogatives were reduced mostly in established and already functioning political democracies (Portugal, Greece, Czech Republic, Poland, Croatia, Finland; developments are disputable in the Albanian case), and extended in emerging (Tuđman's Croatia) or established (Serbia/Yugoslavia, post-Soviet space) personal regimes. Such a reinforcing of the presidential institution was not a "democratic" solution to political instability, but a step towards the crystallization of a personal regime.

An important problem was that in many cases during the first years after 1989 presidents possessed and exercised more power than prescribed by the constitution. Post-1989 Serbia and post-1992 Yugoslavia (Federal Republic of Yugoslavia) is the clearest case, where the presidential institution was used to give ostensible constitutionality to the dictatorship of a party leader. During the first years, when Milošević was president of the Republic of Serbia (until 1997), the president of Yugoslavia (Dobrica Ćosić and later Zoran Lilić) was deprived of any political power; but when Milošević became president of Yugoslavia in 1997, it was the president of Serbia who became a puppet-president in turn. This was Milan Milutinović, former foreign minister of Serbia, inoffensive enough to remain in office till the end of his mandate in December 2002, only to surrender to the Hague Tribunal a week later.

The creation of the constitutional courts was very important to overcoming this phenomenon. It happened almost simultaneously with the introduction of one-person head of state and was the other major institutional change. On some occasions it dealt directly with the relations between president, parliament and government, thus breaking the ambitions of some of the first presidents for more decision-making power. On the whole, the very existence of the constitutional court prevented flagrant deviations and helped to inspire respect for the rule of law and, more specifically, for the rules of the political

game. Given the fact that constitutions were parliamentary, the constitutionalization of power relations led to disempowerment of the presidents. In some cases the process was gradual (Kiro Gligorov in Macedonia, to some extent Ion Iliescu in Romania), but usually at some point the leaders of major parties simply turned their ambitions to the office of prime minister, as the next part of this text will demonstrate.

Presidents or prime ministers

Parallel to the constitutional reforms one could see clearer changes in the same direction at the level of power relations among politicians: the changing balance of power between president and prime minister (backed by a majority in parliament and by a party strong enough to win it) in favor of the latter. In fact, constitutional reforms only reflected political power shifts, and only when they were strong enough.

The political dimension of this evolution manifests itself mostly through the changing choice of presidential candidates. The candidature of the party leader for the presidency is so natural in a presidential (and semi-presidential) republic as his/her candidacy for prime minister in a parliamentary republic. Even if almost all former communist countries in SEE were parliamentary according to their constitutions in the early 1990s, most party leaders did run for president. This started to change a few years later, probably due to a better understanding of where real political power lies. In the second half of the 1990s Ivan Kostov in Bulgaria, Fatos Nano in Albania, Ljubčo Georgievski in Macedonia, Ivica Račan in Croatia preferred to run for prime ministers, and to back other candidates for the presidency. Only Romania remains a clear exception to this trend. Here I shall try to present this shift on a country-by-country basis.

In Bulgaria a new communist leader, Petăr Mladenov, assumed both the party leadership as secretary general of the CC and the presidency of the Council of State in November 1989. The situation changed in February 1990, when some kind of collective leadership was formed. Mladenov remained only member of the party's ruling body, and when he became nominally president (April 1990) he had to quit his position in the party leadership. The next president, Zhelyu Zhelev, elected in August 1990, did not have the political resources to impose himself as the main policy maker: he was elected by a parliament dominated by his political opponents. At the same time, he very easily lost influence over his former political organization – the Union of Democratic Forces. After his popular election in January 1992, he had even more limited prerogatives according to the new constitution. In the two following presidential elections (1996, 2001) only once did the leader of a major party run

for president: Georgi Pärvanov in 2001. But he participated in the presidential elections only a few months after his party came third in the parliamentary elections, and therefore could not be considered a “strong presidential candidate” at that time. Overall, Bulgarian presidents had greater influence only in periods of crisis, and this was actually prescribed by the constitution.

In Romania, after December 1989, Iliescu, the person who managed to become “leader of the Revolution” (and president of the National Salvation Front) also assumed the position of temporary president. The smashing victory of the May 1990 elections, similar to the landslide victories in the post-Soviet space, was never repeated. The change is more visible when one compares the two presidencies of Ion Iliescu in Romania under the 1991 constitution: 1992-1996 and 2000-2004. In the first case Iliescu lost control over the NSF, but managed to inspire the creation of a strong pro-presidential party (PSDR) and to direct the government. After the victory in 2000 his former deputy Adrian Năstase assumed both the party leadership and the position of prime minister. In this way the president was reduced to his constitutional prerogatives. Meanwhile, during the 1996-2000 mandate, due to the composition of the ruling coalition, President Emil Constantinescu was perceived rather as a member of a *quadrumvirate* (including the prime minister – initially Victor Ciorbea, later Radu Vasile and the leaders of the two parties – Ion Diaconescu of PNȚCD and Petre Roman of PD) than as a personal leader. Still, in 2004 Prime Minister Adrian Năstase decided to run for president. This is mainly because of the coincidence of the parliamentary and the presidential election. In this situation, Năstase had to lead his party just like Stolojan, and after his retirement Băsescu, on the opposite side, was leading the Democratic Alliance (the PNL-PD coalition). The fact that the ruling coalition won the parliamentary elections and the oppositional candidate became president gave a unique opportunity to see how important the presidential institution was. The success of President Băsescu to impose a prime minister from his own coalition shows that Romania remains an exception to the trend, described in this paper. This was due not so much to the personal ambitions and qualities of the presidents, but mainly to the timing of the elections. The concurrent presidential and parliamentary election made the president much stronger than the constitution prescribes.

In Serbia, the leader of local communists, Slobodan Milošević, assumed the presidency of the Republic (1987-1997). The popular vote legitimized his power in 1990 and 1992. Later he became president of the Federal Republic of Yugoslavia (1997-2000). His removal from power went through direct presidential elections in 2000 and this made his successor, Vojislav Koštunica, the main figure of the transition. This situation did not last long, and after the parliamentary elections a few months later, the new Prime Minister Zoran Đinđić (until March 2003) gradually imposed himself as the main policy maker. One could see it as symptomatic that Koštunica, after participating twice in Ser-

bia's presidential elections in 2002 (both cancelled due to low participation) also reoriented himself toward parliamentary and governmental positions and even became prime minister (2004-2008). In general, presidential elections in Serbia (and Yugoslavia in 2000) were very important at the time S. Milošević was president, and these elections were decisive in terms of perpetuating his regime or removing it. Now, despite some fears of restoration, they should not be regarded as crucial any longer.

For almost a decade, Croatia was a clear example of presidentialism. First, it had a constitution that was clearly semi-presidential, i.e. giving the president the right to appoint the government. Second, because the party of the president Tuđman had the majority in parliament, he became the real master of the executive. The inter-institutional relations changed dramatically within two months after Tuđman's death in December 1999. After the parliamentary elections in January 2000, the leader of the most influential party at this point, Ivica Račan (candidate for president ten years earlier!), became prime minister. The second decisive point was when the candidate of the ruling coalition Dražen Budiša failed to become president a month later. Stjepan (Stipe) Mešić – a well-known figure, but representing a coalition of smaller parties – won the presidential elections. In this way, following the logic of semi-presidentialism, the regime started to function as a parliamentary regime. Less than a year after the beginning of Mešić's presidency, this was sanctioned with a constitutional reform (November 2000), reducing presidential prerogatives. Prime Minister Ivo Sanader (leader of HDZ) preferred to remain in his position instead of running for president in the 2005 elections.

In Slovenia, the candidate and leader of the former communists, Milan Kučan, won the first popular presidential elections (1990). Known since the mid-1980s as an opponent of the central authorities in Belgrade, he benefited from his nationalist reputation. Later, in 1992 and 1997, he ran and won as an independent candidate. In 2003 Janez Drnovšek, prime minister and leader of the governing party for a decade, won the presidential elections and followed Milan Kučan as president. Still, there is no doubt that the parliamentary model will remain intact.

Montenegro remains a problematic case for the argument of this paper. All leading positions were in the hands of the former communists and the decision of the Prime Minister Milo Đukanović (1991-1996) to run for president was a maneuver to eliminate his party-mate and political and personal competitor President Momir Bulatović. The return of Milo Đukanović to the position of prime minister (since January 2003) confirms at first glance my main hypothesis. Still, without a normally functioning party system, it makes little difference whether the "strong man" will choose to be president or prime minister. In fact, Đukanović simply exchanged his position with former Prime Minister Filip Vujanović, who became president.

In Macedonia, the leading politician immediately before and after independence was undoubtedly the leader of the local ex-communists and newly elected President Kiro Gligorov. A change was detectable already in the mid-1990s, when the prime minister and leader of the ruling party Branko Crvenkovski overshadowed President Kiro Gligorov. The leading position of the prime minister as policy maker was reaffirmed during the mandate of Ljubčo Georgievski (1998-2002). During the last year of his second mandate Gligorov was completely marginalized by the parliamentary majority and the government of VMRO-DPMNE and their partners. The position of presidential candidate for the 1999 presidential elections was initially promised to a smaller partner of the governing coalition (Vasil Topurkovski), and later assigned to a member of the ruling party – Boris Trajkovski. Ironically, Trajkovski's political influence as president was considered very important only after his tragic death due to the crash of the presidential airplane. At that time, hopes re-emerged that a strong president could save the country from disintegration. Still, the candidacy of Prime Minister Branko Crvenkovski for president in the April 2004 elections was surprising, given the already established parliamentary regime in Macedonia and the role played by Crvenkovski himself in this process. It is an open question whether he intended to act within the limits of the constitution or to try to transgress them and to interfere in governmental activity. The appointment of a non-party member for prime minister (Hari Kostov, later replaced by Vlado Buchkovski) was a clear sign of this ambition. In the long run Crvenkovski gradually became a “weak” president after being a “strong” prime minister in the past.

The situation is quite different in federative formations. Given the fact that in these countries the president is supposed to “represent the unity of the nation,” his/her position and function in federal states is problematic. In Yugoslavia, because of the federal character of the state, a collective presidency was envisaged in the 1974 constitution, and fully introduced after the death of Tito in 1980. This move had nothing to do with fidelity to the Soviet constitutional model and its Presidium. It was an attempt to adjust the political leadership to the federal character of the multinational state.

Later, Bosnia and Herzegovina had to solve the same problem in a similar way. A collective three-member presidency with a rotating president was created. Each community elects their own representative in the collective presidency and thus the collective body is composed of leaders with incompatible visions, i.e. one nationalist per community, as it happened in the first free elections in 1990 and also in the most recent elections, in October 2002. Moreover, BIH is composed of two political unities – The Croat-Muslim Federation and Republika Srpska. Since the last one is a one-nation republic, it has direct presidential elections, but the former uses rotation between a Croat and a Muslim president.

The situation is peculiar in the current federation of Serbia and Montenegro as well. Here the one-person presidential institution was adopted, with the restriction that the president of the Parliament must be from the other member state. As a sort of courtesy on the Serbian part, a Montenegrin, Svetozar Marović, was elected federal president (March 2003). In all these cases, the presidential institution was weakened at the federal level, but not necessarily in the republics that form the federation.

In Albania, the leader of the communist regime, Ramiz Alia, also opted for the newly established position of president. After obtaining it in May 1991, he had to leave his position of party leader (as prescribed in the constitutional amendments), thus placing “national” above “political.” The leader of the anticomunist Democratic Party, Sali Berisha, who won the elections in 1992, made the same choice. He got elected president and the position of prime minister went to his deputy Aleksandër Meksi, while as party leader was appointed Eduard Selami. Distributing these positions among his collaborators, Berisha managed to remain party leader *de facto* and thus to establish a presidential regime. The shift toward a parliamentary regime had two phases. First, at the level of power relations between president and prime minister, when the leader of the socialists, Fatos Nano, preferred the position of prime minister (1997-1998 and 2002-2005) and backed for the presidency another member of the party leadership – Rexhep Meidani. Willing to reduce confrontation, Meidani left the Socialist Party and ran as ostensibly independent. Second, with the adoption of the constitution in 1998, when a purely parliamentary model with indirect presidential elections was chosen. The election of a consensual figure for president in 2002 – the retired general Alfred Moisiu – confirmed the orientation toward a *Kanzlerdemokratie*. After winning the parliamentary elections in 2005, Berisha opted for the position of prime minister.

On the whole, the preference for strong presidential power during the first years after 1989 was to a large extent a legacy from the communist times. It was no coincidence that usually the leaders of former communist parties opted for presidential power – Petăr Mladenov, Ion Iliescu, Ramiz Alia, Slobodan Milošević, Kiro Gligirov and even Milan Kučan. More generally, preferences for a strong president were related to conservatism and a deficit of civil culture. Here we must add the cases of the two strong “non-communist” (in fact, both former members of the respective communist party) presidents: Franjo Tuđman and Sali Berisha. In the case of Croatia, those who voted for Tuđman and his party (HDZ) were mostly rural rather than urban dwellers, workers rather than white collars, elderly rather than younger people, religious rather than secular, etc.⁹ In Albania, the Democratic party of Sali Berisha has a stronghold in the less developed and less modernized North of the country.¹⁰

9 Grdešić (1993), 291.

10 Schmidt-Neke (2001), 328, 337.

On the other hand, in several cases we could explain candidacies for the presidency by looking at the individual political career of the respective leader. Usually, the presidency is the end of a long career of a previous prime minister. Greece and Turkey are good examples: Karamanlis (aged 73 when he became president for the first time in 1980) in Greece, Özal (aged 62 when elected, died in office) and Demirel (aged 69 when elected, the oldest politician ever to serve as Turkish president) in Turkey. In the case of these leaders, it was wiser to choose a five or seven-year mandate (Greece and Turkey respectively) than one or two more years in office. Probably this could be a way to understand the candidacies for president of Janez Drnovšek in Slovenia (2002) and Branko Crvenkovski in Macedonia (2004), despite their younger age: both have among the longest record as party leaders and prime ministers in post-1989 Eastern Europe. In a similar way, we can explain the election of former Prime Minister Václav Klaus as president of the Czech Republic. These individual choices do not undermine our thesis about the existence of an established parliamentary model; still they must be considered as a deviation – such a thing never happened in the Federal Republic of Germany, for example.¹¹

Relations between presidents and parties

Initially, in most of the countries, the head-of-state institution was expected to be a “president above the parties.” The president was seen as someone who had to be a “statesman” opposing “politicians.” This perception was due mostly to the negative attitude towards political parties that emerged almost immediately after the introduction of multi-party systems. Constitutions forbade the president to belong to any party (Romania, Macedonia, Slovenia, Albania since 1998, Croatia since 2000, the same applies to Turkey since 1961 and to Greece since 1975) or to be member of a party leadership (Bulgaria, initially Albania). Even in this case Bulgarian presidents preferred to leave their respective parties, rather than remain ordinary party members (Stoyanov, Pärvanov). Meidani in Albania (1997) and Mesić in Croatia (2000) did the same before being constitutionally obliged. In all cases the choice was the politically logical one. The president could profit from a close connection to a political party only if he/she was the leader of this party. Otherwise, instead of political support he/she would receive only political directives. In this case, the damage to the presidential image due to accusations of partiality would not be compensated for by greater political influence.¹²

11 The first Kanzler Konrad Adenauer had the idea to move to the position of Bundespräsident in 1959 (after the end of the second mandate of Theodor Heuss), but gave up after considering the limited prerogatives of the president: Scholz (1992), 445.

12 Cf.: Duverger (1978), 133.

The mandatory “non-partisan character” (*Überparteilichkeit*) of the president posed serious problems, especially in the case of direct elections, where party mobilization is needed. The most contradictory situation exists in Romania. On the one hand, the president is supposed to be “above the parties.” The problem is that he/she is not only directly elected, but that so far his election has taken place simultaneously with the parliamentary election (1990, 1992, 1996, 2000 and 2004). The immediate result is that political parties running for the parliament *nolens volens* need to have a strong presidential candidate, who would attract votes for the party list in the parliamentary election. In most cases this was the party/coalition leader himself (Petre Roman in 1996, 2000, 2004; Vadim Tudor, 1996, 2000, 2004; Emil Constantinescu in 1996; Ion Iliescu formally as party leader in 2000; Năstase, Stolojan/Băsescu in 2004). On other occasions, a more attractive or suitable person was nominated, but often he became the party/coalition leader shortly after the elections (Emil Constantinescu for the Democratic Convention after 1992, T. Stolojan for the National Liberal Party (PNL) after 2000 elections). In all cases the presidential candidates were the leading figures of the respective political parties in the parliamentary election as well. The problem is that the most successful of them, the winner, is obliged by the constitution to break his/her relations with the party and to leave another person in the position of decision-making within the party. It is worth noting that concurrent elections in Romania should no longer be held in the future, because with the 2003 constitutional amendments the presidential term was prolonged from 4 to 5 years.

Besides the process of disempowerment of the head-of-state institution, there is a second important change. Not only are there “weaker presidents,” who intervene less and less in day-to-day politics but also they are more often seen as politicians that represent some political party or coalition rather than as national figures. Paradoxically, the direct election of the president turned out to be decisive in this regard. Initially direct election was seen as a way to make the president independent from the political parties, thus placing him/her “above” them. In fact, really independent candidates had little chance to win, although in many cases some of them obtained unexpectedly good results. After three or four elections in these countries, directly elected presidents are seen as representatives of their respective parties or coalitions. This was/is the case of Petăr Stoyanov and Georgi Părvanov in Bulgaria, Ion Iliescu, Emil Constantinescu and Traian Băsescu in Romania, Boris Trajkovski and Branko Crvenkovski in Macedonia, although during their terms they had/have no formal party membership.

Presidential elections even enhanced the process of polarization of the political spectrum. In most cases, the second round of presidential elections looked like a direct competition “left *vs.* right” or “former communists *vs.* anti-communists” (some of these anti-communist candidates being former CP members). This was the situation in Romania (1992, 1996 and 2004), Bul-

garia (1991, 1996, 2001), Macedonia (1999, 2004), Yugoslavia (2000), Serbia (1990, 1992, 2004). Just as in the case of the Fifth Republic in France, where Gen. De Gaulle wanted to remedy partisanship through a strong presidency, the stronger presidency eventually encouraged the process of reorganization and reinforcement of political parties and the “left vs. right” division.¹³

The post-presidential career is also indicative of the party affiliation of the presidents. Some older politicians were happy with the position of “former president” (Karamanlis; Evren; Demirel; Gligorov). Others, despite the *überparteiliches* nature of the presidential institution in their respective countries, returned easily and immediately to party leadership: Iliescu after 1996 and Berisha after 1997. Surprisingly enough, Iliescu attempted once again in 2005 but failed. At different stages Zhelyu Zhelev and Emil Constantinescu assumed leading party positions. In October 2005 Petăr Stoyanov managed to become president of the Union of Democratic Forces in Bulgaria, while Rexhep Meidani failed in his attempt to head the Socialist Party in Albania. In the long run, the attempt to place presidents “above day-to-day party politics” failed.

* * *

The analysis of the institutional history of the communist regimes has shown that during the later decades of the regimes’ existence the main policy makers, the leaders of the respective communist parties, became, or started to be perceived as heads of state. As a consequence, public opinion got used to a model, where the head of state governs the state. Obviously, one could also add here the pre-communist legacy of having a strong king, savior of the people and father of the nation. Still, the heritage of the communist period was far more important. In many cases (Poland, the USSR and the majority of its republics, Bulgaria, Serbia, Montenegro and Albania) the new presidential institution directly emerged from the status quo of the late communist regime.

The large comparative perspective enables one to see the existence of a new trend after 1989: the establishment of a parliamentary democracy goes through disempowerment of the head-of-state institution. Such a development took place in CEE and most SEES countries. Of course there are also exceptions and power relations between presidents and prime ministers in several of these countries deserve further attention. To draw the line, it is not yet possible to conclude whether all SEE post-communist countries have definitely opted for the parliamentary model. On the other hand, in both Macedonian and Romanian 2004 elections the party affiliation of the presidential candidates is

13 Duverger (1978), 164. This transformation has occurred to the extent that now one may wonder whether the strongest president in Europe is not simply a “representative” of his party: Messerschmidt (2003).

clear. In both elections the leading candidates were party candidates. Whether “strong” or “weak,” the new presidents are seen as “politicians,” representatives of their respective political camp, rather than as national figures.

Without excluding the possibility for establishment of a stronger presidency in some of these countries, the desires to have a “strong president above the parties” could not be fulfilled. The strong president has not only larger constitutional prerogatives, but also needs sufficient political resources, which in a political democracy means the position of party leader. In regimes where the president is strong, he *de facto* remains party leader as well (USA, France). In a democracy, a policy maker “above the parties” is inconceivable. The president is either a politician and party representative with more or less decision-making power, or a mostly symbolic figure with limited prerogatives. From this perspective, the weakened and partisan presidents in Southeast European post-communist countries are a rather good sign for the future of political democracy.

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